



RIDGECREST HOMEOWNER'S ASSOCIATION

8760 Deeridge Place SE, Port Orchard, WA 98367-9518

In reply:

Refer To:

CS:151019BoardMtgMinutes

October 19, 2015

Special Board Meeting Minutes – October 19, 2015

BOARD MEETING CONVENED: The Board of Directors met at 8722 Deeridge PL SE. President B. Maxfield brought the meeting to order at 7:09 p.m. Board members present were B. Maxfield, Pres., J. Dearth, Vice Pres. (by proxy), A. Aosved, Treas., C. Shirk, Sec., J. Swatek, member.

1. ATTORNEY LETTER: An attorney letter entitled: Notice of noncompliance and demand for reimbursement for D. McNeill's legal fees was received by B. Maxfield on October 16, 2015. It was from J. Paul Ferman, Attorney, Hall & West Attorneys at Law. B. Maxfield read the letter accusing the board of not adhering to state statutes, alleging Mr. McNeill was denied access to documents, inadequate and belated meeting minutes, failure to conduct secret balloting on board nominations, and unspecified other violations. Discussion followed. B. Maxfield motioned to seek legal advice from RHA attorney, Gregory Eklund. J. Swatek seconded. Unanimously approved.

2. SECRET BALLOT VOTING: The board agreed our bylaws do state that board nominations shall be by secret ballot. A. Aosved motioned to select board members by secret ballot from this point forward. B. Maxfield seconded. Unanimously approved.

3. FOLLOW-UP MEETING: President Maxfield requested the board reconvene after meeting with association counsel. All agreed. The follow-up meeting will be a continuation to these brief minutes and will be combined and posted as such on the website.

MEETING ADJOURNED: President B. Maxfield adjourned the meeting at 8:05 p.m.

Bernice Maxfield, RHA President

Connie Shirk, RHA Secretary

Meeting with RHA Attorney – November 4, 2015

RHA ATTORNEY GREGORY EKLUND MEETING AND HIS DELIBERATION:

President B. Maxfield called RHA attorney Gregory Eklund following the October 19 meeting and sent him D. McNeill's attorney letter. The board met with the attorney on November 4, 2015 and provided him with an account of the situation, correspondence, and meeting minutes for his examination. He subsequently called J. Paul Ferman to tell him his letter would be forthcoming. Mr. Ferman responded that he did not actually represent Mr. McNeill. He was only paid to write the letter, but he would give the response to him when received. **MEETING ADJOURNED.** The attorney letter serves as documentation.

RHA ATTORNEY GREGORY EKLUND'S DETERMINATION AND RESPONSE:

Attorney Gregory Eklund sent his legal determination, dated November 6, 2015, to J. Paul Ferman. The letter will be archived along with D. McNeill's attorney letter. Generally, the letter stated the board is fully compliant with access to all information, meeting minutes, and the board had not violated any of the laws cited. With respect to demand for compensation of attorney fees, the attorney responded: "The RHA has committed no such violations and will not pay D. McNeill's attorney fees."

This is the second time this year the board has needed legal counsel in the face of serious allegations of impropriety and illegality, and with the minor exception of not using a secret-ballot voting method for board nominations, this is the second time the RHA attorney has confirmed our full compliance with the law. We trust all such allegations of noncompliance and impropriety have finally been put to rest. We will work in good faith toward the goal of a community free from conflict.

RHA President, Bernice Maxfield

RHA Secretary Connie Shirk

Electronic Board Vote December 2, 2015

Board Officers Resigning:

Due to the stress caused by continuing allegations (personal and against the board) B. Maxfield has stepped down as president but will remain on the board. C. Shirk resigned as secretary and from the board for the same reasons.

Resulting Leadership Changes:

Therefore, citing Bylaw Article IV Sec. 3, the board appointed J. Shirk to fill C. Shirk's board term. Because Vice President, J. Dearth, indicated his business does not allow him the necessary time to devote to presiding as president, the board appointed J. Shirk to fill the interim president's term until 2016 elections. Citing Bylaw Article VIII Sec. 7, the board combined the secretary-treasurer positions, and A. Aosved agreed to hold the interim position until 2016 elections. Unanimously approved by electronic transmission.

The changes to officers and board members are reflected below. Their board membership terms are up in the year indicated. New officers will be elected at the yearly meeting in February. Our thanks to all for your service.

<u>Board Terms</u>	<u>Officers and Board Members</u>
2018	Jim Shirk, President
2018	Jack Dearth, Vice President
2017	Al Aosved, Secretary-Treasurer
2017	B. Maxfield, Board Member
2016	J. Swatek, Board Member

RHA President, Jim Shirk

RHA Secretary-Treasurer, Al Aosved