

SAPOA NEWSLETTER

SUNSHINE ACRES PROPERTY OWNERS ASSOCIATION | PO BOX 824 | SEQUIM, WA 98382
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Save the Dates

3/13 Zoom BOD Meeting
 4/1 Mussel Beach Road
 Open [Weather Permitting]
 9/1 Pay Dues
 10/15 Dues Delinquent
 TBA General Meeting
 Check Reader Board for
 other important dates!

Bylaws

The existing Bylaws have inconsistencies, ambiguities, and gaps throughout that must be addressed. The board unanimously agreed last year to conduct a thorough review of the Bylaws in conjunction with the other guiding documents to clarify and ensure compliance. The board is holding workshops to address questions presented to the board in accordance with the Bylaws. A short summary of the issues addressed in the board meetings and workshops will be provided in newsletters. Workshop materials and board meeting minutes (which have more detailed information) may be found on the website at sapoasequim.org. Meeting minutes for all board meetings for the past 3 years (with the exception of Executive sessions held to discuss legal matters) are posted on the website under Documents/Board Meetings.

President's Message

I want to wish you a happy, healthy and prosperous 2021.

This past year has been challenging to say the least. I hope you are staying safe and healthy. The majority of this newsletter is dedicated to the items this board attempted to correct in last year's ballot process. If you have questions, please contact a board member. We ask, however, that you be respectful. We are volunteers, serving the membership as a whole. We recognize there may be differences of opinion, but are committed to doing what is best for the membership and for the community in which we live.

To open the dialog (and because we have two new board members) we will be holding educational workshops to discuss the Bylaws and budget proposed last year. Members are welcome to attend these Zoom workshops. We will post dates and times on our website at sapoasequim.org. The agenda will be posted to the website 48 hours before the meeting.

Bob Salisbury

Guiding Documents

SAPOA has several guiding documents that must be followed. They are separate documents with a hierarchy.

1. Revised Code of Washington (RCW) 64.38. The laws of the land take precedence over all other HOA documents.
2. The Declaration of Covenants, Conditions, and Restrictions (CC&Rs) which detail the rights of homeowners according to the plat in which they reside and the plat map the association recorded with the county office.
3. Articles of Incorporation

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2021 SAPOA Board

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Email specific questions or concerns for the board to sapoasequim@olympen.com or attend one of our Zoom board meeting workshops.

Con't.

4.The Bylaws which state the particulars of how SAPOA is operated.

5.Rules and Regulations which focus on the day-to-day aspects of operations.

The Bylaws and CC&Rs are meant to compliment each other with the Bylaws "filling in the blanks" so the plats run smoothly. An example is when plats use language in the Bylaws to vote on variances. Yard signs is an example of how state law takes precedence. They are prohibited in the Bylaws but political yard signs are permitted under RCW 64.38. SAPOA has no authority to have them removed.

Reserve Studies

The reserve studies we conducted last year are required by law to ensure the financial viability of SAPOA. The studies must be done by a professional firm, every three years and the cost (including any reserve funds established) must be part of the annual budget. The proposed budget included these studies and reserve funding.

Architectural Rep

Except for the common areas, the responsibility of approving construction plans lies with the individual Plat Architectural Committee (PAC), not the SAPOA board. Plat 3 is the only Plat that has an PAC. Language was proposed (Section 8.4) to give the SAPOA board the authority to appoint members to a PAC if the individual plat had not done so.

Dues assessment

An inconsistency that came to light during a variance voting process in one of our plats and a recommendation in the reserve studies prompted a change in dues assessment and clarification of voting rights. In the variance process, members in the plat believed members should get one vote for each lot/property owned, but CC&Rs had no process in place. In the Bylaws, only members in good standing, which includes all dues paid, may vote. The board has no authority to change the CC&Rs so clarifying language was drafted for the proposed Bylaws.

Proxies. As it stands now, we will not be able to use proxies even to establish a quorum for general meetings. The attorney addressed this in his letter which is posted on the website. Section 2.2 states "Under no circumstances will proxy votes be allowed." However, Section 7.2 and 7.2.1 outline how to vote by proxy. We attempted to clarify the use of proxies in Section 2.2.5 with language stating member voting will only occur by mail-in ballot.

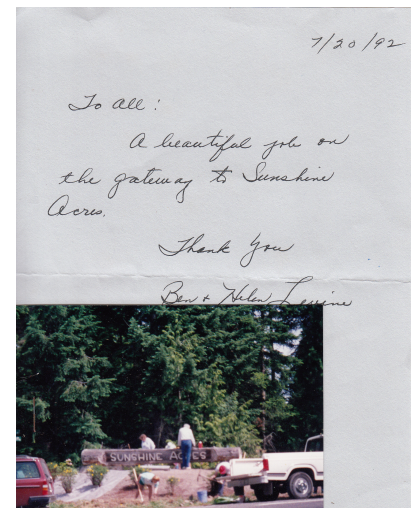
Tax Returns

We are still working with the CPA to determine how many years have not been filed. To the extent necessary we will file past returns. The CPA is preparing the 2019 tax return and audit. In the past, our paid bookkeeper conducted self-audits which is not recognized as Generally Accepted Accounting Principles.

Records

Board member Diana Grunow conducted an inventory of SAPOA records in storage. We are missing correspondence since 2014 and we cannot locate tax returns from 2004 through 2018. If you've forgotten (and suddenly remembered) they are in the back of your garage somewhere or you know where they might be, please contact a member of the board so we may get them into our storage unit.

A Sense of Community



Diana found this picture in her records inventory. Nice!

Excerpts from Ms. "Tall Elf" Beverly's post on NextDoor say it all about this community.

- 1) When a community joins in on a shared vision, it can be accomplished.
 - 2) When people join forces to accomplish a goal, they have fun and are more connected to the bigger community.
- Thank you Tall Elf, Ms. Tall Elf and all the Diamond Point elves who make Holiday Lane and our community "magical."