Pine Forest Board Meeting Minutes
March 14, 2020
Committee reports and board correspondence with PFOA members are in the appendix.
Minutes posted to the PF website/Governance/Minutes/Board Meetings.

Next board meeting: April 25, 1-3pm.
Meeting will be by phone. Contact Anne Fox for instructions.

When your contact information has changed, please send new details to directory@pine-forest.org

According to RCW 64.38.035 (4) “The board of directors shall keep minutes of all actions taken by the board, which shall be available to all owners.” Henceforth, the minutes will include only actions taken by the board.

Meeting held by conference call.
Board members in attendance: Anne Fox, Heather Dean, Jim Wurzer, Robin Jeffers
Community Liaison Steve Meyers present

The board meeting began at 1:00 pm.
PF owner present: Rick Gray
Evidence of meeting announcement presented to Board.
The minutes from the January PF Board meeting were approved unanimously.

Board unanimously approved the following:
• Revised Architectural Guidelines pending membership approval of necessary covenant changes.
• Water Hook-up and Fee policy
• Late Payment and Non-Payment of Assessments and Fees Policy
• 30-day notice to owner of intent to put lien on property for non-payment of dues
• Fines and Enforcement Policy, pending two changes: how panel membership will be determined, and include CLG language on major and minor infractions.
• Good Neighbor Guidelines
• Lot 136 driveway proposal

Meeting adjourned approximately 4:15pm.
Minutes prepared by RJeffers, Board Secretary
Appendix
Committee Reports and Correspondence between Board and Members

Budget and Finance—Heather Dean, Treasurer

Treasurer’s Notes
Pine Forest Owners’ Association
Board Meeting-13 March 2020

These notes complement the “Finances thru 13 Mar 20” file shared via Google Sheets. Includes notes carried over from previous report that are still applicable; those not immediately relevant are gray.

2019/2020 Budget-13 Mar 20

• **Red Numbers:** Items that are more than a couple hundred dollars different from projected.
• **Dues & Water:** One owner (Lot 42) still has paid less than half of the 2019/2020 dues & water. (They paid half of the 2018/2019 amount.) The debt incurred an additional $100 late fee on 13 January. The owner has viewed the invoice multiple times.
• **Timber Thinning:** The approved amount Common Area timber thinning costs ($16,875) was “net” (i.e., total cost minus log sales). Thus, the $8,297 overrun in the Expenses section is actually a net overrun of only about $1,970, when including the log sales in the Revenue section.
• **Other Fee Income:** We have received another $2000 building fee and $2000 water hook-up fee for Lot 136, but I have not yet deposited them, pending Architectural Committee approval of the building plans.
• **Roads:**
  • Eliminating stump removal this fiscal year will offset the overrun on the garbage/entrance area improvements and signs.
  • We have about $4,400 left in the overall budget for winter maintenance (snow plowing, snow pushback/slush removal, and sanding). We’ll most likely have to do sanding in the next few days, but probably won’t need any more pushback or slush removal, so we should have enough to cover sanding.
  • Depending on how much more sanding we need, we’ll have up to $6,900 for spring grading. The $9k spent so far on no-winter maintenance was entirely for grading & ditch maintenance, done in late summer & autumn.
• **Water:**
  • The $3,900 for water meters & vaults is partially offset by two hook-up fees we received, one this FY & one just before it started.
  • We have one additional meter & vault on-hand, with at least two owners planning to build this year (Lots 136 & 173), so we should buy two more sets, so that we continue to have one on hand.
  • We remain under budget overall due primarily to MVM’s having concluded that we did not need extensive rebuilds of our pump house electrical systems.
• **Other Expenses:** We are on course to be at or under budget in the other categories (i.e., Administrative Expenses, Garbage, Management, Professional Services, and Taxes).
Architectural Committee—Robin Jeffers, Chair

Architectural Committee Report
2020 March 14
RJeffers

Current Building and Site Change Projects

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<thead>
<tr>
<th>AC Approval Date</th>
<th>Action</th>
<th>Address/Lot#</th>
<th>Owners</th>
<th>Contractor</th>
<th>Project Start Date</th>
<th>Project Status</th>
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<tr>
<td>7/2015 (approx)</td>
<td>Extend garage construction deposit refund deadline to Sept 30, 2017</td>
<td>14 N Blackjack</td>
<td>Gustafson</td>
<td>Gustafson</td>
<td>7/2015 (approx)</td>
<td>Incomplete* forfeited refund</td>
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<td>5/25/2018</td>
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<td>Add driveway</td>
<td>Lot 11</td>
<td>Dillon</td>
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<td>5/3/19</td>
<td>Site change: prep for house cst</td>
<td>Lot 127</td>
<td>Hardy</td>
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<td>Incomplete</td>
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<td>6/1/19</td>
<td>Primary residence cst</td>
<td>Lot 142-C</td>
<td>Byron/Massey</td>
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<tr>
<td>7/3/2019</td>
<td>Primary residence cst</td>
<td>Lot 127</td>
<td>Hardy</td>
<td>Hardy</td>
<td>9/6/19</td>
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<td>12/30/19</td>
<td>Primary residence cst</td>
<td>Lot 173</td>
<td>Wallbank/Vigeland</td>
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<td>In process</td>
<td>Residence remodel—approve exterior</td>
<td>Lot 187</td>
<td>Scott</td>
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*Red indicates a problem.

Outstanding requests for approval

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<th>Action</th>
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<th>Owners</th>
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<tr>
<td>3/4/20</td>
<td>Primary residence cst</td>
<td>Lot 136</td>
<td>Hoey</td>
</tr>
</tbody>
</table>

Forest Health/Firewise—Heather Dean, Chair
Tour of PF by WDNR Entomologist

On 9 March, Jake Hardt, the WDNR forester who manages the ladder fuel cost share program, brought Melissa Fischer, WDNR’s area entomologist, to PF to check out our Doug fir “needle fusing syndrome” and assess other afflictions remaining in our forest. Like the USFS entomologist before her, Melissa noted that she had never seen anything like our needle fusing syndrome before, but has a suspicion (needle midge) and took a number of samples with her to examine and to share with other experts at a conference she plans to attend in late March (if it isn’t cancelled due to the COVID-19 outbreak).

Melissa identified two other ailments affecting our trees that we didn’t already know about: “red band” in some of the pine, and rhabdocline in Doug firs (https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fbsev2_026273.pdf and https://pnwhandbooks.org/node/2685/print). Both are fungal infections resulting from or exacerbated by crowding and perhaps drought stress. The red band is causing some of our pines to have spindly canopies, because they end up retaining only 1-2 years’ of needle growth, rather than the normal 3-5. Jake and Melissa advised that the thinning we have been doing is the best treatment for us. Unfortunately, several years of affliction can result in mortality, as the tree cannot photosynthesize enough to sustain itself. Rhabdocline has similar effects on the Doug fir, as well as similar treatment advice. Melissa wasn’t as concerned with it, because, as she put it, we should have much more pine here than fir.

More Beetle Trees

So far, we have identified beetle-infested trees (i.e., western pine bark beetle) on six lots. The infestation appears to be much less than last year, and we’re hopeful it remains that way. The other good news is that Melissa noticed very little infestation by the Ips beetle, which is the one attracted by pine slash. That is why we have been careful in timing the cutting of pine when we can’t chip or burn the slash quickly, so it was a relief to hear those efforts have paid off. Melissa’s theory is that the western pine beetle is spilling over from the 2015 burn area, which would have been a major attraction for it.

Melissa advised that, for this year, at least, we should continue to remove and burn beetle-infested trees, and Heather has already coordinated with the owners of lots with known infestations. Saul and crew will begin cutting and burning those trees next week (16 March). If you notice pines that are newly de-barked (by woodpeckers), that have pink pitch tubes (look like chewed gum stuck to the tree) around eye level, and/or that are dying from the top down and haven’t already done so, please contact Heather about getting them removed and burned before the beetles emerge in late spring.

Ladder Fuels

The last two weeks, Saul and crew have been trying to burn the remaining slash piles from last year’s fuel reduction work. Burning is done or mostly so on five of the nine lots and one of the two greenbelts. They’re going to hold off on the remaining piles until things melt out more.
Meanwhile, we’ve had 38 owners express interest in participating in the **cost share program this year**, including all but 10 of the remaining lots that have greater than 50% coniferous canopy cover and have had little to no fuel reduction in the last five years (see “Canopy Cover-Updated”). Heather will soon be contacting owners who still need to complete the application form, but has submitted the list of properties to WDNR, so the grant is already in process, and work will commence once WDNR has awarded it.

As for **common areas**, the proposal for the 2020/2021 budget is to use approximately the total amount budgeted last year for Forest Health/Firewise work to complete the ladder fuel reduction in areas already enrolled in the cost share program and to enroll for cost sharing to complete ladder fuel reduction in the remaining interior and north and west perimeter areas (see “Common Area Cost Share Properties”). Heather included these areas in PF’s application to WDNR, but work will not begin until after the budget approval process (assuming the proposed budget receives owner approval).

**What that will leave** is the two large east-side greenbelts and the narrow greenbelts/rights-of-way adjoining them, which total approximately 42 acres. The intent would be to seek cost sharing for work in those areas either next year or the year following, depending on how far this year’s work gets and whether we decide to dedicate any Forest Health/Firewise funds to other projects.

**Timber Thinning**

The last report indicated that **Zosel Lumber’s new partner, NWT Resources**, Inc., had cut us a check of $3,223 for the unprocessed logs that were still in Zosel’s yard at the time of the fire. As it turned out, they have sent payment so far only for the pine logs ($1,591), which they have already shipped out. We are expecting another payment of around the same amount once they are able to transport the fir logs, but don’t have a timeline for when that might occur. They are shipping to Canada, which complicates logistics for them and delays payment to us.

In the meantime, NWT clarified that they were not, in fact, partnering with **Zosel** on logs already processed, and Zosel has indicated that they will not have their chipping plant up and running, which milestone they say is necessary to generate revenue so that they can continue to pay us, until Spring, at the earliest. They continue to owe us a little over $23k. (That total is down from $25k despite no payments from Zosel since then because, as explained in the previous report, we are taking a small loss selling the unprocessed logs to NWT Resources because we needed to move them before they were too old to have any value.)

We have not made any payments to **Brothers Fire** since the last report, so continue to owe them just shy of $15k, of which $1.4k is for common areas and the remainder private lots. The **good news** is that we discovered that, under the cost share program, Heather and Steve could claim the time they spent managing the ladder fuel work last year; that nearly 700 hours of time is worth over $8,000; and Heather and Steve donated those funds to the shortfall we currently have on the 2019 timber thinning.

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**Governance—Anne Fox, Chair**

The Governance Committee met via phone conference on Saturday, February 29 and has plans to meet again (phone conference) on March 21. In the February meeting we started the review
of the CLG draft Declarations through Article 10. We hope to complete the review of the Declarations in its entirety in the March 21 meeting.

Anne Fox has yet to summarize the comments from the February 29 meeting but will try to do so prior to March 21.

Committee review of the CLG draft Bylaws is complete. Once all the Committee has completed its review of both governing documents it will decide on next steps. Those actions could include one or more of the following: 1) A review of the Bylaws against the Declarations; 2) Submitting the Committee reports and reviews of the drafts to the Board for review; 3) A conversation with CLG to discuss the concerns/issues/requests/edits we have after our review of the drafts.

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**Roads—Jim Wurzer, Chair**

PF Road Committee Report 3/12/20

This is the time of year when PF Road conditions “are front and center” in the HOA. Justin Haase was able to confirm what we have spent so far for slush removal & sanding: $3,200, or about half of what we had budgeted, for the former & $2,300, or 2/3 of the budget, for the latter. That is, in large part, because Justin elected to absorb 18 hours of truck time for the night of slush removal since it was a mild winter (i.e., the snowplowing contract went in his favor this year). Sanding PF roads is costing about $800 per application. This news means that we can afford to do some more on the roads, as needed, but I want to share that Justin—who has a financial stake in actually doing the work—stressed that it would be “a big waste” in these conditions & that people who live in Pine Forest full time really should have studded tires. He also noted that Pine Forest has a reputation of having difficult road conditions and unprepared drivers, which is a big part of why no one is interested in handling our roads. I also want to share that those comments were unsolicited. This is a real concern because there are less than a handful of contractors at best who have the ability to plow and maintain the HOA’s roads in winter. Towing services in the Methow Valley will not come to the aid of anyone in PF in winter. The closest tow services that are available are in Omak! All PF residents have to be very careful and courteous in their dealing with the Valley contractors. It would be very difficult to operate as a residential neighborhood without their services!

As for the 2020/21 budget there are a number of considerations to be made.

Projects like the improvement of the sight lines at the intersection of Whitebark and Summer Roads come into mind. We have not received a specific price for such. But it cost PF $5,200.00 to improve the area around the refuse containers in 2019. It would cost at least that much to deal with the Whitebark intersection.

We had only a one winter season agreement with Justin Haase to take care of our roads. It would be nice to get a five-year contract in place. We have to decide whether to have a set price for next winter’s work or base it on a time and materials basis. Luckily Justin is agreeable to the idea of working with us next winter. His preference is the set price method.

The other issue is sanding. At $800 dollars a sand application last year’s budget was enough for four sandings. We can either budget for a number of sandings or sand as needed. If we sand as needed we
may have to budget a set cost. If more sanding or snow push back is required we may have to add a surcharge at the end of the season that reflects this extra work.

We think the best approach is to see if Justin will agree to a single winter maintenance price that would include snow plowing, snow pushback, slush removal, and sanding. There will be line items in the budget for these activities but having Justin agree to the totality of it will give us more flexibility with them. We will talk to Justin about that ASAP.

Jim Wurzer

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**Water—Bill Ellis, Chair**

Water Committee Report March 2020

We continue to make progress with the advice of Doug Hale on our priorities. We have a bid to upgrade the structures of the mid station pump house and the transfer station. All known system leaks have been repaired.

We have new information of the main water line on upper Summer Road. Steve and I spoke to Jim Rogers who was on the Board at the time of the major water system upgrade and is a current water committee member. The replacement or this pipe was discussed with the previous upgrade. Apparently, it was deferred because the road is just over bedrock and replacing the pipe would potential involve digging into the bedrock. The water system priorities document will be updated as appropriate.

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**Website Updates and Management—Anne Fox, Chair**

Deb Dahrling and Colin Carrihill have done an excellent job of researching options for both website updates and more effective methods of electronic communications with owners.

Deb met with a website designer, Charlie Smith, whose work she knows through a connection she has with a nonprofit organization that hired Charlie. Deb is impressed with the good quality of Charlie’s work for that organization. She also feels Charlie has very strong communication skills and would well with Pine Forest owners in seeking ideas for a redesigned website. Following this report please find an estimate from Charlie for Pine Forest website design.

The committee believes it is important that PF update its website for the following reasons:

1) The website isn’t mobile friendly.
2) The presentation of information is cumbersome and not intuitively organized.
3) Design changes and file management are challenging or impossible using the current site structure.
4) We don’t have a secure method to store/access archival information that includes personal and/or sensitive content.

The low estimate is $3360 (56 hours) and the high estimate is $5040 (84 hours).
In addition to Deb’s work Colin has researched more effective communication tools for outreach to owners. He recommends we try HOA Messenger and will do some testing to see how it works.

Colin’s more detailed summary of his research is: On one end of the spectrum is AWS which has a free tier that would be plenty of messages for our use but would require us to roll our own messaging system. Not super complicated but certainly beyond my capabilities. On the other end of the spectrum are full-on HOA management software packages that were really fully featured with messaging, and also website builders, document repositories, issue reporters for residents, etc. But they are fairly spendy (e.g. $40-$500/month) and maybe more heavily featured than we need. So I think HOA Messenger is worth a shot.

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**Pine Forest Home Owners Association**

**Website Redesign Estimate**

I’ve itemized the website redesign into a few categories that represent different parts of the process. Without knowing the full scope of the project, I have given a range so we can calibrate the cost as we go. But, to give some sort of framework so we can decide together where time is best spent.

- **Research**: Get a better idea of what the Home Owners need from this website. Talk with board members, survey home owners, competitive analysis.

- **Site Map**: Catalog all existing pages and documents. Create a website structure that is easily browsable, password protected, file management scheme for current and future organization.

- **Plan of Attack**: Research and recommend services on which to build the new system. Web building and hosting, email service, file management, URL hosting.

- **Content Migration Website**: Now that the services are in place, migrate all the web pages to the new structure.

- **Content Migration Documents**: Transfer all documents, e.g., meeting notes, community guidelines, archived forest service docs, etc.

- **Visual Design**: Research, design and recommend a visual style for all pages. Desktop and mobile friendly.

[hellocharliesmith.com](http://hellocharliesmith.com)

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<tr>
<th>Item</th>
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<th>Hours High</th>
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<tr>
<td>Site Map</td>
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### Plan of Attack
- Content Migration Website: 16-20
- Content Migration Documents: 6-12
- Visual Design: 12-16

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<tr>
<td>At $60 per Hour</td>
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**Correspondence between Board and Owner Chris Bellas**

See following pages.

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From: Chris Bellas  
cbellas@att.net  
Subject: problem on Long Leaf road

Date: December 3, 2018 at 8:30 PM

To: liaison@pine-forest.org  
Cc: gloucks@att.net

Hi Steve, As we told you on Saturday, the phone line to our cabin has been dead since about November 15 or 16. We had the CenturyLink tech out today and he found that our phone line has been severed about 300 feet down the road from our driveway, probably as a result of the road work recently done along Long Leaf. The phone line to our cabin runs from the pedestal half way up Long Leaf along the south side of the road, crossing the road at our driveway. The tech marked in orange the place where the line is severed. The phone line is buried about 10-12 inches deep along the roadway.

The problem is that now the ground is frozen and the tech can't dig up the site of the severed line to repair it because all he has is a shovel. So we need to have Andy or someone come and dig up the area where the severed line is so the tech can find it and repair it. We need to get this done very soon before the ground becomes more frozen and the snow piles up.

We are going back up to Pine Forest in a few days to try to crack open the frozen ground with a mallet and metal rod so it can be dug up for the tech to repair it. But we wanted to try to reach Andy to see if he could help us with this with his equipment. As the liaison, do you want to contact Andy or do you want us to? The severed line is on HOA property not on our property.

We saw a lot of markings along the roads a few weeks ago so we don’t know why the phone line wasn’t located before any work was done.

Thanks in advance for any help you can give us.

Regards, Chris Bellas and  
Quinn Loucks 26 Long Leaf
-----Original Message-----
From: Heather Dean & Steve Meyers <kalireyes@aol.com>
To: Christine Bellas <cbellas@att.net>
Sent: Sat, Dec 8, 2018 2:48 pm
Subject: Re: Phone Line

Hi, Chris.

We haven’t heard from Andy. I know that, since his divorce, he’s trying not to work on weekends, ’cause that’s when he has his kids. Is there something we can do for the project in your absence? (We get back in Wednesday night.)

Sent from my iPhone

> On Dec 8, 2018, at 17:26, Christine Bellas <cbellas@att.net> wrote:
> Hi Heather and Steve,
> We are wondering if you have heard from Andy yet? I haven’t heard anything from Steve. We are trying to decide whether to leave tomorrow morning or to stay longer in case Andy can come up early next week.
> Thanks for your help.
> Chris and Quinn
> >
> > -----Original Message-----
> > From: Heather Dean & Steve Meyers [mailto:kalireyes@aol.com]
> > Sent: Saturday, December 08, 2018 5:52 AM
> > To: cbellas@att.net
> > Subject: Phone Line
> >
> > Hi, Chris.
> >
> > Needless to say, that is a big bummer! Steve talked with Anne last night & is going to contact Andy this morning to discuss the situation. We’ll let you know what transpires after that.
> >
> > Sent from my iPhone
From: Kalireyes [mailto:kalireyes@aol.com]
Sent: Thursday, December 13, 2018 8:35 PM
To: cbellas@att.net
Subject: Re: Phone Line

Hi, Chris & Quinn.

Have not heard back from Andy. We've just returned from out of state. I'm sure we'll be in touch soon, but am not sure how the recent snow will affect his ability to do anything with the wire. Given that they were initially going to dig by hand, do you have any idea how CenturyLink deals with such issues in the winter? Sure seems like both they & the locate folks really dropped the ball on this one. Will let you know as soon as I get in touch with Andy.

Steve

-----Original Message-----
From: Chris Bellas <cbellas@att.net>
To: 'Heather Dean & Steve Meyers' <kalireyes@aol.com>
Sent: Thu, Dec 13, 2018 12:38 pm
Subject: RE: Phone Line

Hi Heather and Steve,
Have you managed to reach Andy yet? I was unable to reach him on his cell or office phones. Let us know if you have talked to him.
Thanks,
Chris and Quinn

-----Original Message-----
From: Heather Dean <kalireyes@aol.com>
To: Chris Bellas <cbellas@att.net>
Sent: Fri, Dec 14, 2018 7:43 pm
Subject: Re: Phone Line

Okay. We'll keep trying to get ahold of him.

Sent from my iPad

On Dec 14, 2018, at 12:00 AM, Chris Bellas <cbellas@att.net> wrote:

Hi Steve,
CenturyLink only says that the entity responsible for damaging the phone line is responsible for excavating it so that it can be repaired. In the case of Long Leaf it seems that the phone line was damaged for some distance along Long Leaf (more than 100 feet) when the road was worked on. This happened about mid-November. Since it is now mid-December snow is on the ground which is now frozen. If Andy is not willing or able to come back with his equipment until spring we presume that CenturyLink cannot repair the line until then.

Chris
Heather and Anne,

On November 14 or 15, the landline to our cabin on Long Leaf was cut due to road work done by F&S Excavating along Long Leaf on HOA property. Apparently the locator used by Andy managed to miss the phone line that was a few feet from the lines he did have marked on Long Leaf. We traveled up twice since then to meet with the CenturyLink tech sent out from Wilbur, WA. During the first visit, the tech found that the line was completely severed in one spot and Steve contacted Andy who dug up the spot we had marked. On the second visit a few days later, the tech found that the phone line was also extensively damaged for more than 100 feet down the road and that the entire length of damaged phone line needed to be replaced to restore the landline. After that visit, in early December, we have not been able to contact Andy nor apparently has Steve.

The CenturyLink tech has informed us that if he cannot excavate the line by hand with his shovel, it is the responsibility of the entity that damaged the line to excavate the line so a new undamaged line can be buried and the phone line restored by CenturyLink. With the ground frozen and snow on the ground it is not possible to dig up by hand more than 100 feet along the road to replace the damaged phone line.

We consider the entity that damaged the phone line to be the HOA and its contractor. We consider the HOA to be responsible for assisting in restoring our phone line including any costs that might be involved.

Heather has referred to this situation as “our project” and apparently our problem. This situation is NOT “our project”. We did NOT for arrange road work along HOA roads in order to damage our phone line. The damage was done on HOA property along the HOA road by a contractor working for the HOA. We have no cell service at our cabin so that landline is the only way we have to communicate from our cabin. It also provided an internet connection via DSL. We also had a freeze alert via the phone so we can check the cabin for temperature and learn of prolonged power outages.

We are now facing the prospect of months of no phone line and no internet. This is not just “inconvenient” for us. Aside from potential damage to the cabin due to the loss of the freeze alert, we will have no way to contact help in any kind of emergency. We had the landline installed several years ago after Quinn had a life-threatening medical emergency while out running on Mercer Island. So the consequences of having no communication at our cabin for an extended period can be extremely serious if a medical emergency arises. And we will hold the HOA responsible for any consequence of losing our phone line.

Pine Forest badly needs a manager who is local, especially since the vast majority of owners are part-time residents. The “volunteer liaison” just doesn’t substitute for a real manager. I hope that the board members continue to look for a suitable manager to look after Pine Forest, hopefully someone who will work to correct damage that HOA activities inflict on individual owners.

Chris Bellas
Hi, Anne & Chris.

Chris, I am sorry to have implied that the repair was your project & your responsibility. I did not mean to do so. Hopefully the additional explanation I am providing for Anne, below, will shed some additional light on what has been going on. I also apologize that a resolution has not been more expeditious; the Board has a crushing workload right now, including the need to meet tight legal deadlines associated with Chris Hopkins’ suit against us. We will try to get this problem, too, resolved as quickly as possible.

Anne, Steve & I were just discussing this issue immediately prior to my opening e-mail. We agreed that Steve would write to Chris & Quinn in the next few minutes, which, of course, was prior to our seeing this e-mail. Our conversation was a follow-up to Steve’s & Jim’s discussion last night, in which they agreed that Jim would bring the issue to your attention, since the scope of the repair may now exceed the limited authority of the liaison to authorize expensive projects, which authority was also limited for Brad. I believe Steve & I learned of the problem on 4 December & contacted Andy right away, who also responded immediately & excavated the area that Century Link had marked as the source of the problem. We were fortunate that he still had equipment onsite following his autumn road work, so that his response was of minimal cost. After he completed the excavation, however, he moved the equipment out of Pine Forest in advance of forecast snow. It wasn’t until after that, on 7 December, when Century Link identified an additional area needing to be excavated. As Chris noted, Andy has documented that he requested line locates, & that service obviously failed to identify Chris & Quinn’s line(s). Given that failure & Century Link’s failure to identify the full scope of the problem when we had equipment on hand to deal with it, Steve & I felt, as did Jim when he & Steve discussed it last night, that it may not be appropriate for Pine Forest to shoulder the full financial responsibility of the additional repair. That is the question that we were in the process of bringing to the attention of the rest of the Board.

Let me know when you want to discuss further.

Heather
Briefly, in November of 2018 we found that our telephone landline was dead. The landline cable was severed along Long Leaf by Andy Oosterhof during stump removal and then reburied. This was the second utility cable severed and reburied in Pine Forest in 2018 that we are aware of. Andy’s equipment was left along Long Leaf so he excavated that area for the CenturyLink repairman and then removed his equipment from Long Leaf. However, this did not restore the landline because Andy had also damaged the cable for some 150 feet down Long Leaf while working on the road during the HOA project. The cable was so extensively damaged that it could not be repaired by CenturyLink without an excavator.

When the extent of the damage became known we received an email from Jim Wurzer, Heather Dean and Steve Meyers informing us that we would be receiving no help of any kind from the HOA in getting this cable repaired, despite the fact that the cable was destroyed in an HOA common area along an HOA road by an HOA contractor during an HOA funded project. At this point the “liaison” Mr. Meyers refused to help us contact Andy or help us in any way. The contractor Andy Oosterhof did not respond to repeated texts, emails and phone calls from us for the next six or seven months. No board member nor the “liaison” assisted us in any way to get the landline repaired.

The destruction of the landline caused big problems for us over the next six months because the temporary lines that CenturyLink was able to set up through the snow did not hold up. For about eight weeks off and on during the next six months we did not have access to any communication at our cabin including 911 emergency services, our phone, our internet or the freeze alarm set up at our cabin. It was six months after the damage before the permanent line was repaired (after multiple visits from CenturyLink and multiple temporary lines). For those board members who think that severing a residence’s access to 911 is a trivial inconvenience I would be happy to connect you with Mike Worden, the manager of Okanogan County 911 emergency services and a member of the sheriff’s department, who was incredulous at the situation we were put in.

We did in fact have a fire at our cabin last January 2019 and were able to call 911 on the temporary line. Hours later, however, the temporary line failed, so if the fire had happened the next morning we would not have been able to call 911 and our cabin could have been badly damaged.

**RCW 19.122** covers the protection of buried underground utility cables and pipelines, which includes telephone landline cables. **RCW 19.122.050** states that no facility (cable or pipeline) that is damaged or destroyed by an excavator should be reburied until it is repaired or relocated, and both the utility provider and the locator must be notified of the damage by the excavator. **RCW 19.122.050** further states that the utility provider must repair the cable or pipeline as soon as possible, working with the excavator if needed, and that any customer outage constitutes an emergency situation (**RCW 19.122.020**). **RCW 19.122.053** requires that any utility damage caused by an excavator be reported to the state utilities commission regardless of the reason for the outage. **RCW 19.122.040** requires excavators to use reasonable care to prevent damage to underground utilities. According to CenturyLink repairmen #2 and #3, as well as an independent contractor we consulted, state regulations prohibit the use of excavators or other heavy equipment within 3 feet of buried utilities. **RCW 19.122.045** states that the excavator who causes the utility damage is exempt from consequential damages only if he complies with all of the requirements of RCW 19.122.

In summary then, regardless of whether the excavator calls a locator before damaging a utility cable, calls a locator after damaging a utility cable, or never calls a locator, the
excavator is required to abide by the provisions of RCW 19.122 and report the damage to both the utility provider and locator, as well as the state utility commission, and work with the utility provider to repair the cable if required. This is not what happened in Pine Forest after at least two HOA projects.

Finally, I would like to point out to the board that the **HOA covenants legally require the HOA, not an individual homeowner, to manage the HOA roads and common areas along those roads that contain buried utility cables, as well as manage HOA projects and HOA contractors who are working for the HOA.**

**I would suggest that the board require any contractor working on Pine Forest roads to comply with all of the provisions of RCW 19.122 as well as other state and local laws, and also require that a contractor call a locator before stump removal since that is how two utility cables were severed and then reburied in violation of RCW 19.122.**

Chris Bellas
26 Long Leaf, Pine Forest

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**Anne Fox**
29 Feb 2020 1:31 PM
(6 hours ago)

to Chris, Bill, Heather, Jim, me

Chris,
Thank you for the information regarding the RCW’s. As I stated in my reply to your communication to the Governance Committee, your request will be sent to and reviewed by CLG for purposes of review of the Association’s management responsibilities.

The Board will also review all Governance Committee comments and recommendations, including this request from you.

The Board takes exception to your condemnations of its contractors and, in particular, those who work in a volunteer capacity for the benefit of Pine Forest. Mr. Meyers, working on a volunteer basis, has done an excellent job of supporting the needs of the community and, within that community, individual owners. He keeps the Board fully informed of issues within the community. The Board fully supports the work of Mr. Meyers.

Anne Fox on Behalf of the Pine Forest Owners Association Board

**Chris Bellas**
29 Feb 2020 2:17 PM
(5 hours ago)

to Anne, Bill, Heather, Jim, me

Anne et al.
I did not condemn Mr. Meyers but only related what happened to us and the response from Mr. Meyers and some board members. I would welcome hearing from the board and Mr. Meyers why it was appropriate to refuse to help us in any way. I will also say that I was extremely surprised and disappointed in this response from the board and Mr. Meyers to our situation that was created not by us but by an HOA project along HOA roads. This event cut us off from access to 911 for many weeks last year, a situation I take very seriously. As I told the members of the governance committee, we had the landline installed after my husband Quinn suffered a cardiac arrest when out running on Mercer Island in 2015. Luckily people there saw him on the ground and stopped to help and saved his life. So I am very aware that access to 911 in Pine Forest can be the difference between life and death. Again, I would welcome hearing from the board and Mr. Meyers why their response to the situation was appropriate and beneficial to the Association.

Regards,

Chris Bellas

Response 3/2/20
Hi Chris,
I’m responding for the board and the Pine Forest liaison.

It’s clear from your original email that you remain concerned that the Pine Forest Board and the liaison acted unwisely and endangered your and Quinn’s safety. We appreciate your concern and the effort you went to in researching the RCW’s relevant to this matter.

As we do with all communications of import to the community, we will be including both sides of the communication in the board meeting minutes. In part, doing so will allow all PF owners access to your research.

Cordially,
Robin Jeffers
Secretary, Pine Forest Board

Chris Bellas

Anne, Bill, Heather, Jim, me

Anne and Board Members,
I have delayed sending this email until now in deference to whatever was going on last week in Pine Forest about road conditions that was occupying the board. This is my last email to the board on this subject so I will try to be clear. I have persisting in bringing up this incident with the board because of how seriously it affected me and my husband. As a consequence of an HOA project along the HOA roads we lost our permanent telephone utility cable connection for six months and access to 911 for eight weeks and narrowly missed by a few hours a potential disaster if we had not been able to reach emergency services during the house fire of last January. This situation is unacceptable according to state standards as set out in RCW 19.122
and it is unacceptable according to the local sheriff’s department. Yet despite the seriousness of this incident, the board seems to have dismissed it as a trivial inconvenience that should be swept under the carpet and never discussed again. There has been no acknowledgment from any board member of the impact on us.

For example, twelve days after receiving the email from Jim Wurzer, Heather Dean, and Steve Meyers informing us that we would not be helped with the damaged cable, I received an email from Anne telling me that Andy had been contacted after all and had agreed to work with CenturyLink to repair the cable and would be contacting me shortly. Of course Andy never contacted me and never responded to more than a dozen emails, texts, and phone calls from me over the next six months. However, all subsequent emails to Anne were unanswered in the months that followed. There was never any explanation of what happened with Andy, no response of any kind from any board member, just a complete lack of communication with us as we were left to deal with the situation created by the HOA project for the next six months. We heard nothing from Andy for more than six months until he showed up at our cabin with Mr. Meyers, long after the permanent cable had already been repaired, and verbally threatened my husband because we had hired another contractor at our own expense to bury the permanent cable.

We have always tried to be good citizens of Pine Forest, volunteering on several occasions with tree painting and slash stacking, and, because we could not take advantage of the opt-in, hired Saul entirely at our own expense to thin our lot of more than 240 trees at a cost of more than $5000. We always attended the annual meetings and tried to attend board meetings as a way of becoming more involved with the HOA. Anne has stated that the board members are volunteers who are always above reproach but I must remind the board that neither Mr. Meyers nor any board member suffered any damage or was put at risk from this incident—we were. I cannot understand why we were treated, intentionally or not, in such a dismissive way by the board. I cannot understand why a board member could not have at least communicated with us about the damaged utility cable and the status with Andy especially since the utility cable was so important to our safety and well-being.

I can only hope that the board, if not this week or even in the next few months, will at some point consider its obligations according to the governing documents regarding HOA projects as I set out in my previous email.

One final comment: Pine Forest desperately needs a professional property manager. I applaud the board’s decision to hire a professional water manager, and think the time has come for a manager for other Pine Forest functions. The vast majority of Pine Forest owners are part-time owners. We are not able to monitor our properties on a daily basis and may not even know, for example, if a utility cable has been damaged until we arrive at Pine Forest. My husband and I would be happy to pay the addition cost to the annual dues to have someone manage the HOA and hopefully avoid a situation like the one we faced in 2018 and much of 2019. I would hope that the board could at some point provide the owners with an estimate of the addition cost per resident owning houses (not including lot owners) to fund a property manager to take over the daily management of Pine Forest. In all fairness to the board, they should setting policy and overseeing management not attempting to do it themselves. The current management set up is not sustainable and frankly did not work for us. I would love to see a proposal presented to the owners for funding a professional property manager.

Regards,
Chris Bellas

From: Anne Fox [mailto:annewfox@gmail.com]
Sent: Friday, March 06, 2020 5:55 PM

Chris,
I am not in a position to respond in detail to your email at this time due to a demanding situation in PF that requires immediate attention. In addition, I need to prepare my reports for the 3/14 board meeting.

I can say that I am not interested in visiting the past and engaging in an exchange of he said/she said. We need to look forward. The PF Board and others who work on a volunteer basis for PF have never purposely neglected the safety of owners. We are a dedicated group of volunteers who care about the community.

I think perhaps the best way to answer your concern is to do as I’ve previously stated, submit the RCW you identified to CLG, look for advice and respond with whatever is needed to better define responsibilities.

Best Regards,
Anne

3/31/2020
Anne Fox
to Chris, Bill, Heather, Jim, me

Chris,
We received your letter of March 12, 2020 outlining your concern over the handling of the loss of your permanent telephone utility cable for 6 months and access to 911 for 8 weeks.

As I have stated in my previous communication to you I am not interested in reviewing a she/he/they said situation. I acknowledge the break occurred and, from your communications, understand it resulted in serious trauma for you and Quinn as well as concern for your health and safety. It is my sincere belief, after reading all the communications, that our volunteers made every effort to help but that communications with our contractor and with the utilities was difficult. If I added to any delay in dealing with the problem then please accept my apologies.

I also understand from your extensive research and documentation of the RCW and HOA documents that you are asking for clarification of Board responsibilities in this area. Again, as stated previously, we will ask for CLG to provide an opinion when we have the Committee’s and Board’s comments on the draft governing documents reviewed.

You have asked the Board to consider hiring a paid manager to assume responsibilities for on-site operations and management. We will consider your request at the April 25, 2020 Board meeting.

Sincerely,
Anne Fox