

HOA BOD Meeting Minutes 07/28/2022

1. Call to Order

- Meeting was called to order at 6:00 PM
- Board Attendees:
 - Peter Clark (President)-Present
 - John Wells (Treasurer)-Present
 - Cody Olson (Secretary)-Present
- Resident Observers in Attendance:
 - Bill Gaffi, Linda Macpherson
 - Don & Melinda Olson
 - David Patterson
 - Keith Coppenger

2. Executive Session - Lot 21 Easement Agreements & Lawsuit

Status Update on Lot 21 Lawsuit:

- On behalf of the HOA and Bruce Bosch, Jeff Seymour presented a draft settlement agreement for the Lot 21 lawsuit to Rick Todd, the attorney representing Pollywog Bog (David Patterson) – May 19, 2022
- Rick Todd communicated to Jeff S that David P would not consider a settlement until after both plaintiffs respond to their “Request for Production of Documents”.
- The HOA and Bruce B answer the RFP, providing requested documents - June 3, 2022.
- Pollywog Bog filed an answer and counterclaim to the Lot 21 lawsuit – June 15, 2022.
- Jason Grosz, the HOA’s counsel, recommended that the HOA engage Damon Henrie to provide additional guidance on the Lot 21 lawsuit going forward.
- The HOA Board appoints Damon Henrie as a legal adviser- June 22, 2022.
- Jeff S notified the HOA’s insurance carrier, American Family Insurance, of the counterclaim.
- AmFam appointed attorney Jeff Hansen of Chock Barhoum to defend the HOA against the counterclaim.
- Jeff Hansen filed the HOA’s reply to the counterclaim – July 15, 2022.
- Jeff Hansen visited and toured the site – July 23, 2022
- Damon Henrie’s involvement in this matter is only as needed to keep the HOA’s legal expenditures as minimal as possible. If we find the need for additional involvement by Damon, there will be additional costs.

In response to the counterclaim filed against the HOA, the BOD needs to consider a geotechnical evaluation of the inlet landslide area.

- *John made a motion to move to executive session to meet with Damon Henrie (legal advisor to the HOA) to discuss the process for hiring a geotechnical firm to evaluate the slide*
- *Cody seconded the motion.*
- *The motion passed by unanimous vote. The board entered into executive session at 6:11 PM.*
- *The BOD returned from executive session at 7:20 PM*
- *Cody made a motion to authorize HOA counsel (Damon Henrie) to hire a litigation expert in the field of geotechnical engineering to perform a preliminary geotechnical evaluation. Approximate cost of the evaluation is \$3,800.*

- *John seconded the motion.*
- *The motion passed by unanimous vote.*
- ***John to contact Damon Henrie to provide authorization to proceed with hiring the litigation expert.***

3. Next Meeting Date:

Wednesday August 10, 2022, 6PM

Upcoming Meetings:

08/17/2022, 6PM

08/31/2022, 6PM

Peter to send out notification of the scheduled meetings.

4. Future Meeting Topics

- None at this time

5. Adjournment

Meeting adjourned at 7:21 PM