

The Tate HOA/BOD Special Meeting
October 31, 2024
Minutes Board of Directors

Present: Nicki Maxwell, Chair; Lew Powell, Vice Chair; Lauren Dame, Treasurer

Residents and Guests Present: Carolyn Kranzler, Len Lewandowski, Jim Maxwell, Rose Nestor, Laura Parrish, Jean Tate, Marge Vinolus, Jim Weston, Pattie Pyle, Margo Savell, Anthony Hornof, Franzeca Drouin, John Pendergrass, Anne Delaney, Nina Amstutz, Hallis, Em Jenson, Carolyn Kortge, Dean Kortge, David Kolb,

Call to Order: The Special Meeting was called to order by Nicki Maxwell, Chair, at 2:00 p.m.

Nicki reported the vast majority of Tate homeowners has given the HOA Board permission to access the Asset Acquisition Fund in order to pay for a communal drainage system in the garage that will accommodate heat pumps on the second and third floors. In doing this we have heard two points of view. First, many residents believe this addition will increase the value of the building overall. And it's certainly equitable that a resident on the second or third floor should have the same capacity to install a heat pump as residents on the other three floors. However, others, have expressed concern about the impact on the building with installation of this system and raised questions about unforeseen problems/issues that may develop with the added system.

To address these concerns, Rick Smith from Harvey and Price described the installation and responded to questions from residents. Harvey and Price submitted a proposal for the communal drainage system. Residents asked several questions and all were answered by Rick Smith. The HOA Board will proceed with scheduling the approved proposal for installation

The second order of business was to hear from residents regarding proposed revisions to the Tate HOA Bylaws. Two committees have conducted a review and submitted the proposed revisions to the Board, The Board has deliberated on the proposed revisions and made additional revisions.

A table reflecting the proposed revisions was sent to residents on October 19. The consolidated bylaws, posted on the Tate website, was recommended as the source to use for reference. The table is included below with notes to reflect discussion of residents at the meeting.

The Meeting was adjourned by Nicki Maxwell, Chair, at approximately 3:20 p.m.

Next Meeting: The next Tate HOA Board of Directors Meeting will be held in person in the

Laurel Fisher Gallery and via Zoom Video Conferencing on November 21, 2024 at 4:00 p.m.

October, 2024

The following table reflects the proposed revisions to the bylaws as recommended by the Bylaw Review Committees. The revisions are divided into two categories:

1. technical, e.g. removing “declarant” and other language regarding turnover meeting. These are terms referring to when the condo was built. They no longer apply so we recommend deleting in order to clean up language of the bylaws. These revisions are written in green;
2. substantive changes that alter a bylaw and therefore may have an impact on the management of the HOA or living at the Tate. These are written in red.

These revisions have been reviewed and discussed by the Board. The next step is for residents to review and respond to the proposed revisions. Opportunity to do that will be October 31 at 3:00. The meeting will be held in the Laurel Fisher Gallery. Zoom will not be offered.

Subsequent to October 31 any changes will be discussed with an attorney and formal language will be decided by the attorney. That step will take place in 2025 when there is a budget amount to cover the attorney fee.

The consolidated bylaws (First and Second Amendments added) are in effect and serve as the primary reference in relation to Board function. To review the proposed revisions residents are advised to refer to those Bylaws on the [Tate](#) website under Governing Documents.

If you have any difficulty accessing the bylaws on the website contact webmaster, Robert Davis at robertldavis@gmail.com. Please refer to friends and family if you are not a user of a browser and unable to access the Tate website.

Bylaw	Question
1.1 through 1.4	No revision needed
1.5	Office address is 1375 Olive Street. To be delivered to Chair; apartment number will be noted on mailbox
2.1 through 2.3	Should declarant be deleted? That decision will be made on the advice of the attorney. It may apply to all cases where there is reference to Declarant.
2.4	Delete reference to Turnover meeting. No revision is recommended after language following “Thereafter”. Add annual meeting held in December in LFG and/or virtually.
2.5	No revision needed
2.6	Reduce percentage of owners to petition for a special meeting from 35% to 25%. Agreement at meeting was to eliminate percentage and state owners of 12 units.
2.7	Add “in a manner to be received including email”
2.8.1	Delete function of declarant
2.8.2 through 2.14	No revision needed
3.1	Delete turnover meeting and declarant.
3.2 through 3.2.3	No revision needed
3.2.4	Need clarification on turnover meeting
3.2.5 through 3.2.17	No revision needed
3.2.8	The “all” in this sentence does not imply 100% owner approval; it refers to the fact that the purchase would be on behalf of all owners. The second part of the sentence says the “consent or approval of owners” is required, and does not make clear what percentage. Any change should not change the “all”, but would be to add “approval of 75% of the owners.”
3.2.10-12	No revision
3.2.13	*Change amount to reflect current
3.2.14 through 3.2.22	No revision needed

3.2.23	Remove reference to role of declarant	
3.3 through 3.5	No revision	
3.5.1 and 3.5.2	Remove “and declarant” in first sentence	
3.6. through 3.13	No revision needed	
	3.14	“Such special committee shall keep regular minutes of their proceedings and report the same to the Board of Directors when required.” Suggested revision is to delete the requirement of committees keeping regular minutes. Committees, as a rule, has not kept minutes; rather, they report to the Board as the need arises.

4.1 through 4.7	No revision needed
4.8	*Change amount to reflect current.
4.9	No revision needed
5.1	Remove “Any budget for the Association prepared by Declarant or during the period of Declarant's administrative control of the Association pursuant to Section 20 of the Declaration shall be based on Declarant's good faith projection of the requirements of the Association for the period in question, which in turn shall be based upon a reserve study performed by a professional property management company or professional reserve study provider, but such projection may vary substantially from the actual requirements of the Association for such period.”
5.2	Remove “Declarant shall obtain”; Declarant shall conduct”; Declarant may elect” and “Declarant may not defer”
5.3.1 through 5.5.1	No revision needed
5.5.2	Remove “Any reserve fund established by Declarant shall be based upon Declarant's resale study of the applicable reserve requirements of the Association, but such projection may vary substantially from the actual requirements of the Association.”
5.5.3	Remove declarant
5.6 through 6.3	No revision needed

6.4	*Change amount to reflect current.
6.5 through 7.1.3	No revision needed
7.1.4	Change from 30% (13.8 units) to total of 10 units as rentals. In addition to the 10, a resident who has owned and occupied for 3 or more years and wishes to temporarily rent his or her unit for a period ranging from three months (Three months was reduced to two months) or longer in absence of owner may do so. Board notification required. Need to clarify residents who do not own, but also do not pay rent to the owner of their unit. are not considered renters to be counted in the limit of 10.
7.1.5	No revision needed
7.1.6	Remove activities of Declarant
7.2	Last sentence beginning on p 21, continuing on p 22. Remove declarant.
7.3 through 7.4	No revision needed
7.5	Remove “The Board shall provide a copy of such submission materials to the Declarant or its successors and assigns upon receipt.”
7.6 though 7.12	No revision needed
7.13	Remove references to Declarant
7.14 through 7.16	No revision needed
7.17	Remove “other than signs used by the Declarant to advertise Units for sale or rent, without the prior written approval of the Board of Directors.”
7.18	No revision needed
7.19	Remove “No Owner, other than Declarant”
7.20 through 7.24	No revision needed
7.25	Remove activities of Declarant
8.1 through 8.1.3	No revision needed
8.2	Recommend removal
9.1, 9.1.1, 9.2, 9.3, 9.3.1, 9.3.9	Remove/revise language that puts HOA first in line for insurance claims. See letter from Enumclaw. Individual homeowners need to have insurance for their units and personal property as well as personal liability.
9.1.1, 9.1.2, 9.1.4	*Change amount to reflect current
9.2.8	*Change amount to reflect current

10.2 and 10.4	Remove declarant; may need rewrite by attorney
11.4	*Change amount to reflect current
11.6	Remove “Suits Against Declarant.”
12.7	Whenever any dollar amount is specified in these Bylaws, such amount shall be automatically adjusted each January based upon changes in a generally accepted index.

There are eight bylaws in which a specific dollar amount is specified, and according to Bylaw 12.7, these numbers should be adjusted annually to account for inflation. (For example, Bylaw 4.8 provides that one Board member may sign checks from \$2,500 to \$4,999, while checks of \$5,000+ must be signed by two Board members.) It appears that these numbers have not been routinely adjusted, so it is proposed that as we amend our Bylaws, we also adjust all these numbers to reflect currently valid numbers, and then put update them annually using a spreadsheet, rather than change our Bylaws document every year.

Bylaw Section	Description	Amount in Bylaw	Multiplied by 2023 Index
3.2.13	Alterations to common elements	\$15,000	
4.8	Who has to sign checks	\$2,500	
4.8	Who has to sign checks	\$5,000	
6.4	Payment of vouchers	\$5,000	
9.1.1	Insurance deductible	\$10,000	
9.1.2	Limits of liability insurance	\$1,000,000	
9.1.4	Directors/officer liability insurance	\$1,000,000	

9.2.8	Notification to board of owner improvements	\$2,000	
11.4	Attorney fee without owners approval	\$2,500	