

**MINUTES**  
**August 4<sup>th</sup>, 2007**  
**Special Community Meeting of Seahurst West Addition**

**Present:**

Bruce Beck and Ralph Johnson Bob Beebe, Jim and Rebecca DeVaney, Marilyn and Darold Doell, Vicky Fisher, Marc Kropack, Mike and Maria Little, Dan McGarry, May Mettler, Jay O'Donnell, Knut Ringen, Lee and Carol Sanders, Judy Siewerath, Joe Swanzy, Jim and Mary Jo Vigel.

Bob Krakowski and Terry Watkins were represented by written proxies previously given to Vicki and Joe, respectively.

**Opening:**

The meeting was brought to order by President, Vicki Fisher at 10:00 am and it was established that a quorum was present.

Vicki introduced our newest neighbors, Jim and Mary Jo Vigil, agendas were Passed out and the purpose of this special meeting was established to be the review and discussion of proposals for the repair of the seawall on Lot B.

**Review of committee work:**

The formation and activity of a special committee to gather information relevant to the seawall was reviewed. The committee was appointed at the March, 2007 Community Meeting and consisted of Joe Swanzy, Jay O'Donnell, Lee Sanders and Mark Kropack.

They met April 21, 2007 and decided that the seawall project was, a higher priority than the road project (leading to Sanders and Beebes) which had been discussed at the last community meeting. On July 18, 2007 the committee met with the Board and presented its findings. At that time it was decided that information packets should be distributed to the entire community and that a meeting of the entire community would be held.

At a meeting of the committee and Board on August 2, 2007, the Board voted to recommend repair of the seawall with shotcrete. It was noted that while the Board is responsible for making decisions regarding the community lots, the community

has to decide to fund the project. It was also decided by the Board that permits would be obtained even though that would increase costs and delay the work for a year since the work can only be done in the month of August as dictated by Washington State Department of Fisheries.

**Discussion included:**

1. Maria wanted a distinction made between stabilization and appearance/cosmetics
2. Knut asked which of the civil engineer's options were being recommended and the response was that the Board was recommending both.
3. Mike suggested that additional bids might eliminate cost increases
4. Knut questioned that there was "imminent" danger of collapse

**Committee Reports:**

Lee Sanders thanked the committee members for their hard work and thanked the community members for attending this meeting. He stated that he had become especially concerned about the condition of the seawall last Fall during the series of large storms that battered the seawall. He had taken pictures of the seawall on December 17, 2006 and again August 2, 2007. Nine of these pictures were presented to show the continued deterioration of the seawall during that interval. The community was reminded that the original seawall was built in 1966/67 and that it is showing its age!

Joe Swanzy reported that MANY contractors had been contacted in the committee's effort to obtain bids. Eight returned his calls but none of those showed up to keep appointments made. The civil engineer consultant, Robert Pride, had recommended Turnstone and Cemrock. As Turnstone in turn recommended Cemrock, only Cemrock bid the job thus far. Some construction techniques and terms were clarified by Joe and Mark.

Project costs were presented by Joe and Mark. These costs were divided into Phase I, Phase II, and Phase III. Also the proposal by Kropacks and Sanders to pay a disproportionate share of costs was presented. This offer acknowledges that those two households are more greatly affected by the seawall's structural integrity (risk to the adjacent properties if the seawall fails) and its aesthetics as the seawall is more visible to them. Handouts were distributed on the financial details of doing the project both with and without permits as well as "how" to finance the project, if approved. In summary, the costs of Phase I (structural) would be divided equally among the 17 community lots plus Kropacks. The costs of Phase II (cosmetic shotcrete overcoat) would be shared equally by Kropacks and Sanders. Phase III

includes some structural elements (walls and water flow deflectors) and some cosmetic elements (improved access and shaping). The costs of Phase III would be born approximately 50/50 by the community and by Kropacks/Sanders. In all, the Kropacks and Sanders would pay for about 47% of all three phases. Project costs including permits and an allowance for increase of materials due to the year delay are estimated to be:

Per Community Lot (excluding Sanders):

Sanders:	\$2,325.05
Kropacks:	\$16,270.51
	\$16,270.51

**Discussion included:**

1. Mike encouraged getting more bids. An attempt will be made to get additional bids.
2. Jay gave his opinion that the offer by Kropacks and Sanders "was a good deal", noted his desire for minimum costs as opposed to increased costs with permits, and stated that in spite of his original skepticism about the project he now feels it is necessary, should be done ASAP, and recommends doing Phase I AND Phase II since Phase II is essentially a "freebie" to the community. He also favors Phase III which includes improved beach access.

Jay presented risks of delaying Phase I and Phase II repairs as well as risks of beginning repairs before permits were obtained. Risks of delaying repairs included higher cost to community due to either inflation of bid due to increased costs of labor and materials, permit costs, or increased emergency repair costs if a seawall failure put community and/or Sanders property in danger. Risks of beginning the project without permits included work stoppage, repair removal and possible fines. In essence, this debate was supplanted by the Board's earlier decision to delay the project and begin the permitting process.

**Discussion included:**

1. Jay's personal opinion was that the increased costs and delays due to the permitting process were not worthwhile.
2. Bruce brought up the question of costs associated with removing work if required due to not having a permit. Mark felt it was minimal if we did the work in compliance to their regulations in the first place.

Permit process:

Vicki reviewed the permit process. The community goes to Burien with our plans and they in turn send us to the State Fish and Wildlife and the federal Army Corps

of Engineers. When both agencies sign off on our plans, we go back to Burien to be granted an "exemption". Finally, we get and pay for a construction permit from Burien.

Maria stated that the permit process is not entirely sequential which helps to move things along. In her opinion, the restriction that the work be done only in August is a greater delay than the permitting process itself. It should take 2-3 months on the federal side, faster for the state. She felt the chance of the entire process delaying the project beyond August 2008 was very slight.

**Discussion Included:**

1. Knut questioned whether the community is responsible for the maintenance of the seawall. Vicki replied that it is responsible, according to the covenants.
2. Mike suggested that a low cost option would be to shovel gravel inside.  
Mark replied that the community is getting a low cost option with Kropacks and Sanders paying for phase II
3. It was asked what would happen in an emergency where the seawall collapses before repair. Maria mentioned that all the agencies she talked with seemed to have as their bottom-line question: is there a structural risk?

**Motions:**

Vicki stated that the Board is recommending funding of the project and asked for a motion. She noted that the concerns for a distinction between structural and cosmetic, the request for additional bids and the need to have the contractor insured would all be kept in mind.

1. Jay made the motion to proceed with the project without acquiring permits and it was seconded by Judy.

For: 5 (including 1 proxy vote)

Against: 9 (including 1 proxy vote)

Motion failed

2. Jay made the motion to proceed with the project while applying for permits and it was seconded by Bob Beebe.

For: 6 (including 1 proxy vote)

Against: 7 (including 1 proxy vote)

Abstains: 1

Motion failed

3. Joe made a motion that was seconded by Bruce and then modified slightly by Mike to include the last sentence. It was seconded by Jim. It was modified to read: "I move that we assess ourselves an additional \$1618.80 to fund the repairs recommended by the Board to the community seawall on lot B with \$900.00 due on March 1<sup>st</sup> and \$718.80 due on August 1, 2008, and with the understanding that any monies not spent on the seawall repair be refunded to the lot owners. It is understood that these monies are in addition to the 2007 and 2008 annual assessments."

**Discussion included:**

1. Mike agreed that the offer from Kropacks and Sanders was generous and he feels the community should accept it. While he feels the community share could possibly be less than bid, he approves of funding Phase I and III. He points out that the assessments for the next 2 years will be more than the shares for the seawall repair since there will be other usual expenses.
- 2 . Jay checked to see if the offer was still being made by Kropacks and Sanders even with the delay of the project by a year. It was confirmed that it was.
3. Judy and Knut asked if the estimates included fees for permits and various other agency fees. It was confirmed that they did.

For: 14 (including 2 proxy votes) 0  
Against: 2  
Abstain:

**Loose ends:**

Knut suggested that something be done to make the holes/cracks in the seawall safe for the time before repairs are done. The Board will address this concern.

Meeting adjourned at 11:55 A.M.

Respectfully Submitted,  
Caroline Sanders, Acting Secretary