

Seahurst West Addition

Community Meeting Minutes

March 11, 2025

Call to Order

Rebecca DeVaney called to order the annual meeting of the Seahurst West Addition at 7:00 pm on March 11, 2025 at the Beck/Johnson residence.

Lot Owners Present: Beck/Johnson, Boblenz (via Zoom), Booher/Ayers, Canning/Zhou, DeVaney, El-Moslimany, Gelinias, Haun/Haffeman-Udagawa, Little (via Zoom), McGarry, Mettler, Sanders, Swanzy

Proxies: Brinson - Granted to Carol Sanders, Doells - Granted to Lee Sanders, John O'Donnell - Granted to Lee Sanders

It was determined that a quorum was present.

Meeting Recording and Privacy Concerns

Rebecca started with the use of Zoom for meetings, video recordings of meetings and the need for privacy. A previous Board decision was made to not video record today's meeting for privacy reasons while recognizing the potential need to audio record meetings for assisting with minute-taking in the future.

Approval of Minutes

Minutes from the last annual meeting, held March 27, 2024, Approved.

Treasurer Report

Bruce Beck presented the following 2024 treasurer's report.

Open Balance	\$11,754.85
Maintenance	<\$ 4,903.22>
Annual Assessment	\$ 8,265.00
Special Assessment	\$ 4,800.00
Boundary Survey	<\$ 5,653.00>
Closing Balance	\$14,263.63

For more detail please see the Treasures attachment
Treasurer's Report Approved

Maintenance Report

Dale Booher discussed road maintenance, gravel replacement on the beach lot, and potential improvements such as solar lighting and handrail for the beach stairs. Dale reiterated the need for lot owners to keep their respective drains cleared when possible and keep their trees trimmed so vehicles can pass safely on the community road.

For more detail please see the Project Managers attachment

The budget and project manager's plan Approved

New Business

Hold Harmless Agreement

Joe Swanzy proposed to withdraw the hold harmless agreement (HHA) requested of Eric Johnson due to its potential to create an "us versus them" mentality in the community. He argued that the agreement was not necessary to support the community's purpose and could potentially lead to legal issues. Lee Sanders also expressed concerns about the agreement's implications on the community's relationships with neighbors such as Johnsons, who have been a helpful volunteer.

Joe moved to have the HHA rescinded.

The motion to rescind the HHA submitted to Eric Johnson was approved.

A letter stating such would be sent to Eric Johnson by the board.

Rescind Hold Harmless Votes:

For: McGarry, Gelinias, Haun/Haffeman-Udagawa, Sanders, Swanzy, Beck/Johnson, Canning/Zhou, Booher/Ayers (through proxy: Brinson, Doell & O'Donnell)

Against: El-Moslimany, Boblenz, Mettler, DeVaney, Little

For more detail, please see the Joe Swanzy attachment

Drainage Proposal

Allen Mettler expressed concerns about the drainage system and property line issues, particularly the overhang of the Johnson's carport roof and the increased runoff of it. He suggested that an engineer should study the whole system. It was agreed that Dale and Allen would work on getting an assessment of the drainage system.

We ask each lot owner to forward to Dale information they may possess about their own connections to the community drainage system.

For more detail, please see the Allen Mettler attachment

Survey

Dale Booher stated, the survey was conducted and completed and the results are posted on the website as well as emailed to the entire community.

Some lot owners expressed concern about the survey accuracy, due to a degree difference at one of the corners. To summarize Allen Mettler's statement "due to the magnetic field constantly shifting, a bearing measured today may differ from the same bearing measured years ago". No action taken.

Tree Committee Outcomes

Lee Sanders introduced a timeline provided by Eric Johnson, which Bruce Beck disagreed with. Lee stated that the City of Burien had approved a replanting plan, which included a retroactive permit for the trees that were cut. Bruce informed the lot owners that the City of Burien was brought in because Eric had not presented the board with an acceptable replanting plan. Lee also mentioned that the replanting would take place in late April or early May. A discussion ensued about the possibility of hiring a structural engineer to assess the rock wall. No action taken.

Beeline Bus

Rebecca DeVaney asked the community, if you see something, such as a bus parked on our street, please do something. Don't wait for the board to find out about it to take action.

Liability Concerns Regarding Tract B

Rebecca DeVaney discussed the usage of the Tract B stairs and the potential legal implications, considering Eric Johnson had previously identified them as a hazard. The lot owners discussed whether the stairs were a necessary access to the house and whether they were liable for any accidents. The discussion also focused on the importance of homeowners and liability insurance. Many lot owners stated that their homeowners insurance would cover their guests on the common lot. Lee Sanders stated his did not.

The issue of adverse possession was brought up, and it was clarified that it was not applicable in this case.

Dan McGarry emphatically stated that the Johnson's are his invited guests to use Tract B to access the Johnson's home.

Action was given to the board to research further.

Request for Grace

While community members are expressing a desire to be more neighborly, Samia El-Moslimany has shared feeling unsafe and uncomfortable within the community. A discussion was held and it was agreed that future communications and discussions between lot owners should be done in a professional manner.

Board Member Liability Insurance

Rebecca DeVaney shared that some Board Members are concerned about Eric Johnson, a concern underscored by Dan McGarry's statement: 'You don't want to get into a legal battle with Eric Johnson.' Additionally, several Board Members have expressed feeling unsafe due to the defamatory statements and falsehoods that have circulated about them over the past year.

Lee Sanders thanked the board members for their hard work and acknowledged the need for better communication with the community moving forward.

Pete Gelinas emphasized the importance of carefully reviewing policy exclusions, while others pointed out that the board already has some level of indemnification in place with lot owners.

Action: The Board agreed to continue researching insurance options, including coverage for the board itself and for common lots. Rebecca proposed exploring coverage amounts of \$1 million or \$2 million.

Board Officer Election

Rebecca DeVaney, Bruce Beck, Dale Booher and Samia El-Moslimany agreed to stay on the board. Allen Mettler is leaving the board, but has agreed to advise on engineering issues. Joe Swanzy has joined the board.

Assessment

The Annual Assessment will be \$500

Adjournment

Rebecca adjourned the meeting at 9:00pm

Respectfully submitted,
Bruce W Beck, Treasurer
For Samia El-Moslimany, Secretary

SWA Treasurers Report YE 2024

Chase Opening	Balance 01/1/2025	\$11,754.85	
Special Assessment	Due 9/13/2024	\$4,800.00	Should be \$5,100. Pending Doell payment
Annual Assessment	Due 11/30/2024	\$6,500.00	Should be \$8,500. See "January 2025" below
Johnson Road share		\$65.00	
	Total	\$11,365.00	
Chase Bank	Opening Balance	\$11,754.85	
Opening Balance &	Assessments	\$23,119.85	
Payee	Check Cleared		Memo:
Greenscapes	2/5/2024	-\$320.00	Reguar service
Greenscapes	2/5/2024	-\$200.00	Leaf removal
Greenscapes	03/05/2024	-\$520.00	Regular service plus leaf removal
Greenscapes	4/2/2024	-\$320.00	Reguar service
Reimburse Maria	4/22/2024	-\$83.33	Handouts at Annual Meeting
Greenscapes	4/30/2024	-\$320.00	Reguar service
Greenscapes	5/20/2024	-\$320.00	Reguar service
New Checks	7/19/2024	-\$59.89	Required by Bank
Greenscapes	7/24/2024	-\$640.00	Two months of service
Greenscapes	8/16/2024	-\$320.00	Reguar service
Duncanson Co Inc	8/14/2024	-\$2,469.00	First installement on boundary survey
Greenscapes	9/4/2024	-\$320.00	Reguar service
Greenscapes	10/11/2024	-\$320.00	Reguar service
Greenscapes	11/04/2024	-\$320.00	Reguar service
Greenscapes	12/30/2024	-\$520.00	Regular Service plus leaf removal
	Total	-\$7,052.22	
Chase Ending	Balance 12/31/2024	\$16,067.63	
Annual Assessment	paid in "January 2025"	\$1,700.00	Should be \$2000, O'Donnell/Shannon withheld \$300
Duncanson Co Inc	1/24/2025	-\$3,184.00	Final installment
Greenscapes	01/03/2025	-\$320.00	Reguar service
Chase Ending	Balance 01/31/2025	\$14,263.63	

2025 Proposed Budget For Seahurst West Maintenance

Column 1	#	2024 Budget	#	2024 Actual Cost	☰	2025 Proposed
Beach Lot (Tract B)						
Trimming, mowing, weed control, and yard waste re		\$2,772.00		\$2,640.00		\$2,772.00
Replacement Gravel for Beach lot		\$0.00		\$0.00		\$100.00
Apple tree pruning		\$0.00		\$0.00		\$0.00
Common Lot (Tract C)						
Trimming, mowing, weed control, and yard waste re		\$1,050.00		\$1,200.00		\$1,200.00
Leaf Removal		\$210.00		\$200.00		\$210.00
Branch trim and disposal		\$210.00		\$200.00		\$210.00
Road Maintenance						
Roadway repair		\$0.00		\$0.00		\$0.00
Concrete filler (spread 3 areas, Booher's, Turn arou		\$500.00		\$0.00		\$500.00
Winter Deicing Mg/Na/Ca Salt Mix treatments		\$636.00		\$148.71		\$200.00
Spreader Equipment		\$0.00		\$0.00		\$0.00
Special Items						
Miscellaneous		\$500.00		\$0.00		\$500.00
Potential New Business						
Solar Lighting Beach Lot Stairs		0		0		\$100.00
Handrail on upper part of Beach lot stairs		0		0		\$750.00
Total Cost		\$5,878.00		\$4,388.71		\$6,542.00

Hold Harmless Agreement for Seahurst West Additions

Definition: A hold harmless agreement (HHA) protects a party from being held liable for injuries, property damage, or monetary loss that occurs during a specific activity or transaction. It is also known as a release of liability, waiver of liability, or disclaimer.

As a community, we are here because a series of events lead to the “hold harmless” action. First, the Johnson’s initially thought that the trees along the edge of the community beach property and their property were OK to cut. However, cutting the trees caused concern among community members. That concern led to a property dispute. In April 2024, the Johnsons tried to remediate the issue by hiring an arborist and proposing trees that they would plant at the site at their own expense. However, community members were not satisfied and determined to pursue an outside survey of the border between the two properties. The survey indicated that the trees were on the community beach property. Later, a “hold harmless” agreement escalated the dispute between the community members and Johnsons.

We do not need nor want an HHA. Here is why: 1) for decades we have taken friends and family down to the community beach property to enjoy summer fun and we currently do not require them to sign a HHA – why start now; 2) the HHA creates an “us versus them” mentality that is counter to community involvement where we share and solve problems; 3) Eric pays a share of the road repair, therefore he shares in a part of this community; and 4) any hold harmless agreement may require a change to the covenant which would require community approval so it can be passed down to future owners. Our community covenant was created with the purpose to “enhance the quality of life and property values for the owners.” An HHA is not necessary to support our covenant’s nor our community’s purpose.

After the discussion, I will move that the board withdraw the hold harmless agreement.

SEAHURST WEST ADDITION

RAINFALL DRAINAGE

As most of you know when the Seahurst West Addition was platted the agreement with King County was that the road would be a private road and the road and rainfall containment and management would be the responsibility of the lot owners..

To fulfill that agreement each lot owner is to keep their one half of the roadway clear of debris. (like leaves) along their property that abuts the road. It also has been the task of property owners to keep the catch basins next to their property clean.

The plat was constructed with a ½ concrete pipe along the road to handle all runoff. The pipe was cemented at the three-foot joints, but this became a major leakage problem which undermined the road.

Over the years we have replaced the open ditch with pipe and spent thousands of dollars repairing the road.

Over time and global warming, the intensity and duration of major rainstorms have resulted in more rapid runoff.

Three additional situations have been brought to my attention concerning our liabilities of the beach lot.

1. Lot owners are reporting erosion of the rock path etc. after the rainy season., on the beach lot.
2. We have a non-lot owner who has constructed a non-permitted carport which encroaches on our beach lot? This carport has a central interior roof drain that has been connected to our drainage system. (I could not find in the Minutes where past Seahurst board's gave permission for this to happen---maybe someone who was on the board when the carport was constructed can verify that permission was given for this connection and knows where the runoff calculations are hidden). If this central drain ever becomes clogged with leaves and debris, we will have a great chance for damage to the beach lot Does this extra water overload our drainage system pipe?
3. For the construction of the carport a large impervious rock wall was constructed on our property , which increases the rain runoff damaging our beach lot. There does not seem to be any water management for this increased runoff.

We have had the pipe under the turnaround become clogged and opened before much damage occurred.

With the increase in rainfall intensity and duration along with adding extra rainfall to our system can the existing system handle the rainfall, or do we need to add capacity to our system? Or do we need to remove added water from the carport? Improve water management of retain wall water??

IF A MAJOR RAINSTORM AND WINDSTORM WOULD SIMULTANIOUS OCCUR IS SEAHURST WEST ABLE TO FINANCIALLY HANDLE ALL THE POTENTIAL LIABILITY THAT MAY OCCUR???

I propose Seahurst West hire a Hydrology Engineering Company to evaluate the capacity of our existing drainage system and make recommendation on how to reduce the liability.