

## **Overlook Homeowners Association |Board of Directors Meeting Minutes**

Date: December 4, 2025 | Time: 5:15 PM | Location: Yokes Employee Meeting Room

### **I. Call to Order**

Meeting called to order by Mike at 5:22 p.m.

### **II. Roll Call**

Present: **Mike Durgan, Jamie Eggink, Todd Ellsworth, Jordan Bilodeaux, Marianne Muzio, Ty Browning**

### **III. Approval of Minutes**

Mike motioned to approve the November 18, 2025 minutes; Todd seconded. Motion carried unanimously.

### **IV. Officer and Treasurer Reports:**

#### **President, Mike Durgan:**

**Fire Mitigation:** Mike met with Nick Jeffries, Spokane Fire Dept., and Guy Gifford, DNR. The HOA has 14 acres. The estimated cost of fire mitigation work is \$1,600 – 2,200 per acre. The recommended budget is \$20,000, assuming the potential for \$10,000 in grant; plan for \$5,000 in spring, \$5,000 in fall. The commitment length is 2 - 2.5 years. Majority of cost is in first year; thereafter, community volunteers. 10 ft. up is where the danger is – most fires are started by embers. City, DNR will prepare and submit grant applications and manage the project.

*Mike moved to allocate \$20,000 to the 2026 budget for fire mitigation; Ty seconded, vote unanimous.*

**Snow Plow Contract:** The Board voted via email to execute a snow plow contract with Dundee Concrete and Landscaping for the 2025/2026 winter season. De-icing only upon order as needed, not automatically with each plow. Ty motioned on Nov 25; Jamie seconded; all directors voted in agreement on Nov 25 and 26, 2025. The contract estimates 40 episodes; once a month.

*Mike moved to increase snow plow bills from \$10 to \$14 and that going forward, the budget needs to reflect that income and expenses match. Ty seconded, unanimously approved.*

### **V. Committee Reports**

- **Architectural Committee:** Mike and Todd are working on getting bids for the Bolan drainage repair project and the Willapa common area landscape project.

## **VI. Unfinished Business**

- **Resolution-Vacant lot billing policy:** The Board reviewed an attorney-prepared memorandum confirming that, under the Association's CC&Rs, assessments must be levied uniformly on all lots, whether improved or vacant, and that the Board has no discretion to exempt or discount vacant lots. Consistent with this mandatory obligation, and as a ministerial act to memorialize and implement existing requirements of the governing documents, the Board executed the Resolution dated December 4, 2025, formally documenting uniform billing for all lots and correcting prior inconsistent billing practices.

## **VII. New Business**

- **Draft Budget:** Working meeting; Ty and Mike to request specific information from WEB
- **Resolution: Owner Comment Procedures:** *Pursuant to RCW 64.90.445 becoming effective January 1, 2026, Jamie motioned to adopt the WUCIOA-compliant Resolution Regarding Owner Comment Procedures. Todd seconded, vote unanimous.*

## **VIII. Adjournment**

Meeting adjourned at 7:31 p.m.

## **Attachments:**

- Attorney Memorandum: Vacant Lot Billing Policy
- Resolution-Vacant lot billing policy
- Resolution Regarding Owner Comment Procedures
- 2025/2026 Dundee Snow Plow Contract

**MEMORANDUM**  
**ATTORNEY-CLIENT WORK PRODUCT**

**TO:** Overlook Homeowners Association  
Board of Directors

**FROM:** Brett T. Sullivan

**DATE:** November 13, 2024

**RE:** Overlook at Qualchan  
Vacant Lot Billing Policy

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The Board's resolution (the "**Resolution**") to require that vacant lot owners be billed for assessments on a uniform basis with other lots in the Overlook community confirms that, under the Declaration and Bylaws, assessments must be levied and collected from the Owner of every Lot, improved or not, so that common expenses are shared on a uniform, equitable basis. The Board found that certain vacant Lots had been billed at reduced rates or not billed at all as a result of an administrative lapse or prior direction (treatment that departed from the governing documents).

To correct this, the Board determined it must resume full-rate, uniform billing for all Lots and that continuing the prior reduced-rate practice is not within the Board's discretion because it conflicts with the Association's assessment obligations.

Effective on the stated date in the Resolution, all Lots will be billed at the standard Lot rate set in the most recently approved budget, and any previously reduced rates (e.g., 50%) are discontinued. The resolution directs the Association's agents to notify Owners of this corrective action and to follow the Association's collections policy and RCW 64.38.100 for any delinquencies. The Board also expressly states that past non-enforcement or inconsistent billing was inadvertent and does not waive the Association's right to enforce assessment obligations uniformly going forward.

In short, the Resolution implements the Board's duty to administer assessments uniformly and in good faith, restores compliance with the governing documents, and places all Owners (whether they own vacant lots or lots upon which homes have been built) on the same footing for current and future assessments, consistent with the Association's financial needs and legal obligations.

**RESOLUTION  
OF THE BOARD OF DIRECTORS OF  
OVERLOOK HOMEOWNERS ASSOCIATION  
A WASHINGTON NONPROFIT CORPORATION**

A meeting of the Board of Directors (the "Board") of Overlook Homeowners Association, a Washington nonprofit corporation (the "Corporation"), was held on *December 4, 2025*, at 5:15 p.m. at Yokes Fresh Market Meeting Room, Cheney Spokane Rd. The meeting was held in accordance with the Corporation's Articles of Incorporation, Bylaws, and applicable Washington law, and a quorum of the Board was present throughout the meeting. Upon motion duly made and seconded, the following recitals and resolutions were adopted by the affirmative vote of a majority of the directors present at the meeting.

**RECITALS**

WHEREAS, the Association is responsible for operating, maintaining, and repairing common and shared community elements and for funding those obligations through assessments levied in accordance with the Association's governing documents and applicable Washington law; and

WHEREAS, the Declaration and the Association's Bylaws authorize the Association to levy and collect assessments for common expenses from the Owners of each Lot subject to the Declaration; and

WHEREAS, consistent with the Declaration's allocation of common expenses, each Lot-whether or not improved with a dwelling-bears an obligation to pay assessments so the community's costs are shared on a uniform, equitable basis; and

WHEREAS, the Board has determined that, due to an administrative lapse and/or prior direction, certain vacant Lots were billed at a reduced rate or were not billed at all during recent periods, resulting in inconsistent treatment among similarly situated Owners and a departure from the governing documents; and

WHEREAS, the Board recognizes its duty to administer assessments uniformly and in good faith, and finds that resuming full-rate, uniform billing of all Lots is necessary to comply with the governing documents and to preserve the Association's financial stability; and

WHEREAS, after reviewing the Association's records and considering Owner impacts, the Board finds that limiting the correction to prospective, uniform billing effective *March 1, 2026* is fair, reasonable, and in the best interests of the Association; and

WHEREAS, the Board intends that any past non-enforcement or inconsistent billing was inadvertent and was not intended to nor does not constitute a waiver of the Association's right to enforce assessment obligations uniformly going forward; and

WHEREAS, the Board desires to clearly communicate this corrective action to all Owners and to direct the Association's managing agent to issue appropriate notices and apply the Association's collections policy (including any timelines and procedures consistent with Washington law) to any resulting delinquencies; and

WHEREAS, the Directors deem it to be in the best interests of the Association to approve the actions described in these resolutions; and

WHEREAS, any capitalized terms not defined in these Resolutions are defined by reference to the Declaration of Covenants, Conditions and Restrictions for Overlook at Qualchan and Overlook Village (the "Declaration") recorded on February 28, 2001, as amended.

NOW, THEREFORE, the Directors adopt the following resolutions on behalf of and as the action of the Association:

## **RESOLUTIONS**

### **1. Approval of Action**

RESOLVED:

- (a) That effective with assessments first coming due on and after *March 1, 2026*, all Lots (as that term is defined in the Declaration, and whether improved or not) will be billed the standard rate for Lots as set forth in the most recently approved budget for the Association.
- (b) That previously reduced rates (e.g., 50%) are discontinued effective immediately.
- (c) That the Association's agents are directed to notify the Owners of the policy described in these Resolutions and follow the Association's collections policy and RCW 64.38.100 for any delinquencies.

### **2. Authorization to Implement**

RESOLVED, that the proper officers of the Association are, and each of them hereby is, authorized and directed to take any and all further actions, and to execute and deliver any and all documents, agreements, certificates, and instruments, as they may deem necessary or appropriate to carry out the purpose and intent of the foregoing resolutions.

### **3. Ratification**

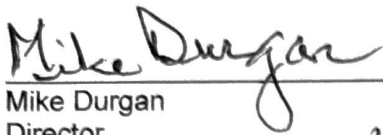
RESOLVED, that any and all actions previously taken by any director, officer, or agent of the Association that are consistent with the purpose and intent of the foregoing resolutions are hereby in all respects ratified, approved, and confirmed.

### **4. Effective Date**

RESOLVED, this unanimous written consent shall be effective as of *December 4, 2025*.

IN WITNESS WHEREOF, the undersigned, constituting a majority of the Directors of the Corporation as of December 4, 2025, have adopted this Resolution .

[SIGNATURES OF DIRECTORS FOLLOW ON NEXT PAGE]




Mike Durgan  
Director

Date of Signature: 12/4/25



Jamie Eggink  
Director

Date of Signature: 12/4/25



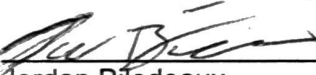
Ty Browning  
Director

Date of Signature: 12/4/25



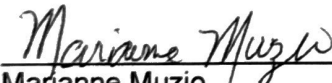
Todd Ellsworth  
Director

Date of Signature: 12/4/25



Jordan Bilodeaux  
Director

Date of Signature: 12-4-2025



Marianne Muzio  
Director

Date of Signature: 12/4/25

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RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE OVERLOOK HOMEOWNERS ASSOCIATION  
REGARDING OWNER COMMENT PROCEDURES

A meeting of the Board of Directors (the "Board") of Overlook Homeowners Association, at Washington nonprofit corporation (the "Corporation"), was held on December 4, 2024, at 5:15 p.m. at the Yokes Fresh Market meeting room. The meeting was held in accordance with the Corporation's Articles of Incorporation, Bylaws and applicable Washington law, and a quorum of the Board was present throughout the meeting. Upon motion duly made and seconded, the following recitals and resolutions were adopted by the affirmative vote of a majority of the directors present at the meeting.

**RECITALS**

WHEREAS, RCW 64.90.445 requires the Board of Directors to provide homeowners a reasonable opportunity to comment at Board meetings; and

WHEREAS, the Board desires to adopt clear and consistent procedures to ensure orderly meetings, fairness to all owners, and compliance with statutory requirements:

**RESOLUTIONS**

NOW, THEREFORE, BE IT RESOLVED THAT the Board adopts the following policy:

**1. Owner Comment Request Requirement**

Owners wishing to speak during the owner-comment portion of any Board meeting must submit a written request to the Association through its property management agency. Requests must include the owner's name, property address, and a brief description of the topic they wish to address.

**2. Submission Deadline**

Comment requests should be submitted no later than two (2) days prior to the scheduled meeting. Requests received after this deadline may be deferred to a future meeting at the Board's discretion.

**3. Total Time Allocation for Owner Comment Period**

The total owner-comment period shall be limited to fifteen (15) minutes per meeting unless extended by majority vote of the Board. Individual owner comments shall be limited to three (3) minutes each.

#### **4. When Comment Requests Exceed Available Time**

If the number of timely comment requests exceeds the available fifteen (15) minutes, the Board may choose to allow further owner comments and extend the 15-minute comment period if it so chooses, but is not required to do so. Owners whose requests cannot be accommodated shall be notified that: (a) their topic cannot be included on the agenda for the current meeting due to time limitations; and (b) they are welcome to submit their comments by email for Board review and response outside the meeting.

#### **5. Permissible Limitations**

The Board may limit owner comments to matters appearing on the meeting agenda or within the Association's authority. The Board may also rule comments out of order if they are defamatory, disruptive, or unrelated to Association business.

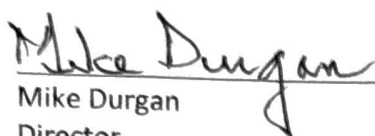
#### **6. No Action During Comment Period**

Owner comments are intended for input only. The Board shall not engage in debate or act in response to owner comments during the comment period, but may place such matters on a future agenda if appropriate.

ADOPTED by the Board of Directors of the Overlook Homeowners Association on this *4th* day of *December, 2025*.

[SIGNATURES OF DIRECTORS FOLLOW ON NEXT PAGE]





Mike Durgan  
Director

Date of Signature:

12/14/25



Jamie Eggink  
Director

Date of Signature:

12/4/25



Ty Browning  
Director

Date of Signature:

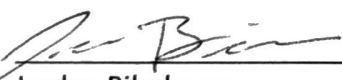
12/4/25



Todd Ellsworth  
Director

Date of Signature:

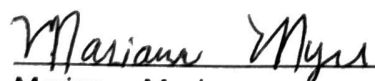
12/4/25



Jordan Bilodeaux  
Director

Date of Signature:

12-4-2025



Marianne Muzio  
Director

Date of Signature:

12-4/25



Dundee Concrete and Landscaping  
 PO Box 175  
 Mead, WA 99021  
 +15094435800  
 dundeesoftware@gmail.com  
 dundeedig.com

#### ADDRESS

Overlook HOA  
 5213 S. Jordan In  
 Spokane, WA 99224  
 360 904 2032

**Estimate 66199**

**DATE 10/15/2025**

#### P.O. NUMBER

Overlook HOA Plowing

ACTIVITY	QTY	RATE	AMOUNT
<b>Snow Services:Snow Removal</b> Snow removal services include Upper & Lower Bolan, S Menaul CT, upper private Jordan and lower S Jordan In and Astor ct up to first right and down private drive, all plowing is side to side but in areas where there is not houses on one side we will plow snow to that side.			T
<b>Snow Services:Snow Removal:Snow Plowing</b> 2"-3" Plow		500.00	500.00T
<b>Snow Services:Snow Removal:Snow Plowing</b> 4"-5" Plow		700.00	700.00T
<b>Snow Services:Snow Removal:Snow Plowing</b> 6"-9" Plow		980.00	980.00T
<b>Snow Services:De-ice:De-icer on call</b> Application of de-icer to all drive lanes, this is on call only.			450.00T
<b>Snow Services:Snow Removal:Snow Blowing</b> Remove snow around mail box areas, and roughly 6' on either side and out to street.	4	40.00	160.00T
<b>Snow Services:Snow Plow Disclaimer</b> All plowing is priced on a per trip pricing based on amount of snow at each time it is cleared, in the event of bigger or long storm there may be more than one plow in a 24-48-hour time frame. There may be times where we come in for cleanups, depending on the amount of cleanup needed we will bill at a decreased amount for smaller clean-ups.	1		0.00T

SUBTOTAL	2,790.00
TAX	225.99

<b>TOTAL</b>	<b>\$3,015.99</b>
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Accepted By

Accepted Date