



“Eastsound Water Users Association is a service-oriented association whose goal is to utilize all available resources to ensure that an adequate and consistent supply of safe, reliable, and palatable water is provided to its members”

Eastsound Water Users Association Regular Board Meeting

Orcas Island Fire Hall Public Meeting Room

07/16/2024

5:00 PM

The meeting was held in person at the Orcas Island Fire Department public meeting room.

Board Members Present: Teri Nigretto, Jim Nelson, Leith Templin, Jim Cook, Ron Claus, Carol Anderson, Mike Cleveland. General Manager, Dan Burke and Cory Harrington as minutes recorder were also present.

Approval of Agenda:

Teri Nigretto requests agenda addition regarding “Proxies” to be added after the Fall Election Date.

Public Comments:

Request for meetings to be available on Zoom.

Member Presentation RE: policy change

Water main is on Urner St. Policy requires water main extension to supply vacant land with service lines. Member, Wally Gudgell would like to request a policy change to allow for a supply line installation without a main extension.

Michael Cleveland offered to write a draft policy.

Motion: Jim Nelson moves to approve regular board meetings minutes from June 18th, 2024

Second: Michael Cleveland

Discussion: Carol Anderson commented about Ron’s attendance at the meeting. Templin explained that Ron Claus was not at the May meeting. No board member can vote on the minutes for a meeting that they do not attend. Anderson wanted more stated in the first section where Teri reported that Ron Claus and Carol Anderson had submitted affidavits to the court in support of the Farm to Market lawsuit and asked for their resignations. She was unable to make an amendment to consider so Leith Templin asked her to submit an email with her recommendation and table the approval until the next meeting.

Vote: Tabled until next meeting, no vote

Motion: Leith Templin made a motion to approve the working Board Meeting Minutes for January 9, 2024, with the following amendments: strike out paragraph #2 and #3.

*To include modified language about Jim’s appointment where he “ submitted an application for the election but not for the appointment.”

*To include language about striking the attachment.

Second: Michael Cleveland

Discussion: Jim Cook points out that he never submitted an application for a board position, he was offered the position. He did submit an application for the election, but not for the appointment. Carol Anderson stated that she submitted a DocuSign document for the board, but it was never approved. The board has never used DocuSign before. Minutes have always been approved at the next regular meeting. Nelson stated that the fault in the thinking is that it may be acceptable by other boards, but that board approval has never been asked. Carol Anderson’s document was incorrect and there was much confusion about the process and the draft forms. That is the reason the minutes were postponed.

Vote: Unanimous approval

Aye – Anderson, Cleveland, Nelson, Nigretto

*Templin and Cook cannot vote because they were not board members at that time.

GM REPORT

ARTICLES OF INCORPORATION

There is information with the staff to review and then the possibility of making changes could be reviewed at the next meeting. Teri Nigretto asked that the board members review the Articles of Incorporation that she had handed out a couple of months ago and be prepared to discuss hopefully at our next meeting,

LAWSUIT

No update

FALL ELECTION

Bylaws state the Annual Meeting could take place in September or October. Last year it was in November. Per Bylaws we need a twenty-day notice to members and 45 days before election to solicit candidates. Proposing September 24th and we will try to figure it out in the next couple of weeks to see if that is workable. Michael Cleveland and Leith Templin will be on committee for Annual Meeting “fun” planning

PROXY FORMS

Teri Nigretto stated that the only acceptable proxy form is one that has been approved by the board.

Motion: Leith Templin made a motion to accept the (2) proxy forms that were handed out as official forms for EWUA. Leith Templin accepted a friendly amendment: To add each member’s parcel, account number, mail address and service address to the proxy forms.

Second: Michael Cleveland

Discussion: Carol Anderson suggests that any copy of the proxy form that includes all relative information should be able to be used. There are currently issues with the Proxy forms used previously and how they were involved in the lawsuit. Claus asked for a friendly amendment to do a mail merge to complete the forms for members before they are sent out. Templin agreed to the friendly amendment.

Vote: Passes

Aye – Claus, Nelson, Templin, Nigretto, Cleveland

Nay – Anderson

Abstain – Cook

Motion: Jim Cook reintroduced motions stating that the board should support the recall effort. See official handout motion in previous minutes. Saturday July 20th is the deadline for the lawsuit.

1. Authorize board attorney to approve Proxy form
 - a. The board approve the information on the proxy and a blank line be added after the 5 people. Remove board attorney language.

Second: Ron Claus

Discussion: There are 5 people designated for appointing proxy. This proxy only allows specific people to hold the proxy.

Vote: Failed

Aye – Claus, Cook, Anderson

Nay – Nelson, Templin, Nigretto, Cleveland

Motion: Jim Cook made a motion to authorize official board approved member by July 20th to conduct the election process. See official handout.

Second: Carol Anderson

Discussion: Leith Templin stated that it's out of order because the petition has not been submitted yet and that Jim Cook's motion is asking the board to approve something that is in direct conflict with our bylaws. Caril Anderson thought the issue is primarily that Leith Templin is one of the people being recalled and that the third party will be independent. Jim Nelson stated that an independent inspector was in fact appointed last year. What this anticipates is setting up a situation where the staff is cut out of the process. Teri Nigretto agreed that there is no petition to authorize any of the approval of these requests. Cook states there is private information on the petition and that some of the people do not want their names publicized.

Vote: Failed

Aye – Claus, Cook, Anderson

Nay – Nelson, Templin, Cleveland, Nigretto

Motion: Jim Cook made a motion for the board to authorize \$7500 to support the recall effort, per the Bylaws. See previous minutes for motion

Second:

Discussion:

Vote: Failed

Aye – Claus, Anderson, Cook
Nay – Nigretto, Nelson, Templin, Cleveland

Next meeting to take place: August 27th, 2024 – Location TBD

Meeting adjourned at: 7:38 PM

Respectfully submitted by:

Leith Templin – Secretary/Treasurer