



HIGH VALLEY COUNTRY CLUB
PO BOX 427
PACKWOOD, WA 98361

A Message From Your Board of Trustees
October 2012

See our website at www.highvalleycc.org

Announcements, Reminders & Acknowledgements

Are you on **Facebook**? We currently have over 300 friends! Send us a friend request – *HighValley Packwood!*

There are two ways to get your HVCC Newsletter - email or traditional mail. By signing up for your newsletter to be sent electronically you are saving HVCC money in printing and postage costs. Send your request for electronic newsletters to: highvalley@lewiscounty.com or hvclubhouse@lewiscounty.com.

We are still seeing NO METER signs. We have no choice – the meters have to be installed!

Remember to properly winterize your place to prevent frozen/broken water pipes!

Minutes from each monthly meeting of the HVCC Board of Trustees is available on our website. Stay up to date on what is happening in High Valley!

Thank you to **Gene Pronovost** for your donation of 4 dozen logo balls for us to sell!

Thank you to **Scott Perry** for donation water wings, goggles, etc. to the pool!

Message from your HVCC Water Department:

We have had issues with our Kubota backhoe most of the summer. We now have it repaired and are back in business installing water meters. High Valley 1 was completed last spring and HV 10 is about 6 meters from being completed. High Valley 9 will be our next area of focus. We are doing some jumping around to cause as little water interruption to our members as possible.

I am happy to report very few leaks on the home owner's side of things. We should be able to check well 10 to see that what we pump out of the ground, matches the amount going to the customer very soon. With the meter readings and the well readings, we will be able to tell if we have any leak issues in our system. That's what the Water Use Efficiency rule, that caused us to have to install the meters, is all about.

I am also happy to report in 2011 we used 37.3 million gallons of water. That is a savings of about 5.5 million gallons from our next lowest water use year of 2008 which was about 42.7 million gallons. The highest year was 2004, with 79.5 million gallons. This is a big savings not only in water, but in electricity costs and wear and tear on our pumps, etc. A BIG THANK YOU to our members for conserving water use, and reporting leaks when you see them.

So what's next? In the very near future we will need to have a public/member meeting to establish Water Use Efficiency "Goals" for the next 6 years. The goals should be designed to use water more efficiently. Each goal must identify the measurable water savings that will be achieved at a specific time in the future to meet the regulatory requirements.

Example: Demand side goal. Reduce our annual consumption per residential connection by 3% over a 6 year period.

There are several things we can, or need, to do to satisfy the state which will be decided at our future meeting.

Pools...

The pools had a good year and we appreciate all of the hard work that went into the season. We have rewritten the job descriptions for the pool staff and the chemical procedures. We will have a staff training prior to opening next season to include harassment and substance abuse training. We purchased a new umbrella and stand to try out and we are looking to eventually stock the pool area with longer lasting and safer umbrellas. In the future we are looking at assessing our facility and its current condition and identifying ways to be more energy efficient with the heating system. Stay tuned!

Clubhouse...

We are starting our 'thought list' for next year concerning the Clubhouse and some of our thoughts are:

- Putting up a community bulletin board so members can post free, wanted and for sale items. We will try to keep it more personal vs. commercial, although business cards may be acceptable.
- Putting up a shed just outside the clubhouse to store chairs, sports equipment, fans, etc.
- Adding more logo items to sell.
- Purchasing new games/equipment.
- Putting a big screen TV in the back of the Clubhouse. This could potentially be used for gaming systems, special events, displaying HV photo slide shows, movie nights, etc.
- Refurbishing the signs on the clubhouse – outside the golf door.

Golf Course...

The golf course has received more compliments this year than ever before. We have been thinking of ways to make further improvements have come up with some ideas:

- Paving the cart path in front of the Clubhouse.
- Building boxes to place on every hole for broken tees.
- Replacing the Reader board sign in front of the Clubhouse with a lighted sign that has the HVCC logo.
- Placing metal benches on every hole.

HV Women's Club...

The HVWC had a very successful Golf Tournament thanks to *Mary McBride* and many others for their hard work and contributions.

The HV Christmas party will be held at the Clubhouse on Saturday, December 8th. Save the date!! Times, etc., will be posted on the reader boards, web site and Facebook! All High Valley members are invited to come and share the food, fun and fellowship!

Letter from your Board

Dear Members,

I would like to take this opportunity to give you a history about our Homeowner Covenants and problems we are facing today on behalf of the Board of Trustees.

In 1960, the High Valley Park Development Company began to develop a recreational community. They divided the land into lots for vacation cabins and built a Clubhouse, Golf Course and Swimming Pools for the enjoyment of its members. They created the High Valley Country Club Corporation to oversee and manage the operations. They also put into place a set of Covenants which ran for 20 years with a ten year extension, for the purpose of enhancing and protecting the value, desirability and attractiveness of the property.

In 1990, the Board of Trustees began to prepare for the expiration of the original covenants. They hired an attorney and filed all the land plats for High Valley 1-11 with Lewis County. The board then notified the

members of an upcoming vote for new, replacement Covenants in the April 1991 Newsletter. A ballot was sent out to all 714 members, 339 ballots (47.5%) were returned showing a positive vote of 260 for the new, replacement covenants and 55 against them. At this point, new covenants were deemed to be in effect. Subsequently, covenant amendments were voted on in 1997, 2004 and 2006. The original covenants stated that they could not be amended or canceled without a majority vote of the membership; this was also written into the 1991 covenants.

There are two sides to this issue:

One side believes there are no covenants. They believe that over 50% of all the owners would have to vote in favor of the covenants for them to be valid, not the majority of ballot votes returned.

The other side believes the 1991 covenants are valid. That opinion is based on the fact that the members were properly notified and the majority vote was all that was required.

The Board of Trustees has spent many hours attempting to resolve this issue over the past several years. The results of a Membership Survey in 2010 showed an overwhelming majority of the members supports covenants enforcement. Attorneys have been approached regarding our situation. Different attorneys have differing opinions and recommended additional research. Although Lewis County has codes that address some issues covered by our covenants; their position is that the county has limited resources to enforce county code violations, especially violations that could be covered by a communities covenants.

During the 2011 Annual Meeting, the membership voted to stop the action to establish new covenants and go with State, Federal and Local law and the Bylaws and Articles of Incorporation. Many board members were concerned that there was not a definitive answer whether or not HVCC had covenants. Therefore, a motion was passed by the Board of Trustees in the January 2012 meeting to continue enforcing the covenants that had been in accepted by the membership for over 50 years. Then a motion was passed in the February 2012 Board of Trustees meeting to stop discussion on the Covenants for one year. The board informed the members of this status in the April 2012 newsletter.

At the 2012 Annual Meeting, the Board President called for a vote to file documents with Lewis County stating that HVCC has no covenants. This was done without board knowledge or approval, and was not entered in the minutes, the newsletter or the Annual Meeting Agenda. There were only 37 members in attendance at the Annual Meeting, a quorum, and a majority approved this action. The board has received many complaints and a formal letter threatening a lawsuit if the board does not act according to the notice it sent to the membership in the April 2012 newsletter and in accordance with the HVCC Board Meeting Minutes.

To date we have not hired an attorney to do a case study regarding our covenant situation. We don't have a definite answer to the covenant question, only different opinions by different attorneys.

Our options include:

1. Continue enforcing the covenants
2. Operate without covenants.
3. Obtain approval from the membership to establish new covenants with a fifty percent or higher approval vote by all members.
4. Hire another attorney to investigate case law addressing our dilemma.

Any of these actions could expose us to a liability, and potentially a lawsuit.

We want this community to continue to be a great place to live and vacation. It is important for the board to inform you, the members, and ask for your input at this point.

Please send us your opinions and comments by letter to:

High Valley Country Club

P.O. Box 427

Packwood, Washington 98361

Or via email to: highvalley@lewiscounty.com

Thank you in advance for your thoughts, comments, and opinions.

Susan Duncan

President

HVCC Board of Directors

*The 2010 Member Survey, Newsletters and Meeting Minutes are available on our website at www.highvalleycc.org.