

NEWPORT YACHT BASIN ASSOCIATION

TUESDAY MARCH 22, 2011

NYBA members present – Paul Shook, Karl Lang, Jeff Hoyt, Sid Rubin, Jeannette Schulz

The meeting began at 10AM.

Valerie Oman of CONDO LAW GROUP was invited to our meeting to give us the details of what was involved in incorporating our association. Her firm has 6 full time attorneys to represent 300-400 clients. The lead attorney is Ken at \$250.00 per hour, the associates at \$200.00 per hour. Valerie does 75% of the lien enforcements for the firm.

Jeff asked Valerie to explain what being incorporated does mean to us and the NYBA members. The association is responsible for the liability if a suit is brought against NYBA and it is over the amount of the insurance coverage. It also gives protection for all of the slip owners.

The Washington state application fee is \$200.00 with an annual renewal fee of \$60.00-\$70.00.

Condo Law Group does a review of the by-laws and documents and amendments for \$850.00.

If we use her firm, they would be the registered agent for NYBA, it would take 2-6 weeks to get the final paperwork from the state. She would need the names and addresses of the corporate officers.

Karl will check with Mary to make sure that if we become incorporated, it would not have any effect on the lawsuit. If it does not, then we will go ahead and hire Condo Law Group. We discussed after becoming incorporated, do we hire them to do a plan review? The matter was tabled until the next meeting.

NYBA insurance representative came at 11AM to go over our current policy. Directors and officers coverage is one million dollars and the cost of legal expenses collectively. Tom Lisk is covered as manager like the directors and officers.

The policy is rated A++, United States Liability Insurance Group is the carrier. The policy covers full prior acts but doesn't cover us suing each other. The rate for the policy will be \$2000.00 to \$3000.00. We are not going to shop for another company but stay with the current carrier. We discussed increasing the coverage to two million and getting a quote for earthquake coverage. He will get back to us with the quotes.

We reviewed the minutes of the previous meeting and made changes. The minutes were approved.

Jeff presented a financial report. He suggested that we put a service fee on outstanding dues invoices. It was noted that John Radovich pays dues on his slips monthly. Jeff made a motion to accept the financials and it was seconded by Jeannette and the motion passed.

The final part of the meeting was on the appeal and settlement. The results of the meeting with Alan Bohling, Paul and Karl were discussed.

1. Al Bohling claims that the board and members are trying to put him out of business by delaying his project.

2. SBC is willing to move their new building 10 feet to the south to allow parking along B dock and for traffic flow. There would be head in parking along B dock, 35 spaces.

3. Al Bohling commented about the gravel area. There would be 3 stacks and parking on the ground level in the back lot. There would be 61 boats in the back lot and 85 boats in the commercial lot. The commercial lot would have 27 less boats than originally planned.

4. SBC wants access through the leased area and to reconfigure slips D1, D2, and D3.

NYBA would consider this arrangement, 27 less boats to be launched, probably more parking for NYBA members, re-do D1 and D2 not a big deal and a new driveway.

If we win the appeal, we would have the right to put parking along B dock. Karl asked David Pyle about fixing the bulkhead along B dock and adding parking and he said yes. This would eliminate SBC's parking spots along B dock, he would have no access.

NYBA would like a valid and enforceable QCD.

The meeting was adjourned at 2:05PM.



Jeannette Schulz, secretary