

BOARD OF TRUSTEES

AGENDA

NOVEMBER 18, 1989

ROLL CALL

MINUTES, OCTOBER 21, 1989

ANNOUNCEMENTS

JAY HARMON, MASON COUNTY ENGINEERS

COMMITTEE REPORTS:

GREENS -	GEORGE OLSON
WATER -	GARTH ANDERSON
LAKE/DAM -	DAVE BEST
ARCHITECTURAL -	JOHN STRICKLIN
INN -	HELEN WOODRUFF
MAINTENANCE -	JACK KING
LONG RANGE PLANNING -	AL WILSON
EXECUTIVE -	PATTI GRONSETH

FINANCIAL REPORT - NAN STRICKLIN

NEW BUSINESS:

OLD BUSINESS:
ANIMAL CONTROL

CORRESPONDENCE-

ADJOURN

LAKE LIMERICK COUNTRY CLUB, INC.
NOVEMBER 18, 1989
BOARD OF TRUSTEES

The meeting of the Board of Trustees was called to order at 9:00 a.m. by President Patti Gronseth.

Trustees attending were Helen Woodruff, R. Jim Nutt, Dick Lombard, Rob Wilson-Hoss, Nan Stricklin and Pat Feist. Trustees Frank Pelk, John Getty and Al Wilson were excused.

Approximately 15 members of Lake Limerick attended the Board Meeting.

Motion was made by Tr. Wilson-Hoss, seconded by Tr. Stricklin and carried by the Board, with Tr. Lombard abstaining as follows:

To approve the October 16, 1989 minutes with the following corrections and additions:

- a) to note that there were approximately 5 members of Lake Limerick attended the October 16, 1989 meeting
- b) Architectural Committee Chairman Pat Feist notified President Gronseth of his wish to resign as the committee chairman
- c) To record the following motion which was omitted from the October 16, 1989 minutes as follows:

Motion made by Tr. Wilson-Hoss, seconded by Tr. Stricklin and carried by the Board as follows:

To ratify, retroactively, President Gronseth's decision To disapprove the application on her own, so that the Board can have an opportunity to think about it with the proper procedures and that the Board make it clear that they are happy to approve the change in the make up and procedures of the Architectural Committee.

Motion was made by Tr. Lombard, seconded by Tr. Stricklin and carried by the Board as follows:

To correct the motion of the maintenance shed cost not to exceed \$1000.00 and subject to approval of the Architectural Committee.

Motion was made by Tr. Wilson-Hoss, seconded by Tr. Woodruff and carried by the Board as follows:

The Board instructs the Treasurer to determine the appropriate place to set up dedicated reserve accounts, to maximize interest, with those funds to be unaccessable for any purpose other than the dedicated purpose.

Tr. Stricklin wanted the minutes to reflect that the Executive Committee's decision of not wanting a "for profit" status was because of a possibility of losing the Bingo license.

Also to be in the minutes was that a non-member's request to present a pro-children's initiative presentation at a Wednesday Night Dinner had been disapproved by the Board.

Motion by Tr. Stricklin, seconded by Tr. Wilson-Hoss and carried by the Board as follows:

To approve the minutes as corrected.

ANNOUNCEMENTS

The new Architectural Committee Chairman is John Stricklin.

The Board needs to fill the vacancy on the Board left by Clyde Combes.

Nominations for the position were taken and by a vote of the Board, Jim Nutt was elected to fill the vacancy. (The minutes will reflect that from now on there will be a Tr. R. Jim Nutt and Tr. Jim Nutt)

President Gronseth welcomed Tr. Nutt to the Board of Trustees.

GREENS COMMITTEE - George Olson, Chairman

The meeting was dedicated to the 1989/90 green fee schedule. (attached are the comparison sheets and proposed fee schedule). Board action is delayed until the December 16, 1989 Board Meeting when all reports are given by Jeff Jackson, Jim Viger, George Olson and Howard Boelk.

Discussion was had concerning the green fees structure.

WATER COMMITTEE - Garth Anderson, Chairman

There was no report

LAKE/DAM COMMITTEE - Dave Best, Chairman - presented by President Gronseth

President Gronseth reported that the beavers are busy, again. The Department of Fisheries and the Department of Wildlife have been contacted for their expertise.

A member, owning property on Lake Leprechaun, has shown an interest in stocking Lake Leprechaun with state approved fish.

ARCHITECTURAL COMMITTEE - John Stricklin, Chairman

An application for the maintenance shed addition was submitted to the Board for approval due to the request of a metal or fiberglass roof. Because of the flammable materials to be stored in this shed, a metal or fiberglass roof was approved by the committee, with Board approval.

A complaint on Division Two, Lot 054 was resolved by having the owner check the correct box on the application and a permanent residence will be in place within 30 months.

Much discussion was had concerning Division Three, Lot 172. It was noted that a structure and deck had been previously approved, but that it is not be used to live in. Mr. and Mrs. Carbaugh will submit an application to the Architectural Committee for a permanent residence.

Tr. Wilson-Hoss confirmed that members of the Architectural Committee can go on property to inspect for the committee. The Architectural Application will be revised to state that when the application is signed, the owner of the property will allow inspection for Architectural Committee purposes.

It was reported that a member is being sued for not following the Domestic Pets Resolution.

Chairman Stricklin noted that all travel trailers need to be removed from all Lake Limerick lots for the winter at this time.

Reorganization of the Architectural Committee was discussed. Chairman Stricklin sent out letters inviting members to join the committee. Mrs. Tilly Waldron stated that she accepted his request to be a member.

Tr. Wilson-Hoss discussed a letter received from Ralph Turko, an attorney from Tacoma, regarding the reorganization of the Architectural Committee. It was noted that these concerns were brought about by unapproved Board Meeting minutes being given to a member. It was determined by the Board that only approved minutes be distributed to members.

Motion was made by Tr. Stricklin, seconded by Tr. Nutt and carried by the Board with Tr. Lombard and Tr. Wilson-Hoss abstaining as follows:

To instruct Tr. Wilson-Hoss to send a letter answering Mr. Turko's concerns.

Motion was made by Tr. Wilson-Hoss, seconded by Tr. Feist and carried by the Board as follows:

To allow a metal roof on the storage shed for flammable materials.

Motion was made by Tr. Wilson-Hoss, seconded by Tr. Woodruff and carried by the Board as follows:

To have maintenance pay for the \$15.00 Architectural Permit fee.

INN COMMITTEE - Tr. Helen Woodruff, Chairperson

Club events are as follows: 11/18/89 - Hard Times Dance - 8:30 p.m. to 12:00 a.m. 12/16/89 - Tom and Jerry Party - 5:00 p.m. to 7:00 p.m. 12/31/89 - New Years Eve Party - 9:00 p.m. to 3:00 a.m. (The Blarney Room will be open for a no host bar from 6:00 p.m. to 12:00 a.m.)

Tr. Woodruff reported that Jerry Hoeye had researched other banquet facilities in Mason County and compared prices. Recommendation from the Inn Committee is as follows:

\$200.00 for public use
\$150.00 for member use
\$100 refundable deposit

Hall rental is waived for a sit down dinner banquet of 50 people or more

Motion was made by Tr. Stricklin, seconded by Tr. Lombard and carried by the Board as follows:

To approve the Hall Rental schedule as recommended by the Inn Committee.

The dishwasher is on its last legs and new one needed. It was explained that this was an unanticipated expense. It was found that parts to repair the one in use now are obsolete and unattainable. The cost is \$2000.00 for a reconditioned appliance or approximately \$3500.00 for a new one.

The Children's Christmas Party and the Exceptional Foresters Christmas Party will be held on December 16, 1989.

The group contacted to entertain on New Year's Eve has not submitted a contract and a new group will be hired.

MAINTENANCE - Jack King, Chairman

Mr. King reported that an air tight box was constructed for the computer. The weed harvester is in operation again. It was noted that ditches and drains need to be unclogged to prevent flooding.

LONG RANGE PLANNING COMMITTEE - Tr. Al Wilson - presented by Tr. Lombard

The committee looked over previously drafted plans for an additional nine holes for the golf course. Weed control was also looked into. There will be no meeting held in December, 1989.

EXECUTIVE COMMITTEE - President Patti Gronseth

Discussion was had on the progress of the Flood Detention Structure project. Ken Martig was contacted and a meeting with him was held on November 16, 1989. Progress billings have been received. The project is on schedule and on budget at this time. The concern of the catch basin was discussed. The plans for the basin were for 12' maximum and constructed with depths from 4 1/2' to 7'. Mr. Martig assured the Board that this will take care the sedimentation. If more fill is needed it will not be incurred by Lake Limerick Country Club.

FINANCIAL REPORT - Tr. Nan Stricklin

A quarterly comparison of the first quarter (09/30 thru 11/30) will be made at the December, 1989 Board Meeting.

Tr. Stricklin reported that \$2700.00 was paid in federal income tax. The general fund will be reimbursed by the loan being obtained thru Puget Sound National Bank for the Flood Detention Structure project. Kimbel Construction was paid for out of the F.D.S. money market fund.

Safeco will be retained as the Club's insurance carrier. The premium is approximately \$800.00 more than budgeted.

Motion was made by Tr. Feist, seconded by Tr. Woodruff and carried by the Board as follows:

Tr. Stricklin to obtain Safeco Insurance Companies as the Club's insurance carrier for this year.

The payment to Marine Construction and Dredging will be held until Tr. Wilson-Hoss can contact Ken Martig.

NEW BUSINESS

The Club's accountant, Don Gardner, requests a meeting with the Board regarding the Club's status, concerning a "for profit" or non profit status. This meeting will be scheduled in late January, 1990.

The Newsletter deadline is November 18, 1989 for the end of year news.

Discussion was had concerning Mason County wanting greenbelt access to straighten Mason Lake Road. The Board wants to review the plans. Tr. R. Jim Nutt will work with the county on this project.

OLD BUSINESS

It was announced that a meeting will be held on November 27, 1989 at 7:00 p.m. in the Pioneer School concerning a county ordinance for animal control.

There has been a small response for the rental registry.

CORRESPONDENCE

A letter was reviewed by the Board from Mrs. Jane Carbaugh. Tr. Woodruff stated that she felt the issue had been addressed in the Architectural Committee business.

A request from a member to obtain a mailing list of Lake Limerick members for non-commercial purposes as discussed.

Motion was made by Tr. Lombard, seconded by Tr. Wilson-Hoss and carried by the Board as follows:

To have the Executive Committee decide on a policy regarding allowing a mailing list of Lake Limerick members being made available to members

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NOVEMBER 18, 1989
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for non-commercial purposes on request.

Meeting adjourned.

Respectfully submitted,

lauren E. Barrett for
Dick Lombard

RALPH G. TURCO, P. S., INC.

ATTORNEY AT LAW
P. O. BOX 8297
3739 TACOMA AVENUE, SOUTH
TACOMA, WASHINGTON 98408

206 474-9571

RALPH G. TURCO
RICHARD D. SMITH
KATHLEEN S. JORDAN

November 9, 1989

Lake Limerick Country Club, Inc.
East 790 Street Andrews Drive
Shelton, Washington 98584

Attention: Patti Gronseth, President

Re: Dismissal of Architectural Committee

Dear Ms. Gronseth:

A few members of the Architectural Committee have contacted the undersigned with regards to your letter of October 27, 1989 indicating that you are disbanding the Architectural Committee.

I have had occasion to read the Article of Incorporation, By-Laws, and Declaration of Restriction. I find that the Declaration of Restriction provides in Section V. subparagraph B:

The members of the Architectural Committee shall be selected and appointed by the declarant. Any member of the Architectural Committee may be removed at any time with or without cause and his successors appointed by the declarant. The Architectural Committee shall initially be composed of the following three members:....

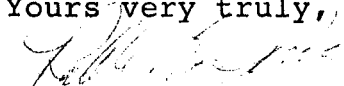
Paragraph III provides that the Architectural Committee shall continue under direction of the declarant until January 1, 1975 and at that time the club shall have authority over the committee. The authority shall be transferred to Lake Limerick County Club. No other provision is provided in any of the Articles, by-Laws or Declaration of Restriction.

It would appear to me that the only one who has authority to remove the Architectural Committee or the members thereof would be the Board of Trustees. Your letter exceeds authority granted by the Articles of Lake Limerick County

Attention: Patti Gronseth
November 9, 1989
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Club Incorporation and/or By-Law. Therefore, you are hereby notified that anything done on your part to interfere with their lawful performing of the duties and participation as members of the Architectural Committee is illegal absent a resolution of the Board of Directors.

Yours very truly,



RALPH G. TURCO

RGT/jps

HOSS and WILSON-HOSS

ATTORNEYS AT LAW

RICHARD T. HOSS
ROBERT D. WILSON-HOSS

236 WEST BIRCH STREET
SHELTON, WASHINGTON 98584

AREA CODE 206
TELEPHONE 426-2999

November 15, 1989

Ralph G. Turko, P.S., Inc.
P.O. Box 8297
3739 Tacoma Avenue South
Tacoma, Wash. 98408

Re: Lake Limerick Country Club, Inc.

Dear Mr. Turko:

We represent Lake Limerick Country Club, Inc.. In addition, I am a member of the Board of Directors, and live within the development.

I have been provided with a letter from you to Patti Gronseth, President of the Board of Trustees, dated November 9, 1989, wherein you discuss certain actions taken involving the Architectural Committee.

Your clients may have been the victims of an understandable confusion. Apparently, a person associated with discharged members of the Architectural Committee took from the administrative offices of Lake Limerick a draft of minutes of the Board meeting of October 21, 1989, wherein these matters were discussed.

In that draft, for whatever reason, information about a motion made at that Board meeting, seconded and carried unanimously, for the Board to take the actions complained of, was deleted.

I myself made the motion at the October 21 meeting, precisely because of the references you cited in your letter. Prior to the meeting, I advised Mrs. Gronseth to take certain emergency measures. These included disapproving an application that was approved by the Architectural Committee, in clear violation of existing standards. After explaining this at the Board meeting, a discussion ensued regarding the problems that had been occurring within the Architectural Committee, with respect to failing to follow procedures, standards, and so forth. The motion was made to not only ratify, retroactively, what Mrs. Gronseth had done, but also to make it clear that the Board was taking responsibility for approval of the change in the constitution of the Architectural Committee.

Mr. Ralph Turko
November 15, 1989
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I do not agree that Board action in this area requires a formal resolution; I understand that some boards prefer to act by resolution, while others do not. Clearly, the Board of Directors of Lake Limerick Country Club has the authority to establish its own rules for procedure.

I would be most happy to discuss this or any other matters regarding Lake Limerick with you. There are approximately 1300 lots here at Lake Limerick. The various Boards of Directors and volunteers associated with Lake Limerick Country Club have invested a great deal of time and effort in their community since its establishment, and the result is a governing body that is reliable, acts in the best interests of the corporation, and is as responsive to its membership as any small-scale representational democracy of which I am aware.

We welcome dissent that is made in good faith, and have a history of not only listening to and compromising with dissenters, but also bringing them into the organizational structure, to take advantage of their own personal talents.

I thank you again for your interest. If there should be any further correspondence regarding this or other matters, I would appreciate it if you would identify your clients by name.

Sincerely,

ROBERT D. WILSON-HOSS

RWH:ss

MEMO

TO: Lake Limerick Board of Directors

RE: Proposed Transfer of Ownership of Portions of Greenbelt to Mason County for Road Use Purposes

DATE: November 15, 1989

FROM: Robert D. Wilson-Hoss

I recall that four or five years ago there was an issue about Mason County's plans to use part of Lake Limerick greenbelts for road improvements. The general idea was that they were going to finish the road improvements from the fire station through the railroad overpass, but in order to have enough room, would have to use some of the greenbelt land owned by the club.

At the time, I remember hearing people say that the County did not have the right to condemn Lake Limerick property. I was not actively involved in the issue, and was not asked for an opinion. The Board was represented by other counsel.

According to Marley Young, who is the head of the county road department, this project is near the top of the list now, and the county would like to discuss with the Board of Directors the possibility of making some kind of arrangements.

Mr. Young recalls a question posed by someone from Lake Limerick as to whether or not the Board has the authority to deed portions of its greenbelt to the County for road construction purposes.

The road department from Mason County has gone so far as to solicit a "memorandum" from a deputy prosecuting attorney, Robert W. Johnson. In his report, dated November 2, 1989, Mr. Johnson concludes that Lake Limerick does have the authority to deed its greenbelt property to the county for road purposes, citing Art. I, § 1 and 4.

These sections of Art. I, in my opinion, do not provide authority for such deeds.

However, Art. I, § 5 says that the Board has the power, among other things, to convey and otherwise dedicate for public use real property owned by the Club.

The only other concerns might be based upon Board-adopted Guidelines to the Interpretation of Rules. Guideline 17 says that "permanent access to the Mason County Road through greenbelts (for driveways, paths, etc.) is denied." (Board of Trustees, July 16, 1977). Also please note Guideline #29, which provides that, within greenbelts, no activity will be permitted without the specific approval of the Board of Trustees. Approval will be limited to proposals advancing the general interest of the development. (Board of Trustees, March 17, 1984)

The prohibition against using greenbelts for driveways would not seem to apply. The restriction on activity to those advancing the general interests of the development either does not apply, because the proposed action would not be a restriction on activity; or could apply, but the project could be approved because it advances the interests of the development. Anybody who drives on that part of Mason Lake Road would agree that it is not as safe now as it might be.

Another reason to think that this might advance the general interest of the development is the possibility that the County could be convinced to, as a matter of cooperation and compromise, pave an extra three or four feet on one side of the road, beyond the fog line. Although this would not be called a "walkway" or "bicycle path", either of which designations would potentially result in a sea of red tape, I think that any of us who drives along this part of the road during the summer can see the advantage of having a little more room for the fairly constant parade of kids walking, kids on bicycles, mothers with babies in strollers, and others who want to get from a significant portion of the development to the mini-mart, Inn, Pro-Shop, and other amenities along Mason Lake Road, but do not want to use a car to do it.