



**LAKE LIMERICK COUNTRY CLUB**  
**SPECIAL MEETING OF THE BOARD OF TRUSTEES**  
**October 30, 2004**

**ROLL CALL:**

President Tom Taylor called the meeting to order at 9:00a.m. Trustees attending the meeting are Vice-President Scott Carey, Treasurer Esther Springer-Johannesen, Secretary Shirley Toner, Trustee Keith Smith, Trustee Dick Sirokman, Trustee Don Nichols, and Trustee Mike Powter. Excused from the meeting are Trustee Pat Feist, Trustee Tony Paradise and, Trustee Pat Chaussee. Also attending Water Committee Kirk Osborne, Employee Sheila Hedlund, and Guest Don Pupera.

**PURPOSE OF THE MEETING THE GOLF COURSE IRRIGATION SYSTEM**

**ITEMS ON THE AGENDA:**

1. Vote to replace the Golf Course Irrigation System
2. Secure the funds from Key Bank to finance the Irrigation System.
3. To present a Special Ballot and a Call to Meeting Newsletter to the Membership.
4. To accept Resolution 2004-01 to secure the loan from Key Bank.
5. To set a special meeting of the membership on November 20, 2004.

Motion made by Tr. Dick Sirokman, seconded by Tr. Scott Carey and carried as follows:  
To replace the golf course irrigation system.

Motion made by Tr. Esther Springer-Johannesen, seconded by Tr. Shirley Toner and carried as follows:  
To secure \$290,000.00 from Key Bank for the Golf Course Irrigation System.

Motion made by Tr. Dick Sirokman, seconded by Tr. Esther Springer-Johannesen and carried as follows:  
To mail out a Special Ballot and Election Issue Newsletter to the membership.

Motion made by Tr. Scott Carey, seconded by Tr. Dick Sirokman and carried as follows:  
To Accept Resolution 2004-01 as presented:

**WHEREAS:** *the Board of Trustees of Lake Limerick Country Club seeks to acquire funds for the replacement of the golf course irrigation system.*

**THEREFORE:** *be it resolved that the Board of Trustees of Lake Limerick Country Club hereby AUTHORIZE the Corporate officers to borrow an amount up to but not to exceed \$290,000.00 to facilitate the construction related costs of the above project as approved.*

*Adopted and dated this 30<sup>th</sup> day of October 2004 by the Board of Trustees of Lake Limerick Country Club, Inc.*

Motion made by Tr. Shirley Toner, seconded by Tr. Dick Sirokman and carried as follows:  
To set a special meeting of the membership on November 20, 2004 @ 2:00 p.m.

Motion made by Tr. Scott Carey, seconded by Dick Sirokman and carried as follows:  
The Board of Trustees adjourns the meeting at 9:40a.m.

Respectfully submitted, Sheila Hedlund  
Preliminary Minutes not approved by the Board of Trustees, for review only.

**SEPTEMBER 2004**

# **Lake Limerick Country Club**

**790 E St. Andrews Dr., Shelton WA, 98584**

**Inn/Office/Maintenance (360) 426-3581**

**Fax (360) 426-8922 E-Mail [Lakelim@hctc.com](mailto:Lakelim@hctc.com)**

**Pro Shop (360) 426-6290 Golf (360) 426-7807**

**Web Site [www.lakelimerick.com](http://www.lakelimerick.com)**

## **ELECTION ISSUE NEWSLETTER**

**CALL TO SPECIAL MEMBERSHIP MEETING**

**Saturday - November 20, 2004~2:00 P.M.**

LLCC Members,

The Board of Trustees has voted to move forward with replacing the golf course sprinkler system. The total project will be \$322,920.00. After gathering information at the October semi-annual meeting the Board of Trustees has approved the special budget of \$234.00 per member starting in January 2005. The payments will be \$23.40 per quarter for ten (10) quarters. Members may pay larger payments or in full if they wish.

The Board of Trustees has approved by Resolution 2004-01 the securing of a three year loan from Key Bank, Shelton Branch, in the amount of \$290,000.00, plus interest.

The Board of Trustees has called a special meeting of the members on November 20<sup>th</sup> 2:00 pm, for voting on the project. All members will receive their ballot in advance by mail.

Tom Taylor

President LLCC

**SPECIAL MEMBERSHIP MEETING**  
**November 20, 2004**  
**PROXY BALLOT**

BALLOT ISSUE

Do you agree to a one time Special Budget of \$322,920.00 to replace the golf course irrigation system? The assessment would be \$234.00 per lot, payable quarterly for 30 months, resulting in 10 payments of \$23.40.

YES

NO

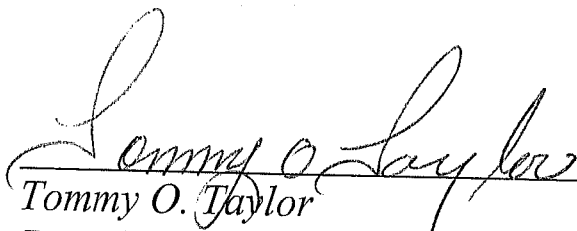
**This is my proxy ballot for the election to be held at the Special Membership Meeting on November 20, 2004. I understand that all proxy ballots must be received back at the club office by recess to vote on November 20, 2004.**

**LAKE LIMERICK COUNTRY CLUB, INC.**  
**RESOLUTION No. 2004-01**

**WHEREAS:** *the Board of Trustees of Lake Limerick Country Club seeks to acquire funds for the replacement of the golf course irrigation system.*

**THEREFORE:** *be it resolved that the Board of Trustees of Lake Limerick Country Club hereby AUTHORIZE the Corporate officers to borrow an amount up to but not to exceed \$290,000.00 to facilitate the construction related costs of the above project as approved.*

*Adopted and dated this 30<sup>th</sup> day of October 2004 by the Board of Trustees of Lake Limerick Country Club, Inc.*

  
\_\_\_\_\_  
*Tommy O. Taylor*  
*President, Board of Trustees*

  
\_\_\_\_\_  
*Esther Springer-Johannesen*  
*Treasurer, Board of Trustees*

BURKE-DARROW INC  
18602 NORTH ROAD  
BOTHELL, WA 98012  
OFFICE 425-776-0940  
FAX 425-776-6130

7/15/04

### PROPOSAL

TO: LAKE LIMERICK CC

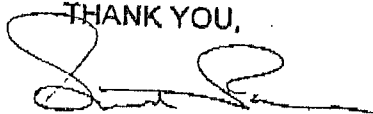
ATTN: JERRY THOMPSON

JERRY, THE FOLLOWING IS OUR PRICING FOR INSTALLING A SPRINKLER SYSTEM AT LAKE LIMERICK CC. ALL OF THE CHOICES INCLUDE THE COST OF A WIRELESS CENTRAL COMPUTER AND HAND HELD RADIO AND WIRELESS CONTROLLERS. I'VE LISTED THE CHOICES FROM THE MOST EXPENSIVE TO THE LEAST. SALES TAX IS NOT INCLUDED.

1) HARRY YATES DESIGN	+/- 566 HEADS	\$466,428.00
2) 3-ROW SYSTEM	+/- 425 HEADS	\$389,226.00
3) 2-ROW SYSTEM	+/- 339 HEADS	\$327,058.00
4) INSTALL HEADS @ QCV'S	+/- 341 HEADS	\$264,568.00

THERE ARE DOZENS OF WAYS TO MODIFY THESE PRICES AND THE ULTIMATE PRICE DEPENDS ON HOW WE WERE TO LAY OUT THE SYSTEM. THIS PROPOSAL IS INTENDED TO BE A STARTING POINT IN THAT PROCESS. GIVE ME A CALL TO DISCUSS THIS FURTHER.

THANK YOU,



SCOTT BURKE

# Burke - Darrow Inc.

18602 North Road  
Bothell, WA 98012  
776-0940

PROPOSAL FOR:

Lake Limerick G.C.

## PROPOSAL No 1419

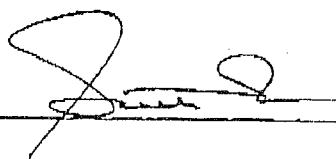
DATE: 8/9/04

We are pleased to submit the following proposal for your consideration.

Quantity	Description	Unit Price	Amount
	<p><u>Labor &amp; Equipment</u> only to install lateral piping, heads &amp; controllers. Owner to install all mainline, valves, isolation valves and provide layout</p>		101,428 <sup>00</sup>
		Sub-Total	101,428 <sup>00</sup>
		Tax	not inc.
		Total	

Acceptance

Signature \_\_\_\_\_

Signature  \_\_\_\_\_

Date \_\_\_\_\_

Proposal is valid for 30 days only.

# American Golf and Landscape, L.L.C.

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117 E. Louisa Street, #309 • Seattle, WA 98102

CELL: 206/714-2555 • FAX: 206/329-3448 • email: brettagl@msn.com

July 20, 2004


Jerry,

Here are some hourly rates for you to look over, regarding your upcoming irrigation project. All prices include an operator, and are based on one month rental rates.

Excavator (9,000#) for mainlines	\$80 per hour
Excavator (6,000#) for lateral lines	\$50 per hour
Vermeer 4150 trencher for laterals	\$60 per hour

Give me a call when you get back from vacation, I have some ideas for you on how to get this project done relatively inexpensively.

Thanks,



Brett Holmstrom



milroy golf systems, inc.

**facsimile transmittal**

To: Jerry Thompson  
Lake Limerick Country Club

Fax: 360-426-8922

From: JT milroy

Date: 7-22-04

Re: Bid Proposal

Pages (including cover sheet): 4

CC:

Urgent     For Review     Please Comment/Reply

**MESSAGE:**

Attached is our bid proposal.

Please call if you have any questions.





July 22, 2004

Jerry Thompson  
Lake Limerick Country Club

Jerry,

Please find enclosed our bid proposal for the irrigation renovation for Lake Limerick Country Club. I am sorry I was not able to get this to you last week. I had computer problems and was out of town all week.

On this page you will find a list of exclusions, as we discussed on site a couple of weeks ago.

Exclusions:

- 8" mainline to the pump station
- Pump station upgrade
- Washington State sales tax
- Performance bond

Please call if you have any questions.

Sincerely,

JT Milroy  
Milroy Golf Systems, Inc.

1.0 DOCUMENTS (cont.)

1.4 PROPOSAL

TO: Lake Limerick Country Club  
Shelton, Washington

ATTN:

Name and address of the bidder submitting this proposal to which all communications concerned with this proposal and with the contract shall be sent.

Bidders Name Milroy Golf Systems, Inc.

Bidders Address 1102 N. Springbrok Rd., #206  
Newberg, OR 97132 503-538-3568

The undersigned hereinafter called the bidder declares that the only person(s) interested in this proposal are those named herein; that the proposal is in all respects fair and without fraud; and, that it is made without any connection or collusion with any other person making a proposal on this project.

The bidder further declares that he has carefully examined the plans, specifications, detail drawings, and contract documents, hereinafter referred to as the document, for the construction of the proposed project improvement; that he has personally inspected the site; that he has satisfied himself as to the type and quantities of materials, the types of equipment, the conditions of the work involved as included herein, is brief and is intended only to indicate the general nature of the work and to identify the said quantities with the detailed requirements of the document; and, that this proposal is made in accordance with the provisions and terms of the document which shall be made a part of the proposal as completely as if the same were fully set forth herein.

The bidder agrees that if this proposal is accepted, he will within ten (10) days, excluding Sundays and legal holidays, after notification of acceptance, execute a contract in the form of the contract included in the document, and shall at the time of the execution of the contract, deliver to the Owner the performance and material and labor bond required herein.

IRRIGATION SPECIFICATIONS

1.0 DOCUMENTS (cont.)

1.4 PROPOSAL (cont.)

The bidder further agrees that he shall, to the extent of his proposal, furnish all labor, materials, tools, transportation, plant equipment, and appurtenances, unless specifically excepted, for the satisfactory completion of the entire contract work, in accordance with the document for the sum(s) of:

Four hundred forty seven thousand one hundred nine  
\_\_\_\_\_ and 00/100 DOLLARS  
\_\_\_\_\_

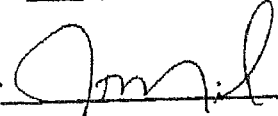
(\$ \*\* 447,109.00 )      \*\* (See Exclusions)

For the purpose of adding to or deducting from the above sum should it be necessary for complete irrigation coverage, the following unit prices will apply:

Valve-in-head sprinkler complete including 65' 2" PVC pipe, swing joint, control wire, fittings, labor.....\$ 290.00

Quick coupling valve complete including swing joint, pipe, fittings, labor.....\$ 90.00

In witness whereof the undersigned has set his hand and caused this instrument to be executed this 22nd day of July, 15 2004.

Signature of bidder 

Title President

IRRIGATION SPECIFICATIONS





**ESTIMATE**

Bellingham 360-734-8400  
 Bremerton 360-377-4507  
 Clackamas 503-656-3900  
 Hillsboro 503-626-2466  
 Marysville 360-651-2400

Pacific 253-863-8600  
 Pasco 509-545-0255  
 Spokane 509-568-8400  
 Wenatchee 877-526-2100  
 Yakima 509-248-8400

PAGE 3 of 4  
 DATE \_\_\_\_\_  
 BY \_\_\_\_\_

SALESMAN \_\_\_\_\_

ENGINEER \_\_\_\_\_

PROJECT \_\_\_\_\_

BID DATE \_\_\_\_\_

ITEM NO.	QUAN.	DESCRIPTION	UNIT PRICE	TOTAL PRICE	LIST PRICE	% DIS. COUNT	NET PRICE	WT.	FACTORY FREIGHT	LOCAL FREIGHT	DEL. COST	% PROFIT
1	1	1" LASCO SWIRL GAIRT	10 <sup>00</sup>	30 <sup>00</sup>								
2	1	CARSON 1324 BET w/LIO	180 <sup>00</sup>	180 <sup>00</sup>								
3	1	1" BRASS BALL UNCLE	15 <sup>50</sup>	46 <sup>50</sup>								
HEADS / SWIRL GAIRTS												
352		TD10 834-46-XXX FULL CLEAR	106 <sup>20</sup>	37,382 <sup>40</sup>								
30		TD10 # 865-46-XXX FULL CLEAR	122 <sup>40</sup>	3,672 <sup>00</sup>								
26		1" Quick Coupler	37 <sup>50</sup>	975 <sup>00</sup>								
26		Carson 10" pit w/LIO	8 <sup>50</sup>	221 <sup>00</sup>								
3		1" OR Key w/ SWIRL	40 <sup>00</sup>	120 <sup>00</sup>								
382		LASCO # G120-212 1" SWIRL GAIRT	10 <sup>00</sup>	3,820 <sup>00</sup>								
26		" # G122-212 " "	10 <sup>00</sup>	260 <sup>00</sup>								
CONTRACTS												
1		24" STAIRS OSCAR SARGENT	2,451 <sup>00</sup>	2,451 <sup>00</sup>								
4		32" STAIRS " "	2,727 <sup>00</sup>	13,635 <sup>00</sup>								
4		40" STAIRS " "	3,115 <sup>00</sup>	12,460 <sup>00</sup>								
1		48" STAIRS " "	3,385 <sup>00</sup>	3,385 <sup>00</sup>								
511		CARSON 1324 BOX w/BOOR w/LIO	60 <sup>00</sup>	660 <sup>00</sup>								
11		WOOD FLOOR w/ CURVE #10 BARE	16 <sup>00</sup>	176 <sup>00</sup>								
					\$	32,767 <sup>00</sup>						

# ESTIMATE

Bellingham 360-734-8400 Pacific 253-863-8600  
 Bremerton 360-377-4507 Pasco 509-545-0255  
 Clackamas 503-656-3900 Spokane 509-568-8400  
 Hillsboro 503-626-2466 Wenatchee 877-528-2100  
 Marysville 360-651-2400 Yakima 509-248-8400

PAGE 4 of 4

SALESMAN \_\_\_\_\_  
 BY \_\_\_\_\_  
 DATE \_\_\_\_\_

ENGINEER \_\_\_\_\_  
 PROJECT \_\_\_\_\_  
 BID DATE \_\_\_\_\_

ITEM NO.	QUAN.	DESCRIPTION	UNIT PRICE	TOTAL PRICE	LIST PRICE	% DIS-COUNT	NET PRICE	WT.	FACTORY FREIGHT	LOCAL FREIGHT	DEL. COST	% PROFIT	
		<i>Estimate Items</i>											
	1	7000 TOUGHNET CEMENT	4,911-	4,911-									
	1	7000 BASE STAIRROD Rebar	3,200-	3,200-									
	1	BASE STAIRROD ATTACHED	1,050-	1,050-									
	1	4000-HEAVY DASH 16yd/m	1,000-	1,000-									
	1	THE LICENSE FEEL, SURVEY FEE	2,700-	2,700-									
	1	1/2. ASAL SERVICE	1,200-	1,200-									
		<i>WIRE / ELECTRICAL</i>											
	1	4000' #8-2w/6cu. ground wire.	1,111	4,140-									
		4000' #10-2w/6cu. "	.85	1,400-									
	misc.	splices, splice boxes		300-									
	16500'	#14-1 Hot wire.	.04	6,600-									
	36,000'	#14-1 Control wire	.04	1,440-									
	800	1WY splice	.85	680-									
	400	1W2 splice	.95	380-									
	misc.	PVC Fittings / Glue		2,500-									
							\$	13,561-					
							\$	15,200-					
							\$	2,500-					
												\$	156,983-

# Lake Limerick Country Club

Semi Annual Meeting

October 23, 2004

2:00 p.m.

## Agenda

1. Opening Comments, ..... Tom Taylor
  - a. Introduction of the Board of Trustees
  - b. Introduction of the Water Committee
2. Financial Report ..... Esther Springer-Johannesen
3. Lake Limerick Issues: ..... Tom Taylor
4. Water Committee Report, ..... Kirk Osborne
5. Sprinkler Financing Options
6. Closing Remarks
7. Recess for Ballot Counting
8. Reconvene: Announce Results of Election
9. Adjourn



# Financing Options

## Loan Options

	3yr Loan	% Interest	Total
<b>Option 1</b>	290,000	7	324,036
<b>Option 2</b>	290,000	6	319,046

	4yr Loan	% Interest	Total
<b>Option 3</b>	290,000	7	335,006
<b>Option 4</b>	290,000	6	328,350

## Payment Options

	Per Qr 12 Mo/4	Per Qr 24 Mo/8	Per Qr 30 Mo/10
<b>Option 1</b>	\$ 58.70	\$ 29.35	\$ 23.48
<b>Option 2</b>	\$ 57.80	\$ 28.93	\$ 23.12

	Per Lot	Per Qr 12 Mo/4	Per Qr 24 Mo/8	Per Qr 36 Mo/12	Per Qr 42 Mo/14
<b>Option 3</b>	\$ 234.80	\$ 60.70	\$ 30.35	\$ 20.24	\$ 17.35
<b>Option 4</b>	\$ 231.20	\$ 59.49	\$ 29.75	\$ 19.83	\$ 17.00

**LAKE LIMERICK COUNTRY CLUB, INC.**  
**OPERATING BUDGETS 2004-2005**  
**Budget Summary 2004/2005**  
**Approved by Board of Trustees 9/11//2004**

<b>INCOME</b>	<b>2004/2005 Budget</b>
Administration/Dues Only	\$ 621,000
Administration, Other Income/Expenses	\$ 28,389
Golf	\$ 160,625
Pro Shop Operations	\$ 104,500
Youth/Social/Community	\$ 2,500
Restaurant/Lounge	\$ 207,430
Water Department	\$ 255,604
<b>TOTAL INCOME</b>	<b>\$ 1,380,048</b>

<b>EXPENSES</b>	<b>2004/2005 Budget</b>
Administration	\$ 342,961
Maintenance	\$ 88,780
Golf	\$ 208,681
Pro Shop Operations	\$ 145,528
Youth/Social/Community	\$ 8,845
Restaurant/Lounge	\$ 271,079
Water Department	\$ 232,300
<b>TOTAL EXPENSE</b>	<b>\$ 1,298,173</b>

<b>PROFIT/LOSS</b>	<b>\$ 81,875</b>
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<b>RESERVE PROVISIONS</b>	
Administration	\$ 81,875

**Lake Limerick Country Club  
Proposed Capital Expenditures  
Fiscal Year 2004 - 2005**

<b>PRIORITY</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
1	Point of Sale (POS) Payment 4 of 5	\$ 2,700.00
2	Pro Shop Carpet (Safety issue)	\$ 4,000.00
3	Automobile	\$15,000.00
4	Materials Bins	\$ 2,000.00
5	Games (Currently renting @ \$1,000/year)	\$ 1,500.00
6	Five folding tables and fifty chairs	\$ 2,000.00
7	Beer Cooler (under bar extension)	\$ 500.00
8	paving Banbury Beach	\$ 5,000.00
9	Carpeting for Lounge, entry, stairs and halls	\$ 6,000.00
10	Kitchen Exhaust hood (updates)	\$ 8,800.00
11	Kitchen Exhaust and fan (Updates)	\$11,100.00
12	Irrigation Reserves	\$ 9,400.00
		<u>\$68,000.00</u>

**Lake Limerick Water SystemT  
Proposed Capital Expenditures  
Fiscal Year 2004 - 2005**

<b>PRIORITY</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
1	Pumps Replacement	\$10,000
2	Cranberry Creek crossing (carryover)	\$2,500
3	2,000 Watt Generator	\$500
4	Roto Hammer	\$500
5	Upgrade Water Office	\$10,000
		<u>\$23,500</u>

Lake Limerick



COUNTRY CLUB

## BOARD OF TRUSTEES - LAKE LIMERICK COUNTRY CLUB

October 16<sup>th</sup> 2004 9:00

### MINUTES

**President Tom Taylor called the meeting to order at 9:05 am**

#### **I. ROLL CALL:**

President Tom Taylor, Vice President Scott Carey, Treasurer Esther Springer-Johannesen, Secretary Shirley Toner, Trustees, Dick Sirokman, Pat Feist, Mike Powter, Pat Chaussee, and Keith Smith. Don Nichols & Tony Paradise was excused. Employee Marianne Koch

#### **Guest attending:**

Bill McDonald, Theresa Taylor, Chuck Hancuff, Nan Stricklin, Janice Vocke and Rosemary Wilson.

#### **II. GUESTS FROM THE FLOOR: Request to be added to the agenda**

Nan Stricklin Openings of positions on board (3) and water committee (2).

Chuck Hancuff- regarding winter permits for trailers.

#### **III. APPROVAL OF MINUTES:**

A motion was made by Ester Springer-Johannesen, seconded by Scott Carey and passed as follows, with no nays:

To accept the minutes of September 2004, with the following changes Item 2 correction of Wilson hoss to Wilson.

#### **IV. FINANCIAL REPORT:**

##### **Esther Springer-Johannesen Treasurer**

Ester Springer-Johannesen reviewed the year to date comparative, noting that the inn has had a 20,000 increase in sales and that the cart rental fees are up from 8,000 to 13500+.

The WGEP is still working on creating an insurance pool and will possibly have more information by Nov.

We have pursued and been told that the dues, as well as water capital improvement expenses are not subject to excise tax. This could mean a refund of around \$27,000.

Don Gardner will be meeting with Sheila on Tuesday, to begin to finalize year-end books. The financials should be done shortly thereafter.

A motion was made by Pat Feist, seconded by Shirley Toner and passed as follows, with no nays:

To accept the Financials of September 2004, as presented.

#### **V. CONSENT AGENDA:**

##### **(Committees motions)**

Discussion was held on the lake/dam motion, regarding devising a plan for use of environmentally safe pesticides on the golf course. It was generally agreed that it was the committee's responsibility to create and present solutions for the board to vote on. It was felt that the expertise was within individual committees, and that it would be presumptuous of the board to create any plan.

A motion was made by Dick Sirokman, seconded by Pat Feist and passed as follows, with no nays:

To consent agenda with the following changes:

*The Lake dam motion was deferred back to the lake/dam and greens committees to jointly create a comprehensive plan to present to the board with cost and detailed actions.*

#### **VI. OLD BUSINESS:**

1. Backhoe update- Scott Carey is waiting for the estimate on repairs and has given a deadline of Weds 3:30 pm. The bid was cut down from \$11,000 to ½. The cost estimate would be \$5,000 with a possible exception being the brakes, which may add additional cost.
2. Lawsuit update: Tom Taylor passed out the settlement finding and reviewed.

1. RCW 64.38, the Homeowners Association Act, applies to homeowners' associations such as Lake Limerick that were formed prior to 1995, the effective date of the statute, because the statute as properly interpreted expresses the intent that it so apply, and that this application does not interfere with any vested rights.
2. RCW64.38.025 (3) provides for approval or rejection of Board proposed assessment, expense and reserve budgets. Approval by the statutory process includes approval of the assessments needed to fund such budgets. Any contradictory provisions regarding assessments within the Lake Limerick By-laws are superseded by this statute. The approval of an assessment budget pursuant to the statutory scheme necessarily results in the approval of the imposition of the assessments within said approved budget.
3. The reliance of the Lake Limerick Board on the system for imposition of assessments set out in RCW 64.38.025(3), as opposed to the contradictory provisions of the Lake Limerick Bylaws; and the refusal of the Board to enact the "amendments" at issue herein regarding member participation in employee hiring, and a twenty percent cap on "subsidies" for the golf course and inn; were lawful, because the system for the imposition of assessments in the Lake Limerick Bylaws, and the proposed amendments, are contrary to RCW 64.38.25(3), and are therefore illegal, and have no effect.

Discussion followed. The board can increase dues according to what they see as needed. The members have the right and duty to attend committee meetings and pay attention to the issues.

## **VII. NEW BUSINESS:**

1. Sprinkler system: Tom presented financing options to the board. Discussion was held on different options 4 year vs. 3 year, the finance charges would be at least an \$11,000 difference. Conversation over giving members an option of spreading the payments over 2 years which would allow the club to meet the loan payment obligations, with a percentage of delinquent members. It was agreed that the cost of repairing and maintaining the current system should be explained to the members, as well as the increasing cost of replacing the system.
2. Crabtree easement waiver, which would allow a member to move an easement from between lots 204 & 205 to the side of 204.

A motion was made by Dick Sirokman, seconded by Ester Springer Johannesen and passed as follows, with no nays:

To consent to the approval made by the architectural committee to grant the repositioning of lot owners Div 3/204 & 205 trail easement to one side of his lot

A letter will be written by secretary Shirley Toner for the county.

3. Shirley Toner will present employee handbook, with any grammar corrections by next meeting.
4. By-law update on hold for lawsuit conclusion.
5. Park Host; Discussion was held on whether on not to have park host or if they should be part time. This is a split issue, how ever as long as we do have park host we should have a contract per our attorney

A motion was made by Scott Carey , seconded by Pat Chaussee and passed as follows, with no nays:

To authorize the attorney to write up a contract for the park host cost not to exceed \$750.00.

6. Winter permits for trailers. The arch. Committee presented the form for winter stays. A discussion was held. Covering the issues of complaint.  
Mason County approved septic tank; water and power must be on the lot. Neat and clean in appearance. Only one trailer per lot and no tarps. Must be an active member required to use their trailer during the time frame but for recreational use only. No storage and no full time residence. Non-compliance could result in removal of trailer/ recreational vehicle. Permit valid for only one year. November 15<sup>th</sup> – April 1<sup>st</sup> 2005.

A motion was made by Scott Carey, seconded by Pat Chaussee and passed as follows, with no nays:

To approve the application for wintertime trailer permit during the 2005 winter with the changes made. The changes being: *time frame* to period/ of each year to 2005/ *fee amount* be 15.00.

**VIII CORRESPONDENCE: Shirley Toner none**

**IX. ANNOUNCEMENTS:**

The last weds of the month, Oct. 27<sup>th</sup> will be Bar Bingo and Fish Fry.  
October 31<sup>st</sup> kids Halloween party at the inn  
October 30 Bunco and costume contest  
November 6<sup>th</sup> the arts and crafts bazaar/ this year the proceeds will be going to the homeless shelter.  
Last Thursday at 6 pm neighborhood watch.  
Computer group/ contact Shirley Toner  
Thespian Group Tom Taylor/ Peter Candlin

**X. MOTION TO CONVENE TO CLOSED SESSION:**

A motion was made by Ester Springer-Johannesen, seconded by Shirley Toner and passed as follows, with no nays:

To convene to closed session to discuss legal and personnel matters, at 10:30.

**XI MOTION TO RECONVENE TO OPEN SESSION:**

A motion was made by Ester Springer-Johannesen, seconded by Dick Sirokman and passed as follows, with no nays:

To reconvene to open session. At 10:45.

**XII. MOTION TO ACCEPT ALL CLOSED SESSION MOTIONS: no motions were made**

**XIII. MOTION TO ADJOURN MEETING:**

A motion was made by Pat Feist, seconded by Dick Sirokman and passed as follows, with no nays:

To adjourn meeting at 10:46.

**Respectfully submitted by Marianne Koch, not approved by the Board of Trustees**

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IN THE SUPERIOR COURT OF WASHINGTON  
FOR THE COUNTY OF MASON

Merle Gors, et ux, et al.,  
Plaintiffs,  
v.  
Lake Limerick Country Club,  
Defendant.

Case No. 04 2 00461 0  
Order on Summary Judgment

This matter came before the Court for hearing on October 11, 2004, on Defendant's Motion For Summary Judgment. Prior to making its decision, the Court considered the following:

- | <i>File date</i>  | <i>Document Title</i>   |
|-------------------|---|
| 1. May 23, 2004   | Plaintiffs' Petition for Permanent Injunction, etc.                                 |
| 2. June 3, 2004   | Defendant's Answer, Affirmative Defenses, and Counterclaim                          |
| 3. August 4, 2004 | Defendant's Motion For Summary Judgment   |
| 4. August 4, 2004 | Stipulation to Bill Reports, including as follows:                                  |
|                   | A. Law and Justice Committee bill files, bill reports for EHSB 1471, 1995 (6 pages) |
|                   | B. Law and Justice Committee bill files, bill reports                               |

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- 5. August 4, 2004 for HB 1471, 1995 (14 pages)  
Memorandum in Support of Defendant's Motion For  
Summary Judgment
  - 6. August 4, 2004 Declaration of Tommy O. Taylor, with attachments
    - A. Election Statistics, April 17, 2004, 2 pages
    - B. Election Statistics, October 25, 2003, 2 pages
    - C. Lake Limerick Bylaws, dated June 24, 2004, 8 pages
    - D. June 2004 Board Report-Assessments, 1 page
    - E. Board Minutes, June 19, 2004, 2 pages
    - F. Board Minutes, May 15, 2004, 3 pages
    - G. Correspondence, Wilson-Hoss to Taylor, May 13, 2004, 6 pages
    - H. Newsletter, Election Issue, March 2004, 13 pages
    - I. Board Minutes, March 20, 2004, 2 pages
    - J. Board Minutes, February 21, 2004, 3 pages
    - K. Board Minutes, January 24, 2004, 4 pages
    - L. Newsletter, Election Issue, September 2003, 3 pages
    - M. Board Minutes, November 15, 2003, 2 pages
    - N. Board Minutes, December 15, 2001, 6 pages
    - O. Board Minutes, November 17, 2001, 5 pages
    - P. Board minutes, September 15, 2001, 4 pages
    - Q. Board Minutes, August 19, 2001, 4 pages
    - R. Board minutes, June 17, 2001. 4 pages
    - S. Board Minutes, May 20, 2001, 5 pages
    - T. Lake Limerick Bylaws, March 25, 1966, 5 pages
    - U. Lake Limerick Bylaws, October 15, 1977, 3 pages
    - V. Lake Limerick Bylaws, April 25, 1987, 10 pages
    - W. Lake Limerick Bylaws, October 24, 1998, 8 pages
    - X. Lake Limerick Bylaws, October 29, 2002, 8 pages
    - Y. Lake Limerick Articles of Incorporation, February 28, 1966, 8 pages
    - Z. Employee Roster, Lake Limerick, 3 pages
    - Aa. General Manager Duties and Responsibilities, 3 pages
    - Bb. Office Manager Job Description, 1 page
    - Cc. Executive Administrative Assistant Job Description, 2 pages
    - Dd. Greens Superintendent/Maintenance Supervisor Job Description, 1 page
    - Ee. Mechanic Job Description, 1 page
    - Ff. Seasonal Maintenance Position Job Description, 1 page
    - Gg. Maintenance Supervisor Job Description, 1 page
    - Hh. Maintenance Position 2&3 Job Description, 1 page
    - Ii. Water System Supervisor Manager Job Description, 1 page
    - Jj. Inn Manager and Assistant Job Description, 1 page



1 Kk. Server/Bus Person Job Description, 2 pages  
2 Ll. Head Pro Shop Manager Job Description, 2 pages  
3 Mm. Pro shop/Café Staff Job Description  
4 Nn. Email, Duffin to Taylor, January 9, 2004, 1 page  
5 Oo. Email, Shotwell to Duffin, January 9, 2004, 1  
6 page  
7 Pp. Emails, Duffin-Shotwell, January 9, 2004, 1 page  
8 Qq. Email, Shotwell to Taylor, January 9, 2004, 1  
9 page  
10 Rr. Email, Taylor to Shotwell, January 10, 2004, 1  
11 page  
12 Ss. Correspondence, Shotwell to Board, February 16,  
13 2004  
14 Tt. Attention Lake Limerick Property Owners, 1 page

9 7. August 4, 2004 Declaration of Don Nichols, with attachments

10 A. Maintenance Committee Charter, 1 page  
11 B. Correspondence, Szramek to Board (Chestnut),  
12 August 17, 2000, with photographs, 6 pages  
13 C. MDK Construction invoice, contract documents, 5  
14 pages  
15 D. Construction Agreement, 5 pages  
16 E. Accu-Calc letter of opinion, January 20, 2004, 5  
17 pages  
18 F. Mason County project documents, 4 pages

15 8. August 23, 2004 Plaintiffs' Response to Defendant's Motion For Summary  
16 Judgment

17 9. August 26, 2004 Defendant Lake Limerick's Response to Plaintiffs' Response

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19 The Court has reviewed the records and files herein, and the argument of counsel.  
20 Based thereupon, the Court finds that there are no material facts at issue that would prevent  
21 the issuance of a motion on summary judgment herein.

22 Based thereupon, the Court makes and enters the following Order on Summary  
23 Judgment:

24 1. RCW 64.38, the Homeowners' Association Act, applies to homeowners'  
25 associations such as Lake Limerick that were formed prior to 1995, the effective date of  
26 the statute, because the statute as properly interpreted expresses the intent that it so apply,  
27 and that this application does not interfere with any vested rights.

1           2. RCW 64.38.025(3) provides for approval or rejection of Board-proposed  
2 assessment, expense and reserve budgets. Approval by the statutory process includes  
3 approval of the assessments needed to fund such budgets. Any contradictory provisions  
4 regarding assessments within the Lake Limerick Bylaws are superseded by this statute. The  
5 approval of an assessment budget pursuant to the statutory scheme necessarily results in the  
6 approval of the imposition of the assessments within said approved budget;

7           3. The reliance of the Lake Limerick Board on the system for imposition of  
8 assessments set out in RCW 64.38.025(3), as opposed to the contradictory provisions of the  
9 Lake Limerick Bylaws; and the refusal of the Board to enact the "amendments" at issue  
10 herein regarding member participation in employee hiring, and a twenty percent cap on  
11 "subsidiaries" for the golf course and inn; were lawful, because the system for the imposition  
12 of assessments in the Lake Limerick Bylaws, and the proposed amendments, are contrary to  
13 RCW 64.38.025(3), and are therefore illegal, and have no effect.

14           4. Summary Judgment is ordered in favor of Defendant Lake Limerick on all  
15 matters at issue in its Summary Judgment Motion. Matters at issue regarding further award  
16 of costs and attorney fees will be heard by this Court upon proper motion and note of the  
17 same.

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20           Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

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                  JAMES B. SAWYER II, JUDGE

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26           Presented by:

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Robert D. Wilson-Hoss, WSBA #8620  
Attorney for Defendant

Approved for Entry:

Larry D. Stout, WSBA #17065  
Attorney for Plaintiffs