

**LAKE LIMERICK COUNTRY CLUB  
BOARD OF DIRECTORS  
MINUTES**

**January 16, 2010**

The meeting was called to order by President Scott Carey at 9:05 a.m.

**I. ROLL CALL:**

President Scott Carey, Vice President Brian Smith, Treasurer Esther Springer-Johannesen, Secretary Shirley Toner, Directors, Dave Kohler, Lee Dormuth, Carolyn Parker, Tom Taylor, Dick Sirokman and Water Chair Nan Stricklin.

Guests attending: See Sign Up Sheet

**II. APPROVAL OF MINUTES:** December 19, 2009 BOD Meeting Minutes

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

To approve the minutes of December 21, 2009 as presented.

**III. FINANCIAL REPORT:** Esther Springer-Johannesen Treasurer

- IRS Audit has determined that Lake Limerick needs to pay Social Security taxes on tips for the past four years, the amount has not been determined.

- Esther has requested committees to check with the office prior to any purchases to determine if there are funds available to pay the expenses.

- Tryon Lots, the home in Division 5 has been sold and is off of our books. Division 2 Lot 102 is owned by Lake Limerick Country Club, Division 2 Lots 100 and 101 are in negotiation LLCC will recoup their costs only on this sale, Division 2 Lot 103 is now owned by the FDIC there is negotiations going on with this lot as well.

A motion was made by Dick Sirokman, Seconded by Dave Kohler and passed with no nays as follows:

To approve the Financials for December 2009 as presented.

**IV. REQUEST TO BE ADDED TO THE AGENDA**

Old Business #4 Ballantrae Entrance Signs

Old Business #5 Nominating Committee

New Business #4 Pro Shop Hours

**V. CONSENT AGENDA:** (Committees motions, attached)

A motion was made by Brian Smith, seconded by Dave Kohler and passed with no nays as follows:

To approve the Consent Agenda with the following changes:

Remove motion #3 from the Inn Committee regarding a card lock on the tennis courts and defer the matter to the Lake Dam Committee

**VI. OLD BUSINESS:**

**1. 2010 Project**

The Board has asked Tom Taylor to come to the next board meeting with proposals for hiring a temporary employee to collect signatures from Divisions 4 and 5. We need to determine if this employee should go door to door or do phone calling from the office. This employee should be given a comprehensive list of members who are most likely to sign up and set up appointments with them to complete the paperwork.

**2. 760 E Road of Tralee – Status Report**

The house was re-listed with Kristy Buck at the same sale price as last year. The real estate market in Mason County is very slow at this time so we should not be expecting a quick sale.

**3. Replacement of Resolution 2006-9, Violations, Final Draft Approval**

A Motion was made by Dick Sirokman, seconded by Carolyn Parker and passed with no nays as follows:

To approve Resolution 2006-09 as amended subject to Attorney approval

**4. Ballantrae Entrance Signs**

Scott has talked to Kimo and they will buff out the brass towers on the Saint Andrews entrance sign to take off the sheen.

Dave Kohler reviewed the bid and invoice file on the Ballantrae entrance signs, to clarify the WEST entrance is the sign at the railroad trestles the EAST sign is the one by the north entrance of Saint Andrews Drive. The original bid stated there would be a brass cap on the sign at the east entrance and brass on the towers at the west entrance. There are no brass caps on either entrance at this time. The board would like to know if we were charged for brass caps at either place, if so they would like that amount credited to the brass caps that need to be done at the west entrance, they would like this to be completed as soon as funds are available.

**5. Nominating**

Dave Taylor reported he has three candidates for the Board and one more possible candidate and has one candidate for the Inn Committee and two more possible candidates.

**VII. NEW BUSINESS**

**1. Beam Repair Bids**

Two bids were received one from Kimber Construction for \$41,501.25 the second from Harbor Company for \$11,854.00. The Board decided to table the bids until next meeting and hire an engineer to inspect the project.

**2. Architectural Fine Approval, Division 5 Lot 127 and Division 3 Lot 259**

A motion was made by Dick Sirokman, seconded by Dave Kohler and passed with no nays as follows:  
To approve the fines as recommended by the Architectural Committee.

### **3. Guest Passes**

Scott asked the Lake Dam Committee to review the rules of guest passes prior to summer

### **4. Pro Shop Hours**

The pro shop is currently closed on Mondays and Tuesdays, Tom Taylor proposed opening back up 7 days per week but make the hours Monday through Friday from 9:00 a.m. to 1:00 p.m. The board has already made the determination to keep the hours as they are through February. The Board requested the Inn Committee and Greens Committee get together and make a new winter schedule for next year taking into consideration hours versus costs.

## **VIII. OTHER BUSINESS** None

## **IX. ANNOUNCEMENTS**

January 17 Bunco

January 21 Family Bingo Night

February 7 Super Bowl Sunday

February 13 Valentines Dinner

February 18 Family Bingo Night

February 20 Next BOD Meeting

## **X. CLOSED SESSION:** None

### **The Water Committee Presented their Long Range Plans to the Board of Directors:**

- Nan Stricklin passed out the Introduction and Executive Statement from the Water System Plan. Nan noted that the Water Committee's long range plans are always available to any one who is interested, there is the Water System Plan, the minutes discuss them monthly, and the action item report is attached to the minutes each month.
- Rob Koenig reviewed the progress on Meter Replacements; there are four bids of which we have two strong candidates. Some testing will be done and a decision on which meters will be used should be completed with the month. The meters will be purchased and installed in groups of 100 to 200 at one time depending on funds available.
- Roger Alberts reviewed the progress on Main Replacements. Lake Limerick Country Club now has 6" main lines the new lines will be upgraded to 8" lines. Our current lines are a blend of concrete and asbestos, the condition of the current lines is still pretty good. The committee has gotten an estimate on the cost of replacing all of the main lines; the total estimate is \$10,000,000.00 and is divided into 10 sections at \$1,000,000.00 each. This estimate if divided by 1250 members comes to approximately \$8,000.00 per member. The next step is to determine the health of the system; two options are being looked into, one sonic testing and two sending a portion of our current lines in to be tested for "life". One of these two tests should determine the urgency of the replacement plans. Future plans include investigation of grants, loans and bids. Roger would like to see a task force formed to work on this project and would like to see a board member on the committee.
- Jim Devlin reported on SCADA. SCADA is a computer system that controls the functions of the wells. Our current SCADA System is second generation and does not include well # 6. Repairs to the current system have been fruitless so the order for a new chip was cancelled. The committee is proceeding with three options; one is an entirely new system. Last Monday the committee had a presentation from Brown and Caldwell, they are the suppliers of the new system in the City of Shelton. Brown and Caldwell are out of Seattle and have a Representative in Olympia so service should not be an issue; they will be presenting a bid soon. The second option is to just put a separate system on well #6 and continue on with the current system on the rest of the wells, the third option is to leave all as it is but to purchase two new computers designed solely for the SCADA system, the second computer would be a back up and would be able to take over the entire system should the first computer fail.
- CCCD Insulation, this project is in process, the boxes will have pea gravel up to the level of the valve then will have insulation over the valve, the grade of insulation will be determined by the height of the actual valve.
- PSI averages are these being tested? The average PSI at Lake Limerick Country Club is 40 – 50 PSI. Once the CCCD annual inspection is in place the PSI will be part of the testing and we will have logs as required by law and the Water System Plan.
- The Water Committee was requested to return to the next BOD meeting with their plans on hiring a new employee, some budget changes will be needed to accommodate the addition of this employee.
- The Board would like to thank the Water Committee for their presentation and for the work that they all do to keep our system safe and in good working order.

## **XI. MOTION TO ADJOURN MEETING**

A Motion was made by Brian Smith, seconded by Shirley Toner and passed with no nays as follows:  
To adjourn the meeting at 11:20 a.m.

These minutes have not been approved by the Board of Directors  
Respectfully Submitted by: Sheila Hedlund

BOD Mtg 1/16/10

Name

Dir/Lot

Linda Smith

1-17

Karen Koller

1-41

Robbi Alberts

1-48

Sharon Hadsall

2-147

Jim Deal

3-070

Roger Alberts

1-48

Jim Nutt

5-124/125

PHYLLIS ANTONSEN

3-111

Rob Koenig

3-152

Georgia Koenig

3-152

Dave Taylor

2-252

Penny Cory

3-431

Jim R Cory

2-131

Tom Paradise



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### December 2009 Financial Recap

	2009	2008		
Cash in Bank Admin	22,320.15	28,392.38		
Cash in Bank Water	208,525.77	82,274.30		
Reserves Admin	124,975.12	87,259.29		
Reserves Lake Mgmt	28,723.88	12,561.59		
Reserves Water	93,437.04	228,848.90		
	<u>DEC 2009</u>	<u>DEC 2008</u>	<u>YTD</u>	<u>YTD vs Budget</u>
Revenue Admin	69,388.00	66,270.00	201,714.00	200,156.65
Gross Revenue Sales	51,991.40	41,085.08	158,684.33	177,272.71
<b>Net Income</b>	<b>121,379.40</b>	<b>107,355.08</b>	<b>360,398.33</b>	<b>377,429.36</b>
Direct Costs	11,314.25	11,903.31	30,799.60	32,775.12
<b>Gross Profit</b>	<b>110,065.15</b>	<b>95,451.77</b>	<b>329,598.73</b>	<b>344,654.24</b>
Expenses	78,734.16	109,264.17	284,278.69	328,117.85
<b>Operating Profit</b>	<b>31,330.99</b>	<b>(13,812.40)</b>	<b>45,320.04</b>	<b>16,536.39</b>
Other Income/Expenses	1,219.72	5,317.09	(1717.82)	20,648.83
<b>Net Profit</b>	<b>32,550.71</b>	<b>(8,495.31)</b>	<b>43,602.22</b>	<b>20,648.83</b>
	<u>DEC 2009</u>	<u>DEC 2008</u>	<u>YTD</u>	<u>YTD vs Budget</u>
Golf	(12,627.54)	(23,015.86)	(60,671.67)	(57,620.36)
Café	(6,038.10)	(6,961.35)	(16,155.54)	(10,351.82)
Greens	(6,465.01)	(10,076.76)	(39,962.57)	(43,219.39)
Pro Shop	(124.43)	(5,977.75)	(4,553.56)	(4,049.15)
Inn	(3100.90)	(7,147.61)	(22,369.80)	(8,075.66)

\*\*\*\*\* PRELIMINARY FIGURES ONLY WILL BE CORRECTED BEFORE POSTING TO WEB WITH FINAL FIGURES

Total Receivables 149,805.13 OVER 90 DAYS

## CONSENT AGENDA

January 16, 2010

### WATER COMMITTEE:

A motion was made by Jim Devlin, seconded by Bill Hadsall and passed as follows:

To invest in a new CD at a minimum rate of 1% and not to exceed 12 months

A motion was made by Jim Devlin, seconded by Roger Alberts and passed as follows:

To authorize Ken to proceed and complete the replacement of the booster pump motor as soon as possible, not to exceed \$1,500.00.

A motion was made by Rob Koenig, seconded by Bill Hadsall and passed as follows:

To grant a \$10.00 credit to the Mick's account for the loss of water service.

LAKE/DAM COMMITTEE: No Motions

GREENS COMMITTEE: No Meeting

### INN COMMITTEE:

Environmental System. Motion by Linda Smith, second by Bonnie Morrow to submit report to Board for approval to move forward obtaining bids to do recommended improvements.

Motion to sell the big salad bar equipment by Bonnie Morrow, second by Suz Sirokman. Approved.

Motion by Bonnie Morrow, seconded by Suz Sirokman to have card-key locks installed at the courts.

YOUTH COMMITTEE: No Meeting

ARCHITECTURAL COMMITTEE: No Motions

EXECUTIVE COMMITTEE: No Motions

HEARING COMMITTEE: No Meeting

**LAKE LIMERICK COUNTRY CLUB  
RESOLUTION NO. 2006-9**

**VIOLATION REMEDIATION – AMENDMENT TO RULES  
AS AMENDED FEBRUARY 16, 2008 AND XXXXXXXX xx, 2010**

**1. Regulation**

Lake Limerick Country Club has the authority to enforce protective covenants and other rules that apply to the Lake Limerick Country Club development. Lake Limerick Country Club also has the authorities specified in the Washington State Homeowners' Association Act at RCW 64.38.020. Pursuant to these authorities, the Board of Directors adopts this Resolution No. 2006-9, Violation Remediation. The purpose of this Resolution is to provide notice to members of the applicable rules and regulations, and the enforcement system adopted herein.

All property conditions and activities within the Lake Limerick Country Club development are subject to all applicable local, state, federal and other laws and regulations, including those administered by any and all Mason County agencies. All permits granted by Lake Limerick Country Club are specifically conditioned on agreement to comply, and continued compliance with, any and all such laws and regulations. Failure to comply with any such laws and regulations will automatically make void, and not voidable, any Lake Limerick permit.

Rules that apply to the Lake Limerick Country Club development are provided for and contained within the applicable Lake Limerick Country Club Covenants, Articles of Incorporation, Bylaws, and other rules and regulations properly adopted. It is the responsibility of each member to understand and abide by these rules.

Each member is responsible for any and all actions of his or her family members, social or business guests, and tenants, when such actions involve in any way property or activities within the jurisdiction of Lake Limerick Country Club and/or violations of any Lake Limerick Country Club rules. Landlords are specifically responsible for all actions of their tenants, and all property conditions caused by their tenants. Landlords are responsible for both controlling behavior and conditions, and payment of any resulting fines and other related fees and charges.

## 2. Violations – Penalties and Requirements

**A. Violations.** The Board of Directors, by its President or other designee, may assess a fine of up to \$1000, or as established by a schedule as adopted by the Board of Directors, for any violations of Lake Limerick Country Club rules or regulations. Fines may be imposed only once for any particular violation, and are not to be imposed on a daily, or other recurring basis unless specified. New fines may be imposed for additional or changed violations. For example, if a fine has been imposed for allowing four inoperable vehicles, no more fines can be imposed for the same four vehicles, but if one is removed and another placed on the lot, a further fine can be imposed for the additional new vehicle.

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**B. Basis for Determining Amount of Fine.** The amount of any fine shall be fair and reasonable under all of the circumstances, and may take into account the scope of the violation, its effect on the community, the difficulty of remedying the violation, any excuse or explanation, the degree of culpability, the cooperation of the violator after discovery, the need to deter other such violations, and any other relevant factors.

**C. Corrective Action.** In addition to a fine, the Board may impose requirements for corrective action and additional permit conditions, and/or continued stop work orders. These requirements shall be as needed to bring the member into compliance, and may take into account those factors specified in section B above. If corrective action is required, payment of a levied fine in no way releases a member from taking the corrective action.

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**D. Restitution.** A member may also be required to pay an amount equal to the costs of responding to the violation, including restitution for work performed, and reasonable costs associated with the Association's response, as specified in the Bylaws.

## 3. Investigation and Resolution – Steps

**A. Complaint.** A member's written complaint of violation of Association rules by another member must be submitted to the Board. The complaint may be of a violation of a specific rule from a resolution, or of any other Lake Limerick Country Club covenant, rule, or regulation. The Board will then refer the complaint to a Board committee that applies, or if none, it will retain the complaint with the Board as the "committee." When the term "committee" is used, it means the applicable committee to which the complaint is referred, or the Board itself if the complaint is not referred to a separate committee.

**B. Initial Investigation.** The committee chair then appoints an investigator to look into the matter. The investigation can include, but is not limited to, a site visit, talks with the responsible owner and other persons with knowledge, and consideration of other evidence. The investigation will be fair and reasonable, so that an unbiased member would be satisfied if he or she were the member investigated. The investigator shall begin with an open mind, and treat all members and others with respect, and shall conclude the investigation as quickly as reasonably possible.

**C. Initial Determination.** The investigator shall report the results of the investigation to the committee chair. If the committee chair determines that the complaint should not be followed up on, he or she shall discuss the matter with the President of the Board (unless the matter has not been referred to a committee, which means that the investigator will have already reported to the Board President), who shall have the final say. If the decision is to not continue the matter, this will be communicated to the member and the complainant. If the President determines that the complaint should be further considered, the investigator will proceed under Step D below.

**D. Negotiation.** If the complaint is to be further considered, the committee shall try to reach an agreement with the member. The committee shall attempt to work out a solution with the member that is reasonable and fair, and protects the rights of the entire membership, while giving the responsible member a reasonable opportunity to resolve the problem. If an agreement can be reached, it shall be reduced in writing and proposed to the Board for approval. If the Board approves, the parties shall sign the agreement.

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**E. Board Determination.** If no agreement is possible, the committee shall recommend to the Board of Directors corrective action and or a fine. Upon Board approval, a response shall be mailed to the member by both regular and certified mail. It shall also include instructions telling the member how to appeal the determination of the committee to the Hearing Committee.

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**4. Hearing Committee - General**

The member may either accept the decision of the committee, as approved by the Board of Directors, and comply with its terms, or ask for a hearing about the matter. If a member wants a hearing, he or she must make a request within ten days of the date the notice is mailed, by orally or in writing notifying the Board of Directors of his or her desire to have a hearing. If a hearing is requested, the matter shall then be referred to the Hearing Committee for action. If the member does not appeal the decision, it becomes final after the time for appeal ends.

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The member shall be notified of the time and place of the Hearing Committee meeting. The member may be granted one continuance request upon good cause shown; the Committee shall use reasonable efforts to arrange a meeting that the member can appear at. At the Hearing Committee meeting, the member, the Association, and any other interested members shall be given a fair opportunity to explain the circumstances and recommend a result. All Hearing Committee procedures shall be reasonable and fair to all concerned.

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The Hearing Committee shall attempt to arrive at an agreed solution to the issues presented, while protecting the interests of the general membership; it may not at any time agree to or determine any result that is inconsistent with the Lake Limerick Country Club Covenants or controlling law.

If no agreement is possible, the Committee shall first determine whether a violation has occurred. If a violation has occurred, it shall take appropriate action, as specified in Section 2 (Violations) above. The Hearing Committee shall provide for a clear conclusion, specifying the rules violated and the fines and/or requirements imposed. It may also include reasons for its decisions. If the Committee does not reach a result at the hearing, it shall do so within 10 days after. It shall notify the member in writing as soon as it reaches its decision.

## 5. Enforcement

**A. Failure to Comply.** If a member fails to comply with a Board or Hearing Committee decision or agreement issued pursuant to the provisions of this Resolution, the Board may institute any and all available proceedings, both legal and equitable, to require that he or she do so. When the failure to comply has to do with a lot condition, Lake Limerick Country Club also has the right to enter upon the property of a member and remove all weeds and rubbish, and do all other things necessary to place said property in a neat and orderly condition. The costs and expenses of doing so shall become due and payable from the member within its successors or five days after written demand for payment.

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**B. Fees and Costs.** Any fees, expenses or costs to remediate violations, including attorney fees, and all other costs reasonably expended, of any nature whatsoever, in support of the proceedings, shall be paid by the member to the Association. This applies whether the Association proceeds pursuant to the system established pursuant to this Resolution, or whether it proceeds pursuant to any other available legal or equitable remedy; it also applies when the Board responds to any proceeding brought by anyone else.

**C. Liens and Lien Foreclosure.** Any amounts due the Association pursuant to this Resolution, including but not limited to fees, expenses and costs as set forth above, shall constitute a lien against the member's property or properties, the same as Association liens for nonpayment of assessments; all as specified in the Bylaws. The Board may file and, if necessary in its judgment, foreclose such liens in the same manner; and it may also ask the Court for injunctive relief, requiring that the member comply with the applicable rules and regulations as well as the orders of the Board. In the event that the Board is required to seek judicial relief, the Court shall award to the Association, in addition to any other judgment, its fees and costs as set forth above. The provisions of this Resolution are in addition to, and not in replacement of, any and all other remedies available to the Board for the violation of any of its rules and regulations of any nature.

#### **6. No Waiver**

Under no circumstances may the investigator, the Board President, the Board, the Hearing Committee, or anyone else acting for the Association waive or agree to any violation of any Lake Limerick Country Club covenants, rule or regulation, unless clearly allowed by the same. The approach of the Association will be to try to resolve any violations by friendly communication and collaboration with the member. However, the covenants are absolute, and cannot be waived. Any waiver by the Association would still be subject to the continuing right of each member to enforcement of the covenants on his or her own behalf. If a particular rule or regulation (not covenant) specifically provides that it may be waived, and under what circumstances, then waiver of that rule or regulation will apply as specified.

This includes in particular covenant setback requirements. If Mason County permits a setback that is less than the Lake Limerick Country Club setback as specified by the covenants, then the Lake Limerick Country Club covenants still apply.

#### **7. Application**

The terms of this Resolution apply to all members, who are responsible for the actions of and conditions caused by themselves and their family members, guests, and renters, and anyone else for whom they are responsible. In addition, these others are also directly responsible for their own actions, and Lake Limerick Country Club may take action against them as provided herein directly. Any such person who enters or remains within the Lake Limerick Country Club development agrees to abide by all of the Lake Limerick Country Club covenants, rules and regulations as discussed above, and to be responsible as provided herein if he or she fails to do so.

The terms of this Resolution apply to all circumstances currently existing at the time of its approval, except when to do so would interfere with existing, vested rights. Existing, vested rights are limited to those matters that are in compliance with all relevant Lake Limerick Country Club Rules, including project approval Rules, as of the time of approval. Notice of previous similar fine and violation systems constitutes notice of this Resolution amending the same.

The terms and provisions of this Resolution control over any inconsistent provisions of any Resolutions, regulations, or other Rules of the Association; they do not control over any inconsistent provisions of the Covenants, Articles of Incorporation and Bylaws.

### **8. Other Remedies**

The system adopted by this Resolution is in addition to all other available remedies for property condition and activity violations. If the Board determines, at any time during the process, or before it begins, that an emergency exists; or that the member involved would not likely cooperate with the system established herein, and the use of the system would probably only cause delay in resolution of the problem; it may choose to seek an immediate injunction and/or any other available remedy, including entering the member's property and remediating conditions as set forth in 5A above, upon ten days' written notice. Individual members also have individual rights to enforce Lake Limerick Country Club covenants.

### **9. Severability**

If any provision of this Resolution is found to be unlawful, the remainder shall not be affected.

We certify that the above Resolution No. 2006 - 9, Violation Remediation, was duly adopted by the Board of Directors on the 16th day of February, 2007, and duly amended by the Board of Directors on the 16th day of February, 2008 and as amended by the Board of Directors on the \_\_\_\_ day of \_\_\_\_\_, 2010.

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President, Board of Directors

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Secretary, Board of Directors

