

Lake Limerick C.C.



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LAKE LIMERICK COUNTRY CLUB

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LLCC Community Compliance Committee Meeting (HYBRID)

Monday October 2, 2023 @ 10:00AM

Meeting I.D.: TBA Passcode: TBA

Meeting Agenda

1. **Call to Order and Roll Call:**
 - a. Members: Brian Smith – Chair, K. Summers – Vice Chair, B. Bakken(E), S. Smart (E), E. Stember, J. Ingemi (E);
 - b. Guests: Dean Dyson
2. **Approval of Previous Minutes: *Ed Stember moved approval of the September 6, 2023 minutes, Karen Summers seconded, passed unanimously***
3. **Additions or Changes to the Agenda: None**
4. **Status of Motions to the BOD:**
 - a. ***A motion was made by S. Smart and seconded by E. Stember to request the BOD provide a paid secretary or provide administrative support from the HOA for the Compliance Committee – due to the type of work that is done (correspondence and record-keeping that must often support serious legal actions. Motion passed with one abstention.*** The motion died for lack of a second. The BOD discussed the issue and some members thought it might be time for the BOD to discuss Committee support further at a future meeting, while others suggested the Compliance Committee talk to other committees to identify common needs.

Dean Dyson pointed out that at the BOD meeting he reminded everyone that a position to provide support had been previously approved, but the incumbent had moved to a different HOA job, meaning the support is just vacant. ***This issue needs clarification that the BOD agrees and that this position can be refilled.***

- b. A motion was made by J. Ingemi and seconded by S. Smart to allow the Chairperson of the Compliance Committee to have reasonable access to the HOA attorney, preferably with a BOD member/CAM also present to discuss and prepare effective compliance case strategies. Motion passed unanimously.** The motion was approved by the BOD with a preference that either the BOD president or the CAM also participate in such meetings.
5. **Chair's Opening Comments:** Brian Smith mentioned that the first strategy session with the HOA attorney, as approved by the BOD at the last meeting (see above) had been held, to be discussed later in the meeting.
6. **Old Business:**
- a. **Publishing the Compliance register**—although this wasn't a motion it was referenced in the minutes, and John brought the subject up in the BOD closed session. The BOD agreed to make the register public again if the Members' names and addresses are suppressed.
 - b. **The ongoing Clonakilty saga**—status update. Brian Smith summarized some of the most recent actions, including a strategy Zoom call with the HOA attorney and Roger and Brian. The hearing scheduled for October 2, 2023 before Judge Ferguson-Brown concerning LLCC's request for an injunction allowing cleanup of the Potter Property, has been delayed a week due to a trial conflict for Potter's attorney. Some options were kicked around if the request for an injunction is not successful. Additionally, Brian was requested to submit a Declaration stating that in his 18 years as a member of the HOA, during which time he chaired Architecture/Compliance Committees three times, in addition to serving a BOD President, Vice-President, and Secretary, he had never seen a worse violation of the Declarations than the current conditions on the Potter Clonakilty property. Pictures were again submitted to the court to ensure the Judge had some idea of the conditions warranting the injunction.
 - c. **STRs**—Previously the Compliance Committee discussed the need for BOD policy guidance and direction regarding complaints about STRs. Is a motion needed to produce action? The Committee decided to wait until there is another actionable issue.
 - d. **Membership Roster updates** – J. Ingemi will ask the office for regular updates to the list. Brian Smith will follow up with John.
 - e. **Compliance Fine Tracking**--Who is responsible for keeping track of compliance fines levied, and particularly the payment, or non-payment of fines? Last month the Committee discussed whether tracking fines is a committee function, or a BOD administrative function, since technically fines are issued by the BOD and not the Committee. Currently a number of "violations" are continuing to be listed on the compliance register only because it has been a way to track those fines not yet paid.

MOTION: Ed Stember moved, Karen Summers seconded, that the Compliance Committee recommends to the BOD that the HOA administrative staff be charged

with tracking the status of fines recommended by Compliance and approved by the BOD, allowing listings on the compliance register with no new violations and only outstanding fines to be removed. Passed unanimously.

7. Register Review and Update:

Division 01, Division 02, Division 03, Division 04, Division 05, Division 2R

8. New Business:

- a. **Report by Chair on first consultation with HOA Attorney, Sept 21, 2023 re: Clonakilty Strategy.** See item 6b above.
- b. New Complaints
 - i. Dog Complaint at 02-248. Brian Will contact the complainant re: filing an official complaint.
- c. The Committee briefly discussed the format currently used for the compliance register and possible ways to integrate the register into the minutes.

9. Adjournment: *Karen Summers moved adjournment. Ed Stember seconded the motion which passed unanimously.*

MOTIONS TO THE BOD:

Clarification requested from the BOD: Can the previously approved committee administrative support position, since vacated, be filled again?

MOTION: *Ed Stember moved, Karen Summers seconded, that the Compliance Committee recommends to the BOD that the HOA administrative staff be charged with tracking the status of fines recommended by Compliance and approved by the BOD, allowing listings on the compliance register with no new violations and only outstanding fines to be removed. Passed unanimously.*