

*Lake Limerick C.C.*



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LAKE LIMERICK COUNTRY CLUB

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LLCC Community Compliance Committee Meeting (HYBRID)

Monday, March 4, 2024 @ 10:00AM

Crows' Nest

Join Zoom Meeting

<https://us02web.zoom.us/j/83668095851?pwd=R2J0ZVNNTlQrczVzVDIyaXpxTWFXQT09>

Meeting ID: 836 6809 5851

Passcode: 592997

Meeting Agenda

1. **Call to Order and Roll Call:**
  - a. Members Present: Brian Smith – Chair; K. Summers –Vice Chair; E. Stember; J. Ingemi; B. Bakken; Tamy Fletcher
  - b. Excused: S. Smart
  - c. Absent:
  - d. Guests: Dean Dyson
2. **Approval of Previous Minutes:** Brenda Bakken moved approval, Karen Summers seconded the motion, passed unanimously
3. **Additions or Changes to the Agenda:** John Ingemi made an announcement that the Bylaws and Declarations Committee has made a motion to the Board to amend the Bylaws to officially move the annual budget meeting to September to better match member budget ratification and the start of the fiscal year in October.
4. **Status of Motions to the BOD requiring feedback from BOD:**

**MOTION:** John Ingemi moved, and Ed Stember seconded, a request to the BOD to seek injunctive relief regarding continuing nuisance and rubbish violations of the Declarations of Restrictions at Div 04 Lot 150. The relief should require the owner to clean up the property by a date certain, or LLCC can exercise its right per the Declarations to enter and clean it up the property at owner expense. Motion passed unanimously. The BOD has included this with actions regarding other pending motions from the committee.
5. **Chair's Opening Comments:** None.
6. **New Business:**

a. **2R-026 190 E Shamrock**

John Ingemi investigated complaints received last month that a trailer and a shed at this location were being used as residences and had written a letter to the owner. On social media and in a visit to the office this was denied. Committee to follow up with site visit with the owner.

7. **Old Business:**

- a. **Fine Processing:** Tamy Fletcher updated the committee on her work to capture the flow and relationships of the enforcement and fine processes. The committee discussed the item and Tamy will return with an updated product next month.
- b. **The ongoing Clonakilty saga**—Have requested from BOD President and Vice President the status of ongoing foreclosure and possible tenant eviction. No substantive response from BOD. Mess is still worse than a month ago. More old tires evident. The Committee discussed how the County Health has failed to take any enforcement when called. UPDATE—meeting with HOA Attorney scheduled for March 13. Both injunctive relief and foreclosure actions pending.
- c. **Status of past motions to the BOD:**
- 1) **MOTION: Karen Summers moved, and Ed Stember seconded, a motion requesting the BOD initiate Delinquency Foreclosure proceedings against the owners of Div 04 Lot 152 due to a long history of violations of the applicable Declarations of Restrictions and non-payment of assessments. Motion passed unanimously. BOD referred to BOD Treasurer-current status unknown. Status requested from BOD President 1/6/2024 and 2/4/2024. BOD President has requested a response from HOA Attorney due 2/5/2024. BOD President has requested a response by 3/5. BOD Pres and VP and Comp Chair may meet with Atty the following week. UPDATE—meeting with HOA Attorney scheduled for March 13.**
  - 2) **MOTION: John Ingemi moved, and Karen Summers seconded, a request to the BOD to seek injunctive relief regarding continuing nuisance and rubbish violations of the Declarations of Restrictions at Div 05 Lot 027. The relief should require the owner to clean up the property by a date certain, or LLCC can exercise its right per the Declarations to enter and clean it up the property at owner expense. Status unknown. Status update requested from BOD President 1/6/2024, 1/28/2024. Status requested from BOD President 1/6/2024 and 2/4/2024. BOD President has requested a response from HOA Attorney due 2/5/2024. BOD President has requested a response by 3/5. BOD Pres and VP and Comp Chair may meet with Atty the following week. UPDATE—meeting with HOA Attorney scheduled for March 13.**
  - 3) **The Committee also requests an update from the CAM on the probate issues concerning Div 04 Lot 004 which are impeding property cleanup. BOD referred to BOD treasurer to pursue probate status of property. Current status unknown. CAM position currently vacant. Status requested from BOD President 1/6/2024 and 2/4/2024. BOD President has requested a response by 3/5. BOD Pres and VP and Comp Chair may meet with Atty the following week. UPDATE—meeting with HOA Attorney scheduled for March 13.**

8. **Register Review and Update:**

**Also see annotations on register.**

- a. 01-176 Remove. The “hanging ghosts” are gone.
  - b. 02-295. New pictures and complaint re: STR tenants using the lake recreationally. Per BOD direction a new fine letter will be sent.
  - c. 03-008. Remove. Derelict car has been removed.
  - d. 03-137. Add. 202402 Complaint received that owner/son are running an STR on Airbnb which advertises power boats can be used renters on the lake for "Cruising and Tubing". Letters sent to owner and son (listed as the Airbnb host) requesting advertisement be amended to delete "cruising and tubing". Both letters sent certified and regular mail returned unopened from both owner and son. Will send new request more creatively and issue fine letter for failure to respond to request.
9. **Adjournment:** Tamy Fletcher moved adjournment, Karen Summers seconded, motion passed unanimously.

**NEW MOTIONS TO THE BOD: None (past motions still pending)**

Compliance Register

20240309

Div/Lot	Rental?	Current Date and Complaint	Complaint History	Action / Proposed Action	FINES/LIENS
01-178	no	<b>NEW</b> New Dog respases on neighbors yards, poops, barks	Two complaints rec'd 1/12/2024 and 1/15/2024	Dog letter sent 20240205	
02-295	yes	February 2023 - tenants using lake for fishing and kayaking	Ongoing	Received new pictures and complaint of STR tenants using lake recreationally. Per BOD direction new fine letter will be sent. 1/2024. BOD has not acted to resolve this issue, Comp Committee should continue to process complaints when received until frther guidance provided by BOD. 11/6/23 Guidance requested from BOD on STR guests' use of amenities--continuing to get complaints; New fine letter needed 05/14/23 - we need further direction from our attorney because the violations are continuing and are blatant. 04/03/23 - reviewed at Compliance Committee. 02/13/23 - issue at the attorney's office. 02/02/23 - fine letter sent and warning of further action if this continues.	\$600.00 fine sent. 03/17/23. - litigation.
2R-006	no	<b>NEW</b> 01/20/2024 Suspected drug traffic Vehicles arrive and leave a short time later.		John Ingemi investigated complaint, believes to be true, sent letter to owner. Owner has denied on social media and in the office. Committee to conduct site visit with owner. Letter informing owner that triailer or shed can be used as a residence only with permission from HOA per the Declarations of Restrictions.	
03-137	STR	202402 Complaint received that owner/kids aare running an STR on Airbnb which advertises power boats can be used renters on the lake for "Cruising and Tubing".		20240212 Letters sent to owner and son (listed as the Airbnb host) requesting advertisement be amended to delete "cruising and tubing". Both letters sent certified and regular mail returned unopened from both owner and son. Will send new request more creatively and issue fine letter for failure to respond to request.	

Compliance Register

Div/Lot	Rental?	Current Date and Complaint	Complaint History	Action / Proposed Action	FINES/LIENS
03-501	no	<b>NEW 202312?</b> Erected sheetmetal fence on back property line at the Horse Barns- sheet metal may have come from Barn Roof. Arcitecture has no record of an application so no permit nor approval of fence material.		20240206 letter sent stating no permit for metal fence, must apply for and obtain an Architectural Permit approval, or remove the fence within 30 days of denial.	
04-004	no	<b>09/09/21 - property owner died. Waiting to learn the disposition of derelict vehicles.</b>	01/09/23 - discussedd what to do with this. Send to attorney? 04/26/22 - complaint filed for house being vacant since 11/21 and rodent and rat issue on property. Derelict vehicles are still on property. Power was shut off in February 2022. Currently not liveable. John I. to visit. 03-30-21 Hunt called Dean stated has a note from Doctor stating Pig is comfort animal. To send copy of Letter to office.says will be cleaning up yard trying to sell some vehicles. 03-08-21 seems to have more vehicles. States pig is a comfort animal.	<b>File sent ot Attorney to determiine probte status and nest steps. Status unknown.</b> Status update requested from BOD President 1/6/2024. 20231216 BOD assigned to Treasurer for follow up. Suggest BOD work with HOA Atty to resolve probate status and find a way to clear the lot of junked vehicles and rubbish. 20231202 BOD again requested to have someone or attorney determine status of estate in the absence of a CAM. 11/7/23 Committee request BOD/CAM determine status of probate to identify options moving forward; 09/06/23 Need to determine statu of Probate 05/14/23 - A "Not a Member in Good Standing" letter was approved by the Board but don't know who to send it to. 04/03/23 - reviewed at Compliance Committee. 01/09/23 - discussedd what to do with this. Send to attorney? 12/05/22 - need some assistance on this as property owner died and s.o. is not helpong us. 09/10/22 - reviewed and still awaiting fine payment. 06/15/22 - will request attorney advice on this one. 04/26/22 - new complaint files as no one living there since 11/21. 02/14/22 - PROPERTY OWNER PASSED AWAY - LIEN PLACED AND WAITING TO SEE HWAT HAPPENS WITH OWNERSHIP 10/10/21 - Fine letter to be sent for violation of fire restrictions and dangerous & nuisance behavior10/04/21 \$600.00 fine sent. 09/27/21 - have taken recent pics and will send letter this week. 09/09/21 - need to send letter for derelict vehicle left on property and take some pictures (blue p/u on Dalkeith.) Will consider sending fine for \$1,800.00 considering the history of violations.	<b>Owner deceased, and has made no payments from the beyond 05/01/23 - trying to find out if Squaxin Tribe has any information on this case. 10-04-21 \$600 FINE SENT</b>

Compliance Register

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04-121	no		HEARING HELD ON 4/04/23	<p><b>Send fine letter until demonstrate compliance with Dangrous Dog provisions.</b>                      Letter sent 20240205 to request proof Danger Dog provisions of state law are being followed. Co-habitant had posted complaint on LLCC unofficial Send fine letter until owner demonstrates compliance with dangerous Dog provisions Facebook site. Tenant claims dogs are contained and signs posted. Send letter requesting photos demonstating appropriate Dangerous Dog signs are in fact posted and visible, and there is a completely fenced and roofed enclosure in the yard for the dangerous dog. New complaint filed 20231220--starting progressive fine cyle over again--no "Dangerous Dog" signs visible--\$100 fine letter sent 20240106.06/05/23 - another fine letter sent for refusing to follow "Dangerous Dog" restrictions. \$1,000.00 fine on 05/19/23. 05/14/23 - As a result of the hearing and a "Not a Member in Good Standing" letter he had requested a payment plan to pay off the fines. He will send in \$100.00 per month until it is paid. 05/01/23 - payment plan should be done today. 04/03/23 - reviewed at Compliance Committee. 02/13/23 - case reviewed. Sent a \$1,000.00 fine for his dog attacking a member picking up his mail. 01/09/23 - Reviewed and need to send reminder letter on fine payment. MNIGS on invoice? 12/05/22 - reviewed and awaiting payment. 09/10/22 - reviewed and still awaiting fine payment. 08/17/22 - K. Summers had spoken to Mr. Lahore after witnessing him chasing his dog down the street. His comment: "I guess I have to pay the \$600.00 dollars."06/24/22 - second fine letter sent for continuing violations and no response for owner. 06/15/22 - K. Summers stated that there has been no response from the property owners and a day or so ago their dogs were running around the neighborhood (photos taken) New letter to be sent with a further fine. 05/25/22 - fine letter sent with fine in abeyance awaiting a response from property owner</p>	<p><b>On payment plan 10/02/23 05/19/23 - dangerous dog fine letter sent. \$1,000.00 for vioolation. 02/10/23 - \$1,000.00 fine sent. 06-24-22 - \$500.00 fine letter sent. 05-25-22 fine letter sent \$100.00</b></p>

Compliance Register

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04-150	no	10/27/20 - trash, junk, garbage and debris.	06/30/21 \$600 fine letter sent. 03-30-21 Ed and Dean visited, asked to do a better job of cleaning up front yard. 12/23/20 trailer is gone, just cleaning up the left over mess, owner grateful for the help 12/7/20 No one living in trailer. 12/2/20 owner is asking for help to get squatter & trailer off their property, the are cleaning up.11/2/20 Received E-mail they would be cleaning up trash.	<b>202403 File prepped to go to HOA Atty.</b> John Ingemi moved, and Ed Stember seconded, a request to the BOD to seek injunctive relief regarding continuing nuisance and rubbish violations of the Declarations of Restrictions at Div 04 Lot 150. <i>NEED MOTION TO BOD 1/12/2024</i> --Refer to HOA Atty to seek ability to enforce clean-up provisions of the Declaration of Restrictions for Division 420231201 \$1800 fine letter. 11/7/23 Determine status of clean-up and if nuisance rubbish is present send \$1800 fine letter; 05/14/23 - She came in and set up a payment plan and signed a promissory note. She did receive a "Not a Member in Good Standing" letter which made her come into the office. 05/01/23 - need to send foreclosure and collection letters. 04/03/23 - reviewed at Compliance Committee. 02/13/23 - case reviewed and need to send a "not a member in good standing," letter. 01/09/23 - Reviewed and need to send a reminder letter on fines? Also MNIGS on invoice? 12/05/22 - Reviewed and sent another letter. 09/10/22 - reviewed and still awaiting fine payment. 10/04/21 1,200.00 FINE SENT. 10/01/21 Going in a backwards direction. Needs another letter and fine 07-02-21 took pictures of property still a mess. 06-30-21 First fine letter sent. 6/7/21 (Note: check property to see if we can drop from register or it is time to think about fining.04-07-21 Dean revisited yard looks better still needs more cleaning. 02/03/21 Still need to visit. 1/6/21 need to visit again to see if can clean up better12/2/20 put notice on trailer to have squatter to remove trailer by 15th Dec.12/1/20 Sent warning ltr. To not live in trailer over winter 10/27/20 Warning letter sent.	<b>On payment plan 10/02/23 05/01/23 - need to send collections letters and maybe foreclosure letters. 06-30-21 \$600 FINE SENT 10-04-21 1,200.00</b>
04-152	no	11/16/18 thru 2/21/23 Overwintering trailers.	Ongoing on trailer overwintering, trash/garbage, etc.	<b>202403 File at HOA Atty.</b> 20231207--rec'd email from owner that they are financial problems, vehicle has died and they are walking. They did not specifically request a hearing. 11/2023 \$600 fine letter sent starting this years progressive fines. 11/6/23 Committee requests BOD initiate delinquency foreclosure against this property...awaiting BOD response. 05/14/23 - A "Not a Member in Good Standing" letter was sent in April 2023 and approved by the Board. 05/01/23 - need to send to legal. 04/03/23 - reviewed at Compliance Committee. 02/13/23 - case reviewed and need to send a "not a member in good standing," letter. 12/05/22 - new letters sent on 11/16/22 for \$600.00 trailer violation and another sent on 12/5/22 for continued violation. 10/10/22 - need attorney letter	<b>No payment plan 10/02/23 11-17-21 \$600 FINE SENT 12-03-21 \$1200 FINE SENT 12-20-21 \$1800</b>

Compliance Register

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04-152	no	Issues go back to 12/01/18 - trash/garbage, not paying fines.		202403 File at HOA Atty.05/14/23 - A "Not a Member in Good Standing" letter was sent in April 2023 and approved by the Board. 04/03/23 - reviewed at Compliance Committee. 02/13/23 case reviewed and need to send a "not a member in good standing," letter. 01/09/23 - Reviewed and still awaiting member to pay fine. Should there be a MNIGS? Should there be a reminder letter on fine? 11/05/22 - reviewed and still awaiting fine payment. 10/25/22 - new fine letter sent in the amount of \$1,000.00.	Lien put on property 03/28/23
05-027	no	This register, 09/22/21 and still ongoing, trash, garbage. Seeking legal injunctive relief.	Compliance has received numerous complaints pertaining to dereelict vehicles, trash, junk and garbage that has been accumulated on the property.	202403 File at HOA Atty.1/2024--status of request to BOD unknown. 11/6/23 Committee requests BOD seek injunctive relief to cause clean-up by a date certain or LLCC is permitted to clean per Declarations if date is missed. 05/14/23 - after receiving a "Not a Member in Good Standing" letter (approved by the Board in April 2023, she called the office (04/20/23) and I had to speak with her. I told her she needed to come into the office and create a payment plan/promissory note or we will start foreclosure proceedings.04/03/23 - reviewed at Compliance Committee. 02/13/23 - case reviewed and need to send a "not a member in good standing," letter. 01/09/23 - CAM looking at preparing case for foreclosure. 12/05/22 - filed reviewed with extenuating services. 10/12/22 will look at sending this to the attorney. 09/10/22 - reviewed and still awaiting fine payment. 05/01/22 - need to check again with office to see where we are on this. 03/04/22 - wanting to file injunctive relief or foreclose. 02/14/22 - Action pending. 10/01/21 - JCI went by but didn't get pics - no improvement. 09/22/21 warning letter sent 14 days to clean up property.	



Compliance Register

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05-051	yes	This register, 10/22/21 - trailers, trash, junk, garbage. Legal issue at this point.	Ongoing complaints going back a number of years. Continuous!	<p><b>202403 meeting with HOA atty 20240313 to determine status of injunctive relief and foreclosure.</b> 20240206 \$1800 fine letter sent. 20240205 Send another fine letter. Mess is getting worse again (was NEVER cleaned up). 1/2024 Status of foreclosure and attempt to compel cleanup unknown. Requests for status from BOD unanswered. 12/28/2023-- Site visit with LLCC Atty. Tenants have not been evicted-- was a different rental property. 11/6/23 Delinquency letter has been sent to initiate foreclosure process; Owner claim to have evicted tenants; 10/8/23--Most of plastic fence removed after receipt of \$1800 fine letter for non-permitted fence. 09/06/23 New non-complying plastic fence erected w/out permit; new tower of trash in violation of Declarations--two new fine letters to be sent. October 2 hearing on injunction delayed to Oct 9. At Oct 9 hearing the judge affirmed LLCC right to enter and cleanup per Declarations, but decided she could be sure if LLCC could differentiate between tenants' trash and treasures. New legal strategy needed. Attorney has filed two injunctions--need to check status of latest. Needs to be made a priority for HOA leadership. 06/05/23 - On 5/19/23 R. Milliman stated that our attorney's office stated that John Potter's attorney asked for 2 weeks and he will have the property cleaned up. It is now past that date and it is still a mess. Pics taken today. 05/14/23 - A "Not a member in Good Standing" letter was sent in April 2023 and approved by the Board. Also, we just received a Court Injunction and are trying to determine the best way to utilize it. 05/01/23 - IN LEGAL. 04/03/23 - reviewed at Compliance Committee. 02/13/23 - case reviewed and need to send a "not a member in good standing," letter. 01/09/23 - Letters sent on trailers. Check legal status. Also, what is the MNIGS status? 12/05/22 - new trailer violation fine sent. <b>LEGAL</b> 10/25/22 - new fine letter sent for \$1,800.00. 10/10/22 - letter to be sent to property owner and need to copy file for attorney. 09/29/22 - two more 09/10/22 - will consult new legal reps on this case.</p>	<p><b>10/25/22 - another \$1,800 fine letter sent 10/23 11-22-21 \$1800 FINE SENT 10-22-21 \$1200 FINE LETTER SENT.</b></p>

Compliance Register

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05-100	no	Ongoing, 08/02/21 - 10/23 overwintering a number of RVs and has people living in them.	We have documented evidence of several vehicles and trailers that have not moved in many years on property. 4/5/2022 - New Complaint on trash, garbage, junk being covered up by a tarp.	Committee to verify issue still continuing--if so restart fine cycle. 20240205 Send letter RVs still present. Needs follow-up to verify and then initiate further action. 04/03/23 - reviewed at Compliance Committee. 02/13/23 - case reviewed and need to send a "not a member in good standing," letter. 01/09/23 - Reviewed and need to send reminder letter to pay fine. Maybe a MNIGS notice on the invoice and issue of water shutoff. Trailers are still there and occupied. 12/05/22 - sent another fine letter for trailer violation. 10/10//22 - will be sending new trailer letters and will look at sending to the attorney. 09/10/22 - reviewed and still awaiting fine payment. 4/5/2022 - a new complaint filed. A pile of garbage, trash and junk covered by a tarp and being held down by a pallet. 02/14/22 - Still waiting for fine payment. 12/06/21 \$2400.00 Sent 09/22/21 Fine sent. 09/09/21 Need new pics to be taken and, if no improvement, then we will send a fine letter. 08/02/21 Warning Letter sent.	12-06-21 2400.00 SENT 09-22-21 \$1200 FINE SENT