

Lake Limerick C.C.



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LAKE LIMERICK COUNTRY CLUB

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LLCC Community Compliance Committee Meeting (HYBRID)

Monday, June 3, 2024 @ 10:00AM

Crows' Nest

Meeting ID: **836 6809 5851** Passcode: **592997**

Meeting Minutes

1. Call to Order and Roll Call:

a. Members Present: B. Smith; K. Summers, J. Ingemi, E. Stember; T. Fletcher- Chair

2. Approval of Previous Minutes: J. Ingemi moved approval, E. Stember seconded, motion passed unanimously.

3. Additions or Changes to the Agenda: None

4. Status of Motions to the BOD requiring feedback from BOD:

Both Motions to the board were sent back to the committee

5. Chair's Opening Comments:

T. Fletcher thanked everyone for their patience and support while she gets up to speed learning. She also shared progress on the procedure guidelines that is coming together after much work with Sue Klemp (Hearing Committee Chair). This will be sent out to committee for input.

6. New Business: See Register

Much discussion at the end regarding the recent issue at Banbury Park with the host's. Committee sees this as multiple issues. Tenant Jussie of the lake belongs to compliance and the behavior issues belong to the BOD. This is reflected in the register as actions and future direction from the Board of Directors.

7. Old Business:

- a. **Fine Processing Flowchart:** Tamy Fletcher has continued work on this and requests time on agenda to discuss, with a target transmittal to BOD in July.
 - b. **Status of past motions to the BOD:** May motions were overlooked in our discussion.
8. **Register Review and Update:** See attached Register.
9. **Adjournment:** E. Stember moved adjournment, J. Ingemi seconded, motion passed unanimously

NEW MOTIONS TO THE BOD: None

Respectfully submitted,

Tamy Fletcher – Compliance Committee Chairperson

Compliance Register

20240603	Rental?	Current Date and Complaint	Complaint History	Action / Proposed Action	FINES/LIENS	UPDATES	Next steps
01-071		Trash and Debris		Letter sent--30 days from receipt of letter to clean up. Karen to drive by			
02-194		NEW 5/2/2024, 5/20/2024 Two dogs roam off property and deficate on neighbor's yard, confront contractors and relatives. Also parking cars on streetside lawn. Also appears they have a casket with a skeleton from Halloween leaning against a tree (committee member		Letter sent with \$100 to be held in abeyance if resolved and no new complaints in the next 3 months	\$100.00		
02-247		3/1/24. Downspout is draining water on neighbor's land, as well as dragng soil onto the golf course.		Letter sent requesting work with neighbor to resolve citing Resolution 2006-11 DRAINAGE and State law. Committee contacted spout owner. No response. 20240606 Send letter concerning not causing nuisance conditions and possibly Resolution 2006-11 Drainage.Letter sent with \$600 fine email sent to Wilcox in May	\$600.00		
02-295	yes	New Complant rec'd April 13-- STR tenants continuing to use watercraft in lake. February 2023 - tenants using lake for fishing and kayaking	k	Letter sent 20240606 asking for compliance. \$1200 fine Committee recommends sending new letter. 15 day letter sent BOD VP has advised not sending additonal letters pending legal review. Committee believes complaints need to be responded to. Received new pictures and complaint of STR tenants using lake recreationally. Per previous 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 further 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	\$1,200.00		
2R-006	no	4/11/24-complaint of off road dirt bikes driving fast on street close to drivers and walkers. 01/20/2024 Vehicles arrive and leave a short time later. People living in shed,trailer.		No letter sent, no new complaints! Comittee conficted on next steps. Send letter reminding that dirt backs are not street legal, are becomming a nuisance to the community because they are being ridden irresponsibly. New Complaint received regading dirt bike rriders. John Ingemi investigated complaint, believes to be true, sent letter to owner. Owner has denied on social media and in the office. Committtee 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.			

Compliance Register

03-137	STR	202402 Complaint received that owner/kids are running an STR on Airbnb which advertises power boats can be used renters on the lake for "Cruising and Tubing".		letter sent 20240606 asking fo compliance, no fine attached Sending new letters via parcel post with no return address. No response from Air BnB 5/5/2024. Committee informed AirBNB about the issue...they acknknowledged and will investigate. 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.			
03-215	YES	NEW 5/16/2024 Many people in and out, loud music; danger treeson property line; unleashed dogs off propertyderlict and/or inoperative cars (of the six in the yard); handled by a property management		Verify--send letter NOTHING in the file 20240606			
03-300		NEW About 12 persons living at 40 E Glamis and squatting on 31 E. Glamis.Sewage smell, possibly leaking into lake again. See also 31 E. Glamis	squatters removed	Monitoring 20240606			
03-303		NEW See above on 40 E. Glamis. Also person said to be living in dump truck	squatters removed	Squatting only John Called prop owner truck has been moved no further action a this time		remove from register	
04-004	no	09/09/21 - property owner died. Waiting to learn the disposition of derelict vehicles.	LEGAL. 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	keep on the register as complaints come in periodically. Check with office for update on this.			

Compliance Register

04-023		NEW 5/16/2024 Owner is requesting an appeal. Tenant(?) racing in street in big trucks, drunk, threatening/fighting with neighbors at 3AM. MCSO called, handcuffed and cited tenant (Charles)		\$600 Fine Letter sent re: tenant causing nuisance to neighborhood. Verify with MCSO, get record of call and citation. Send letter to owners living in Shelton mentioning Fine loss of member in good standing status and \$600 fine. sending to HEARING COMMITTEE 20240606		Forward Involve this to Sue Klemp	send to sue
04-013		NEW 5/13/2024 Burning trash, construction debris, boxes on a breezy day		sent letter 20240606 no update in file			
04-048		Junk, trash, scrap furniture scattered around property		Letter sent--30 days after receipt to clean up. Verify complaint has been filed. Send abatement letter. Chair sent new letter 20240606		Fine letter 600\$ also running a business	
04-079		NEW 5/2024 Ongoing for several months; Loose dog; dogs left outside unattended and barking overnight disturbing neighbors.		Letter sent 20240606	\$100.00	Resolution loose dogs. Fine 100\$	
04-121		NEW 5/1/2024--5/15/2024 -- ongoing. Tenants are raising chickens in a coop. Neighbors have heard and one of tenants has posted a picture of self with a chicken on Facebook		Send no farm animals letter. 20240606 neighbors state that the occupants have MOVED. no letter sent		Going to trial today, they have moved out. Verify this VERIFIED via FB post	

Compliance Register

04-121	no	5/3034 Dangerous dog sign still not in compliance with MCSO requirements; no evidence of required exterior caging if dog off-lease outside	HEARING HELD ON 4/04/23	<p>Moved! Send letter stating that it does not appear that neither the dog owners nor the member are complying with the Dangerous Dog requirements imposed by the MCSO concerning signage and a totally enclosed ouotsside dhelter, nor do they mention muzzling the dog when out on a lease. Recommend they continue the HOA appeal process they have initiated. Committee to check on current status with complainants,. Tenant has requested hearing. Send fine letter until demonstrate compliance with Dangroug Dog provisions. 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</p>		Again, they have moved out of the residence.	
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.	<p>MONITORING! 20240606 LEGAL Pre-foreclosure notice filed. 202403 File prepped to go to HOA Atty. 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. NEED MOTION TO BOD 1/12/2024--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 needd 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</p>			

Compliance Register

04-152	no	11/16/18 thru 2/21/23 Overwintering trailers.	Ongoing on trailer overwintering, trash/garbage, etc.	LEGAL 202403 File at HOA Atty. 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			
04-152	no	Issues go back to 12/01/18 - trash/garbage, not paying fines.		LEGAL Pre-foreclosure notice filed.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.			
04-180		RV with people living in it. Neighbors trying to sell being harassed by woman in trailer.		Send letter to Trustee HEATHER ANN CAILLE TRUSTEE Situs 123 W MONTURE, KALISPELL MT			
04-155		NEW . A non-running black KIA Optima has been parked on the street for several weeks.	closed	RESOLVED Verified and sent letter re: nuisance and no derelict cars.		closed	
04-179		Large container trucks on property, storage racks, trash and debris in trucks and on	???	NO SENT LETTER IN FILE? 20240606 Sent letter re: storage of vehicle, trash violates prohibition on nuisance conditions in Declarations, underlying zoning is not industrial/commercial.			
05-010		Complaint about big always barking dog, started digging under fence	Compolaint filed but not received Sept 2023.	Sent dog letter .New letter sent to proper address 20240606			

Compliance Register

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.	<p>LEGAL Pre-foreclosure notice filed. 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 Goopd 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.</p>			
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>Property looked good on 20240528 Fees owed? LEGAL. 202403 meeting with HOA atty 20240313 to determine status of injunctive relief and foreclosure. 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 claimns 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 vioation 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 takenn 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. LEGAL 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.</p>			

Compliance Register

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 believes gis property id in compliance again due t summer rules 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.			
2R-003	no	NEW Dogs barks at golfers and	Complaint filed 4/11/2024	Remove if no new complaints in June Letter sent requesting		Remove	
01-184	yes	NEW Banbury Park Host Assaulted by tenant 19 May	Complaints from last year as well	BOD needs to give direction to the committee on this as well as all future safety issues! email sent 5/24/2024 gave prop owner 3 days to respond with her action to remedy much communication via text and email- we need to do better		Discussion verbal abuse assault tenant	
01-063		NEW multiple structures encroaching next door property as well as set backs	Compliant filed ?	next steps? J. Ingemi went over to investigate and spoke with co owner. Just side setback seems to be in question. Encroaching party seems to be co-owner of both properties. Told grievant that he would have to handle as it is a civil matter.		Mirante architecture discuss with Tamra	
03-389		New on deck and garbage	2 years on going	Letter sent to neighbor telling them to remove garbage and toilets from their deck		Letter to Powelson regarding toilets and trash warning	
04-026		speeding vehicle		no action taken?		check file	