

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF TRUSTEES OF  
LUDLOW MAINTENANCE COMMISSION, INC.  
Saturday, October 14, 2006– 9:00 a.m. – Bay View Room**

**Trustees:** Vaughn Bradshaw, Ian Feltham, Art Moyer, Jerry Nelson, Terry O'Brien, Bruce Pyles, Amy Recht, Sonny Sanzaro, and John Van Zonneveld.

President O'Brien called the meeting to order at 9:00 a.m. and asked Secretary Moyer for a roll call. All trustees were in attendance.

**Agenda Changes:** Trustee Moyer asked to add PLA Negotiations to the agenda. President O'Brien has added this item to the new business.

**Approval of Minutes:** The minutes of the regular 9 September and special 6 September 2006 meetings were approved as corrected. Trustee Sanzaro requested that the future minutes be condensed. Since Trustee Moyer has not attended the 6 September special meeting and, therefore, did not have a chance to participate in two appeals heard and denied at that meeting, he asked for help in writing letters to the appellants explaining LMC decisions in their appeals.

**Manager's Report – Brian Belmont**

The manager's report is filed with these minutes.

Responding to Trustee Van Zonneveld, Mr. Belmont stated that the overall outdoor pool operation this summer ran very smoothly; there were no reports of vandalism. Based on this year, not having lifeguards gives the LMC flexibility to have more hostesses on duty during the peak hours of pool use. The manager intends to continue with this practice in the years to come. Having a pool open longer will add to the heating costs. The manager reported the first draft of the operating budget reflecting this intentional change. This is the first year the pool is being partially heated with electricity lowering propane costs. Getting a real feel for what needs to be budgeted for the next year to accommodate pool-heating expense without a history will be challenging.

**COMMITTEE REPORTS:**

**Finance Committee – Bill Funke**

The committee last met on September 18. The meeting included three new committee members. The committee members were informed of a potential liability of approximately \$2,200 due to LMC collecting assessment from a property that does not belong to the LMC. Attempts to contact the owners rendered no response. Therefore, the committee decided at this point in time not to set aside funds to repay the assessment. The lot is not developed. The Board discussed this matter.

The committee reviewed January 1 through August 31 budget expenses and found no significant variances. Collection on delinquent accounts brought in approximately \$20,000 more in income than was budgeted. There are only six delinquent accounts left to date. Liens had been filed against five accounts. The committee agreed to file a lien against the sixth account. The

outstanding amount on delinquent assessments is down to \$7,800 including about \$900 of fees. Possible foreclosure recommendations were considered for two of delinquent accounts. Bryan Diehl, a real estate agent and a new member of the Finance Committee, was charged with researching a fair market value of these properties.

The annual assessment maximum was reviewed and recommended to be set at a maximum allowable amount of \$421.71. This represents an increase of \$13.51.

The manager recommended that allocation for delinquent accounts in 2007 be reduced to 1%. The committee approved this recommendation.

October meeting of the Finance Committee will be devoted to the budget.

Responding to Trustee Moyer, Mr. Funke explained calculations of 2007 price of a contract membership which will be \$496.14 (tax included).

### **Operations Committee – Stephen Siegiel**

Since the last LMC meeting, the Operations Committee met twice. They have reviewed and approved manager's request for a new cover for the indoor pool. The request has been forwarded to the Finance Committee.

They reviewed six existing and one new Trees and Views cases. One file was closed.

They reviewed two existing and one new Property Maintenance cases. Two cases were closed.

The committee is currently reviewing proposed 2007 budget. The budget was presented by the manager and will be forwarded to the Finance Committee next week.

The committee is researching and selecting exercise equipment that can be used for rehabilitation purposes.

The Beach Club rental policy has been reviewed and found to be acceptable as it currently exists.

The committee is currently establishing a policy of using member's contact requesting forms. They are also working on a set of standard response letters.

### **Architectural Control – Veronica Ryan**

Ms. Ryan's report is filed with these minutes.

Responding to Trustee Van Zonneveld, Ms. Ryan stated that the ACC had gone through a slower period in house construction applications over the last few months. Nevertheless, four new applications came in this month. She could not estimate the amount of houses the ACC might receive next year.

Responding to Trustee Pyles, Ms. Ryan explained the committee actions with regards to the case of unauthorized house repaint on Rainier Lane. The file is active. The committee is soliciting neighbors' comments on the color. The intention is to come to a mutually acceptable solution.

## **Covenants & Regulations – Catherine Garrison**

The CRC has met twice since the last LMC meeting. In September they collaborated with the Operations Committee and a report on reciprocal agreements and charitable donations was submitted to the Board. The CRC has also worked on the regulation concerning parking and storage of vehicles. That report is resting with the Operations Committee.

Currently the CRC is working on further revisions to Bylaws and regulations. Drafts of proposed changes should be ready for the Board's review in early 2007. They have begun to work on a conflict of interest policy, which will apply to Board members, management, employees and committee chairs.

The ACC has requested a review of fence guidelines and guidelines for storage sheds. There needs to be a regulation on sheds to support guidelines. The committee will be working on drafting that regulation. Ms. Garrison has drafted some language and this morning has submitted it to Ms. Ryan for review.

Ms. Garrison attended the Community Association Conference. The experience reinforced Ms. Garrison's belief in the need for solid reasonable rules and regulations.

Ms. Garrison presented Regulation I, Article I, No Nuisance for a third reading and asked the board to adopt the draft. This revision represents a significant departure from past practice. The amendments have undergone scrutiny from legal council twice. The most significant changes are in the language concerning industrial and commercial use. The changes regarding noise caused by compressors also required changes in Regulation II, Article III Construction Standards, where the language is repeated. Ms. Garrison, therefore, asked for an approval of that change as well.

Finally, the committee has drafted a resolution designating the LOG as the official medium for notifying the membership of changes to the governing documents.

## **Greenbelt Committee – Dean Nelson**

Mr. Nelson's report is filed with these minutes.

## **Communications – Sally Orsborn**

Ms. Orsborn's report is filed with these minutes.

## **Lot Owners Associations – Karl Barden**

No report

## **Condominium Associations – Vaughn Bradshaw, John Van Zonneveld, and Jerry Nelson**

No report

## **Port Ludlow Village Council – Larry Nobles**

Mr. Nobles is the new president of the PLVC.

He reported a number of upcoming important land use issues. The sale of the property at the conference center fell through; the church is going to continue to lease the property. On October 18, there is a hearing on a subdivision of lots down at the Ludlow Bay Road. The question and problem that arises there is what happens to the number of MERUs involved. The Community Development Committee of the PLVC has not yet met to review this issue.

Trendwest Development Hearing is scheduled for November 3 at the Bay Club. All are encouraged to attend. Proposed Trendwest CC&Rs are under review. Per Mr. Nobles the developer appears to be willing to adopt something that will be filed with the county and run with the land and be compatible with the LMC CC&Rs.

A hearing for the Ludlow Bay Village and Admiralty III development is scheduled for November 30. Mr. Nobles gave a short overview of the revised plan.

Questions and comments followed.

### **Trees & Views Committee – Vallery Durling**

The committee spent the last month receiving the surveys. Out of 971 surveys sent 531 came back. The survey is now in a process of analysis with Bill Hansen. The committee also tabulated written comments, which amounted to 29 pages. The committee spent seven extra sessions tabulating survey results. Extra meetings were held for putting together a draft regulation to go out in the upcoming LOG for the membership review and comments. The forum is scheduled for November 9. The committee is contemplating asking for an extension of their December 1 deadline to absorb membership comments.

The committee does not expect to go beyond February 1.

### **CORRESPONDENCE:**

The Board received a request for a tree removal and a letter from HOPL regarding resignation and replacement of their committee chair.

### **UNFINISHED BUSINESS:**

**Third Reading – Amendment to Regulation I, Article I – No Nuisance, Industrial or Commercial Use:** By a motion duly made by Trustee Van Zoneveld, seconded by Trustee Moyer, and carried by a unanimous vote of the Board, this regulation change was accepted as written.

**Third Reading – Amendment to Regulation II, Article III (14) Standards (c) Noise Control:** By a motion duly made by Trustee Van Zoneveld, seconded by Trustee Moyer, and carried by a unanimous vote of the Board, this regulation change was accepted as written.

## **NEW BUSINESS:**

**Appeal Hearing Request (Ted Buehler (2-3-105) Regarding Trees on Lot 2-3-115):** President O'Brien recommended accepting this appeal with an understanding that it would not be heard until after the 1<sup>st</sup> of the year, that the secretary would write a letter to the parties explaining that the appeal will be heard but not until the defending party was back in town (which was told to be February), and that the letter would contain a reference to the waiver of the 60-day appeal period, and that all parties would be asked to agree to the appeal time for the appeal to be heard. Trustee Moyer made a motion to this effect. Trustee Van Zonneveld seconded this motion. Following prolonged discussion, Trustee Recht suggested sending the matter back to the Operations Committee for a final decision and giving the appellants an opportunity to appeal that decision within the regulated 60-day appeal period. Trustee Moyer withdrew his motion. Trustee Van Zonneveld withdrew his second. Ms. Recht made a motion to deny the appeal and send the case back to the Operations Committee. Trustee Moyer seconded this motion. Motion carried by a unanimous vote of the Board.

**LOG – Designation as Official LMC Publication:** Following brief discussion, by a motion duly made, seconded, and carried by a unanimous vote of the Board, the LOG was designated the official LMC Publication.

**Records Access Policy:** Following brief introduction by the LMC President, records access policy was approved by a duly made, seconded, and carried motion.

**Covenants & Regulations Committee Review of Regulation IV Article I Sections 8 & 9:** By a motion duly made by Trustee Recht, seconded by Trustee Moyer, and carried by a unanimous vote of the Board, Regulation IV Article I Sections 8 & 9 were sent to the CRC for a review.

**Trees & Views Committee -- Deadline Extension:** President O'Brien encouraged the Board to go through the process of allowing TVC an extension of December 1 deadline through February 1. Trustee Recht made a motion that the LMC does everything in a requisite to assisting the extension of the December 1 deadline to February 1. Trustee Moyer seconded this motion. Following brief discussion, this motion carried.

**Ad-hoc Committee for Beach Club Remodel:** President O'Brien announced the appointment of Art Moyer to chair an ad hoc committee whose purpose is to review the remodel designs for the Beach Club. The committee will include Trustee Bradshaw, a retired engineer, Steve Siegiel, Operations Committee Chair and retired construction manager, and Marty Stuart, a retired architect. The ad hoc committee will look at all aspects of the possible upgrade and/or expansion suggested by past focal groups as well as numerous design concepts.

**2007 Assessment Approval:** Assessment amount for 2007 will be approved with the budget.

**PLA Negotiations:** President O'Brien spoke on the subject of his recent meeting with PLA regarding LMC opportunities for the Beach Club remodel in light of PLA application for a final resort development. Discussion followed.

**Public Comment Period:** President O'Brien opened the floor for public comments. Several members spoke on items of concern to them. Trustees responded.

At 11:05 a.m. the Board retired to the Gallery Room for an executive session to discuss legal and personnel matters. Trustee Recht left at 11:15 a.m.

This meeting reconvened in an open session at 11:44 a.m.

The meeting was adjourned at 11:44 a.m.

Respectfully submitted,

Art Moyer, Secretary  
Ludlow Maintenance Commission, Inc.