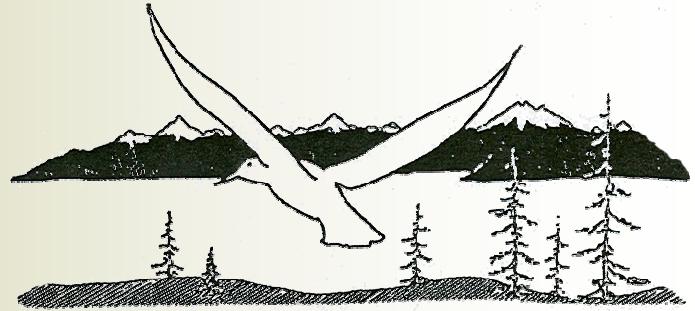


# LOG



A Quarterly Publication of the Ludlow Maintenance Commission.

Volume 3, Spring/Summer 2007

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## The LMC Reserve/Replacement Fund Running Dry

*By Vaughn Bradshaw & Bill Funke*

Our Reserve/Replacement Fund is an accumulation of funds set aside to finance future replacement and repairs of LMC facilities including the Beach Club. It represents the total LMC cash reserves.

We currently identify 69 future replacement items along with their respective useful life, estimated replacement cost at the end of their useful life, and the projected date of that expense. However, during recent years Replacement Fund monies have been used to finance many projects other than the scheduled replacement items. In 2002, the Trustees adopted a Reserve Policy, which stipulates the Fund will be at least 75% funded.

The money currently in this Fund is the total LMC savings on hand December 31, 2006 plus the portion of this year's (2007) income not budgeted for general LMC operating expenses. The Fund balance at the start of 2007 was approximately \$351,000 which represents only 71.6 % of the required funding level. To be 75% funded the Fund balance should have totaled \$367,668 (\$16,668 more). To be 100% funded, the Fund should have totaled \$490,223 (\$129,224 more).

The projected replacement costs used to evaluate the Fund are based on 2006 costs plus a 2½% annual inflation increase. Due to higher inflation rates, our remote location,

# ***NEW!!***

## **E-mail Communications From LMC Board President**

Beginning in May, the new president of the LMC Board of Trustees, Vaughn Bradshaw, began a series of e-mails to the membership. The communications precede the board workshops and board meetings, and provide the upcoming agenda along with highlights from board meetings and other news of interest to members. If you are not receiving these e-mails and would like to, make sure we have your current e-mail address. Call the Beach Club (360-437-9201) or send an e-mail to [beachclub@olympus.net](mailto:beachclub@olympus.net).

### **LMC Board of Trustees**

Vaughn Bradshaw, ***President***

Elizabeth Van Zonneveld, ***Vice President***

Ian Feltham, ***Treasurer***

Jerry Nelson, ***Secretary***

Ted Buehler, ***Trustee***

Stan Kadash, ***Trustee***

Paul Moseley, ***Trustee***

Art Moyer, ***Trustee***

Sonny Sanzaro, ***Trustee***

### **Beach Club Staff**

Brian Belmont, ***General Manager***

Kim Monroe, ***Office Manager***

Phil Eng, ***Maintenance Supervisor***

### **LMC Committee Chairs**

***Architectural Control:*** Veronica Ryan

***Communications:*** Barbara Berthiaume

***Covenants and Regulations:***

Catherine Garrison

***Finance:*** Bruce Pyles

***Greenbelt:*** Jack Riggen/Larry Scott

***Operations:*** John Van Zonneveld

*(Reserve-Replacement Fund Continued from page 1)*

and lack of competitive bids, some recent projects have exceeded the estimates in our reserve/replacement plan. In addition, the 2007 budget requests include approximately \$10,800 for five new projects to be financed from the Replacement Fund. All of these factors are contributing to a deficit in our reserve/replacement Fund.

According to our best estimate, the Replacement Fund was approximately \$129,000 under-funded as of January 1, 2007. We are projecting that the Replacement Fund will be exhausted (\$ 0 funds) within 20 years. All replacement costs after that are projected to create an approximate \$750,000 deficit in the Fund by 2036.

Furthermore, two unknown and potential major Beach Club maintenance projects (the 40 year old non-code-compliant electrical system, and the underground drainage system) are not addressed in our current replacement fund list, nor are allowances made for any unplanned expenses (including last year's wind storm damage to LMC greenbelt properties), the extent of needed RV park electrical repairs, and LMC's share (tax) of future Drainage District projects.

It is important that the LMC membership be aware of the Replacement Fund's growing deficit. Unless this problem is solved, long-term maintenance of the Beach Club facilities will not be possible. The LMC Finance Committee is looking into various options to address the problem, including additional membership levies or an increase in the annual assessment base. We hope to begin considering the options in the coming months. The sooner adjustments are made, the sooner we can take advantage of compounding interest to mitigate the deficit.

## *FROM THE MANAGER'S DESK*

*By Brian Belmont*

The Beach Club outdoor swimming pool is open – it must be summer time! The outdoor pool opened two weeks early this year on May 12 and we hope to keep it open, weather permitting, through the end of September.

LMC staff has been working hard getting ready for what we hope will be a safe, enjoyable and uneventful swim season for all LMC members and their guests.

### *Pool Rules Clarified*

Included in this edition of the LOG are the current LMC Pool Rules & Regulations that were adopted by the LMC Board of Trustees in 2005. We hope by distributing these pool rules early in the swim season any misunderstandings or violations will be reduced substantially, making for a more relaxed and safe environment for everyone.

One pool rule that could use some clarification reads: *Children under 16 must be accompanied in the pool or on the pool deck by a responsible adult, age 18 or older. For individuals, age 16 and 17, at least one other person must be present in the pool or on the surrounding pool deck.* We refer to the part of the rule specific to 16 and 17 year olds as the “buddy” rule. What we are saying in the “buddy” rule is that a member’s child who is either 16 or 17 years old who wants to swim without being accompanied by an adult is required to have a “buddy”, either in the pool or on the pool deck that is looking out for his or her well being as a companion. The “buddy” is also required to be at least 16 years old. It

should be noted that it is not within the spirit of the “buddy” rule if one of the buddies is swimming in the outdoor pool and one is swimming in the indoor pool. The buddies need to be in the same pool or on that pool’s deck.

### *Membership Cards*

One of the primary responsibilities that have been assigned to the Beach Club hostesses is making sure only LMC members and their guests are using the recreational facilities at the Beach Club. The Beach Club is a private facility, and in order to keep it that way our staff is expected to make sure only authorized individuals are gaining access. Therefore, it is our policy that members are required to show their LMC membership card when asked to do so by the front desk staff. We appreciate your cooperation, and even though this may seem to be an inconvenience we hope that our members will understand what we are trying to accomplish. For member households that have children, ask the Beach Club hostesses about obtaining a “kids” card. Having a “kids” card can be useful if an adult other than the parent brings the members’ children to the pool.

*(Continued on page 4)*



*(Manager's Desk Continued from page 3)*

### ***Safety Concern***

Something else we are asking our pool visitors to keep in mind. When showering, please be careful about using excessive amounts of hair conditioners, body lotions or oils. We have found that when these products get spilled on the tile floor the floor becomes, at times, very slippery.

### ***OUT With the Ivy, IN with the Grass...***

This spring we hired a contractor to rip out and remove several dump truck loads of ivy that was growing along the side of the outdoor pool. Our maintenance staff then raked out the bare area and planted grass. The new lawn area, which is growing in nicely, esthetically greatly improves the appearance of the outdoor pool area and gives us additional space for other activities yet to be determined.

### ***Upcoming Spa Closure***

In late June or early July we will be closing the spa for a period of one to two weeks, for removal of the old spa tile, repair of water leaks, and new tile installation. As soon as the contractor gives us specific dates, notices will be posted at the Beach Club.

### ***VIEW LOG AND VOICE ONLINE***

Now that the LMC website is active and much improved, please make use of it at [www.lmcbeachclub.com](http://www.lmcbeachclub.com). On it you will find schedules, governing documents and links to other sites such as the *Voice*. The *LOG* is also posted on the site. We encourage you to notify us if you choose to read it online, thereby saving LMC the cost of postage. Send an e-mail to [beachclub@olympus.net](mailto:beachclub@olympus.net) and we'll notify you about current postings.

## **THE BEACH CLUB**

### **Beach Club Hours**

Monday - Sunday 7 a.m. - 9 p.m.

All Members: Present a valid membership card or pass to be admitted to the Beach Club.

### **Indoor Pool**

#### ***Monday, Wednesday, Friday:***

Lap Swim 7 - 9 a.m.

Aquacise 9 - 11 a.m.

Open Swim 11 a.m. - 5 p.m.

Lap Swim 5 - 6 p.m.

Open Swim 6 - 8:30 p.m.

#### ***Tuesday, Thursday, Saturday, Sunday:***

Lap Swim 7 - 9 a.m.

Open Swim 9 a.m. - 5 p.m.

Lap Swim 5 - 6 p.m.

Open Swim 6 - 8:30 p.m.

### **Outdoor Pool**

The outdoor pool is open.

Hours: 7 a.m. - 8:30 p.m.

### **Pool Age Restrictions**

Anyone under age 16 must be accompanied by an adult when using the pools and jacuzzi.

### **Exercise Room Age Restrictions**

For using exercise equipment, anyone under age 16 must have direct adult supervision

## **POOL RULES & REGULATIONS**

*(Adopted by the LMC Board of Trustees: June 11, 2005)*

We welcome you to the LMC Beach Club. As an LMC member or guest, you are responsible for the conduct of all members of your party. To ensure that every user has a safe and enjoyable experience, we ask that you abide by the following rules:

### **GENERAL CLUBHOUSE RULES:**

1. All members and guests must sign in at the reception desk upon entering the clubhouse.
2. Beach Club management and staff have the authority and responsibility for the safe and orderly operation of the facility. Usage of the clubhouse may be denied to anyone who does not comply with existing rules or fails to obey the direction of LMC staff on duty. Failure to obey the direction of a lifeguard on duty is cause for removal from the pool area.
3. Serious and repeated infractions of the rules and regulations will be reported to the LMC Operations Committee for appropriate action, which may include suspension of Beach Club privileges.
4. Any matter requiring immediate action should be brought to the attention of LMC management, or in his absence, the staff member on duty. Forms are available in the clubhouse office for member comments and requests.
5. No smoking is permitted anywhere in the Beach Club facility.
6. Anyone appearing to be under the influence of alcohol or drugs will be denied access to the clubhouse.
7. Any injury that occurs on the Beach Club premises should be reported immediately to the staff member on duty. A first aid kit and telephone are located in the clubhouse office.

## **RULES FOR ALL POOLS & HOT TUB/SPA POOL**

1. Children under 16 must be accompanied in the pool or on the pool deck by a responsible adult, age 18 or older. For individuals, age 16 and 17, at least one other person must be present in the pool or on the surrounding pool deck.
2. Except under certain circumstances, lifeguards are not on duty at LMC pool facilities. Life buoys and poles are readily available at poolside for emergencies. The “buddy system” is strongly encouraged for all users.
3. Anyone with seizure, heart or circulatory problems should not swim alone.
4. All pool users must have a cleansing shower before entering the pool.
5. Running, diving and horseplay are not permitted in the pool and surrounding pool deck.
6. Anyone with a communicable disease, who has been ill with vomiting or diarrhea within the last two weeks, or who exhibits symptoms of cold/flu, inflammation or infection, is not be permitted to enter the pool.
7. Food and drink are not permitted in the pool water. Food and drink must be consumed in the wooden deck area of the outdoor pool. Plastic water containers are permitted on the surrounding pool deck.
8. Use of toys, equipment and balls that may disrupt other users is subject to approval of LMC management or staff member on duty.
9. Anyone entering the pool must wear appropriate swimwear. Clothing such as cut-offs, jean shorts, thongs or leotards are not acceptable in the pool.
10. Anyone entering the pool in diapers must wear protective covering (“swim diapers”) to prevent contamination. Diapers must be changed at a designated diaper changing station.

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11. Street shoes are not permitted in the indoor pool enclosure. Shower shoes, swim shoes and booties are permitted. Street shoes should not be worn within ten feet of the outdoor pool.
12. Use of radios and tape/CD players is permitted with earphones only. LMC management may make exceptions to this rule for scheduled events or activities.

### **ADDITIONAL RULES PERTAINING TO HOT TUB/SPA POOL**

1. Children under the age of six are not permitted to use the spa pool.
2. Persons suffering from heart disease, diabetes, or high blood pressure should consult a physician before using the spa pool.
3. Women who are or might be pregnant should seek a physician's advice before using the spa pool.
4. Users are asked to limit their stay in the spa pool to a maximum of fifteen minutes at any one session.
5. The maximum capacity allowed in the spa pool is ten individuals.
6. Users are asked to refrain from using the spa jets during class sessions.

## NEW REGULATION I, ARTICLE I, SECTION 9

At the April 21, 2007 Annual Meeting, the LMC membership approved new language for Regulation I, Article I, Section 9. The LMC Board of Trustees voted on May 19, 2007 to amend the LMC Rules and Regulations to adopt the member approved wording as follows:

Rationale: The following replaces the previous LMC Regulation I, Article I, Section 9 (“Tree Height Restriction”) in its entirety. The wording was developed by an ad hoc committee (the ad hoc Trees and Views Committee) formed by a settlement agreement that resulted from mediation to resolve a lawsuit.

9. **Trees and views** both provide significant psychological and tangible benefits for property owners and are essential to the character of our Port Ludlow community. However at times they may come into conflict with each other. This regulation is written in recognition of the importance of scenic resources, views, trees, drainage and sunlight to properties and is intended to provide a fair mechanism for resolving disputes relating to trees and views of LMC property owners.

*Any tree of six inches (6 in.) or more breast height diameter may not be cut without authorization of the Architectural Control Committee – Typical Protective Covenants, Paragraph 4.*

- a. **Landscaping & Maintenance.** When landscaping their lots property owners shall select varieties of plants, shrubs and trees which will not grow to exceed their roof line height. Hedges, shrubs and rows of trees planted by owners along property lines shall be pruned so as not to exceed a height of 8 feet. Property owners shall remove seedlings on their property before they become 6 inches breast height diameter to help preserve views.
- b. **Views and Obstruction Relief.** Property owners are not entitled to any more view than that which existed when they purchased their property and are encouraged to document that view by photos and other means. Note that there will be instances where property owners views may be impacted under Regulation II. Any request for committee action must be submitted in writing. All interested parties to the request are encouraged to work out an agreement amongst themselves, including financial responsibility, subject to the committee’s approval. Methods of relief shall include pruning, trimming, thinning, limbing up, limited windowing, and possible removal. **Exception:** Mature native evergreens/conifers designated by the ACC to remain on property when developed are exempt from removal unless ruled to be diseased or hazardous to persons or property. Topping will be strongly discouraged except on young cedars for hedging not to exceed 8 feet. Corrective action shall not commence until written notice is received from the committee. All resulting work shall be monitored by at least one member of the committee.

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- c. **Criteria** used for determining the extent of relief to be granted will include but not be limited to the following and will apply to all interested parties:
- the extent to which property values, screening of property, soil stability and drainage (soil structure, degree of slope and root system), surrounding vegetation and community aesthetics are affected;
  - the extent to which view has been diminished since purchase of property and view obstruction will be relieved by requested action;
  - the extent to which view has been obstructed as expressed in percentage of total view and the extent to which trees obstruct sunlight and reduce air circulation.
- d. **Consultation.** Experts may be consulted regarding trees, drainage and environmental issues when necessary. This committee is subordinate to State and County regulations.
- e. **Debris clean up.** All debris resulting from approved request shall be disposed of within 2 months. Burning of yard debris is permitted only under Regulation I, Article I, 10 and is subject to Jefferson County and local Fire Department permitting process.
- f. **Appeal of Committee Decision.** An owner who has filed a request or anyone who has identified himself or herself as an interested party affected by a request may file an appeal of the committee decision by following procedures outlined in Regulation V, Article II.

## NEW REGULATION IV, ARTICLE I

The following revision to Regulation IV, Article I, Definitions, of the LMC Rules and Regulations was approved by the Board of Trustees on April 14, 2007.

Rationale: The following clarifies additional fees charged for the use of LMC facilities by long-term renters and short-term renter guests. The entire section has been renumbered and reordered with minor edits for the sake of clarity. The changes do not in any way change the intent or spirit of the previous Regulation.

The reference to “assessments” (No. 4, LMC Assessments) has been deleted, since it did not belong in this particular set of definitions which deals solely with LMC facilities and the use of such facilities. Assessments are effectively dealt with in the Bylaws, Articles II, III and VIII.

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## **Regulations, IV, Article I, Definitions**

1. **Member**: "Member" refers to "Owner-Member, Contract Member and Long-Term Renters."
2. **Owner-Member**: An "Owner-Member" is an owner as described in the Bylaws of the Ludlow Maintenance Commission and is entitled to an owner-membership card pursuant to Article 3, Paragraph 1 hereof.
3. **Member In Good Standing**: A "Member In Good Standing" is:
  - a. A member who has paid all club payments, charges, fees, assessments, and late fees in compliance with the Covenants, Articles of Incorporation, Bylaws, and Regulations of the LMC;
  - b. A member who is in compliance with the Covenants, Articles of Incorporation, Bylaws and Regulations of the Ludlow Maintenance Commission, Inc.
4. **Contract Members**: Upon payment of an annual fee the following may become LMC Contract Members:

Owners of lots or condominium units within the boundaries of the Master Planned Resort (MPR) of Port Ludlow not covered by the Articles of Incorporation of the LMC;  
Property owners on Ludlow Bay Road and streets adjoining Ludlow Bay Road.

Although not Owner-Members, Contract Members are entitled to the use of LMC facilities. Contract Members are not entitled to vote.
5. **Long-Term Renters**: "Long-Term Renters" are long-term (30 days or more) tenants or lessees of the houses or condominiums that are owned by members and upon which their right to membership is based. Upon approval by the General Manager and on payment of an annual fee, Long-Term Renters are entitled to enjoy the facilities under the same provisions as Contract Members.
6. **Short-Term Renter Guests**: In the event that LMC enters into an agreement that provides access to club facilities with a rental agent who manages condominiums, lots, and/or homes owned by owner-members, persons renting such properties for less than 30 days shall be referred to as "Short-Term Renter Guests." Upon approval by the General Manager and payment of an additional annual fee, Short-Term Renter Guests shall be entitled to enjoy the facilities subject to the club rules and to all pertinent conditions in this Regulation. Likewise, these conditions apply to individual owners who choose to rent out their property (home or condominium) for periods of less than 30 days with the expectation that their tenants will enjoy access to LMC facilities.
7. **Invited Guests**: The term "invited guests" refers to:

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- a. Houseguests of members who are issued a guest card for a defined period of time; and
- b. Guests accompanied by a member.

Invited Guests acquire the privilege of using the facilities through invitation by members and are subject to the Facility Rules.

8. Facilities: The "Facilities" covered by this Regulation are all amenities owned or supervised by the LMC. They include, but are not limited to, the Beach Club (including the pool areas and dressing and shower facilities), the Bridge Deck, Kehele Park, all tennis, pickle-ball and squash courts, all parking areas, RV storage area, all common area grounds including beach areas, and all equipment and accessories.
9. Facility Rules: "Facility Rules" are posted rules, approved by the LMC Board of Trustees, that concern the use of the facilities as necessary for their specific management, in addition to the conditions stated in this Regulation

## NEW REGULATION IV, ARTICLE II

The following revision to Regulation IV, Article II General, of the LMC Rules and Regulations was approved by the Board of Trustees on April 14, 2007.

Since only members in good standing are entitled to hold keys to Kehele Park tennis courts, the following additional language has been inserted into Regulation IV the section has been renumbered.

### **Regulation IV, Article II General**

7. Lending Keys Prohibited: Keys to Kehele Park Tennis Courts are issued to members in good standing. Keys shall not be issued or loaned to guests or non members. Keys are numbered and are not transferable nor shall they be duplicated. Violation of this rule shall result in forfeiture of the key. Lost keys shall be immediately reported to the Beach Club staff. Keys to other facilities are subject to other LMC policies.

# *2007 Annual Meeting Vote Summary*

**Condominium Board Candidates**

**3 year term – Vote for one**

Elizabeth Van Zonneveld	38 votes
Mary Vernon	31 votes

**1 year term – Vote for one**

Vaughn Bradshaw	65 votes
Write In: Kent Foreman	1 vote

**Lot Owner Board Candidates**

**3 year term – Vote for two**

John Henderson	115 votes
Stan Kadash	139 votes
Gary Martin	85 votes
Paul Moseley	131 votes
Bruce Pyles	112 votes

**1 year term – Vote for one**

Ted Buehler	214 votes
Rae Watkins	84 votes

**Ballot Item #1:**

Resolution: IRS 70-604 Election (Transfer of excess 2007 operating funds to reserves)

**Condo:**

FOR:	66 votes
Against:	3 votes

**Lots:**

FOR:	295 votes
Against:	9 votes

**Total:**

FOR:	361 votes
Against:	12 votes

**Resolution #1 Passed** (majority of total votes cast required)

**Ballot Item #2:**

Resolution: That LMC Regulation I, Article I Section 9 Trees and Views be replaced in its

entirety by the Regulation proposed by the ad hoc Trees and Views Committee.

**Condo:**

FOR:	62 votes
Against:	8 votes

**Lots:**

FOR:	203 votes
Against:	101 votes

**Total:**

FOR:	265 votes (70.86%)
Against:	109 votes

**Resolution #2 Passed** (66 2/3% majority of total votes cast required).

**Ballot Item #3:**

Resolution: That Bylaws, Article III, Board of Trustees, Section 1, Composition and Function be amended.

**Condo:**

FOR:	71 votes
Against:	1 votes

**Lots:**

FOR:	257 votes
Against:	41 votes

**Total:**

FOR:	328 votes
Against:	42 votes

**Resolution #3 Passed** (affirmative vote of a majority of both the participating lot and condo owner members attending in person or by proxy is required)

**Ballot Item #4:**

Resolution: That Bylaws Article III, Board of

*(Continued on page 13)*

Trustees, Section 7, Removal of Trustees be amended.

**Condo:**

FOR: 69 votes  
Against: 2 votes

**Lots:**

FOR: 256 votes  
Against: 44 votes

**Total:**

FOR: 325 votes  
Against: 46 votes

**Resolution #4 Passed** (affirmative vote of a majority of both the participating lot and condo owner members attending in person or by proxy is required)

**Ballot Item #5:**

Resolution: That Bylaws, Article V, Section 4, Appointment and Tenure of Committees be amended.

**Condo:**

FOR: 70 votes  
Against: 2 votes

**Lots:**

FOR: 262 votes  
Against: 38 votes

**Total:**

FOR: 332 votes  
Against: 40 votes

**Resolution #5 Passed** (affirmative vote of a majority of both the participating lot and condo owner members attending in person or by proxy is required)

**Ballot Item #6:**

Resolution: That Bylaws, Article IV, Officers (3) President be amended.

**Condo:**

FOR: 71 votes  
Against: 1 votes

**Lots:**

FOR: 259 votes  
Against: 42 votes

**Total:**

FOR: 330 votes  
Against: 43 votes

**Resolution #6 Passed** (affirmative vote of a majority of both the participating lot and condo owner members attending in person or by proxy is required)

**Ballot Item #7:**

Resolution: That Bylaws, Article IV, Officers (4) Vice President be amended.

**Condo:**

FOR: 71 votes  
Against: 1 votes

**Lots:**

FOR: 267 votes  
Against: 34 votes

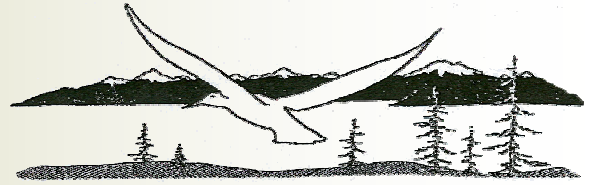
**Total:**

FOR: 338 votes  
Against: 35 votes

**Resolution #7 Passed** (affirmative vote of a majority of both the participating lot and condo owner members attending in person or by proxy is required)

Current Governing Documents are available on the LMC website ([www.LMCbeachclub.com](http://www.LMCbeachclub.com)) and print copies are available at the Beach Club.

Owners are reminded that LMC regulations govern such matters as fencing, cutting of trees, storage of boats and RVs in yards, etc. on members' property.



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*New Regulation IV, Article I*

*New Regulation IV, Article II*

Volunteers are needed for the following:

1. For file management and taking minutes for the Architectural Control Committee.
2. To serve on the Greenbelt Committee

Please call the Beach Club (360-437-9201) if interested.

*Ludlow Maintenance Commission*

**For more LMC news, visit the LMC website:  
[www.LMCBeachClub.com](http://www.LMCBeachClub.com)**

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