

# LMPC Annual Membership Meeting

DRAFT

June 10, 2023 – 10 am -1 pm

BAB Room and Zoom Mtg.

## Attendance (Lot No.)

### Board Members:

Jason Battles, President (62)  
Jackson Beard, Vice-President (118)  
Joe Connel, Water Chair (98)  
Ron Asmus, Treasurer (45)  
Sam Shipley, Secretary (172)  
Roy Zuniga, Trustee, Recording Secretary (125)  
Barbara Garnish, Trustee (64)  
Bjorn Nerseth, Trustee (11)  
Bethany Cook (119)

### Community Members:

Sue Beauvais and Tom Sinclair (194)  
And approx. 40 other members who  
signed in (see roll images in the appendix).  
Some members own more than one lot.

### Employees:

Carl Mueller

## Call to order

- Jason called the meeting to order at 10:12 a.m.
- Board members are introduced.
- 35+ lot representatives are present.

## Approval of Previous Annual Meeting Minutes

- Lot 180 motion to approve, lot 199 seconded.
- 2022 Minutes approved @10:27 a.m.

## Treasurer - Ron

- Annual budget presented by Ron.
- Explained the different types of income.
- \$285K projected revenue
- Various expenses: Water system \$70K budgeted based on projections.
- Staff got a raise.
- Lake system expenditures: dam tower, etc. \$14K. Dropped the \$4K budget for security to \$1K.
- Administration: taxes, legal, copying, etc. \$46K
- Total op ex @\$130K.
- \$155K used to pay loans. \$96K loan and two reserves.
- We are in year 8 of 10 of loan payback.
- Also carry over from last year, the manganese removal
- Q: Lot 99 – first loan payment is for the filtration?
  - A: Yes. And How much time left on that? Almost done.

- Q: Paula Rodgers (lot 161) – if paid off, will that line item be removed from the water bill.
  - A: The amount will go down, but we may keep a fee for maintenance and reserves.
- Next section: Results of 2022 (ended March 2023)
- Funds and cash in from water usage and dues. About \$100K, which was the budget.
- Water system expenditures.
- Brian (lot 91-92): question on staffing.
  - A: Lake system expenditures. None on Security or maintenance and repairs on community lots, which was handled by volunteers.
- Zero amount on taxes (not billed yet). Legal and accounting a little under.
- Q: Sue (lot 194): maintenance and repairs on the community lots. We do spend money on weed whacking and mowing.
  - A: those expenses go under dam tower (there is accounting misclassification for some maintenance items – need to inform the accountant).
- Administration total: \$30K; \$2K cash flow.
- Second part of payments - Filtration.
- In \$167K, spent \$117K; \$8,400 for required landscaping at the water tower.
- Balances in checking: \$237K (a good part of that is available cash).
- Joe Connel (lot 98) Q: question on the line items.
- The last page has the recap of the usage for the year. Every billing cycle for the last year.
- Number of delinquent accounts: in the past, we've been relaxed about taking measures; now we'll be stricter. To the community: let the Board know if there is an issue with payments.
- Water usage: good, no huge leaks, no water main breaks, etc.
- Lot 27 – he has been delinquent due to laziness (laughter in audience).
- Barbara (lot 64) – example: she estimates the amount due and sends it every month.
- Sam (lot 172) – was trying to get web site to take payments, but it was complicated with security, etc.
- Discussion about techniques for reminding self, SAS payments, etc. (Fridge post-it, etc.)
- Jackson – definition of 'delinquent': more than 90 days past due.
- Lot 99 – the reserve amount is not under the right column (restating a fact). We are running a \$200K surplus. We are non-profit. Q: Why the rate increases mentioned in last year's notes?
- Jackson (lot 118) – that was a concern about last year. No increase proposed for this year.
- Jason (lot 62) – concerned about getting additional funds for capital improvement. There is a reserve from our loan account.
- Lot 99 – question about the reserve funds – it is off the capital fund.
- Jackson – nice to see 30-year loan drop off, but the plant is also 30 years old. For example, the ozone generator needed maintenance. We have to be prepared by having a reserve.
- Barbara G. (lot 64) – the point about a non-profit shouldn't have too much excess funds is well taken.
- Lot 184 = a lot of the \$287 is in the wrong account – we don't have a huge reserve.
- Jeff Cole – money can be invested. Now is a good time to buy CDs. Are we thinking hard about what might fail in the next 5-10 yrs.
- Jackson (lot 118) – yes, this is why we have a reserve. Look at the plan. Some of the technology is dated.
- Barbara (lot 64) – Joe looks at it from an engineering perspective, with Carl.
- Joe (lot 98) – tabulate everything, in terms of life spans, etc. The UV generator system will likely need to be replaced in the next couple of years. We have funds.
- Jackson (lot 118) – we've gone away from a componentized systems in general – now everything is a unit. Not the same repair strategy, we have to replace the whole thing.
- Sam (lot 172) – not just replacing with the same, but also modernizing.

## Vice President & Community Resources – Jackson

- 10:54 am
- Jackson: three things.
- **First**, new fire station down at Cherry Valley, Jackson is assigned there. The fire commissioners have decided that our fire dept. will cease to exist, i.e. no longer King County #45.
- Instead, 'regionalization', i.e. contracting is gaining adoption. Eastside Fire and Redmond Fire, the two contractors available.
- Serious concern with Redmond because they don't do a lot of important functions.
- Rather, Jackson recommends going to Eastside Fire. But one of the commissioners is punishing the fire district for Redmond.
- Jackson recommends people attend the mtg. on the 21<sup>st</sup>.
- (180) – Recounted how she called fire dept. when she thought she was having a heart attack, took 20 minutes to get up to the house and get her on life support. Will write a letter to the commissioners.
- Jackson – can provide address.
- Lots 37-38 Q: what are the chances of maintaining district #45?
  - A: Jackson: zero. Politics. There are a lot of budgets for chiefs and IT people. Regionalization is more efficient.
- **Second** topic: we have the opportunity to purchase a lot that allows us to maintain the dam. Allan Dye owns the little lot next to the dam (King County parcel #4047200870). Has been trying to sell. The owner had extended the lot by digging into the dam portion. Purchase of the land is possible at \$30K, half of the market asking price. This will allow for maintenance and access. We envision a community space and park like access. Jackson has already negotiated the price and is now confirming with the community the intent to buy it.
- Q (lots 91-92) Brian Healy – does the lot have a house?
  - A: No, it does not.
- Q (lot 6): Does the LMCPD own the dam.
  - A: Yes. We don't own the lake. The country has a right of way.
- Question: price accepted? Jackson: yes.
- Question: what is the cost of shoring up the degradation of the dam?
  - A: We don't know yet. Flat spot in the lot was cleared, when we cleared the trees, we saw something like a cave.
- Q (lot 105): is there a way to apply for exempt tax status? A: yes
- Question: is anyone opposed to the purchase? None responded.
- Q: is the owner anxious to sell it. Could we wait?
- Jackson: we asked him if he is willing to donate, but he declined politely. The agent wasn't so polite.
- Q (lot 173, next to the lot in question): If she were to purchase the lot, could the two lots be combined?
  - A: Jackson: No, not according to the bylaws.
- Sam: the lot would enable getting equipment in, etc. ensuring access.
- Randy – purchasing might be 'a pile of hurt' for an individual to buy the lot.
- Q (lot 6): Don't we have easements?
- Jackson: Yes, easement on an outflow.
- Lot 6 – disagrees. No, there is no easement. The only easement is on the pikes.
- Sam: usually easement is straight down, that is how it was in fact built.
- Final deal will be published, along with plan. Will need volunteers for maintenance.
- Joe: it is needed to pay attention to safety.
- **Third** topic:
- Background: Lake Homes Inc. was a resort. VanHulle family had logged the area, and formed a home owners association to preserve property values and promote welfare of the residents.
- [Articles of Incorporation and Bylaws of LMCPD](#), written in 1960, used language that was appropriate at the time. The current Board, however, has struggled with the archaic language. We are proposing a significant change, but rather want to update the language to what we believe was the original intent.

Copies of revisions are available as handouts.

- Review of proposed changes:
- Unlawful to operate a business and prohibits someone from having a home base business. Why should we care, we added the 'brick and mortar' definition to avoid *Wendys*, for example, from building a business. Home business, however, should be allowed.
- Wording: 'Non-owner occupied' vacation rental. We had an issue with Airbnb – we banned Airbnbs, and the owner sold.
- However, if you have your own home, and you have a room for rent, as long as you are a resident, the Board doesn't care.
- Lot 180 – does this apply if you rent your home.
- Sam: clarification, the restriction was for short term, i.e. 30 days or less.
- Jackson: don't want to have someone overbook a home, overcome the septic, etc.
- Q: What if live in Mexico.
- Jackson: don't care where you live.
- Clarification: if you are there, you can rent short term. You can live there and run a B&B, but not full time AirBnB.
- Q: Can you have a rental with a separate entrance?
- Jackson: yes, that is legal. By laws are not King County code, they are binding.
- There are King County codes that apply. If septic is overused, etc. that's a county issue.
- We get involved when septic systems fail and put the water system at risk.
- Clarification: county code allows single family residences. So having more families exceeds capacity of septic, possibly.
- Jackson: that would be a violation.
- The board does not do code enforcement. We have always been complaint-based.
- Randy – owner occupied means your stuff is there.
- Jackson: You can own several homes.
- Next: nothing here shall prohibit a home business.
- Next: language about 'trailers'
- RVs is a county code – you can't live in a Recreational Vehicle (unless you're homeless in Seattle [pun])
- We're not interested in enforcing the trailers rule.
- Dock pilon duplicate wording removed.
- Question: implies every doc is obstructing water ways?
- Jackson: trying to get people involved, but the Board has authority to make changes to the bylaws.
- The board wants input. We're not looking for a 'gotcha' with regards to docks.
- Clarifications about the text.
- Impeded means 'can't go around' – 25 ft. max length.
- Sam: Law is open to interpretation. Judges have a key role, for example. These laws don't cover every situation, reduction to the absurd, etc.
- Lot 50 – 25 ft from high or low water line? A: The definition is the 'shoreline'.
- Lot 192 – definition is mean water level.
- If doc is away from shoreline, a boardwalk is required just to get to the doc. So many are 25 ft or greater.
- Next edits. Background: a gentleman owned birds, had an aviary. Bylaws indicated that was not allowed. We had to enforce that.
- Livestock on a lake is an issue; but we don't care about chickens and birds.
- Lot 147 – is there a setback? The answer is in the King County code that addresses that.
- Q: What is the setback. Jackson: don't know. When we find out, we'll include it.
- Q: no roosters?
- Jackson: we are no longer prohibiting.
- Q: Should not allow roosters.
- Barbara (lot 64): if everyone had chickens, she has a concern.
- Paula (Lot 161): applauds concerns. We shouldn't drop this rule on chickens. She lived next to kennel,

sheep farm, etc. You can't rely on King County unless you want to waste a lot of time.

- More discussion about concerns.
- Lot 161 – pig farmer was a problem. Shouldn't take the chicken restriction law off the laws. There are people who are not good pet owners.
- Jackson: if we don't enforce the bylaw, we lose the authority to enforce. Potentially, lose authority on all bylaws.
- Lot 161 – we shouldn't allow King County to?
- Q: The Board is allowed to unilaterally change the bylaws? We've never told community members that the Board can just make changes.
- Jackson: Our intent is to come in good faith.
- Mike (lot 51) – thinking of this in terms of quality of water. Don't care about poop on the lawn, but it carries viruses and can be a problem for small farms, etc. Looking at climate change, getting warmer, we shouldn't do anything that can impact purity of the water. We should keep our rules stricter.
- Barb (lot 73) – limit of ten poultry on lot – takes aware the limit.
- Jackson: came from King County code – we can't say 20 chickens when the county code says 10.
- What about per square foot rule in animal section?
- Barb – if we don't enforce that, can't enforce.
- Suzanne (60-173) birds are not poultry – extremely large lot.
- Candy – problem with chickens, food brings in rats.
- Lot 83 – is limit verbatim from King County code. Should it say limit of ten per acre, etc.
- Opinion: the changes submitted were to tighten up the agreement. It is so ambiguous now.
- Sam – think about it scientifically. Question to Carl: is there a test so we can know if nitrogen and bacteria levels are getting out of hand?
- Carl: yes, it would be detected if there is a significant increase.
- Sam – so want to be able to measure changes.
- Question: King County code supersedes?
- Jackson: We can be stricter than the King County code.
- Question: per county code, is there a set

Pause at 11:36 for Joe Connel to present because he has to go at 11:45

- Resumed at 11:50 after Joe's presentation and discussion:
- Engines on the lake are prohibited – took 'loud and objectionable exhaust' out.
- There was a concern that electric motors can exceed the speed limit on the lake. Needed concept to protect swimmers. 'don't go so fast you create a wake'. King County code, above 8 miles per hour, or boat creates a wake.
- Mike (lot 51) – boat launch with Discovery Pass, they are under King County laws.
- The Board is considering signage that is more explicit.
- Sam: his boat is limited to three miles per hour in Seattle because it is large and creates a wake. The rule there is 5 miles 'or no wake'.
- Next edits: Change 'himself/his' to 'theirs', etc. Gender neutral.
- Also, the foundation documents, seller/grantor desires, etc. Took that out.
- Lot 99 – step back – modify, races, etc. The lake used to have a Yacht club with weekly races. Don't want to get rid of racing.
- Jackson: if sailboat racing comes back, come to the Board.
- First paragraph, businesses – any problem?
- Q: lot 83: nothing 'herein' in the whole set of bylaws – wording suggestion.
- Next: changed 'trailer' to 'RV'.
- Q: lot 83 Kate Endicott – 'not public doc or boat house shall be ...' the reason to put in 'included but not limited to' is that is someone comes along and wants to have a classification dispute.
- Sam: the suggestions can be more legally proper.
- Q: What about the word 'basement' – confused.
- Lot 180 – recommend we spell out 'recreational vehicle' instead of just 'RV'. Suggestion accepted.

- Chris (lot 27) – intent of paragraph is that people are not living in temporary structures or building temporary structures. Correct? Yes.
- Q: trailers, is that a single wide, etc.?
- Jackson: there was an example years ago, a travesty – board forced cover over house that is single wide.
- Next, removing the duplicate language ‘over the doc’.
- Lot 83: one more change – misspelled, ‘permissive’ only should be ‘by permission only’. Suggestion was accepted.
- About 20 people objected to removing the poultry clause.
- Lot 187-188 – Bill – how does this affect anyone already doing it.
- Jackson: it would make it permissive. If we leave the language and someone comes with a complaint, we have to enforce.
- Bill: Who enforces it? It has been going on for years.
- Jackson: we don not do active enforcement.
- Bill: their dog got away and got into the coup. The chicken owners complained. But they shouldn’t have had chickens in the first place.
- Jackson asked again about removing the wording about poultry: about half care if there are chickens on the lakeside.
- Jackson, decision: will leave the language alone. We will enforce that.
- Next: removed language about completion of construction.
- Mike: with county permits, etc. it can take longer.
- Jackson: We don’t care. Get rid of it. It doesn’t apply to anything.
- Randy: yea, but if it keeps going for years, it impacts property values.
- Lot 147 – just change the amount of time, like 24 months? A: Good thought.
- Next: the ‘powered by’ wording.
- Lot 83: Last sentence, high speed’ is ambiguous. Rather, ‘a speed ...’
- Suzanne: Why not say King County code.
- Jackson: The Board as a whole does not like the wording ‘King County code’. We’re a diverse group in the Board with differing opinions. It takes some discussion.
- Lot 83: third line, edit: ‘any one’ or more. Not ‘anyone’, etc.
- Last change: removal of language about intent.
- Lot 27: include ‘intent’ somehow, how to capture current intent? Add something about preserving water.
- Jackson: that is in article 2. There is an agreement.
- Summary: the language changes will be made and filed with the Secretary of State.
- Q: How to get a copy? A: There is a digital version on the web site.
- Thanks for the community to Jackson for coordinating. [Applause]
- Volunteers are still required to maintain community property. Thanks to Sue for coordinating new picnic table, etc. thanks to all volunteers. [Applause]

## Water System – Joe

- 11:36 am
- Joe, the water system has been running well. Presented slide ‘water system status...’
- Manganese removal, let out a contract in Feb – March. WADOH – recharacterized manganese as a pollutant. We may get help with it. We can possibly get \$20K from the state, for example.
- Question: discussion last year about water pressure increase.
- A: requires extra equipment, so it hasn’t been implemented.
- Some members want higher pressure.
- Comment: Joe has done a spectacular job – water system is running very well. Water line around the community. [Applause]
- Internet connection was finally added to the treatment plan after two years. Cameras have been

purchased, and Joe will install them. Only for security. There was an issue in the past with people of unknown origin trying to get into the water plant.

- Carl: water usage has been up significantly, exceeding peak demand for July 4<sup>th</sup>. He tracks water treatment plant produces, and how much goes into distribution. July 4<sup>th</sup>, 30K gals a day, a couple of days of 35K which is beyond expectations. The new tank offers more capacity. Caution everyone, please shut off the sprinkler system at night.
- Q: is this a problem, do we need to limit?
- Carl: No, not at this point. Typically, the plant can meet the demand, except July 4<sup>th</sup>. It is common at that time to switch to the well. Recently, Carl has had to switch over to well on high usage days. Helps also with temperature of tank water (cooler). We all need to be more diligent.
- Q: is anyone monitoring unusually high water?
- A: yes, every other month – if there is an anomaly on a day we go out and look at the meters. A sprinkler or toilet running is not going to bring us out to check. It has to be a broken water main, etc.
- Q: Lot 99 – is erosion an issue?
- Carl: During winter months, the level holds, but sometimes with the dam gates fully open, we get an extraordinary amount of water.
- Comment: we used to keep the lake level lower – why not lower it outside of the fishing season.
- Lower levels provide an opportunity for doc repair, etc. it would be nice to get out there when the lake is lower.
- Carl to research.
- This was king county recommendation.
- Does the Dept. of ecology have a min outflow?
- Lot 187-188 – when was the last time someone looked at the erosion outflow? Now it looks like a giant ditch. The overflow by Stan's.
- Jackson will go look at it, and let the county know.
- Mike – where the bridge was replaced, ditch went from very small to a steep drop.
- Kim R. -- property, there is a beaver dam, could be a problem. Then the dam breaks, it is an issue.
- End of report.
- Back to Jackson's presentation at 11:49 am.

### Secretary's Report – Sam (172)

- 12:16 am
- Sam: update.
- Praise for recoding secretary's competency (Roy) [applause]
- Sam: update on insurance policy. Premium will go up a bit.
- We are covered under a lot of circumstances.
- Will increase coverage.
- Tasked with the water master's office. After Labor Day weekend early Oct. would love to get volunteers to put up drywall, insulation, infrastructure, etc. for the plant.
- Has a lot of files, if anyone has records give them to Sam, he will sort through it. Has a bunch to go through, and will scan and put into digital data store.
- Kate (lot 40, 83): amount of liability?
- Sam: there is a hard number, like \$836K. Need to increase.
- Observation: all our properties are over a million dollars.
- Sam: Haven't read everything, we are covered. Will review.
- Lot 89-90: do we have earthquake coverage?
- Sam: covered for 'earth movement', incl. earthquake, etc. Very broad language. Includes the dam insurance.
- Q: is it possible to post minutes from Board meetings on an on-going basis?
- Sam: Yes, with web site upgrades.
- Barbara (lot 73) – what are the web sites, only knows about Facebook.

- A: We have two Facebook groups, LMCP and Lake Margaret Community page. Lakemargaret.org has agendas, mtgs, etc.
- Lot 188-187 – are the covenants online? Suggestion for everyone to read them.
- A: Yes, under the bylaws, information tab.
- Q: about Water Nymph invasive plant removal – are they coming back?
- A: up to individual owners.
- Lot 43: only one lot was done. Extraction was more difficult to do with the muck.
- Low lake levels can be helpful.
- Brian (lot 91-92): his wife would call the removal company – they were not responsive.
- *Lake Defense Force* is the vendor– their customer service is not good.
- Lot 60 – very shallow at lake, concerned, sustained a lot of damage to the dock when there was no water. What to do?
- Jackson, there is a beaver dam up the hill. The only way to do it is to destroy the dam. Problematic from a regulatory perspective.
- Sam: we were keeping the lake level low for the Lake Defense Force – we won't do that again.
- Can't control mother nature but avoid reducing the levels. Hard to carry canoes back and forth when levels are low, etc.
- Lot 89-90 – noticed that the Water Nymph died because the water level was let out so much. The Water Nymph is no longer an issue for them. Clarified it did not come back.
- Sam: would worry about them regrowing. Also, boaters bring in invasive plants unintentionally on their boat hulls, etc.
- Q: Healey (lots 91, 92): the community had opened up the fishing lot prior to lake becoming drinking water source. Now that it is a water source, can we close the public lot?
- Jackson: We tried, but the State is not interested.
- Lot 99: fishing game lot was granted to the State, so they provide fish. He was on the Board, here 30 years.
- They defaulted a few years back and they didn't plant fish. We called them on it, and it was corrected.
- Do we have a lease on the lot with the State? A: Not that we know of.

## Elections

- 12:30 am
- Bjorn is stepping off. [appreciation expressed]
- Call for nominations. None from the floor.
- Joe, Barbara G., reelected.
- Caroline Corcoran is a new board member.

## New Business

- Suzanne: is there a better way to pay water bills than writing a check?
- The Board will look into it.
- Lot 184: put something at the community beach lot, limit parking pass in a car, etc.
- Jackson: We used to have a deputy. For various reasons (like 'defund police' movement, etc.), the deputies are no longer interested. Now it is up to us.
- Sam: Derek does a good job being direct with people.
- Lot 184: people are coming up daily, etc. they are clean, but are intimidating smaller children.
- Add a keypad? Something that makes it clear that this is a member-only lot.
- No fishing sign on the dock.
- Jackson: This has been going on for decades. His Dad put up a huge sign, you could 'see it from space' (laughs).
- Q: can we extend the size of the beach so there will be more room. For example, mow more.
- Jackson: Yes, also have to order more sand.



- State does not enforce no swimming on the State lot. We are trying to put the King County rules in a sign.
- Doc at the swim lot is further off the shore now. Bring it in?
- Lot 184: anchors were moved so the doc doesn't move. It was a big effort. Not changing again.
- Randy: made those anchors. There used to be a tether.
- Lot 83: if you are brave enough and you confront people and they say we've been coming for years, what do you say? History doesn't matter. You can enforce the rules.

## Announcements

- 12:43 am
- Sue: will someone monitor the poop bag can if one gets put up on the East side of the lake? Jackson and others have offered (lot 180 for example).
- Work parties – need to take out dead tree branches at community lot, stain pressure washed logs.
- Appreciation for community involvement.
- Bill (lot 187-188) – what about fire prevention, worried about forest fires, etc.
- Jackson: Firewise comes out yearly and gives people pointers. Sue has found a grant for a brush shredder.
- Bill: there are trees on private property. Everyone should take a look and take care of their own. It only takes one dead tree, and it affects all of us.
- What about the well lot – there are a number of dead trees. A: Notify the Board and it will be taken care of.
- Q: What is that parking sign at end of street? A: it is for privately-owned establishment.
- Lot 182 – private grant for shredder? [discussion ended]
- Motion to adjourn was made and carried at 12:48 p.m.

## Appendix

### Attendee voluntary sign-in sheet

Note this list is not an exhaustive roster of lot members present: