



Cape George Colony Club

MEMBERS

Study Session

Monday, July 24, 2023

3:00 p.m.

Via Zoom



**Cape George Colony Club
Study Session**

Monday, July 24, 2023
Zoom Audio/Video Conference Call

**Study Session Agenda
3:00 PM**

- A. Call to Order – President’s Comments and Announcements
-Introduction of the 2023 -2024 Board of Trustees.
- B. Letters from members – See attached letters.
- C. Manager's Comments and Report: See attached report.
- D. Board Items for Discussion and possible inclusion on the Agenda for Thursday’s Board Meeting.
Four possible actions: 1) Place on Board Meeting Agenda as action item; 2) Place on Board Meeting Agenda as an information item; 3) Move item to next month’s Study Session Agenda; 4) No action or further discussion required.
 1. Recommendation to accept the 2023-2024 board officers, President Betsy Coddington, Vice President Bart Mooyman-Beck, Secretary Pat Gulick and Treasurer Nancy Charpentier, and appoint them as signers on all accounts held at Chase Bank, Kitsap Bank, and Pacific Premier Bank – Nancy Charpentier.
 2. Recommendation to move 2022 audited Net Cash for each Cost Center from the Operations accounts to their respective Reserve Fund accounts:
 - i. \$20,348 - General Operations Reserve Fund
 - ii. \$86,726 - Water Reserve Fund
 - iii. \$22,212 - Marina Reserve Fund
 3. Recommendation to accept Nancy Charpentier's resignation as Chair and name Mark Kochendorfer Chair of the Finance Committee – Nancy Charpentier.
 4. Recommendation to add Fayla Schwartz as a Member of the Finance Committee – Nancy Charpentier.
 5. Recommendation to accept the 2023 Reserve Studies as submitted by Reserve Consultants LLC – Nancy Charpentier
 6. Discuss proposed Environmental Committee motions regarding Cape George Rules and Regulations PP01 Livestock & Pets – Pat Gulick. See attached.
 7. Water manager update – Bart Mooyman-Beck

8. Recommendation to change Cape George water use billing cycle to monthly billing – Bart Mooyman-Beck.
9. Discuss establishing a policy where all Cape George residents would provide contact information for use in community emergencies – Bart Mooyman-Beck
10. Discuss proposed Bylaw changes from 2019 – Marnie Levy. See attached.
11. Discuss having our members, who are professional artists, show and sell their artwork at the clubhouse one day a month for a percentage of the sales price – Marnie Levy.
12. Village Kiosk update – Nancy Charpentier
13. Waterfront Protection Committee – Marnie Levy
14. Ad Hoc Tech Committee update – Marnie Levy
15. Confidential: Requests to waive administrative and late fees – Marnie Levy. See attached.

E. Member Participation (Compliments, Issues, Concerns)

NOTICE: The President will ask members that have called into the Zoom Board Meeting to come forward with any questions, comments, or concerns. We encourage and wish to promote member participation with the following stipulations: Each member may speak once on any given topic until every member that wishes to speak has done so. Each member may have one rebuttal with a 2-minute time limit on the same topic. If another topic is raised the same procedure will follow. *Note: The Board of Trustees will not hear or discuss owner violations or owner account issues. They must be addressed in a separate hearing.*

F. Open Board Discussion

G. Announcements and Adjournment

- Board of Trustees Meeting, via Zoom, Thursday, July 27, 3:00 pm.
- Waterfront Festival, Saturday, August 12,
- Board of Trustees Study Session, via Zoom, August 21, 3:00 pm
- Board of Trustees Meeting, via Zoom, Thursday, August 24, 3:00 pm.

PROPOSAL TO THE CAPE GEORGE BOARD

Situation:

Currently, Section 5/Livestock & Pets/Rules and Regulations states:

When dogs are off the owner's property, they shall be on a leash at all times, EXCEPT FOR THAT area at the bottom of Marine Drive (north of the clubhouse to the south end of the marina) where they can be exercised off leash and under voice control. Owner must always be within strict line-of-sight of dog. When other members are in the specific area north of the clubhouse for different activities, (such as picnics or to use the playground) then dog owners must ask them first if it is alright to have the dog(s) off-leash.

During the rebuilding of the Berm and restoring of the area referred to above, the off leash area for dogs was permitted to temporarily move to Memorial Park. The Berm job is nearly finished but soon construction will begin on the new picnic shelter. This affects the ability to use this as an off leash gathering spot for dogs and their owners.

The grassy area at Memorial Park has proven to be a good area for a variety of dogs and kinds of play. Many users have expressed their preference for the greater safety provided by the distance from the roadway. However, elderly and small dogs can become overwhelmed and/or injured by the energetic play of younger and bigger dogs. These dogs and their owners have continued to use a small area near the Gazebo in the Marina.

The resulting and upcoming changes do affect its use for the recreation of dogs and their owners. Primarily, the size of the grassy area has been greatly reduced. In addition, the wear and tear that is inevitable from many active dogs may be too much for the now narrow area to sustain. Even years ago, with fewer dogs, wear was obvious.

There are now simply more dogs at Cape George. The group has always varied, of course, as to numbers, breeds, sizes and ages of participating dogs, but this has worked remarkably well for over at least 15 years of daily use - thanks to courtesy, realistic expectations, and the countless small adjustments people make when living in community. The existence of the Dog Group has provided hundreds of hours of healthy activity, every year, not only for the dogs but, importantly, for the people. It is a social center and the heart of one of the many sub-communities in dear old Cape George.

The grassy area at Memorial Park has proven to be a good area for a variety of dogs and kinds of play. Many users have expressed their preference for the greater safety provided by the distance from the roadway. Additionally, dog owners have proven to be responsible and have kept the area clean.

Potential Obstacle:

Non dog-owning residents being unaware of off-leash locations and times.

If the Board grants our request, the off-leash times and locations can be printed in each newsletter, allowing residents who wish to avoid contact with dogs the opportunity to avoid those times and locations. We may also print and post signs indicating times and rules for off-leash play.

Proposed Solution:

We propose changing Section 5/Livestock & Pets/Rules and Regulations to state the following:

When dogs are off the owner's property, they shall be on a leash at all times, EXCEPT FOR THAT area at the bottom of Marine Drive (north of the clubhouse to the south end of the marina) AND between 2:00 p.m. and 4:00 p.m. at Memorial Park, where they can be exercised off leash and under voice control. Owner must always be within strict line-of-sight of dog. When other members are in these areas for specific activities, (such as a memorial service, picnics or to use the playground) then dog owners must ask them first if it is alright to have the dog(s) off-leash.

July 17, 2023

This is to communicate our strong opposition to allowing Memorial Park to become a leash-free park for dogs. Much as we love dogs, we cherish the park for the peaceful sanctuary it provides. There is already a leash-free area for the dogs that would seem sufficient for this size community. Also, there is very limited parking at Memorial Park. The hours that were chosen (2-4pm) are the best times for sitting on the benches because the sun is at the right angle to avoid its direct glare.

Dogs already use the park at all times now. They are already off leash running after frisbees & chuck-it balls. When we were there last, 3 dogs with 2 owners were playing & chasing without leashes. The balls end up under the bench where we were sitting, and there's plenty of noise. At least this is not always the case & it's spread out so no parking problems as well. Also, not all owners are conscientious about picking up their dog's waste, so we're always careful getting to the benches. We can't imagine the unnecessary problems that this not-so-well thought out idea will create and what that would deny to those of us who cherish what it offers us at present.

Thank you for your consideration...Barbara Solomon & Barry Soble

June 13, 2023

Dear Cape George Board of Trustees,

Steve and I have owned our lot on Sunset Boulevard since 2001 and moved into our home in 2006. Our grandchildren, who live nearby, are six and almost ten now. Since they were babes in the stroller, Memorial Park, its beach and the adjacent ravine have been our go-to parks. Over the years, we have watched the condition of Memorial Park decline with increased dog use.

Amy Brandon, Kitty Rucker, Robin and Jack Scherting, Bob Tilley and other members of the Environmental Committee worked for years to clear the brush and create a space for quiet enjoyment and remembrance. Memorial Park should be preserved and protected for its intended use. Individual dog owners will continue to be able to accompany their dogs for walks on-leash in the park and on the beach.

It's been only 172 years since Port Townsend was settled and much has changed. The water quality of the Salish Sea has declined because of pollution, development and climate change. Keystone species like orca and salmon are severely endangered. Canine feces poses a health risk to dogs and people, especially children, and it can make people very sick if it contaminates shellfish. As property owners and stewards of this place we all love, we should focus on caring for our environment and protecting the waters of the Salish Sea.

The idea that Memorial Park is the best place for doggie playtime has gained popularity since 2018 when it was being used for ad hoc doggie playtime without permission from the board, which was averted. During the most recent berm repair, the board set a regrettable precedent by moving doggie playtime to Memorial Park. With the danger to the marine ecosystem caused by canine waste, it is hard to understand why such an enchanting place would be designated as a second authorized daily dog play area. Doesn't the area north of clubhouse to the south end of the marina provide enough space for dogs to play under the supervision of their owners until a more environmentally sound solution can be found?

We suggest that the community locate a site that can be fenced, away from the beach, for dogs of all sizes to safely run and play while owners socialize without continuing to pose a threat to the health of Discovery Bay and adjacent waters.

Best Regards,

Jo and Steve Blair

I totally agree with Marion. As a long time resident & dog owner I have always thought the area north of the club house as inappropriate for an off leash area. To much traffic, to many activities & a children's area make it unsafe.

Now there is an added problem to this area. The newly built-up berm, which is roped off, is only crossable at the far north end and south end of the shop. Dogs are unable to recognize the purpose (some people too) for the rope so they will be crossing to the beach. Dog owners will have no choice but to cross the rope to retrieve their dog.

Memorial park has no traffic, limited humans, and 4 sides with 2 narrow access points. A much more appropriate area for dogs to be off leash.

Thank You
Bob Tilley & our fury friend Vincent

July 18, 2023

Dear Board, Manager and Fellow Members,

I am writing in support of broadening the space and hours available for dog owners to use our parks to exercise, socialize and play with their dogs. Many members have a dog in their life whom they think of as a member of the family. Thoughtful owners provide food and shelter, of course, but also training, exercise. social time and fun for their dogs.

I have been part of “the dog group” for around 15 years and seen it through several versions and a whole generation of doggies. I have also seen the members of this group improve the sanitation problem by picking up the poop of not only their own dogs, but that left by others. Our parks are remarkably clean when you consider the ever-increasing number of dogs in our community.

For many years the area around the clubhouse and marina sufficed for off-leash dog play. However, with the needed berm, we now have about 50% less space and more sand in that area, at the same time we have quite a few more dogs. Allowing a daily hour or two of off-leash play time in our second park, Memorial, let’s conscientious owners choose the best spot for their dog, be it large and fetch-obsessed, medium and active or tiny and elderly with special needs for a small peaceful place.

I would also speak for the people involved – this is not exclusively about dogs! The social time, shared conversations, and further friendships that evolve out of the group are dear to those of us who enjoy them and enrich the fabric of the community.

Please vote yes to continue afternoon use of Memorial Park for off- leash dog play and social time for dog owners.

Thank you,

Ann Candioto

360 379 2563

anncandi@cablespeed.com

MEMO

To: CG Board of Trustees
From: Robin Scherting
Date: July 20, 2023
RE: FYI – Memorial Park

Many years ago (July 1996) when we first moved here what is now called Memorial Park was no more than an entrance to the bay, although it had acquired the name of Colman Park. The area was covered with wild blackberries and had only a path to the water. Several years later I and several other members of the Environmental Committee decided it would be a good idea to make this area usable for the entire CG community; and a subcommittee was formed to pursue this idea.

In March and April 1999, The CG Board moved and approved a motion to allow this subcommittee to hire a professional arborist to prepare a memorial garden plan using their fund raising monies. The CG Board also approved monies for additional improvements to the area; and the CG Board also approved a motion to install a water tap in that area with monies coming from the grounds budget.

In June 1999, a motion was moved and approved by the CG Board to accept the proposal to establish a garden memorial park in the common area known as Colman Park located at the bottom of Colman Drive in the Colony and the trailhead of the ravine trail to the Village and Huckleberry. The Park also was named Cape George Memorial Park. The plan was to be accomplished in several stages over a period of time by both professionals and volunteers. The plan was to be used as a guide for family and friends if they want to make a donation to the memorial park. The plan was in the CG office for review.

In July 1999, The Board moved and approved additional monies to continue the landscaping of CG Memorial Park with half coming from the Environmental Committee and the other half from CG general operations account. Some of these projects included rock wall, gravel for the parking area, chain link fence, grass, plantings, water, etc. The Gazebo was purchased separately by the Environmental Committee from fund raising monies for that specific project.

In September 1999, the contracted work was completed for the CG Memorial Park and payment was made. There are many things left out of this memo, but these are the basics that I remember.

In October 1999, the Environmental Committee work party of volunteers planted heather and grass. Future memorial trees and shrubs will be interspersed as donations are received.

In April 2000, the basic preparation for the CG Memorial Park was completed. This has been an ongoing project over the years. There are so many members that have been involved in this project that it would be hard to list everyone but believe me there have been so many.

My point in writing this is to hope with all my heart this area will remain true to the intention of the CG members who worked so hard to make it what it is today--a small entrance to the Bay for ALL CG members, friends and family not only to access the water and walk the beach but to enjoy the beauty and inclusiveness for ALL members ALL of the time and to remember what it is to have such a serene area for ALL of us to enjoy.

Thank you. Robin Scherting

MEMO

Date: May 7, 2018
To: Cape George Board of Trustees
From: Robin Scherting
Re: Some background information concerning Memorial Park

I am becoming increasingly concerned about what is happening to Memorial Park; and, since I was instrumental in the forming and naming of Memorial Park I would like to put forth some background information as to how this change took place.

March 1999 - A subcommittee from the Environmental Committee along with members from the Memorial Committee was formed to discuss having a Memorial Park established at the beach area at the end of the Ravine Trail.

April 1999 – The Environmental Committee made a request to the Board that the beach area at the end of the Ravine Trail to be named “Cape George Memorial Park” and a memorial garden be established within the park. Also requested permission to spend environmental funds to have landscape drawings created for the memorial garden and five entrances; and also requested additional rocks for the park out of environmental funds.

It was moved and passed by the Board to name the beach area at the foot of the Ravine Trail “Cape George Memorial Park.” It was moved and passed to spend \$200 from environmental funds to have a professional arborist prepare a memorial garden plan. This plan will be used as a guide when family/friends want to make a donation in memory of a loved one. It was also moved and passed to spend up to \$300 from environmental funds to purchase additional rocks for the memorial park. And, it was moved and passed to spend up to \$100 from environmental funds to obtain professional advice on landscaping the front entrances to the club.

June 1999 – In Part from the June 1999 Newsletter – Cape George Memorial Park ‘The Board has approved the proposal and changed the name of the park to the “Cape George Memorial Park.” The Environmental Committee asked for and received a landscape architect’s plan which was presented to the Board at the May meeting. The plan is to be accomplished in several stages over a period of time by both professionals and volunteers, and was approved by the Board. Memorial trees and plants can be donated in memory of residents and recognition will be given to those individuals. A copy of the landscape plan can be found on the community bulletin boards or are available in the office.’

July 1999 – It was moved and approved by the Board to approve an AFE of \$3,000 for landscaping Memorial Park; one-half of the funds coming from the environmental account and the other half from the general operational account.

With all of this in mind I am wondering how anyone can say that CG Memorial Park does not exist.

April 1990 – Rule PP01 Livestock and Pets was approved by the Board. It clearly states where dogs can be off leash and under what circumstances; and, what the consequence will be if this ruled is not observed.

2018 - MS104 – Cape George Fine Schedule - #23 clearly states that Violation of Livestock/Pet Rule (C) PP01 will result in a fine from \$50 to \$100 for the first violation, and could increase with future violations.

I would like to recommend that everyone follow our Rules and Regulations and look into the history of these before they arbitrarily make changes to existing rules. Thank you.

July 18, 2023

Dear Cape George Board Members,

I am writing to express my support of the request that has been submitted for the Board's approval to allow dog owners to bring their dogs to Memorial Park for play, daily from 2:00 to 4:00 p.m.. This proposal carries the caveat that Cape George members who have specific reason to use the Park on a specific day during that 2 hour period may do so by submitting that request to the Office.

The reason for this change allowing dog owners to have off-leash use of the Memorial Park within just that two hour time frame is due to the reality that there is a larger "population" of dogs now in residence in Cape George, ranging in age from elderly dogs to puppies. This results in differences in playfulness and energy, as well as differences in social behaviors and athletic activities. By having more than one location, it would better to accommodate the differences in the range of ages, energy, social needs and behavior of the dogs.

We are grateful for your consideration of this possible rule change, which we believe would minimally impose on the use of Memorial Park by all Cape George residents and would increase the safety and comfort of dog owners and their dogs. We hope that you will find this need to be valid and allow the change in the existing rule regarding off-leash dogs in Memorial Park, which will involve just a couple of mid-afternoon hours, with the option that the Park will be available for other activities, with cause and sufficient notification.

Thank you for your thoughtful consideration of this request.

Judith Chambliss
260 S. Palmer Dr.

Dear Board Members,

I support the proposal for the off-leash use at Memorial Park. This is a safer park for dogs and passersby.

Kriss Edwards

Sent from my iPad

Marnie Levy

From: Ann Hueter <pibird130@gmail.com>
Sent: Sunday, July 2, 2023 2:34 PM
To: Terri Brown
Subject: For the Board re: Off leash rules and times

As 2 legged residents we enjoy many places and times for social interaction and exercise in this community.

Our four legged friends and companions have some of the same needs. Social connection and exercise . They come in different ages and sizes but all need safe space and time to interact , run, play or chase a ball.

Giving them dedicated times each day to/ meet these needs seems fair and quite reasonable . An area away from traffic is even better for the younger more active dogs ! Star and I hope this will become part of our sharing, caring community .

Ann Hueter
130 Colman Dr,

Please know that many of us occasionally join the daily dog meet n greet and having a choice of romping bigger dogs and more sedate smaller/older pups to choose from us a wonderful gift. Adding Memorial Park as a venue has been terrific. Please vote to keep it for the future.

Thanks much,
Bailey Mollino-Hamilton and her staff

Laura Hamilton

Hi Terri,
This letter is for our Board packet. I vote yes for our Members and dogs to enjoy off leash at Memorial Park.
Thanks, Penny Jensen

July 5, 2023

Anne Jimenez
284 South Palmer Drive
Port Townsend WA 98368

Cape George Manager and Board of Directors,

I often walk down to Memorial Park here in Cape George Colony and sit savoring the peace and beauty there. I see others also enjoying this lovely park – families coming to walk and play; people picnicking; others sitting on the benches admiring the view; people meditating or practicing tai chi. The original intent of Memorial Park was to have a beautiful and peaceful place to go to enjoy and appreciate our beautiful surroundings as many community members do.

My concern is that now that the park is being used as a dog park it is not able to be used as it was intended.

Yes, I know the dog owners who use the park try to be very careful to pick up after their dogs, but some is missed and it is not considered as clean any more. Do you want to sit on the lawn, play on the lawn, picnic on the lawn where you know many dogs come daily and have soiled the lawn?

The lawn is no longer as lush and pleasant as it was before the daily use of all the dogs. It is noticeably more trampled and torn up.

Allowing the Memorial Park to become one of the sites for the dog park is taking away from all the other Cape George residents a place that was intentionally meant as a clean, peaceful park for all to use and enjoy.

The dog park is an important and much enjoyed amenity here in Cape George. It was bumped from the marina berm area during the repair work. It is available again and is more appropriate. There are other areas around the marina that could also be used.

Please keep Memorial Park the clean and peaceful park that it was intended to be for the use of all Cape George residents and do not allow it to be used as a dog park.

Thank you,
Anne Jimenez

Cape George Board of Trustees:

I have recently heard that the dog people who use the area near the Clubhouse are asking the Board to allow them to use the Memorial Park area for a second dog play area every day from 2 until 4. I don't have a dog but I enjoy being around them.

I am in favor of there being two dog play areas from 2 until 4pm. The little dog owners are concerned about their pets being towered over by the bigger dogs and even injured by them. The Memorial Park is empty most of the time so there is plenty of time and room for this.

There is plenty of beach and there are plenty of other areas for people to walk in, and plenty of times where people can avoid dogs. There are 22 other hours in the day besides the dog park times. Okay, only 14 other daylight hours per day. But that's still plenty.

I have been to the dog park. The owners are great about scooping up the dog poop. I do sometimes see dog poop around the clubhouse area or the beach, and I expect it is from dogs whose owners don't participate in the dog park. The dog owners at the park are very responsible.

All outside areas in Cape George except for carefully kept fenced-in yards contain animal poop and urine. Most of this is from the wild birds and animals that we often see here. Kids shouldn't be rolling around in the grass in the parks, regardless of whether there are dog parks held there or not.

I feel Cape George should be supportive of dog owners by allowing two separate dog parks per day.

Thank you for your consideration on this issue.

Sincerely,

Julie Hotard
32 Dungeness Place

Cape George Board of Trustees:

I have recently heard that the dog people who use the area near the Clubhouse are asking the Board to allow them to use the Memorial Park area for a second dog play area every day from 2 until 4. I love dogs, although I don't have one at this time. I love playing with them when I am at the beach. I am not anti-dog.

I am opposed to there being two dog play areas from 2 until 4pm. The dog people have been given the use of the play area at the Clubhouse. I understand that the little dog people are concerned about their pets being outsized by the bigger dogs, but I do not feel good about using both of our wonderful park areas for the dogs at the same time.

The issues that concern me are the dog waste that is inevitably going to happen. The dog owners are very good about cleaning up after their pets, but there are also occasions when they miss some waste. Also, there is the urine problem that can't be removed. One doesn't want small children rolling in that.

There are also members who are afraid of dogs and would rather not have them loose in the parks at all. To have one park dedicated to dogs from 2 until 4 should be more than enough.

Finally, I was a part of the building of the Memorial Park. It is a small, special area that was designed for quiet activity. I went down there yesterday to renew my thoughts on it. It is not a place where anyone can avoid the dogs in that small area. If it were to be at 9 am it wouldn't be the same problem.

To have dogs controlling both of our parks at the same time is not desirable for the members who want to go to the beach to escape life, or those who don't like dogs at all. We do have many members who fit the latter.

I really ask that you not devote Memorial Park to a dog park. Please allow us members in search of a quiet place to enjoy the beach to have it at Memorial Park and to be able to walk through the park without having to navigate a group of people who are exercising their dogs or letting them run loose through the small area that people have to walk.

Thank you for your consideration on this issue.

Sincerely,

Kitty Rucker

Dear Marnie,

I completely agree with Marion & Bob Tilley.

I would add three things:

1. SAFETY: The playground area is at the bottom of a hill which encourages even our most responsible residents to speed up without realizing it. This, of course, makes the area even more dangerous to the dogs playing nearby.
2. POOP:
 - a. Several times I have seen persons drive down to Memorial Park and sit in their car enjoying the view while their dog explores & poops but don't pick it up. None of these cars had a Cape George sticker. To avoid conflict, I just pick it up after they leave.
 - b. During Doggie Playtime at Memorial Park we watch each other's dogs, then alert the doggie's parent anytime they might have missed a poop event.
 - c. Doggie Playtime parents have also been picking up any poop we see, irrespective of where it might have come from.
3. TRASH: I concur about the beach & crabbing debris that's often in that can as well. In addition, often see household type trash (sometimes a lot of it) in the bin at Memorial Park and have often been a part of many discussions about surprise that the garbage can is used that way.

Sincerely, Marta Krissovich & our furry friend, Nutmeg.

10 Rhododendron Street
Port Townsend, WA 98368
July 3, 2023

Cape George Board of Directors

Dear Board Members,

I am writing in support of the motion to change Cape George rule PP01 Livestock & Pet to include Memorial Park between 2 p.m. and 4 p.m. daily.

I am owned by a dog (Carmelita) and, even though we take an hour (leashed) walk each morning, she demands that I get her out to run every afternoon. She greatly enjoys running with her pals at Memorial Park. We did not go as often to Marina Park due to the danger of traffic in the parking lot, as well as the presence of many people utilizing that area for a variety of reasons.

Memorial Park is set away from traffic, usually empty, and, although not fenced, is geographically safer for our furry family members.

In my experience, we are generally only there from 2:30 to 3:00 p.m., although a wider time frame allows people more flexibility.

Our group is vigilant about picking up dog poo and controlling our fluffy beasts when non-doggie members arrive, which seems to be a rare occurrence, particularly in the winter.

I believe it will be very helpful for both those with and without dogs to be aware of designated times so they can plan accordingly. Any member wishing to have a party or other gathering during dog play time would be welcomed and we would be happy to stay away at any time when such an event is happening.

I can certainly understand and am sympathetic to those who are fearful or just don't enjoy being greeted by a gang of doodles when they walk through the park, which is why we are only asking for a short period of time. I believe that by working together as neighbors and friends, we can make this a successful transition.

Thank you for your consideration,

Molly Torres & Carmelita



Cape George

July, 01, 2023

I'm all for amending the dog rules to include off leash from 2pm to 4pm daily at Memorial Park.



Margaret Leaf

20 Marine view Place

Dear Marnie,

Please pass this on to the Board as soon as possible.

I am writing in support of the Memorial Park designation as an appropriate location for dog owner use. As a dog owner I have recently discovered it as a perfect and local area where my dog, Cali, can romp and run for **30 MINUTES A DAY** with a few other dog friends in Memorial Park. At no time in the past six weeks have there been more than six or seven dogs together at one time and usually 3 - 5 small dogs is the norm.

According to some opponents of using Memorial Park for off-leash dog fun, it is "covered with poop"...and is being "ruined by the dogs playing there." That the garbage can is "overflowing with poop bags." What I have observed personally, is that the garbage can has been filled with crab pot ropes and lines as well as a few floats! Also, one day I noticed the junk mail of a resident here (who shall remain nameless) tossed into the already full garbage can. So the assertion that the garbage can is being overloaded with dog poop bags is a gross exaggeration as well as contradictory to the claim that dog poop is all over the park!

For three years I have been walking my dog almost daily around the neighborhood where I pass by Memorial Park on a regular basis. MOST of the time, other than from 2:30 - 3 PM, the park has been absolutely empty of humans, dogs or wildlife. I have seen people walk from the parking lot to the beach, sometimes w/a kayak, but not staying in the park. I have seen the occasional workmen taking a lunch break, a few of whom have a dog with them. Whether they clean up after their dogs, I wonder.

As for dog owners leaving poop on the premises, that is simply UNTRUE! At least as far as the Puppy Playtime participants are concerned. More often than not, I am appalled by the piles of poop I encounter on the streets of Cape George as I am walking (and picking up after) my own dog wondering how residents here could be so inconsiderate as to ignore their dogs' waste making.

Lastly, Memorial Park is for ALL residents to enjoy and is a far better choice for dogs to play in a semi protected area than in the open area around the Marina where cars and trucks frequently come and go with no safeguards or space to shield against dogs possibly running into their path.

Prohibiting dog owners from using Memorial Park for a minimal time each day is simply unfair and unreasonable. I strongly support scheduling use of Memorial Park for off-leash dogs and owners.

Thank you for your consideration.

Sincerely,

Marion Clair
CG Resident

Cape George Board of Trustees:

I have recently heard that the dog people who use the area near the Clubhouse are asking the Board to allow them to use the Memorial Park area for a second dog play area every day from 2 until 4. I love dogs, although I don't have one at this time. I love playing with them when I am at the beach. I am not anti-dog. I am opposed to there being two dog play areas from 2 until 4pm. The dog people have been given the use of the play area at the Clubhouse. I understand that the little dog people are concerned about their pets being outsized by the bigger dogs, but I do not feel good about using both of our wonderful park areas for the dogs at the same time.

The issues that concern me are the dog waste that is inevitably going to happen. The dog owners are very good about cleaning up after their pets, but there are also occasions when they miss some waste. Also, there is the urine problem that can't be removed. One doesn't want small children rolling in that.

There are also members who are afraid of dogs and would rather not have them loose in the parks at all. To have one park dedicated to dogs from 2 until 4 should be more than enough.

Finally, I was a part of the building of the Memorial Park. It is a small, special area that was designed for quiet activity. I went down there yesterday to renew my thoughts on it. It is not a place where anyone can avoid the dogs in that small area. If it were to be at 9 am it wouldn't be the same problem.

To have dogs controlling both of our parks at the same time is not desirable for the members who want to go to the beach to escape life, or those who don't like dogs at all. We do have many members who fit the latter.

I really ask that you not devote Memorial Park to a dog park. Please allow us members in search of a quiet place to enjoy the beach to have it at Memorial Park and to be able to walk through the park without having to navigate a group of people who are exercising their dogs or letting them run loose through the small area that people have to walk.

Thank you for your consideration on this issue.

Sincerely,

A handwritten signature in cursive script that reads "Kitty Rucker". The signature is written in black ink and is positioned above the printed name.

Kitty Rucker

Hello!

I'm writing against the additional proposed permanent off leash place at Memorial Park. It was originally put out as a temporary fix for the club house area. We were told it's only temporary.

People use Memorial Park as a family gathering place, especially during the warmer months. I've seen blankets spread out, chairs and small tables. Even if owners clean up after their pets, there is still a remainder left behind. Can't clean pee up either. Would you want to spread your picnic blanket down and have snacks or a picnic? Have your grandchildren crawl or play on the "grass"?

Just this last week, the garbage was full but doggie poop bags were still added and left behind, falling to the ground. Kudos to Donnie or Eric for picking up after that mess.

There is no other place with a water view and grass for gathering unless you sit at a picnic table by the club house. Plus Memorial Park is the closest water access to The Village.

Yes most of the dog owners are respectful and careful but the ground damage is happening and would be less noticeable in the original area by the clubhouse. I know a lot of the dogs and they are fun good puppies, as are their people.

I've heard the clubhouse is not as safe because of traffic but if the dogs are voice controlled should that be an issue?

If you decide to keep the park as a dog area perhaps 3pm-4pm. only instead of expanding it to two hours. Not everyone enjoys walking through the friendly approaching dogs.

And yes I know anyone anytime can take their leashed dog down there but there is a lot less left behind. And easier for a walker to avoid a dog or two on a leash.

Thanks for your consideration. Patty Dunmire

I have an added part to my letter:

Complaining without a solution isn't great . So my solutions are to go back to what's worked for years at the club house or Have a community fund raiser for a fenced in area to address the safety issue which seems to be the top concern of the off-leash area. I'd contribute and I don't even have a dog. Across from the club house is huge grassy area. Then there would be all the time unfettered access. The fund raising could include benches.

Thanks for listening. Patty Dunmire

July 19, 2023

SUBJECT: Proposed Change to PP01, Livestock & Pets

Dear Board Members,

I would like to voice my support for the change of this rule to permit continuing the time- limited use of Memorial Park as an offleash pet area. Active and social dogs are happy dogs, and usually less “barky.” Happy dogs are friendlier to neighbors. Happy neighbors is what makes our community great.

In my experience, members who bring their pets to the offleash areas are diligent about picking up waste and when they gather as a group, we all look out for “the pack.”

Memorial also has the added advantage of being farther from road and pedestrian traffic, which reduces risk of accidents for both drivers and dogs. Plus, the more limited access across the berm at the clubhouse area makes it more difficult for owners to follow and control their dogs.

One of the side effects of the pandemic was the increase in the number of young dogs in our community. Added space to exercise and especially socialize these dogs would be a benefit to us all.

Georgette Semick & Gary Rossow

31 N Rhododendron

Dear Trustees of Cape George Colony Club,

While I have already been an avid proponent of the proposed rule change for an off leash 2-4 time to be allowed at Memorial Park, I wanted to make 3 additional points.

First is that while I appreciate the fact that there might be those opposed to 2 hours a day to be dedicated to the socializing of dogs and members at Memorial Park, I wanted to make the observation that Memorial Park itself is most frequently used as a pass through to the beach. I believe that as a membership, we would like to see all our amenities (the pool, the clubhouse, the fitness center, the marina, the workshop, the trails, sport courts, playground, etc.) used as much as possible and to the benefit of as many members as possible. Providing this small amount of time to be allotted for a dog play time would allow just that.

Secondly, use other than dog play time would receive priority. That would not prevent folks from scheduling events in Memorial Park. In addition, the dog owners I know have respect and safety as high priorities when dealing with folks who don't share a love of dogs or actually have a fear of dogs, and respond accordingly to those situations.

Thirdly, while most folks congregate with their dogs between 2:30 and 3:30, expanding the off-leash hours to 2:00 to 4:00 would allow dogs that do not socialize as well with the dogs that come during the 2:30-3:30 time to have a half hour before or after that time to get in some exercise. This would be a boon for those dogs and their owners.

Thank you for your consideration.

Sincerely, Allan Zee & Oliver (and his friend Cody)

Cape George Colony Club Manager's Report July 2023



Two Thank You's!



♥ My humble thank you to the outgoing Board of Trustees. The time and energy expended by that group of Trustees was remarkable. They were positive, respectful, engaged, diligent, open, and genuinely concerned about every member, every problem, every issue that had an impact on the community.

♥ Many thanks to the new Board of Trustees for jumping into the mix as existing Board Members, veteran board members, and brand-new Board Members. This Board will face a different set of challenges, at a different moment in time, with a different perspective. I look forward to the new dynamic and am excited to work with these individuals who bring such a high-level mix of skills and talents to the table.

Ballot Results

The Cape George Annual Meeting was held last Saturday. The results of the Board of Trustees election and the vote on the proposed change to Bylaw Article III B 1 were announced. The bylaw change passed with 187 votes in favor of increasing the assessment for general operations to a maximum of eight percent above the actual assessment of the previous year. There were 91 no votes.

Welcome to the new trustees Nancy Charpentier and Steve McFarland. Thank you to Mike Heckinger who was appointed to the board to fill a position last year and was elected to the Board in the July election. Ray Pierson, a BOT veteran was appointed to the Board to fill John Dwyer's remaining year when he stepped down from the Board.

The Nominating and Election Committees managed the nominating and election process transparently and seamlessly. Thank you for your diligence and efforts!

Summer Fun!

The Salmon BBQ, sponsored by the workshop committee and many volunteers. The tickets sold out early in the week before the BBQ! Thank you to all of the volunteers and food brought by members!

We look forward to the Waterfront Festival on Saturday, August 12, sponsored by the Marina Committee!



Maintenance News

- **A Jefferson County Burn Ban is in effect.** For details: <https://www.co.jefferson.wa.us/DocumentCenter/View/16709/2023-Declaration-of-Burn-Ban---final>
- Jefferson County Health Department inspected the pool for the first time since Covid ended. The water quality test results were excellent. There are two building violations that will be resolved in the next week. And one handrail required tightening. Bravo to Donnie for his daily attention to the pool facility.

- Pool Notice: The pool will be closed for a few weeks in October for resurfacing and the installation of a new boiler, which will cut down on the cold-weather maintenance issues of the last few years. Both projects are approved reserve maintenance projects and will be paid for from the reserve account and through pool committee's most excellent fundraising efforts.
- Eric and Donnie are mowing the last bits of grass and weeds in the common areas and culverts.
- Landscape clean-up in the Highlands is ongoing.
- The Fitness Room doors were painted, and the new Welcome and Rules signs are beautifully mounted. Thank you, Donnie and Eric!
- A member who is a retired professional plumber fixed the dish sanitizer in the Clubhouse! Thank you George!

Violations: Violations for illegal parking, noise in neighbor-to-neighbor situations, driveway apron building violations, un-mowed lot warnings and hedge violations have been issued this month. Several of the violations have been removed when members met regulations and/or worked issues through with neighbors.

Thank you for everything you do to help make Cape George Colony Club a great place to live!

Marnie W. Levy,
manager@capegeorge.org
360-385-2208



Cape George Colony Club

61 Cape George Drive, Port Townsend, WA 98368-9403

July 27, 2023

In accordance with Cape George Colony Club rule FIN08 Critical Account Policy and Minutes of the Organizational meeting, the Board of Trustees approves the following Trustees and General Manager as signatories on the listed financial accounts.

Chase Bank

XXXXX1366 Checking Account: GM, Martha Woodward, President, Betsy Coddington, Vice President, Bart Mooyman-Beck, Secretary, Patricia Gulick, and Treasurer, Nancy Charpentier.

XXXXX5161 Savings Account: GM, Martha Woodward, President, Betsy Coddington, Vice President, Bart Mooyman-Beck, Secretary, Patricia Gulick, and Treasurer, Nancy Charpentier.

Pacific Premier Bank

XXXXX0125 Operating/savings GM, Martha Woodward, President, Betsy Coddington, Vice President, Bart Mooyman-Beck, Secretary, Patricia Gulick, and Treasurer, Nancy Charpentier.

Money Market: GM, Martha Woodward, President, Betsy Coddington, Vice President, Bart Mooyman-Beck, Secretary, Patricia Gulick, and Treasurer, Nancy Charpentier.

CDARS Cert. of Deposits: GM, Martha Woodward, President, Betsy Coddington, Vice President, Bart Mooyman-Beck, Secretary, Patricia Gulick, and Treasurer, Nancy Charpentier.

Kitsap Bank

CDARS Cert of Deposit: GM, Martha Woodward, President, Betsy Coddington, Vice President, Bart Mooyman-Beck, Secretary, Patricia Gulick, and Treasurer, Nancy Charpentier.

The following are no longer authorized signatories: Linda Jane Ludwig, John Dwyer, and Fayla Schwartz.

Treasurer: _____ Date: _____

**TO: Pat Gulick
Cape George Board Liaison to the Cape George Environmental Committee**

RE: Motions Adopted at the July 11, 2023 Meeting of the Cape George Environmental Committee

The following two motions were adopted at the July 11, 2023 meeting of the Cape George Environmental Committee.

Motion 1

To preserve the original intended use of Cape George Memorial Park and to reduce the risk of adverse environmental impacts, we recommend maintaining the Cape George Rule PP01 Livestock & Pets as it stands, with organized off-leash dog playtime reverting to the grounds around the clubhouse as allowed in the current Rule PP01.

Motion 2

We encourage the dog group to investigate other options for a fenced-in dog park away from the beach because of both safety and environmental concerns.

Respectfully submitted July 12, 2023,
Ruth Ross
Secretary
Cape George Environmental Committee

After Recording Mail To:
Cape George Colony Club
61 Cape George Drive
Pt. Townsend, WA 98368

NOTE: The reference to the word Club in these bylaws is to be changed to "Association" to make the Bylaws clear that the community is subject to RCW 64.38. Club is a reference to the Corporate name only.

BYLAWS OF THE CAPE GEORGE COLONY CLUB

ARTICLE I DEFINITIONS

The Cape George Colony Club, **Inc.** (the "**Club Association**") is a Washington Nonprofit Corporation and a Homeowner's Association subject to Chapter 64.38-005 through 64.38.095 and portions of RCW 64.90 of the Revised Code of Washington as now enacted and as hereafter altered, amended, or reenacted (the "Acts"). All definitions in the Acts are incorporated herein by this reference. The **Club Association** is also governed by the provisions of the Washington Nonprofit Corporation Act, RCW Chapter 24.04 as now enacted or as hereafter altered, amended, or reenacted (the "Nonprofit Corporation Act").

- 1) In addition to the foregoing, the governing documents of the Club (the "Governing Documents") are:
 - a) **Articles:** The Articles of Incorporation of the **Club Association**.
 - b) **Bylaws:** These Bylaws, which include and incorporate by this reference the Building and Maintenance of Property **Rules Bylaws** as a part.
 - c) **Rules and Regulations** that are approved by resolution of the Board. ~~from time to time.~~
 - d) **Covenants:** The Agreement For Reservations, Covenants And Restrictions And Providing For Annexation of Plat dated July 8, 1963 and recorded in Volume 161, pages 548 through 555, records of Jefferson County, Washington, under Auditor's File No. 176650, and the Dedication and Restrictions for Cape George Colony recorded on the various plats of Cape George Colony.
 - e) **Plats:** Those Plats identified in the attached Exhibit "A", which is incorporated herein by this reference, including such real property as may be hereafter annexed thereto.

Without limitation to definitions appearing hereinabove, the following further definitions shall apply:

- 2) **Member:** Owner of a Lot or Lots included in the real property described in the attached Exhibit "A" or the surviving spouse or heirs or successors of such owner.
- 3) **Board:** The Board of Trustees, which is the governing body of the **Club Association**.

- 4) **Trustee:** A member of the Board of Trustees.
- 5) **Rules and Regulations:** The Rules and Regulations adopted by the Club Association or the Board. ~~from time to time~~
- 6) **Common Areas:** Property owned or otherwise maintained, repaired, or administered by the Club Association.
- 7) **Common Expense:** Costs incurred by the Club Association in order to exercise any of the powers provided for in the Governing Documents, the Act, or the Nonprofit Corporation Act.
- 8) **Lot:** A Lot included in the real property described in the attached Exhibit "A". The term shall not include certain exceptions recognized as exempt from assessment by the Board or the Courts ~~a court of law~~.
- 9) **Club General Manager:** ~~A managing agent for the Club.~~ Employee and Chief Operating Officer of the non-profit corporation that manages the daily operations of the community.
- 10) **Membership:** Membership in Cape George Colony Club is acquired through purchase or acquisition of a Lot.

ARTICLE II REGISTERED OFFICE AND AGENT

The registered office of the Cape George Colony Club shall be 61 Cape George Drive, Port Townsend, Washington 98368. The Registered Agent shall be the Secretary of the Board.

ARTICLE III GOVERNING BODY

A. THE BOARD.

1) The governing body of the Club Association is the Board of Trustees, as provided in the Governing Documents, the Act, the Nonprofit Corporation Act, or as hereinafter provided. The Board shall act in all instances on behalf of the Club Association.

2) The Board shall consist of seven Trustees who shall be Members in good standing of legal age.

Neither Trustees nor members of any Committee of the Board shall receive any salary or compensation for their services. ~~However, by resolution of~~ The Board members ~~a sum~~ may be ~~fixed~~ reimbursed for expenses such as tuition for such educational programs as the Board may determine to be in the best interest of the Association, or mileage and supplies, etc. Nothing herein shall preclude any Trustee from serving the Club Association in any other capacity and receiving compensation, therefore.

B. POWERS OF THE BOARD.

The Board shall possess and exercise the powers set forth in the Governing Documents and those powers set forth in the Act and the Nonprofit Corporation Act. The Board shall not take any action that requires a vote of the Members. The powers of the Board include but are not limited to the following:

1) **Payments, Charges, Fees and Assessments**. The Board may impose and collect payments, charges, fees, and assessments for the use, rental, or operation of the Common Areas and for the Common Expense.

~~The maximum monthly assessment to provide funds for the regular operation and ordinary maintenance of the Common Areas may be increased each year not more than four per cent (4%) above the maximum assessment for the previous year (with \$25 being the base amount for the budget year 2001/2002), with the actual amount determined by the Board. The proposed assessment shall be presented as part of the annual budget for ratification by the membership in accordance with Article VI, A3 and A (4) and Article VIII of these By Laws. [As Amended at Special Membership Meeting, December 14, 2006, and as previously amended at Special Membership Meeting, March 14, 2002]~~

~~In addition to this assessment for the regular operation and ordinary maintenance of the Club there shall be an annual reserve assessment collected. The Annual Budget includes assessments funds for reserves per RCW 64.90.525 (e & f) for the future maintenance, repair or replacement of all or a portion of the Common Areas as set forth in the Club's association's then current reserve studies. The initial amount of this annual reserve assessment shall be \$180.00 per lot. The annual reserve assessment shall be allocated to reserves on a pro-rata basis using the Club's association's then current individual professional reserve studies. This reserve assessment may be increased each year without a vote of the Members if it is not more than two and one half percent (2.5%) above reserve assessment for the previous year, with the actual amount determined by the Board. [As Amended at the Special Board Meeting, December 09, 2014, and effective January 1, 2015]~~

In addition to the annual assessments authorized above, the Board may levy in any assessment year a special assessment for the purpose of defraying in whole or in part the cost of any construction, reconstruction, repair or replacement of **an asset or capital improvement reserve component** upon the Common area provided that any such assessment be approved by the membership. ~~[As amended at Special Membership meeting, March 14, 2002]~~

The time and manner of paying such charges, fees, and assessments shall be as specified by ~~resolution~~ of the Board. The Treasurer shall cause the owner(s) of each Lot subject to a payment, charge, fee, or assessment, to be notified at least ~~one (1) month~~ **two (2) weeks prior** to the time it shall become due and payable and of the time and manner in which such payment, etc. is due. Such notification shall be given in accordance with the provisions of these Bylaws concerning Notices. If a charge or assessment is made payable on a monthly or other installment basis, notice shall be mailed or delivered upon the initial levy of the charge or assessment, but additional Notices need not be sent as the individual installments fall due.

2) **Fines, Late Charges**. The Board may impose and collect charges for late payment of payments, charges, fees, or assessments. The Board may also levy reasonable fines for violation of these Bylaws or the Rules or Regulations of the Club **Association** which fines shall be specified in a schedule adopted by the Board and furnished to the Members.

Fines shall be imposed against Members only after Notice and an opportunity to be heard by the Board.

Notice of intent to impose such fines shall be given to Members with a Notice opportunity to appear before the Board not less than ~~fourteen~~ **ten** nor more than sixty days in advance of the next scheduled monthly meeting of the Board. The Notice shall be delivered in accordance with the provisions of these Bylaws concerning Notices. The Notice shall identify with particularity the Member's default(s) and the consequences of failure or refusal on the part of the Member to comply with his or her obligations to the ~~Club~~ **Association** or appear before the Board in response to the Notice.

3) **Employees, Agents.** The Board may appoint, terminate, discharge, fix the compensation, and provide for the duties and powers of such officers, agents, and employees as, in the judgment of the Board, shall be advisable.

4) **Rules and Regulations.** The Board shall from time to time make and publish ~~Club~~ **Association** Rules and Regulations as it deems appropriate to implement the letter and intention of the Governing Documents, the Act, and the Nonprofit Corporation Act.

5) **Vacancies/Unexpired Terms.** The Board shall fill vacancies in its membership of the unexpired portion of any term.

C. DUTIES AND POWERS OF OFFICERS OF THE BOARD.

Within two (2) weeks after the election of Trustees, the Board shall take office and select from their members a President, Vice President, Secretary, and Treasurer. The duties and powers of officers of the Board shall be as follows:

1) **The President:** The President shall be the chief executive officer of the ~~Club~~ **Association** and shall preside at all meetings of the ~~Club~~ **Association** and of the Board. The President shall rule on all matters of procedure and decorum during such meetings. The decisions of the President on these matters shall control the conduct of meetings and be binding upon both the Trustees and Members of the Club.

The President, as chief executive officer **of the non-profit corporation**, shall have the power to administer ~~Club~~ **Association** activities including but not limited to the power to appoint **ad hoc** committees from among the Board or the Members from time to time as the President may in his or her discretion deem appropriate to assist in the conduct of the affairs of the ~~Club~~ **Association**. **The President approves all meeting agendas with input from the Board of Trustees and General Manager. The President exercises authority normally granted by Roberts Rules of Order.**

2) **The Vice President:** The Vice President shall have all the powers and authority and perform all of the functions and duties of the President in the absence of the President or his or her inability for any reason to exercise such powers and functions or perform such duties.

3) **The Treasurer:** The Treasurer shall have oversight responsibility for ~~Club~~ **Association** funds and shall be responsible for causing to be kept full and accurate accounts of all receipts and disbursements in the books belonging to the ~~Club~~ **Association**. The Treasurer shall have oversight responsibility for deposits of all monies and other valuable effects in the name and to the credit of the ~~Club~~ **Association** in such depositories as may from time to time be designated by the Board.

~~Club~~ **Association** funds shall not be commingled with the funds of any other entity ~~nor with~~

~~the funds of any manager of the Club~~ or any other person whether responsible for the custody of such funds or not. The Treasurer shall be responsible for supervision of the ~~Club's Managing Agent~~ **General Manager** with respect to funds of the **Club Association** and financial and other financial related records as hereinafter provided.

The Treasurer shall cause all financial records of the **Club Association** to be kept in a manner sufficiently detailed to enable the **Club Association** to fully declare to each Member the true statement of its financial status. All financial and other records of the **Club Association** including but not limited to checks, bank records, and invoices in whatever form they are kept, are the property of the **Club Association**.

4) **The Secretary:** The Secretary shall have oversight responsibility for minutes of meetings of the Board and minutes of the meetings of the **Club Association**. The Secretary shall have oversight responsibility for calling the elections and assuring their proper conduct, for recording election results, and for maintaining election records. The Secretary shall have oversight responsibility for all Lot records, books, and papers and will be the legal liaison of the **Club Association** in matters pertaining to said records.

The Secretary shall require a complete list of Members and their registered mailing addresses to be compiled and kept up to date at the principal office of the **Club Association**. Such list shall also show opposite each Member's name the number or other appropriate designation of the Lot or Lots owned by such Member. Such list shall be open to inspection by Members and other persons lawfully entitled to inspect same at reasonable times during business hours.

The Secretary shall cause all Notices and announcements of meetings of the Board or the Members to be delivered in the manner and at the times required by law or these Bylaws. **In the absence of the President and Vice President, the Secretary will preside over all Board or Association meetings.**

5) **Assistant Secretary and Assistant Treasurer:** In order to maintain continuity, the Board of Trustees may elect an Assistant Secretary and/or Assistant Treasurer.

ARTICLE IV MEMBERSHIP

1) The Members of the **Club Association** shall at all times consist exclusively of the owners of a Lot or Lots, both developed or undeveloped. In order to be eligible for membership, a person must have entered into a real estate contract to purchase a Lot(s) or have acquired title to a Lot(s). The Governing Documents require each and all purchasers or owners of Lots to be Members of the **Club Association**.

2) A voting membership is acquired upon the purchase of a Lot. The **Club Association** shall have but one class of voting membership. The owner or owners of each individual Lot shall have one vote in the affairs of the **Club Association**. The owner or owners of each individual half Lot shall have one-half vote in the affairs of the **Club Association**.

A membership shall be held by, and a Member must be, a person of legal age, a partnership of persons of legal age, a corporation, or a trust.

Membership is not assignable or transferable except upon sale of a Lot or other

transfer of title. Membership terminates immediately upon transfer of title.

3) **Membership Rights.** A Member in good standing is entitled to use the roads, receive water service, use the Common Areas and facilities of the Club **Association**, and said Member may vote in Club **Association** elections.

If a Lot is purchased as Tenants in Common or Joint Tenancy, all members of that community or relationship shall enjoy all rights and privileges of membership (provided their membership remains in good standing as hereinafter provided), and they shall hold a voting membership. Only one member shall cast that Lot's vote in Club **Association** elections.

4) **Membership Obligations.** Members shall pay such payments, charges, fees, assessments, late charges or fines as may be imposed from time to time by the Board or the Members.

5) **Members Not in Good Standing.** A Member is not in good standing if, (a) at any given time, such Member has not paid all Club payments, charges, fees, assessments, late fees, and/or fines within 20 days of their due date, or (b) the Member is in violation of the Governing Documents or the Rules and Regulations of the Club as promulgated by the Board or the Club from time to time.

ARTICLE V ELECTIONS

The announcement of the newly elected members of the Board shall take place at the annual meeting of the Members. ~~The election of Board members shall be conducted only by mail in accordance with the Election Procedures approved by the Board. In 2007 only, four (4) trustees will be elected. The two (2) nominees receiving the highest number of votes shall each serve three (3) year terms. The two (2) nominees receiving the next highest number of votes shall each serve two (2) year terms of office.~~ From 2008 on, elections shall follow a three year cycle. In the first year, the three nominees receiving the highest number of votes shall each serve three (3) year terms and in each of the next two (2) years, the two (2) nominees receiving the highest number of votes shall each serve three (3) year terms. Starting in 2009, after six (6) consecutive years in office as an elected Trustee, a Trustee is ineligible for office for one (1) year. In the event of a tie vote of the Members in a Board election or a tie vote among the Board for an officer or officers of the Board, the winner shall be determined by lot by the Board. ~~[As amended at Special Membership meeting, December 14, 2006]~~

The Members by a majority vote of the voting power in the association present, in person or by proxy, and entitled to vote at any meetings of the Members at which a Quorum is present, may remove any member of the Board with or without cause.

ARTICLE VI MEETINGS

Robert's Rules of Order shall be recognized as the authority governing all meetings when not in conflict with law, the Articles of Incorporation hereof, or these Bylaws.

A. MEETING OF THE MEMBERS

1) A meeting of the Members shall be held at least once each year. The Annual Meeting of the Members shall be held on the third weekend of July of each year, or at such other time as the Board may determine, at the Cape George Colony Club Community Center or at such other

place in Jefferson County, Washington, on a date and time specified by the Board. The Secretary shall mail or deliver to each Member written Notice of the time and place of such meeting at least thirty (14) days but not more than sixty (60) days prior to the appointed time. The Notice shall state the time and place of the meeting and refer to the business to be placed on the agenda by the Board for a vote by the Members. If for any reason, the Annual Meeting cannot be held as herein provided, a delayed Annual Meeting may be called and held upon giving a like Notice in accordance with the provisions of these Bylaws concerning Notices.

2) Special meetings of the Club Association may be called by the President or a majority of the Board or by Members having ten percent (10%) of the votes in the Club Association and will be held at a place in Jefferson County, Washington, convenient to the Members. Upon a receipt of a request in writing from said Members or majority of the Board setting forth the proposed Special Membership Meeting, the Board shall fix a time and place for such meeting and shall cause written Notice thereof, setting forth the time, place, and purpose of the meeting, to be given each Member by personal delivery or by mail or member approved electronic notification in accordance with the provisions hereof for Notices.

3) **Quorum of Members.** A quorum of Members in good standing must be present in person or by written proxy, the form of which has been approved by the Board, for the transaction of business at the Annual Meeting of the Club Association and at Special Meetings of Members where the outcome is dependent on a vote of the Members. A quorum for such meetings is twenty-five percent (25%) of the total Cape George membership in good standing at the time the votes are tallied. Meetings may be adjourned if a quorum is not present. Notice of the adjournment and the meeting's rescheduled time, date and place and duplicate supporting materials shall be provided to Members in accordance with the provisions of these Bylaws concerning Notices.

4) **Matters Requiring a Vote of The Members.** The following matters shall require a majority vote of the Members at an annual or special meeting at which a Quorum of Members is present:

- a) Election of Trustees,
- b) Any proposal to determine the number, qualifications, powers, duties, or terms of office of members of the Board or to remove a trustee, (provided that the Board shall fill vacancies in its membership of the unexpired portion of any term),
- c) Any proposed amendment to the Bylaws or Bylaw Building Regulations,
- d) Any budget or changes in the previously approved budget as ratified by the Members that results in a change in assessment obligation,
- e) Any proposed Special Assessment pursuant to Article III.B(1) of these Bylaws,
- f) The annual proposed Reserve Account expenditures for the prospective budget year pursuant to Article VIII, Sec 1 of these Bylaws,
- g) Any unapproved non-bona fide emergency and/or excess Reserve Account expenditures pursuant to Article VIII, Sec 1b) and c) of these Bylaws.

5) **Matters Requiring a 67% Vote of the Members:** The following matters shall

require a 67% vote of the Members voting at an annual or special meeting at which a quorum of Members is present:

- a) Any proposed amendment to the Articles of Incorporation,
- b) Any proposal to waive the annual audit,
- c) Any proposal to terminate the Club.

6) **Annual Budget.** The annual ~~operational~~ budget shall be ratified by a vote of the Members as outlined in Article VIII of these Bylaws. **The annual budget includes reserves per RCW 64.90.525 (e & f).**

B. MEETING OF THE BOARD.

1) Regular meetings of the Board for the purpose of administration of the affairs of the Club shall be held once each month at a time and place determined by a majority of the Board, and announcement of such meetings **will be sent electronically, and** posted on the bulletin boards, and printed in the monthly newsletter. **The Board may cancel a monthly Board meeting with an affirmative vote of a majority of the Board. Meetings may be held electronically in lieu of in person meetings.**

2) Additional meetings may be called at such other times as the interests of the Club require, as determined by the President or a majority of the Board. Announcement of additional meetings of the Board shall be posted **electronically** and on the bulletin boards in the community no less than 48 hours prior to said meeting except that the President may determine that it is in the best interest of the Club that an emergency meeting be convened without such notice.

Meetings may be adjourned to another time and place from time to time in the event that a Quorum of the Board does not appear or business to be conducted is not completed prior to adjournment. Announcement of adjournment to another time and place shall be posted at the door of the place from which a meeting has been adjourned and on the community bulletin boards.

3) Except as provided in this subsection, all meetings of the Board shall be open for observation by all Members and/or their authorized agents. The Board shall keep minutes of all actions taken by the Board; such minutes shall be available to all Members. Upon affirmative vote in open meeting to assemble in closed session, the Board may adjourn to such closed session to consider personnel matters; consult with legal counsel or consider communications with legal counsel; and discuss likely or pending litigation, matters involving possible violations of the Governing Documents, **contracts**, and matters involving possible liability of a Member to the Club **association**.

The motion shall state specifically the purpose for the closed session. Reference to the motion and the stated purpose for the closed session shall be included in the minutes. The Board shall restrict the consideration of matters during the closed portions of meetings only to those purposes specifically exempted and stated in the motion.

No motion, or other action adopted, passed, or agreed to in closed session may become effective unless the Board, following the closed session, reconvenes in open meeting and votes in the open meeting on such motion or other action that is reasonably identified. The requirements of this subsection shall not require the disclosure of information in violation of law or information that is otherwise exempt from disclosure.

4) **Quorum of the Board.** A majority of the Board shall constitute a Quorum for the

transaction of business, and a majority of such Quorum shall determine any question except as otherwise provided by law, the Governing Documents, or the Nonprofit Corporation Act. If a Quorum is not present, the majority of those Trustees present may adjourn to such future time and place, as they shall determine, and notification of such meeting shall be given to Trustees and Members as herein provided for meetings of the Board; three Trustees shall constitute a Quorum at such deferred meeting.

5) **Vacancies.** All vacancies on the Board by reason of death or otherwise, shall be filled by appointment by the remaining Trustees, even though less than a Quorum be present. A Trustee thus appointed to fill any vacancy shall hold office for the unexpired term of his or her predecessor.

6) **Committees of the Board.** The Board may, by resolution passed by a majority of the Trustees, form and/or disband such committees of the Board as it, in its discretion, determines to be appropriate. The Board shall appoint the chairman of the committee, and the committee shall consist of no less than 3 Members. A charter and/or policy regarding each committee shall be prepared by the committee and approved by the Board. At least annually said charter and/or policy shall be reviewed by the President and the Club **General** Manager, and a recommendation made to the Board on necessary revisions, if any.

ARTICLE VII CLUB **GENERAL** MANAGER

~~The Club **General** Manager shall be a Managing Agent of the Club~~ **is an employee of the Association** and shall be appointed by the Board to serve at its pleasure. The Club **General** Manager shall report to **AND BE SUPERVISED BY** the Board President. The **General** Manager shall perform such duties as the Board may assign from time to time. Among such duties are the following:

1) The Club **General** Manager shall be responsible for the business affairs of the Club **Association** and its day- to-day administration.

2) The Club **General** Manager shall keep all records of the Club **Association** at the Club **Association business** office during normal working hours, including the names and addresses of Members and other occupants of Members' Lots. Upon reasonable advance notification records shall be available for examination by all Members, holders of mortgages on the Lots, and their respective authorized agents. The Club **General** Manager shall not release the unlisted telephone number of any Member **or any personal information of members or employees.**

~~Acting on behalf of the Club, the Club Manager may impose and collect a reasonable charge for copies and any reasonable costs incurred by the Club in providing access to records.~~

ARTICLE VIII BUDGETS

1) Within thirty days after the adoption by the Board of any proposed regular operational budget of the Club, the Board shall set a date for a meeting of the Members to consider ratification of the budget. Such meeting shall be held not less than ~~fourteen~~ **Ten** nor more than sixty days after mailing of the budget summary. Unless at that meeting the votes of a majority

of the Members reject the budget, the budget is ratified, whether or not a Quorum is present; such vote may be in person **by ballot** or by proxy.

The budget summary mailed to the Members shall include a list of the projected reserve account expenses for the budget year. The Members shall have the opportunity to vote on the list of projected reserve account expenses separately from the rest of the budget.

- a) If the list of projected reserve account expenses is approved by a majority of the Members who voted at the meeting, the Board need not seek any further Member approval of those projected reserve account expenses.
- b) If a proposed reserve account expense was not approved as part of this process and is over \$50,000 (as indexed for inflation from the date of adoption of this amendment), then the Board shall submit it to the Members for approval by a majority vote as outlined in Article VI(A)(3) of these Bylaws.
- c) If a reserve account expense was approved as part of this process but later exceeds the budgeted amount by twenty-five percent (25%), then the Board shall submit it to the members for approval by a majority vote as outlined in Article VI(A)(3) of these Bylaws.
- d) In the event of a bona fide emergency, the Board may be required to authorize the expenditure of reserve account funds. In such an emergency, the Board need not seek Member ratification as required in (b) and (c) above.

2) A Reserve accounts **or accounts** for the construction and maintenance of facilities, including but not limited to water facilities, roads, community buildings, pool, and marina, shall be established and set up as designated accounts. The Board, by a majority vote of all Trustees, may authorize a loan from designated reserve accounts.

3) In no case may any operating budget submitted to the Members for ratification propose expenditures greater than revenues.

4) In the event the proposed ~~operational~~ budget is rejected or the required Notice is not given, the periodic budget last ratified by the Members shall be continued until such time as the Members ratify a subsequent operational budget proposed by the Board.

ARTICLE IX RESERVES, RESERVE STUDIES AND RESERVE DISCLOSURES

All references in Article IX are subject to the provisions of the RCW 64.38, the "Act," as now enacted and as hereafter altered, amended, or reenacted. In any dispute, discussion or clarification of Article IX, the provisions of the "Act" shall control.

1) The association is encouraged to establish and maintain distinct and identifiable reserve accounts to fund major maintenance, repair, and replacement of common elements that will require major maintenance, repair, or replacement within thirty years. The board of directors is responsible for administering the reserve account(s).

2) Unless doing so would impose an unreasonable hardship, the association shall update the reserve study annually. At least every three years, an updated reserve study must be prepared

and based upon a visual site inspection conducted by a reserve study professional. ~~The first reserve study prepared by a reserve study professional for Cape George was completed in 2014.~~

3) The decisions relating to the preparation and updating of a reserve study must be made by the board of directors in the exercise of the reasonable discretion of the board. The decisions must include whether a reserve study will be prepared or updated, and whether **with the required** assistance of a reserve study professional ~~will be utilized~~.

4) A reserve study must include the specific elements detailed in RCW 64.38.070.

5) A reserve study must also include the following disclosure: "This reserve study should be reviewed carefully. It may not include all common and limited common element components that will require major maintenance, repair, or replacement in future years, and may not include regular contributions to a reserve account for the cost of such maintenance, repair, or replacement.

The failure to include a component in a reserve study, or to provide contributions to a reserve account for a component, may, under some circumstances, require you to pay on demand as a special assessment your share of common expenses for the cost of major maintenance, repair, or replacement of a reserve component."

6) The association may withdraw funds from its reserve account to pay for unforeseen or unbudgeted costs that are unrelated to maintenance, repair, or replacement of the reserve components. The board of directors shall record any such withdrawal in the minute books of the association, cause notice of any such withdrawal to be hand delivered or sent prepaid by first-class United States mail to the mailing address of each owner or to any other mailing address designated in writing by the owner, **or by electronic notification**, and adopt a repayment schedule not to exceed twenty-four months unless it determines that repayment within twenty-four months would impose an unreasonable burden on the owners. Payment for major maintenance, repair, or replacement of the reserve components out of cycle with the reserve study projections or not included in the reserve study may be made from the reserve account without meeting the notification or repayment requirements under this section.

7) Monetary damages or any other liability may not be awarded against or imposed upon the association, the officers or board of directors of the association, or those persons who may have provided advice or assistance to the association or its officers or directors, for failure to: Establish a reserve account; have a current reserve study prepared or updated in accordance with the requirements of this chapter; or make the reserve disclosures in accordance with this chapter.

8) As part of the summary of the ~~operational~~ budget provided to all owners, the board of directors shall disclose to the owners all of the elements specified in RCW 64.38.025 including but not limited to the funding rate as recommended in the fully funded reserve study, the association's funding rate, additional future assessments that may be necessary and projected year end reserve balances for each of the next thirty years

ARTICLE X AUDITS

At least annually, the ~~Club~~ **Association** shall prepare, or cause to be prepared, a financial statement of the ~~Club~~ **Association**. The financial statement of the ~~Club~~ Association shall be audited at least annually by an independent certified public accountant. Said audit may be waived if sixty-seven percent (67%) of the Members in Good Standing, voting in person or by proxy at a meeting of the Club at which a Quorum is present, vote each year to waive the audit.

**ARTICLE XI
RENTAL PROPERTY**

A Member may rent out his or her Cape George house and appurtenant structures to any person or entity for residential purposes only. The Member shall be financially responsible for the tenant's violations of the governing documents and for damages to Cape George property caused by the tenant.

**ARTICLE XII
INDEMNIFICATION & LIMITATION ON LIABILITY**

1) **Definitions.** The definitions contained **RCW 23b.08.510** grant indemnification of officers and Board of Trustee members.

2) **Right to Indemnification.** Each person who was or is threatened to be made a party to or is otherwise involved (including, without limitation, as a witness) in any proceeding by reason of the fact that he or she is or was a Trustee, ~~or~~ **Employee, Volunteer, or Officer** of the ~~Club~~ **Association** shall, as a contract right, be indemnified and held harmless by the ~~Club~~ **Association** to the full extent permitted by applicable law, including, without limitation, the Washington Business Corporation Act, Title 23B RCW as then in effect, against all expenses, liability and loss (including attorneys' fees, judgments, fines, and amounts to be paid in settlement) actually and reasonably incurred or suffered by such person in connection therewith.

3) **Nonexclusivity of Rights.** The right to indemnification and the payment of expenses incurred in defending a proceeding in advance of its final disposition conferred in this Article shall not be exclusive of any other right that any person may have or hereafter acquire under any statute; provision of the Articles of Incorporation; Bylaws; agreement; vote of Members, if any; or vote of disinterested Trustees or otherwise.

4) **Insurance, Contracts and Funding.** The Club may maintain insurance at its expense to protect itself and any Trustee, Officer, Employee, or agent of the ~~Club~~ **Association**.

5) **Indemnification of Employees and Agents of the Club.** The ~~Club~~ **association** may, by action of its Board, from time to time provide indemnification and pay expenses in advance of the final disposition of a proceeding to employees and agents of the ~~Club~~ **association**.

6) **Limitation of Liability.** Trustees shall have no personal liability to the ~~Club~~ **Association** or its Members for monetary damages for acts or omissions as a Trustee unless such acts or omissions involve intentional misconduct by a Trustee, a knowing violation of law by a Trustee, or a transaction from which the Trustee will personally receive a benefit in money, property, or services to which the Trustee is not legally entitled.

**ARTICLE XIII
NOTICES**

1) Except as provided in Article VI, B of these bylaws, any notice, request, demand, instruction, or other document to be given hereunder ("Notice") to any Member shall be

effective for any purpose if either personally delivered to the Member at the address filed by the Member at the Registered Office of the Club Association or delivered by First Class U.S. Mail or, at the option of the Board or the Secretary, ~~by registered or certified mail, postage prepaid, return receipt requested.~~ or by electronic email if member has given authorization for such delivery.

2) Notice shall be deemed to have been given when personally delivered or three (3) days following deposit in any United States post office box in the State of Washington, postage prepaid, addressed as set forth above. The address and addressees for the purpose of this paragraph may be changed by giving written Notice of such change in the manner herein provided for giving Notice. Unless and until such written Notice is received, the last address and addressee as stated by written Notice, or provided herein if no written Notice of change has been sent or received, shall be deemed to continue in effect for all purposes hereunder.

**ARTICLE XIV
SEVERABILITY**

If a court of competent jurisdiction shall adjudge to be invalid or unconstitutional any clause, sentence, paragraph, section or part of these Bylaws, such judgment or decree shall not affect, impair, invalidate, or nullify the remainder of these Bylaws, but the effect thereof shall be confined to the clause, sentence, paragraph, section, or part of these Bylaws so adjudged to be invalid or unconstitutional.

**ARTICLE XV
ATTORNEYS FEES AND VENUE**

In the event any Member, person, or entity brings any action at law or in equity to interpret, construe, enforce, or void these Bylaws or any portion or provision hereof, the court may award reasonable attorney's fees and costs of suit to the prevailing party as part of its judgment. Venue for such action shall be in the Superior Court of Jefferson County, Washington, at Port Townsend.

**ARTICLE XVI
SUPERSESION**

All prior Bylaws of the Club are hereby superseded, revoked, and rendered null and void. Approved by the membership of Cape George Colony Club on February 21, 1996, and as amended at Special Membership Meetings on March 14, 2002; December 14, 2006; December 6, 2007; December 7, 2009; December 11, 2012; December 9, 2014, December 10, 2015, December 15, 2016 respectively; and December 11, 2018.

~~DATED this 11th day of December 2018~~

~~Katie Habegger, President~~

~~Joel Janetski, Secretary~~
