

**Discovery Bay Resort
Work Session Minutes**

October 20, 2022, 10:00 a.m.
By Zoom - Meeting Recorded

Call to Order: 10:02

Leaseholders Present: 50

Staff Present: Barb Gilger, absent

Board Members Present: Tenna Matthews, Sheryl Haller, Susie Thrune,
Penny Barrett, Kena Warrick

President's Opening Statement: Tenna Matthews

No opening statement today but has comments about upcoming topics.

Park Manager's Report: Deferred to 10/27/22 Board Meeting

Discussion Topics:

- DBWC Proposed Lease - The board has received the second draft of our new lease from our attorney. We have requested a few minor changes and the proposed lease will be shared with leaseholders in the next week to ten days. When we sign them, the new leases will be 99-year leases to start and will not need to be recorded with the county. In the lease there is a spot for approximate square footage of the lot. Shall we continue to include it? For this purpose we would use the measurements from our current lot book. This measurement will remain fixed and follow the lease from owner to owner. We acknowledge that the measurements posted on the lease will not prevent issues about measurements from arising.

- Lot Measurements / Square Footage / Boundaries - We have been following the 2004 Lot Measurement book for the square footage on leases and lot boundary measurements. There has been some debate that some lot measurements have not been accurate and some new leaseholders are concerned about the true measurements of the site they bought. The cost of having all of our lots surveyed would be tens of thousands of dollars.

- Growing Medical Cannabis in the Park

Tenna: There are two aspects to this discussion. The smoking of cannabis and medical growing which is legal in the state of Washington. This is an issue of compassion for those for whom cannabis is therapeutic. Just because the law doesn't make sense, it's still the law. As laws change we will change with them. But now we have to deal with the law as it is. Recreational growing of cannabis is illegal in Washington. People with proper licensing may grow their own pot for medical use according to RCW 69.51.A. Some leaseholders have been growing pot for medicinal use on their lots. The board has received questions asking if this is legal. The park is considered a business (we have one address). Medicinal growing of cannabis must take place in the domicile of the licensed patient. The law says that these plants can only be grown out of the view of the public and not be smelled. This meeting is our public square where leaseholders may voice their feelings about this topic.

Tenna believes we should allow legal growing for compassionate reasons.

Judith Musick, speaking for the Cannabis Club: Members of the club value the ability to grow their own cannabis because they can ensure the purity of their product and it saves them the considerable expense of having to purchase products, which in some cases substitute for other medicine. All members of the club agree that any growing of pot in the park must follow all state laws. The club wants to reduce the concerns that others in the park may have with this issue. The club

requests that the park support growers. Members of the club will use the time between now and next year's growing season to find ways to accommodate all park rules and state laws and not negatively impact their neighbors. The club might submit an RFA for permission for alternative places where members can meet and smoke.

Comments and questions from other leaseholders:

- All leaseholders who commented voiced support and understanding for the needs of those who wish to grow cannabis to address their medical needs.
- Several leaseholders have concerns about the smell of the growing or harvested cannabis plants and the smoke from joints infiltrating their homes. This is a critical concern for those with fragile health conditions. Some people do not think the smell of the plants is pleasant.
- What does legal growing of cannabis look like? Tenna: The board will forward copies of the relevant statutes to all leaseholders.
- How would our park license be affected if the growers knowingly or unknowingly break the law? Tenna: We are a private gated park with individual sites. The law says the growing of medicinal plants must be kept out of the sight of the public and other housing units. Violations of the law by the leaseholders will be held against them so they are advised not to break the law.
- At some point in time we will still need to resolve the issue of greenhouses in the park. Tenna: The issues of greenhouses and growing have been conflated. Cannabis Club members are trying to figure out a plan for how to grow in the park and follow the law. Info about getting a license to grow can be found at RCW69.51a.
- Can the park require those who are growing medical cannabis to provide the park with their permit to grow?

- Is there a way that those who are growing medical cannabis can release the park from liability?
- Those who are growing are encouraged to talk to their neighbors about placement of plants to mitigate problems with the smell of their plants.
- There are more people in the park who use cannabis medicinally than those who are in the Cannabis Club or who are growing plants.
- 2261 is a business address. Our individual lots can be interpreted as individual housing units.
- We all need to work together. Could others who are not members of the Cannabis Club participate in solving issues around growing?
- Can we have a collective of qualifying patients sharing a growing area? Tenna: The law no longer allows collectives, only co-ops. This opens the park as a business to increased scrutiny because co-ops have to file paperwork with the state.
- If we should at some point have a community member who decides not to follow the law or community rules what tools could we use to deal with that? We have had people who take it upon themselves to break a park rule with apparent impunity. Tenna: When someone breaks a park rule, in accordance with our CC&R's we have the option to fine that person or we may ignore them. We have no recourse as a park to change the law. We would be viewed like an apartment complex relative to our responsibility as to what is going on at an individual site. Governmental rules are not negotiable. We need to try to figure out how to live with one another by talking to one another about it.
- The topic of greenhouses/growhouses has been deferred but ALRC has formed a study group to determine definitions and the feasibility/legality/practicality of installing such structures on lots or common areas.

Other:

- Fiber Optic Internet Service - There is government money available to support construction of a fiber optic line in the county which will be available to the park. Barb will do some research to find out if the park as a whole will be wired instead of each separate lot before individual leaseholders attempt to apply. The board is requesting that Barb explore all options for this service.
- RFA: Appeal State DOH Ruling for Two Small Septic Fields - When we sent plans to the state for our new septic system they required us to have a plan to retire septic fields A (between the laundry room and Radclyffe) and B (between lower restrooms and meadow). A leaseholder suggested that we appeal that decision. It might be a longshot but since both are functioning perfectly and they are a gravity system that allows water to go down to the new system, these fields might save us in an emergency. Electricity is required for our new system which pumps uphill. Sheryl will work with Barb to file the application for appeals and may consult leaseholders who have experience working with governmental bureaucracies. There would be a substantial cost (\$20-40k) to retire these fields. It was suggested that if we can't get permission not to retire them then perhaps we might be able to get an extension or inquire about other alternatives.

Announcements:

- Today was our Big Shake Out. Joann could hear local sirens and tested the new radios that our Safety Committee recently purchased. She was able to make contact with multiple entities.
- With the recent improvements by the Long Range Planning Committee and the donation of the fire pit by Lynn and Laura the Ramada is a comfortable and warm place for evening events.

Motion to Adjourn: Susie, seconded by Penny 11:41

Minutes Respectfully submitted by Kena Warrick