

View
Point

Hat Island
COMMUNITY

August 2009 Volume 10 Issue 12
Official Publication of the Hat Island Community

FROM THE BOARD PRESIDENT:

At our July Board meeting a community member indicated that they felt that the community has no way to influence board decisions and that the board is getting too much power. Nothing could be further from the truth.

Past Boards have made most of their decisions at a private “work session” where they haggled out all their internal differences and basically made decisions that were then “reenacted” during the open board meetings. We did away with the work session two years ago and make all our decisions in public during Board meetings. Simple, day to day decisions may be made the first time they come up in a board meeting, but if there is any possibility that a decision could be controversial we table it, put it in the minutes and deal with it the following meeting. The minutes are published in the View Point where everyone can read them. If you would like to provide input on a potential board decision you have many ways to do that. You can contact a committee member; they are listed on the web site. You can contact a board member, their names, phone numbers and e-mails are in the View Point and on the web site. You can post your thoughts on the community bulletin boards on the web site. You can e-mail the office and they will forward your comments to the appropriate place. The Board is constantly crying out for input, but we only hear from a very few people, generally those with axes to grind – we rarely hear from the “silent majority”



Star Wars X-Wing fighter complete with Jedi Knights and Darth Vader in the annual July 4th parade, even an R2D2.

As to the comment that the Board has or is getting too much power I’ll say this. In the proposed changes to the by-laws that are now posted on the web site and which you will receive shortly in the mail one of the recommended changes is to lower from 25% to 10% the number of member signatures required to force a special meeting of the community to reconsider a decision made by the Board. You have more ways to influence the decisions of the Board than you have ever had in the past.

By the way, have you been to our Web Site lately? There is tons of information about life on Hat Island. You can read back issues of the Viewpoint; see ferry schedules, prices, rules, and hot items. There is a great discussion page where you can share your ideas or ask questions of your fellow owners, post small items for

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sale and arrange shared rides to and from the island.

There are pages of information on building, protecting the environment, recommended native plant lists and much more.

It's a great place to chat with your neighbors and discuss island happenings or offer your opinion on issues facing the island. It's a free and anonymous place to express your thoughts to the Board of Trustees or ask questions of the Island Manager or Bookkeeper.

It's a great resource.

Ginger Harmon
President
Hat Island Trustees

FROM THE ISLAND MANAGER ***JULY 4TH WEEKEND***



We truly do have a "Hidden Treasure"

Mother Nature gave us a glorious weekend and you came out in droves.

Between Wednesday morning and Sunday evening 879 of you rode *Hat Express* to and from the Island. *That's only 12 more passengers than we had during the entire month of July in 2003!*

The parade was once again a huge success with rocket ships and pirate ships and of course our own fire department. Our thanks go to Sandy Russo for organizing the event. (photos by Steve and Toni Jefferies)

We consumed 166,792 gallons of water over the weekend. Barb squeezed 97 boats into our 72 slips in the marina, and the golf course pulsed all weekend.

The Fire Department was toned out 4 times over the weekend. There was one medical call, one dog rescue, a false alarm in the middle of the night, and most seriously an ATV accident which involved, underage and unlicensed operators with, multiple occupants, and excessive speed. Again to operate a vehicle on Hat Island owned property you must be a licensed driver. There was also a fire in Sunset Park started by a couple of 16-17 age range kids that was handled without a department callout.

We certainly understand that when you come to the Island you want to let go and do all the things that you can't do on the main land, but why? The laws of nature still apply here, an unsupervised, underage, unlicensed ATV operator will speed, will make jumps, will drive where they are not suppose to be and eventually will get hurt.

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FERRY PASSES 1ST ANNUAL USCG RE-INSPECTION

After almost exactly one year in uninterrupted service, *Hat Express* received its first annual recertification inspection from the USCG. She passed with no faults noted. Kudos to Rick and the crew for all their hard work keeping her in tip top shape. During the inspection the crew had the chance opportunity to actually rescue three people from an overturned boat

As an aside, a reminder that the whole purpose of the new baggage float on the Hat Island side is to have a place to stage your off loaded baggage as you get off the ferry. People are still piling their luggage right at the foot of the boarding ramp. This causes a dangerous narrowing of the available dock space and someone will eventually go in the water. Please take your baggage off the ferry and place it on the luggage float. Also we stage dock carts on the baggage float for the same reason, please don't roll them down to the foot of the boarding ramp to load them, load them where they sit on the baggage float.



SODA AND SNACK MACHINES IN MARINA

On July 16th the Island took delivery of a soda and a snack vending machine. They are installed on the covered walkway on the marina side of the Island Office/Apartment Building. They will take dollar bills. Income goes into the general fund. No, we can't put beer in them.

WATCH YOUR MAIL FOR BY-LAW CHANGE BALLOT.

The Governance committee has been working on updating our by-laws for almost two years now. They were published on the web site two months ago and we received only two

pieces of input. Those were taken into consideration and the Board has now accepted that last draft with minor changes. It is now your turn. The final draft is now published on the community web site under the document library. It is in three columns. One column shows how the by-laws currently read, then next shows the proposed language and the third is an explanation of what the change is and if necessary a justification. You will

Environmental Niche

We've loaded up the web site with tons of new information from the Puget Sound Action Committee on Bluff and Waterfront living and how to cooperate with the environment rather than compete with it.

Check out the Bluff and Shoreline tab at our web site

<http://www.hatisland.org/library.htm>

receive a printed copy of this document along with a ballot in conjunction with your ballot for Board vacancies for the annual meeting in September.

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SAFETY CORNER

If you had a "911 Emergency" on the Island would the fire department be able to find you?

Surely you've seen some of your neighbors have purchased blue and white reflective house numbers. These reflective numbers are available through the fire department, or you can contact Dave Fry.

If you have ideas or concerns about safety or security on the Island contact Dave Fry @

fralph46@hatisland.com

TWO BOARD POSITIONS OPEN

There are two board positions open for election this September. Scott Wilson will not seek reelection so there is one vacancy. If anyone out there is interested in challenging for these seats they should contact the office. We need to publish candidate names in the September (last week of August) Viewpoint

OKTOBERFEST 2009 in München runs from 9/19 till 10/4. On hat Island it starts at 5 pm on Saturday, September 5th when the music starts and we tap the first keg of bier for our third annual Oktoberfest celebration. At 6 pm we'll serve dinner consisting of Kassler Rippchen (a smoked pork chop) with Sauerkraut and potato salad. Prices are \$10 for adults and \$6 for kids under 12. Our thanks to the Hat Island Yacht and Golf Club and especially Udo Gerz for co-sponsoring this event with the community.



Official Logo for Oktoberfest 2009 in München, a stylized pretzel

We had 300+ people last year, let's see if we can improve on that number, come on out and meet your neighbors.

Once again we've arranged special runs for the ferry for the weekend. We added a second Friday evening run and of course Monday, as a national Holiday, will look just like a Sunday ferry schedule. Plus, we added one additional run on Saturday night departing the Island at 9pm so you can even take the ferry over just for Oktoberfest.

Again, we are looking for volunteers from the community to help with set up, clean up and tear down. Toni Jefferies, Jefferies@elltel.net is coordinating volunteers; give her a buzz if you're interested in helping out.

We'll be setting up On Friday and Saturday morning and tearing down on Sunday afternoon. We'll need help serving food and pouring Bier. You meet all your neighbors when you volunteer.

WATER Not to tempt fate, but we are having a pretty good year in the water department, we've found a couple of long term leaks, only broken a couple of mains and then only with minor losses and the system, including the RO is running well. Our most recent Arsenic tests came back below the new EPA limits, so we're well on our way to being in compliance in that area as well.

Our water production through the month of June is shown below.

	Well 1	Well 2	Well 3	Well 5	Well 6	TOTAL	RO	TOTAL	ALL	WATER
Month	Gallons Pumped	Gallons Pumped	Gallons Pumped	Gallons Pumped	Gallons Pumped	Gallons Pumped	RO Gal-lons	RO % of Total	Total Water	Average Chloride
Jan	70,940	134,421	75,682	31,856	39,581	352,480	0	0.0%	352,480	64
Feb	52,254	63,639	58,511	48,740	40,209	263,353	0	0.0%	263,353	86
Mar	86,997	84,812	67,677	52,055	41,302	332,843	243,165	42.2%	576,008	105
Apr	45,821	42,494	40,529	21,771	25,893	176,508	338,544	65.7%	515,052	100
May	22,183	26,731	24,452	17,525	16,107	107,998	212,568	66.3%	320,566	96
June	46,914	24,536	23,453	22,156	16,253	133,312	276,280	67.5%	409,592	99
2008	326,109	376,633	290,304	194,103	179,345	1,366,494	1,070,557	43.9%	2,437,051	94
%	23.9%	27.6%	21.2%	14.2%	13.1%					

HAT ISLAND COMMUNITY MONIES RECEIVED AND PAID IN JUNE 2009

Annual Assessment Monies Rec'd	\$ 33,679.72
Other Sources (water, golf, marina etc)	\$ 46,061.66
Operational Expenses	\$ 71,991.70
Balance of Operational funds	\$ 126,173.07
Cash Reserve Monies Rec'd	\$ 5,051.96
Cash Reserve Expense (2009-2010 Insurance Pymt)	\$ -
Capital Reserve Monies Rec'd	\$ -
Repayment of Ferry Costs	\$ 198.77
Balance in Capital Reserve	\$ 55,847.34
Balance in Cash Reserve Fund	\$ 127,255.70
RO Monies Received	\$ 579.73
RO Expenses	\$ 7,923.03
Balance in RO funds	85,639.49
Marina Imp & Expansion Monies Rec'd	\$ 15,535.91
Marina Imp & Expansion Expenses	\$ 9,505.00
Balance in Marina funds	\$ 464,217.50

BALANCE SHEET AS OF June 30th 2009

Assets	YTD 2008	YTD 2007	Variance	Inc/Dec %
Cash & Cash Equivalents				
Total Cash on Hand - Checking	126,563.06	134,017.37	(7,454.31)	-6%
Other Cash & Cash Equivalents	773,219.39	457,491.89	315,727.50	41%
Total Receivables	3,055,151.37	1,486,690.39	1,568,460.98	51%
Deposits & Prepaids	49,760.90	50,757.09	(996.19)	-2%
Fixed Assets (less depreciation)	2,598,604.76	2,439,280.62	159,324.14	6%
Other Assets***	49,372.49	380,003.87	(330,631.38)	-670%
Total Assets	6,652,671.97	4,948,241.23	1,704,430.74	26%
Liabilities	YTD 2008	YTD 2007		Inc/Dec %
Accounts Payable	25,361.49	23,168.32	2,193.17	9%
Taxes Payable	49.69	14.64	35.05	71%
Deferred Income	3,662,206.02	2,096,071.91	1,566,134.11	43%
Total Liabilities	3,687,617.20	2,119,254.87	1,568,362.33	43%
Equity				
Owner Equity	2,968,125.22	2,828,986.36	139,138.86	5%
Total Liabilities and Equity	6,655,742.42	4,948,241.23	1,707,501.19	26%

***Note "other assets" includes "work in progress" of future assets.

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Minutes of Hat Island Board Meeting July 18, 2009

Meeting was called to order at 10:35am by President Ginger Harmon. Also present were Susan Dahl, Bill Townsend, Becki Snellenberg, Mike Murphy and Scott Wilson. Alan Dashen and Chuck Motson, Island Manager, were not present.

Minutes: The board approved minutes of the June 2009 Board meeting as printed in the Viewpoint.

Treasurer's Report: The board approved the Treasurer's report as presented by Susan Dahl. Treasurer's reports are published in the Viewpoint. Susan did point out that we are becoming more aggressive about collecting arrears and again reminds everyone that if you are behind on your assessment the best way to avoid collection costs is to call the office and work out a payment plan.

Committee Reports:

VESSELS – Scott Wilson presented the report for the Vessels committee. Both the Hat Express and the Elsie continue to operate well. Ridership on the Hat Express is up over this time last year.

MAINTENANCE/EQUIPMENT - Scott Wilson pointed out that the key question with respect to the need to replace the bus is whether or not HIC has an obligation to provide on island transportation. The difference between an obligation and an optional service was discussed and it was determined that clarification on this issue needed to be made. Susan Dahl motioned and Scott Wilson seconded that HIC discontinue the policy of providing on island transportation. Becki Snellenberg clarified that we were affirming that HIC does not have the obligation to provide on island transportation, and the motion went forward. It was approved by Becki Snellenberg, Susan Dahl and Scott Wilson. Bill Townsend and Mike Murphy opposed and the motion carried. As a result Ginger will instruct the island manager to scuttle the bus. The benefit of providing on island transportation as an optional service when it is fiscally feasible to do so was also discussed.

MARINA - No Report

WATER: No Report

GOLF – Ginger Harmon reported. There was a question regarding the use of the golf course during tournaments. There was a discussion regarding a homeowner's right to use the golf course if there is an opening regardless of whether or not a tournament is going on or if tournament players have exclusive use of the golf course during the tournament. Since the rules are not clear about it, the question was referred to the golf committee to make a recommendation to the board on a proposed policy.

SAFETY - No Report

WATER ACCESS LOTS - Mike Murphy reported for the Water Access lots committee. Several potential trails from the top of the island to the water access lots have been explored and look promising. The board approved further exploration of feasibility.

Old Business:

Arrears - The board reaffirmed the policy of suspending island privileges to homeowners who are more than 2 quarters in arrears on their assessments. A homeowner who has arranged a payment plan through the office is

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not considered in arrears.

New Business:

New Schedules for 2010 had not been reviewed yet so approval was tabled until board members could review.

Community Input -

There was a concern that there were fireworks being shot on July 4th in Division H. It's possible the fireworks were coming from a boat off the shore of Division H, rather than from the island.

There were concerns that the proposed by-laws give too much power to the Board and create a burden on property owners. The homeowner will detail her concerns for the community in the Viewpoint.

There was a question if the island attorney had reviewed and approved the collection measures and consequences of non-payment proposed by the board. The board has received email from the attorney supporting those measures.

There were complaints from owners of beach properties regarding having been denied use of island owned easements to the Division N beach. The board reaffirmed the right under the CC&R's to use of those easements by owners of beach properties.

The issue of our lack of comprehensive enforcement policies for island rules was brought up several times. This issue has been on the agenda of the Governance committee. Ginger will request that the Governance committee make this issue more of a priority on their agenda.

There was a question regarding marina progress in light of unpaid assessments. It was pointed out that there are dedicated funds for the marina project which are not impacted by unpaid assessment funds.

A homeowner complained about an obstruction intentionally placed in a road near the golf course by a homeowner which nearly caused an accident. Chuck will be requested to look into it.

A homeowner expressed unhappiness with not having community input following each agenda item during the meeting. Ginger explained that the meeting is for the board to conduct its business and that community input is commonly allowed at the end. The agenda and issues coming before the board are advertised in advance and anyone wanting to have their input heard prior to a meeting can certainly request that.

Several homeowners expressed concern over discontinuing on island bus service and hoped the possibility of providing this as a future service would be considered by the board.

Scott Wilson pointed out that in addition to attending and speaking up during community forum at board meetings, there are many other ways for the community at large to effect change on the island:

- 10% of the owners can call a special meeting of the Association on any subject of concern (*according to the newly proposed by-laws. This will replace the currently 25% requirement*).
- The community can overturn any article, by-law or rule. There are varying levels of thresholds required depending on what is being overturned.

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- The Viewpoint is a great read and doing so is a simple way to stay informed and be a part of the Island Management Process.
- The Viewpoint provides a tremendous venue for community input.

The meeting was adjourned at approximately 12:35 pm and the board went into executive session.

Respectfully Submitted,
Rebecca Snellenberg, Secretary

Your point of view

How the Proposed Change in By-Laws Will Affect Property Owners

Dear Hat Island members:

You will soon be asked to vote on new By-Laws for the Association. We are writing to ask you to take a close look at the proposed By-Laws because we believe they will be a great burden on the property owners. We've consulted an attorney about this and learned a lot! The proposed By-Laws represent a huge shift in power away from the members/property-owners and give greatly increased powers to the board/management. Before you vote, please make sure you really want to give up these powers.

The most important change in the new By-Laws may be to eliminate language identifying the association as a non profit "maintenance corporation," and replace it with language referring simply to a "Home Owners Association." A "maintenance corporation" has relatively limited powers to manage common areas and collect related user fees. A "Home Owners Association" is not nearly so restricted; it can regulate purely social and aesthetic matters relating to individual lots — things such as the color of your house, what pets are allowed, the number of guests, etc. We are concerned that these changes, together with the recent amendment to the Articles of Incorporation, will pave the way for much more aggressive, burdensome and divisive regulation of our properties.

Here are some other sections to pay attention to - the new words are underlined:

New SECTION 7. Privileges to use the facilities of the Association shall be suspended for any owner, guests, or renters whose assessments, utilities or fines for any lots owned or used by him are delinquent as defined in Article VIII Section 4.

New SECTION 8. A home owned by a member of the Community may be rented [.] in accordance with the Rules and Regulations established by the Board of Trustees. The renter must abide by all Community regulations and must pay user fees.

New SECTION 5. User fees, as provided in Article II, Section 5 of these By-Laws, are distinct from assessments and are applicable only in cases of lots with multiple owners or users. Applicability of user fees will be determined by the Board of Trustees.

This may sound pretty bland, but remember that up until now we have not given the Board the power to im-

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pose any fines at all. All of our original and founding documents together do not give the Board or Association the power to impose fines or penalties, except for the power to foreclose when assessments go unpaid. And up until now we, the property owners, have not given the Board any power to impose fees just for the privilege of using your own private property (only the power to set fees for using the Association's property and facilities such as the golf course or the ferry.) We understand that the management considers the "privileges to use the facilities of the Association" to mean not just the Association's apartment or the pavilion, or the golf course, but every single inch of the island. Here's some examples of what these new powers could mean to you, the property owner:

- If you don't pay your utilities on time, someone can try to block you from access to your property and from the island (of course, on the mainland the penalty is to have the utility turned off - you are not kicked out of your house!)
- If someone charges you a fine that you think is wrong or unfair or illegal, you can be barred from the island and from your property until you pay the fine (again, on the mainland if you don't pay your parking ticket you aren't banned from your house!) Or someone might cut off your utilities if you don't pay the fine.
- The board is giving itself the apparent authority to make rules that violate the covenants (the contract between you and the association that you agreed to when you bought your property) which will lead to more costly attorney's advice and lawsuits that you, the property owners, will have to pay for.
- The board could set a rule about your private property (like requiring that you can only paint your house pink; or stating that you can only plant huckleberry bushes; or requiring that renters be only white males) and attach a fine, and when you don't pay the fine, block access to your property and the island.
- The board could impose a fine for someone who broke the "paint your house only pink" rule. Then, because the U.S. requires that everyone be granted due process (that's why you can get a hearing after a speeding ticket) the board would have to sponsor some kind of a panel hearing and gather evidence and allow an appeal. The cost for this would come out of our pockets. And if the board makes a mistake, they could be individually sued. And frankly, who would want to serve on a board with those risks and duties?
- The board could decide that property owners with more than 1 child, or property owners who stay on the island year-round, or property owners who have guests, must pay additional "user fees" (even though this is really an unequal "assessment" paid to the common fund, the new Section 5 gives the Board the apparent power to call it a "user fee")

These may seem like crazy examples, and they are, but that's the point. If there is a rule we all need and agree on, we can vote to approve any rules we want. If we want to vote to ban all pets, we can do that. If we want to ban all plants coming onto the island except native plants, we can do that. **But do we want to grant the board the power to set any and all types of rules without a vote by us, grant them a new power to impose fines for rule-breaking (which they never had before), and grant them the power to penalize the non-payment of fines by blocking access to your property?**

Now we are all in favor of reasonable rules about the island's facilities (golf course, marina, picnic area, apart-

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ment) and penalties that are related to the violation (like if you don't pay your golf fees you can't use the golf course). Making and enforcing laws is hard and complicated; state reps have entire departments devoted to researching whether the rules they propose are legal and can be enforced. But Hat Island is a free and friendly part of the world, and setting up a small volunteer board with oodles of power to decide everything that we can do on our own private property seems to go against the spirit of the island.

Sincerely,

Charlotte Maulsby H-14

Zona Wyatt H-45

Labor Day Weekend Extra Friday evening run, Monday runs

	Depart	Arrive	Depart	Arrive	Remarks
Day	Everett	Hat Island	Hat Island	Everett	
Fri	4:00pm	4:45pm	5:00pm	5:00pm	Extra run on
Fri	6:00pm	6:45pm	7:00pm	7:45pm	Saturday night
Sat	9:00am	9:45am	10:00am	10:45am	Leaves Hat
Sat	11:00am	11:45am	4:00pm	4:45pm	at Nine(9)pm
Sat	5:00pm	5:45pm	6:00pm	6:45pm	
Sun	9:00am	9:45am	10:00am	10:45am	
Sun	11:00am	11:45am	4:00pm	4:45pm	
Sun	5:00pm	5:45pm	6:00pm	6:45pm	
Mon	11:00am	11:45am	2:00pm	2:45pm	
Mon	3:00pm	3:45pm	4:00pm	4:45pm	
Mon	5:00pm	5:45pm	6:00pm	6:45pm	

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If you have any questions contact
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SCHEDULE OF EVENTS

August

- 1 Sat Elsie M load/run 7:30am
- 8 Sat Fire Drill 10:00am
 - Fire Bunnies lunch 12:30 pm
 - Fire Cmmissioners meet 1:30pm
- 15 Sat HIC monthly meeting 10:30am
- 24 Mon View Point articles due

September

- 4 Fri **Special** Hat Express run 4:00pm
- 5 Sat **October Fest 5:00pm**
- 6 Sun Fire Bunnies Pancake Breakfast
- 7 Mon Labor Day special ferry runs
- 13 Sat Elsie M load/run 7:30am
- 13 Sat Fire Drill 10:00am
 - Fire Bunnies lunch 12:30 pm
 - Fire Cmmissioners meet 1:30pm
- 19 Sat HIC Annual meeting 10:30am
- 28 Mon View Point articles due

Official Publication of the Hat Island community
3616 Colby Ave PMB 335, Everett WA 98201

Remember: All dogs must be in a carrier or muzzled while on the Hat Express

HAT ISLAND COMMUNITY

Board of Trustees
3616 Colby Ave PMB 335
Everett WA 98201
(360) 444-6611 Fax (360)444-6614
Web site: www.hatisland.org
e-mail: hioffice@hatisland.com

Pres: Ginger Harmon Hm Hat(360)444-6815
Hm AZ: 480-288-8810 cell: (425)387-1301
e-mail: gharmon35@aol.com

Vice.Pres.Bill Townsend Hm(360)444-6634
Cell 425-985-8894
e-mail: starkerservices@whidbey.com

Treas: Susan Dahl hm(360)805-2505
cell 206-234-2645
email: snjdahl@hotmail.com

Sec:: Becki Snellenberg hm (206)232-2699
cell: (206)498-7881 Hat hm(360)444-6719
email: beckisn@hotmail.com

Ttee: Alan dashen hm (425)455-9691
e-mail: alandashen@msn.com

Ttee: Scott Wilson cell:(425)483-3530
e-mail: scott@wilsonrogers.com

Island Manager

Chuck Motson Office(360)444-6611
e-mail: hioffice@hatisland.com

"View Point" Editor
Eleanor Bruegeman Hm(206)523-6002
e-mail: elbeeb@aol.com

Harbormaster

Barb Conwell 360-444-6656

Take your garbage home

**Hat Express
Schedule**



May 15, 2009 through September 29, 2009

Day	Depart Everett	Arrive Hat Island	Depart Hat Is- land	Arrive Everett	Remarks
Wed	8:00am	8:45am	9:00am	9:45am	See special runs on previous pages for the Labor Day Weekend
Wed	5:00pm	5:45pm	6:00pm	6:45pm	
Fri	6:00pm	6:45pm	7:00pm	7:45pm	
Sat	9:00am	9:45am	10:00am	10:45am	
Sat	11:00am	11:45am	4:00pm	4:45pm	
Sat	5:00pm	5:45pm	6:00pm	6:45pm	
Sun	9:00am	9:45am	10:00am	10:45am	
Sun	11:00am	11:45am	4:00pm	4:45pm	
Sun	5:00pm	5:45pm	6:00pm	6:45pm	