

**Call To Order** by Vice President Steve Wixson at 10:05 a.m.

Pledge of allegiance was said.

**Roll Call: Present:** Vice President Steve Wixson; Secretary Maureen Butrico; Treasurer Theresa Gray; Directors Jo Ann Colton, Nick Thomas, Andrea Gierhart, Bill Wehrwein, Lori Coyle, Ron Forsberg, Ron MacRitchie, Rick Lobliner, Joyce Cox, Scott Pickard

The audience consisted of **126 registered voters.**

**Recorder:** Michelle Gramm

**Employees:** Jerry Walker & Mae Horrigan

**Determination of Quorum** executed.

Vice President Steve Wixson asked for a moment of silence for our friend and President Matt Tuttle who passed away on April 13, 2006. He will be greatly missed.

Wixson made the following corrections to the draft of minutes from the 2005 annual meeting: Page 1, paragraph 1: correction to the spelling of a member's name; should be **Vozenilek**. Page 2, under Lake Control, last bullet point; need to get a name, **LLPOA sticker #, or MC #** and report it to the office. Page 3, under Election of Directors, Grand View: Nick Thomas was elected to a **3 year term**; he owns property in Grand View. Lori Coyle Motioned to approve the June 11, 2005 Minutes with corrections. Jo Ann Colton Seconded. Motion Passes.

## **STANDING COMMITTEE REPORTS**

**Executive:** Steve Wixson, Vice President reported:

Through Matt's leadership we have accomplished the following:

- All LLPOA records are in the office and all business is being done in the office
- An employee handbook has been developed and instituted
- A comprehensive review of the deed restrictions has been completed
- Developed the Architectural Review Committee (ARC) to work closer with members
- New mooring policy instituted with Lottery system to distribute mooring sites more fairly
- Installed automatic gates and surveillance cameras at North and South Lake launch sites, which are up and running
- Have cross referenced MC #, LLPOA sticker # and member information
- Sent letters to realtors reminding them that lake access does not give automatic mooring site on lake
- Continue with active Goose Roundup and reducing problems associated with geese
- Implemented LLPOA Website and continue to improve our web-site
- Working on having all LLPOA financials on the computer; already doing payroll on QuickBooks

**Budget and Finance:** See report. Theresa Gray, Treasurer, visual presentation and reported that we were \$27,481 over budget in outside services primarily the result of 2 lawsuits filed against the Association. Attorney Phil Baither will speak on these later. In addition to these lawsuits legal costs were incurred to complete a comprehensive review of our plats and deed restrictions, complete contracts concerning dredging, and a comprehensive review of all issues related to mooring and the development of our new mooring policy. Water quality control is \$59,000 over budget because we pre-paid that amount for 2006-07 to take advantage of a pre-pay discount. The six month reserve should be \$112,145 and we currently have \$72,244. Based on membership's direction at last year's annual meeting we have now placed liens on 59 lots totaling \$31,559. We have already collected \$10,468 which includes the payment of four liens. The minimum cost of placing a lien is \$14 and another \$14 to release the lien, along with office staff time and travel. Approving the By-law changes would allow the Board to impose fees.

Lori Coyle reported that with the installation of the new gate system the keys for the launches are being returned. Unfortunately, we do not have all the records regarding issuing the keys and deposits made. Out of the 305 keys that were given out, 131 have been returned and their deposits were credited back to them. We still have roughly 200 keys outstanding. 250 keys at \$50 = \$10,000. Many of these keys we do not have any records of. Also, recently it was \$50 for a key, but at one time it was only \$30 or \$25. How do you, the members, want us to handle those keys?

Member: Ask them how much they paid.

Llonda Putz/Royal Shores: No receipt, no refund.

Member: When were deposit amounts increased?

Board: don't know

Rob Londos/Cherry Park **Motioned** that if we do not have record or a receipt, no refund given. Jean LaRevitzear/Royal Shores **Seconded**.

Weingart/Lakeview: Need to put a period of time on it, so they can't come back in ten years.

Londos **Amended Motion** that if we do not have a record or a receipt, no refund given and keys must be turned in by December 1, 2006. Jean **Seconded Approved**. Voice Vote. **Motion Passes**.

Scott Pickard/Grand Point: I have a paper, but without an amount written on it. What then?

Maureen Butrico/Greenbriar: I was not charged as a Board Member, but some Directors were.

Butrico **Motioned** to not honor those sheets that did not have an amount specified. **Member Seconded**.

Joe Bacarella/Greenbriar: If no amount stated on receipt than refund lowest amount.

Butrico **Amended Motion** to give \$25 to those receipts without amounts on them. Romanoff **Seconded**.

Discussion. Jim Duwve/Grand Point: should be given \$50.00 if received after 1999. Board: some were charged and some were not. A count of 118 yes votes and 3 nays. **Motion Passes**.

Jerry Walker reported that we had a net gain of \$52,004, but we had a \$39,000 loss carryover on our tax return, so we had a net gain of \$12,000 and paid \$1800 in taxes. Also, we were above the limits for the Single Business Tax, which is \$350,000 in the State of Michigan, so we had to pay \$1,000 to the State.

Joe Affonso/Lakeview: We had \$122,000 more this year; does that mean we will have \$112,000 less in income next year?

Walker: yes

Member: Have our books ever been officially audited?

Joyce Cox: Audited statements are expensive; rarely done by Associations. We do have a comprehensive review of our books each year by Bailey.

### **Lake Control:**

Last fall the South dam was clogged so the lake levels were off. The lake level is mandated by a court order and controlled by the Hillsdale County Drain Commission. The summer level runs from 05/15 – 10/15 and the winter level runs from 10/15 – 05/15. We cannot change them.

The water treatment schedule is posted on our web-site; the dates are approximate.

We stocked 2800 catfish in our lakes.

When using fertilizers, lakefront owners need to use one with low or no phosphates, slow nitrogen releasing.

We had a suggestion from a member to raise a red flag or your hand on your boat when you drop a skier, thus signaling other boats so they know there is a skier in the water.

Tony Groves is here to give a report later in the meeting.

Please help keep our lakes clean by raking weeds and leaves out of the lake.

### **Maintenance:**

This year the committee installed electronic gates at our launches with the help of Tom Tuttle, Lee King, Bob Butrico and Ron MacRitchie. Everything is up and running as long as you know your code.

Surveillance cameras will be installed. The Board worked over Memorial Day weekend to assist our members at the gates.

Maintenance has \$45,733 in their budget for this year and it is being used cautiously. The majority of that is spent on the mowing contract which was awarded to Miller's Lawn Care for \$16,733 for one year.

Thanks to Lee King who keeps things going and to Pat King who is one of our Office Angels.

Additional accomplishments are: installation of baby swings, playground equipment repair, split rail fences repaired/installed, dead trees cut down, Subdivision signs added, boulders replaces poles at launches, yellow lines painted at ramps to assist members with launching boats.

We continue to work on the Land Study projects and currently accepting bids for seawalls at the North and south launches.

A big thank you to everyone on the committee.

Gary Grueneberg/Grand Point: closed a park in my subdivision; why are we paying more, but mowing less.

Board: We monitored the parks to see which ones were being used. We can't afford to mow them all and some had unsafe equipment.

Dave Morrissey/Cherry Park: Volunteered to mow lot at Killarney Circle and put rider on insurance to keep mooring sites there. What was unsafe there?

Board: The railing was unsafe.

Cox: Will review it and see where things stand after the June 15<sup>th</sup> deadline.

**Architectural Review:** Report not included in draft sent to members – distributed at 2007 Annual Meeting or mailed to members who requested it.

#### **Announcements:**

Please return your voter cards, we would like to laminate and re-use them each year. Thank you to our office angels. We now have an events committee that meets the first Monday of each month at 7:00pm. We have hot dogs & refreshments for after the meeting. They were donated by the Board and we are accepting donations today for next year's Annual Meeting. Goose Round-up scheduled for 6/16/06. Meeting on the north lake at 6:00am; south lake at 6:30am; need two people – 1 to drive and 1 to herd the geese; need to drive slowly. We are herding them to Cedar Court and Baker Road Park. Call the office to sign up. Please join us at the office afterwards for a continental breakfast. We are planning a golf outing for next year, please sign up to help with this event. Big thanks to Cheri MacRitchie and Cindy Wixson who did the table for Matt and the sign for the hot dogs. The boat parade will take place again this year; meet at the ramps with your decorated boat.

#### **Rules and Regulations:**

By law revisions. See revisions. The revisions are being done because there is a conflict between the deed restrictions and the by laws. This is trying to bring the bylaws in compliance with the deed restrictions. The Board is looking into changing the deed restrictions to better reflect the way LLPOA operates, how we use the lake and to better define a member and member rights and privileges. In addition we will more clearly define how the Building Control Committee (BCC) will operate within the LLPOA.

Last year it was voted to not increase the dues without membership approval, but it also included not assessing fees or penalties. Your Board is requesting a change in allowing fees to be charged and a vote will be taken later. For example: it costs the Association \$28 to put a lien on a property and the Board would like to pass that back to the member. This change would allow the Board to impose fees and penalties as needed to run LLPOA more efficiently and effectively.

The other area which needs clarification is who is a member when property is owned by a club. The club must identify the two individuals that receive full lake rights.

Lastly, the changes that were sent out showed Article VII Conduct of Business crossed out and it should have been Article VI crossed out and added to Article VII. So per Robert's Rules of Order we can make the correction. Coyle **Motioned** to amend the Bylaw changes with cutting Conduct of Business from Article VI and adding it to Article VII. Cox **Seconded**. Discussion. **Motion Passes** by voice vote.

Jim Duwve/Grand Point: Privileges only to the 2 listed on the deed prior Rules & Regulations committee debated this and thought we should extend it to the immediate family.

Coyle: Privileges are voting and a say in the discussion, nothing to do with preventing use of the lake as a guest. Clubs and trusts have to determine who the privileges are extended to.

Cynthia Affonso/Lakeview: Can guests put boats on the lake?

Coyle: No, it's in the boating section.

Duwve: page 2 addition

Coyle: Royal Shores' park states it's for Royal Shores' members only. We don't enforce it and we don't want to. More of this on the attorney's agenda.

Gruenberg/Grand Point: On page 6 the BCC is crossed out.

Coyle: The BCC is not a standing committee, per the deed restrictions. It exists independently of the Board.

Butrico: The bylaw changes are to have the bylaws in line with the deed restrictions. It is our intent to change the deeds and have the BCC become a standing committee of the Board along with additional changes, but that requires approval of 51% all members.

Coyle **Motioned** to change the bylaws as shown with the 1 correction. Cox **Seconded**.

Member: Are we giving permission to the Board to assess members?

Coyle: Only looking to assess penalties and fees. Property assessments are not included.

A count of votes was taken. 90 yes, 9 nays, 1 abstain. **Motion Passes**.

### **Election of Directors**

Nominations were accepted for the Election of Directors. The following slate was voted in uncontested.

14-Crystal Estates	Theresa Gray	1 year term, serving in subdivision they do not own
13-Laguana Park	Marie Milbourne	1 year term to complete rotation
04-Maguago Hills	Scott Pickard	1 year term to complete rotation
09-Lakeview	Rick Lobliner	3 year term
12-Plaza	Mary Tuttle	3 year term
11-Westdale	Steve Wixson	3 year term

Candidates for the 1 year Directorship for 15-Highland Green (as no one from the subdivision ran) were Debbie Pelmear/Grandview and Debbie Wynn/Royal Shores. Each candidate was given a few minutes to address the membership then asked to leave the room. Debbie Pelmear was elected by majority vote.

### **SPECIAL COMMITTEE REPORTS**

#### **Litigation Committee – Attorney Phil Baither:**

Robinson, Curphey and O'Connell from Adrian were hired for litigation. Mr. Baither is here to explain those matters.

Lasecki/Gibson suit is in regards to Outlot B in Indian Hills II. They own the lots west of Outlot B and the channel. There is now a beach area there that was created by Laseckis. They are asking for exclusive control and use of the land. LLPOA is seeking to retain control and ownership of a triangular shaped piece of land that is west of the channel on the Outlot B. It comes down to this area being used by all members or exclusively by Lasecki/Gibson. The Board is defending this in court. On July 3<sup>rd</sup> a pre-trial hearing is scheduled.

The suit with Vette has been resolved. Commercial property is responsible for dues and to be a member in good standing. A resolution was drawn up and agreed to by both parties.

Deed Restrictions are being looked at. Each subdivision has a separate deed restriction created by the developers and recorded in Hillsdale County. All restrictions are similar but not identical. The BCC created by the deed restrictions states the Lake LeAnn Development Company appoints 3 people to the committee. When there is a vacancy the remaining members appoint another member. The BCC is an independent self perpetuating committee and the LLPOA has no control over them. If a member has an issue with the BCC they can take them to court and sue, but if they were a standing committee of the Association the member could appeal to the Board. By changing the BCC in the deed restrictions it gives more accountability. It is not easy to change the deed restrictions. It can only be done by written agreement, signed and notarized with 51% of the lot owners in that subdivision.

The Association created the ARC, which is a shadow committee of the BCC.

Llonda Putz: Currently the BCC member does not have to be approved, they are appointed by the other committee members. Members of the Association have no say and the BCC determines what you can and can't build.

### **Lake Study – Tony Groves, Progressive AE**

We were hired by the township to do a study of the five lakes in the township and use the information as a basis to consider a sewer system with the support of the residents. Grants are being looked into to help cover costs. The Association hired us to then do a more in depth study on your lakes. There will be a general meeting before Labor Day and we will present our findings and answer questions. The community will have the knowledge to make an educated vote on sewers.

### **New Business:**

**Memorial Fund:** Butrico took some time to reflect on Matt...a friend, a leader and his dream. Matt had a dream for the Association, to have our own office and stop paying high rent. That is one of the primary reasons we have set up the Matt Tuttle Memorial Fund. We will create a place to call our own...Matt's Place. Through the help of our members we can make this happen. We are asking for your help and support. We need your time, talent and treasure. Any contribution would be greatly appreciated. Monetary contributions will be placed in a special restricted account for the sole purpose of making Matt's Dream a reality.

Llonda Putz: Knew Matt well and loved him. I sell PartyLite and will have a fundraiser for Matt's Dream. I will donate all proceeds to the Memorial Fund, which is 38% of what is sold.

### **Open Forum:**

Jeannie York/Grandview: Thanks to the Board, you have been through so much.

Wixson: Thank you Ray York for the visual presentation at this meeting and to Ellen Ewing for the sound system.

Member: How much will the new office cost?

Wixson: We hope to get help from members who are skilled tradesmen. Location has not been set. This will be brought before membership. We are looking at properties we already own.

Frank VanGoethem/Greenbriar: Why was the mooring changed from seniority to lottery?

Wixson: Recommendation from attorney.

Cox: It was to make it fair to all and to give all the same opportunity.

VanGoethem: I pay on 5 lots, why can't I get five opportunities?

Cox: 1 vote per member, 1 mooring slip.

Coyle: Mooring is new and the first time it was done it was set up as a five year plan. We did it on our own without the advice of counsel. We have since been advised that it is discriminatory. Board chose this plan, so everyone has a fair opportunity to our limited number of sites.

Continued discussion about seniority vs. lottery and attorney advice.

Llonda Putz/Royal Shores: We are paying for the privilege to be on or near a lake, not paying for mooring.

Board: correct

Discussion about paying for multiple lots, why not get multiple votes. The money maintains the lake and everyone is entitled to one vote. Our Association has been set up to treat members equally and fairly. To not give any one member more rights than another. Our system of government was set up similarly. Regardless of how much or how little you own your voice in decision making is equal to any other member. This will not change. One vote for one member.

Cox **Motioned** to adjourn. Gray **Seconded**. **So called** by Vice President, Steve Wixson.

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Michelle L. Gramm  
LLPOA Office Manager