

**Lake LeAnn Property Owner's Association Annual Meeting Minutes  
Somerset Center Fire Station**

**June 9, 2007**

**Call to Order** by President Maureen Butrico at 10:05am

Pledge of Allegiance. Moment of Silence for our men and woman serving the country.

**Roll Call:** President Maureen Butrico, Vice President Lori Coyle, Secretary Theresa Gray, Treasurer Debbie Pelmeur, Directors Jo Ann Colton, Scott Pickard, Bill Wehrwein, Ron Forsberg, Ron MacRitchie, Rick Lobliner, Debby Wynn, Jeff Gears, Marie Milbourne

**Absent with Advance Notice:** Nick Thomas

The audience consisted of 184 registered voters.

**Determination of Quorum** executed.

**Employees:** Michelle Gramm, Julie Sinkovitz, Lee King

Corrections to 2006 Annual Meeting Minutes as follows: page 3 Architectural Review report was not included in mailing, (copies at the 2007 meeting or member can pick up at the office), page 3 first paragraph spelling error Pay to Pat, page 4 under New Business word left out: Butrico took some "time" to reflect on Matt. Lori Coyle Motioned to approve the 2006 Annual Meeting Minutes as corrected. Theresa Gray Seconded. Motion Carries.

Agenda was amended to address the Motion for the LLPOA to immediately place lot 32 Indian Hills for sale at the beginning of the meeting and also to include Rules and Regulations after Architectural Review Committee, to change Lake Control report and Lake Study Results given by Scott Pickard, Architectural Review report given by Ron MacRitchie. Phil Duncan/Indian Hills Motioned to approve the agenda as amended. Rita Boyer/Cherry Park Seconded. Motion Carries.

Lori Coyle recapped the events regarding the island lot. This issue is not coming from the Board, but rather members of the Association. Starting in 1991 the island lot has presented problems to the owner of the lot. In 1994 the LLPOA president purchased lot 32 in Indian Hills without Board approval. A special committee was formed in September 2003 to investigate the numerous complaints related to the use of the island lot. In December 2003 the committee presented its report to the Board which included the following: lot not zoned as a park, approval of the adjacent lot owners needed to rezone, trash left behind, fires burning unattended, 4<sup>th</sup> of July party on island left one person dead, problem with trespassing on adjacent lots and dogs left unleashed. The committee recommended to immediately discontinue use of the lot and to sell it, which a legal opinion indicated that the LLPOA could do, as it was not designated as an Outlot. A conditional use permit to use the lot as a park was granted, but without Board approval. The permit was not obtained because Board did not request it and the adjacent lot owners did not approve. In July 2004 the Board convened another committee to review the costs in making the island a park. In April 2005 a final report from the Land Study Committee concluded confirmation of the reported problems, land inaccessible and limited use for members, increase liability for LLPOA and recommended minimum repairs totaling \$15,900 - \$18,700. At the 2005 Annual Meeting membership voted that general membership must approve the selling of any LLPOA property. To use the lot as a park requires a conditional use permit and approval of lot owners within 300ft of the lot. A picture was displayed to show that the sandy beach area members use is not the LLPOA lot. Consequences of keeping the lot include increased dues for sanitation facilities. No port-a-john company will provide service to the island lot because it requires a federal permit to transport human waste across open water. Estimated costs for a restroom facility is \$9200 for an electric toilet with septic and \$8500 for a standard toilet with septic. A building to house restroom could cost \$84,685, which includes a cement block restroom with steel roof, drain field to MI code, water well and permits. Repairs to the land to control erosion \$16,000 - 18,700 (based on 2005 pricing). Also, enforcement and maintenance costs associated with this. These costs were not figured into the increase of dues in 2005. Therefore, if this motion fails and we keep the island lot a one time assessment, effective immediately, to begin construction of the project, approximately \$20-\$50/lot and an increase in dues for ongoing maintenance of the facility needs to be approved, approximately \$5/lot/yr. Therefore it is moved that the LLPOA immediately place Indian Hills lot 32 for sale.

Debbie Spicer, Township Clerk, informed us that a conditional use permit was signed by the President of the LLPOA and was approved by the township. The adjacent lot owners (within 300 ft) were notified and able to come to the township hearing to voice their opinion. They did not need to approve the CUP (conditional use permit).

Dan Dear/adjacent lot owner: Not in favor of using the lot as a park and ask that members appreciate their property just as they appreciate their own. They continue to have members use their property without permission and have faced many problems.

Additional comments from members: need to work it out and enjoy the lot, people need to control their kids and not give them the keys to the boat after dark.

A Motion and Second from the Board of Directors to immediately place lot 32 Indian Hills for sale. A count of votes was taken: 76 yeas, 91 nays. Motion Failed. Maureen Butrico asked that everyone who voted against please be part of the solution and get involved in keeping the lot clean and problem free.

### **STANDING COMMITTEE REPORTS**

**Executive:** A Strategic Planning Meeting was held and the Board adopted a vision and mission statement. Vision: The Lake LeAnn Community will be safe and friendly, respectful of individuals and its natural resources; exemplified by a cooperative attitude which is just and fair to all.

Mission: Our mission is to serve and protect the Lake LeAnn Property Owners Association, a private lake community, representing all members with a caring and responsible attitude by imitating actions that will preserve and enhance all common and individual assets.

The committee has also begun to look at our deed restrictions, which will be discussed later by our attorney, Phil Baither.

**Budget and Finance:** We changed the tax year end from Feb 28<sup>th</sup> to Dec 31<sup>st</sup>; all accounting functions are on QuickBooks, increasing accounting efficiencies. Goals include: continuing to increase automation and having a balanced budget moving forward. Financials available in the office for any member wishing to see them. Member concerned with legal fees. From June 2006 – May 2007 fees as follows: \$14,509 for Lasecki/Gibson case; \$10,855 for general matters, including outlot research, mooring, island mooring, deed restrictions, etc.; \$1,518 for BCC matters.

**Lake Control:** Committee has obtained the permits for weed treatment. A new product used on the north lake did not work, so Professional Lake Management (PLM) retreated at no cost. Using a harvester in July. Continue to monitor water quality. Would like to use SONAR, but DEQ needs more information from PLM. Looking into milfoil weevil, a predator of the Milfoil plant.

Many lakes experiencing dead fish per PLM. Committee looking into adding fish habitat. There is a need for more members on this committee.

This spring we stocked channel catfish per DNR advisement. This fall would like to stock walleye if the supplier can show the fish are free of a fatal virus.

We will increase our efforts to identify illegal watercraft on the lakes, monitor illegal use of the gates and to identify members and guests who do not follow boating rules of the State and LLPOA.

Please return your fish surveys.

Lake Study: brief overview of the Lake Study was given including the physical characteristics of the lakes, watershed uses, type of lake = eutrophic, results of phosphorus testing shows north lake higher in phosphorus.

Recommendations: 1. aquatic plant control through chemicals and harvesting 2.dredging needs to be done in certain areas, but it is too expensive 3.watershed management including using phosphorus free fertilizers, need for sewers, keeping fire pits away from the lake and wetland protection.

**Maintenance:** Colton commented on how her committee was one of the best and she thanked each member for their help. Also a big thank you to Rick Griffith who helped us fix the north launch gate.

The committee has purchased a dump trailer and a power washer this year. They have also planted new trees. We are working on putting up a seawall across from the south launch and also recapturing 9ft of lost land at that area to maintain the easement for the members on the peninsula.

LLPOA has collected 13,700 for mooring improvements this year and based on the prioritizing of the land study along with the mooring study we will begin to spend that money. Pictures were shown of boats that were mooring incorrectly. Your boat must not touch the shore.

**Architectural Review/BCC:** The Building Control Committee was set up by American Central to protect property values and enforce building in accordance with the deed restrictions. BCC members do not have to be members of the Association. The Board wants the BCC to be a standing committee, just as the other committees are. The current voting members of the BCC are Rick Lobliner, Dave Luke and Bill Stuard.

The committee approved forty two projects and have thirty four applications.

**Rules and Regulations:** The committee presented and passed two new rules this year, which can be found in your May newsletter. This committee needs members. We also need volunteers to help identify fire pits too close to the water. Ash has high levels of phosphorus in them.

### **Election of Directors:**

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

08-Greenbriar	Maureen Butrico	3 year term
05-Royal Shores	Lori Coyle	3 year term
13-Laguana Park	Marie Milbourne	3 year term
04-Indian Hills	Bill Wehrwein	3 year term
03-Maquago Hills	Scott Pickard	1 year term, serving in subdivision they do not own
14-Crystal Estates	Theresa Gray	1 year term, serving in subdivision they do not own
15-Highland Green	Debbie Pelmear	1 year term, serving in subdivision they do not own
11-Westdale	Ross Flick	2 year term to complete rotation
10-Fariway Hills	Betty Woods	1 year term to complete rotation

There is also a vacancy for Plaza, which occurred after the newsletter went out so that position will be voted on at the next Board meeting.

### **SPECIAL COMMITTEE REPORTS**

**New Office:** A layout for the new office was shown. It is a basic floor plan including, two offices, lobby, restroom, two committee rooms and a walkout basement. The office will be located at Father Richard Park. We are doing a cost analysis for renting vs owning.

**Litigation:** Attorney Phil Baither gave an oral report on our current legal issues.

We are working to change our deed restrictions to bring them more up to date and to bring the BCC under the auspice of the LLPOA. The developer appointed the BCC and made it a self perpetuating committee. Currently the only recourse against the BCC is a law suit. Changing the deed restrictions would give members the ability to appeal the decisions of the BCC to the Board of Directors. Changing the deed restriction is a long process which includes finalizing the amendments and obtaining notarized signatures of the majority of lot owners in each subdivision.

The LLPOA is currently in litigation with members Lasecki and Gibson concerning a strip of property in Indian Hills, Outlot B. Lasecki received permission from the Board of Directors to dredge the channel and after the dredging he put up no trespassing signs. Lasecki/Gibson filed a lawsuit for continued and perpetual use of that land. We are now appealing the decision of the County Judge at the Michigan Court of Appeals.

### **NEW BUSINESS**

A Motion and Second from the Board of Directors to revise the Bylaws to add under Article III Section B. Dissolution. (3) In the event the LLPOA is dissolved, existing property liens and assessments will remain valid. Any assessment owned by LLPOA at the time the Association is dissolved, will be collected and equally returned to the Members of the Association in good standing at the time of dissolution. Motion Carries unanimously.

A Motion and Second from the Board of Directors to give the LLPOA Board of Directors the authority to conduct goose population control annually or at their discretion. Motion Carries unanimously.

### **OPEN FORUM**

Various topics of discussion were brought by members including: the new office, mooring policy, house abandonment, business in the association. The Board of Directors responded to the above as follows: the Association will not need a dues increase to support the new office, we received funds through donation; the current mooring policy accomplished our goal and we have sites left over; additional information about the abandoned house was needed; our only recourse in regards to businesses in the association comes from our deed restrictions, we need to work with the township.

Meeting adjourned at 12:18pm.

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Michelle L. Gramm  
LLPOA Office Manager