

**United Lost Lake Property Owners Association  
Regular Monthly Board Meeting Minutes  
September 17, 2009**

The regular monthly meeting of the Board of the United Lost Lake Property Owners Association was called to order by President Finn at 7 p.m. on Thursday, September 17, 2009, at Lake Court Center. President Finn welcomed everyone in attendance.

**Attendance:** Kay Chovanec, Don Finn, Sue Hill, Mick Kazmerski, Lois Lytle, Charlie Moore, Mike Robinson, Crystal Pohlman and Rosslynn Shaw.

**Absent:** None.

**Guests:** (see **ATTACHMENT A**).

**MOTION TO ACCEPT SEPTEMBER 17, 2009 AGENDA** (see **ATTACHMENT B**): Mike made a motion to accept the agenda, seconded by Lois. A voice vote was taken, and all present were in favor, none opposed.

**MOTION TO ACCEPT AUGUST 15, 2009 REGULAR MEETING MINUTES:** Mike made a motion to accept the August 15, 2009 regular meeting minutes, seconded by Crystal. A roll call vote was taken, and those in favor were Mike, Sue, Don, Crystal, Lois, Rosslynn and Charlie. Kay and Mick abstained.

**MOTION TO ACCEPT TREASURER'S REPORT** (see **ATTACHMENTS C**): Crystal explained August's expenditures and answered questions. Mike made a motion to accept the Treasurer's report, seconded by Charlie. A roll call vote was taken, and all present were in favor, none opposed.

### **COMMITTEE REPORTS**

**ROADS:** Charlie reported that the chip and seal work performed by JK French had been completed at a cost of \$44,920.00, \$600.00 below the original quote of \$45,520.00. Charlie gave his opinion that JK French did a good job. President Finn stated that this chip and seal work came in almost \$18K less than the budgeted amount, and he thanked Charlie for his efforts in securing the bid.

Charlie stated that the culvert at the corner of Timber Trail and Plum Court had collapsed, causing a drainage problem, and is in need of replacement. Ken Oltmanns has quoted \$1,500.00, which includes removing the old culvert and installing a new one; however, this does not include any road repair.

**MOTION:** Mick made a motion to authorize up to \$1,500.00 for replacing the culvert at Timber Trail and Plum Court, seconded by Ross. A roll call vote was taken, and all present were in favor, none opposed.

Charlie stated that the drainage ditches have been neglected over the years, causing water not to vacate as it should; specifically Lakeside Drive, the corner of Crabapple and Wild Cherry, and Portage Lane. Charlie will have these ditches corrected.

Charlie stated that two snowplow bids were received, each bidder requesting a 3-year contract. The first bid was from Ken Oltmanns for \$29K which includes moving chips into the storage area, with a stipulation that if fuel goes up, our price would go up. Charlie stated that if we were not happy with Ken's work, he would come back and redo any snowplowed areas. The second bid was from Wes Hughes for \$29.5K, who did our snowplowing last year, but this price did not include moving chips into the storage area. Charlie recommended that the

Board approve the snowplow bid from Ken Oltmanns.

**MOTION:** Mick made a motion to accept the 3-year snowplow proposal from Ken Oltmanns for \$29,000.00, seconded by Lois. A roll call vote was taken, and all present were in favor, none opposed.

Charlie stated that he was attempting to trim back tree branches along the roadside and trim the shoulder lines back, but that if anyone knew of a particular area that needed attention, to let him know and he would take care of it.

**BY-LAWS:** Mike indicated that he anticipates that at some point in the future when one set of Covenants is completed, certain items may wind up getting moved over.

**RULES & REGULATIONS:** Mike requested that a sentence be added to Section 6.09 of the Rules & Regulations regarding fallen trees.

**MOTION:** Mike made a motion to add the following sentence to the Rules & Regulations under Section 6.09: *In the event a fallen tree is a danger, a hazard or an eyesore to the Community, the ULLPOA Board has the right to require it be removed*, seconded by Sue. A roll call vote was taken, and those in favor were Mick, Mike, Sue, Kay, Crystal, Lois, Ross and Charlie. President Finn was opposed.

**SOCIAL LIAISON** (see **ATTACHMENT D**): Additionally, Sue gave a brief report on the recent 5<sup>th</sup> Antiques Road Show, and the upcoming October event with Eau Claire, Wisconsin resident Chad Lewis, author and publisher on haunted houses.

**DUES & ASSESSMENTS REVIEW:** No report given.

**ECC:** Mick presented to the Board a 10' x 12' shed variance request received from Gene Potaszczek who lives at 205 Crabapple, and he recommended that the Board approve the variance. Mick clarified that until there is one set of Covenants, properties in the Lost Nation Subdivision require a variance for a detached building, whereas in the New Landing Subdivision, detached buildings up to 12' x 16' are allowed without a variance.

**MOTION:** Mick made a motion to grant the 10' x 12' shed variance for Gene Potaszczek, seconded by Charlie. A voice vote was taken, and all present were in favor, none opposed.

Mick reported that he approved a culvert for a second entrance for Mr. and Mrs. Gene Elliott who live at 102 Green Ash, the Frost's home had been completed, and the Moss's shed had been completed.

Mick stated that a non-compliant electric fence issue was discussed by the Board in May, and at that time, the property owner (*Messer*) agreed to take the fence down. However, since taking the fence down, Mr. Messer has re-erected the electric fence. After much dialogue between the Board and Mr. Messer, Mr. Messer indicated that he taken the fence down a second time. President Finn stated that nothing more needs to be done at this time.

For clarification purposes, Mick stated that the 30' rear setback requirements previously listed on the permit application for detached structures now reads 15'. New homes still have a 30' rear setback requirement, a 27' front setback requirement, and a 15' front setback requirement or 10% in the New Landing Subdivision if the lot is a smaller lot.

**SECURITY:** Sue requested that the Board approve the purchase of one infrared camera (outdoor/all-weather) to be used at one of the gates, and if the camera works out, a second camera could be purchased for the other gate. Sue indicated that having an infrared camera would allow the security officers to better visualize the license plates and decals at nighttime. Pricing obtained online ranged from \$79.95 to \$189.95, with the option to return it after 30 days if not satisfied.

**MOTION:** Sue made a motion to purchase one infrared camera, not to exceed \$250.00, seconded by Mick. A roll call vote was taken, and all present were in favor, none opposed.

Sue reported that the number of trespassers found by the security guys has decreased. Sue gave credit to the people who keep an eye out for people that are fishing illegally and using the parks illegally, and then reporting it to security. Regarding the house on St. Francis that had been left unsecured, Sue stated that she had been working with the Health Department, but unfortunately the gentleman she was dealing with passed away. Sue reminded everyone to keep their speed down, pick up matter from your dog, call security to schedule a vacation check, and be sure to let security know when you return home from vacation, especially if you arrive home early.

**PARKS:** Charlie reported that he will be addressing a list of painting jobs to be done, and asked everyone to let him know if anything is found broken or needs attention at one of the parks.

**COVENANTS:** Sue stated that the Covenants Committee had met several times since meeting on July 24<sup>th</sup> with Attorney Phil Nye, and after making the changes suggested by Attorney Nye, the completed document is ready to go back to him a second time for his approval. Once Attorney Nye approves the document a second time, the Covenants would be ready to be presented to the Board for their approval, hopefully at the November meeting. Sue stated that the Covenants would not be mailed out to property owners until the committee is confident that 51% of the property owners would vote yes, as it would be a waste of POA money to mail them. Sue stated that one exhibit in the Covenants gives all the legal descriptions of the land that ULLPOA encompasses, and to defray costs, this exhibit would not be included until after the Covenants pass.

**OFFICE ADMINISTRATION:** President Finn indicated that the office would be undergoing the small modification that was approved at the August meeting, and completion should be done within a couple of weeks.

**PROPERTIES AND MAINTENANCE:** No report given.

**LONG RANGE PLANNING (see ATTACHMENT D):** Rosslynn indicated that the Board would get an opportunity to see the survey before it was mailed out to property owners, but she did not think it requires approval or disapproval by the Board.

### **UNFINISHED BUSINESS:**

**GATEHOUSE REPAIR:** President Finn stated that aside from a few electrical glitches, most of the West Gatehouse is completed, and that either a double loop or bigger loop tripping system is needed for the gate arms for which the POA would be willing to pay. Charlie stated that he would contact someone and get their feedback. President Finn stated that the East Gate kiosk locks are broken and need minor repair, and a light is out on the East Gate sign.

Mick asked if the outside outlet at the East Gate had been put on a separate circuit system from the gate arms, and President Finn was not sure if this had been done.

**ELECTION COMMITTEE:** President Finn gave the names of volunteers who offered to count ballots at the Annual Meeting: Kathy Skyles, Pat Nicolini, Margie Holzer, Harold Stromberger, Cyndi Cantrell, Toni Vella and Herb O'Rourke, plus two Board members Lois and Charlie. Four additional volunteers were solicited in the event that one of the counters is not able to participate. In an effort to reduce the time that it took last year to open ballots, President Finn stated that consideration is being given to opening the return envelopes prior to the Annual Meeting. Mike reminded Board members that during the time when ballots are being counted, committee chairpersons would give a year-in-review presentation, but that no copies would be distributed to the audience.

**MARTY PORTNER/VOLUNTEER CONTRIBUTIONS:** No report given.

**LAKESHORE IMPROVEMENTS:** President Finn again stated that Fischer had been given the go-ahead to complete the riprap work at Lakeside Park, consisting of approximately 500 feet. The two lakeshore properties owned by the POA (*lots 10 and 11*) on the East side would have to wait until funds are available.

**BABBLING BROOK BRIDGE UPDATE:** President Finn stated the permit was received last week from the Corps of Engineers for the repair work. He further stated that after meeting with Willett-Hofmann next week, the work would go out for bid, and approximately 30 days after that, all of the bids should be back. President Finn reported that shortly after November 2<sup>nd</sup> the RCD would be lowering the lake for the winter, and hopefully the lake lowering would help during the bridge repair work. Costs for the bridge repair work will not be known until the bids come in, and as information is available, it will be passed along.

**POSSIBLE SALE OF EAST OFFICE:** President Finn stated that an appraisal had been done by a licensed appraiser, and while interest remains in selling the East office, it has not been aggressively pursued.

**NON-COMPLIANCE VIOLATIONS:** President Finn stated that he met with Bob Schulze a couple of months ago concerning the storing of commercial equipment/machinery and materials on the properties he and his wife own, and a list of compliance issues for Bob to do was discussed with him. President Finn indicated that even though Bob has been living here a long time and has done a lot of work in the community, the Covenants state that lots are for private residences only. President Finn stated that the intention is not to run Bob out of business, and since meeting with Bob, he opined that Bob has made an honest effort to comply. President Finn recommended that the non-compliance letters issued to the Schulzes in May be rescinded, but with the understanding that if the lots go back to where they were a couple of months ago, the Board would have no choice but to send him another letter with a fine attached to it, to which Bob agreed and seemed to understand. Some of the conditions President Finn listed were that no materials could be stored outside unless it is being used on his properties, tractors and trucks have to be stored in the garage nightly and not outside on the property, with the exception of his pick-up truck and enclosed trailer.

Mick reminded everyone that the Board is here to enforce the Rules & Regulations, and because Board members are not out in the neighborhood policing every violation, formal complaints are a tool by which the Board uses to enforce violations.

Initially a motion was made to rescind the non-compliance letters issued to the Schulzes, but after Sue requested to see the list of compliance issues that were discussed between President Finn and Bob Schulze, several Board members felt that they were not ready to vote on rescinding the letters. As a result, the motion was withdrawn pending Board members seeing a written list of the compliance issues. Mick stated that providing a copy of this list to Bob would be beneficial for him as well, as he would then know what would be expected of him.

**SPEEDING VIOLATION FROM AUGUST:** Sue stated that the \$25.00 fine the Board approved in August would need to be re-discussed at this month's meeting, as the letter to the property owner inviting them to attend the August hearing had the incorrect date on it. Sue also stated that when she discovered the incorrect date had been given to the property owner, she called them back and apologized, and even sent an apology letter, re-inviting them to come to this month's meeting. However, since they did not come to this month's meeting, the \$25.00 fine still stands.

### **NEW BUSINESS:**

**DEAD TREE ON MASTERSON'S PROPERTY/FLAGG ROAD:** President Finn stated the owners gave the POA permission to have the tree cut down and removed.

**COMPLAINT FORMS:** Mike raised the concern brought to him by a property owner that the complainant's name, address and phone number are included on the letter sent to the offender. Mike feels that while this information should be kept in the office, this information should not be included in the letter. However, if the offender calls the office to inquire as to who made the complaint, it would be okay to give them the information.

**BULLETIN BOARD POSTING POLICY/BOTH GATES:** President Finn stated that Rosslynn would be putting together a written policy for bulletin board postings at both gates, and that hopefully at the November meeting the Board would vote on the policy. He also stated that after a policy is adopted, Rosslynn would monitor the bulletin boards to ensure that the policy is being complied with.

**QCD TORSBERG PROPERTY TO ULLPOA:** Mick reported that Mr. Torsberg has agreed to Quit Claim Deed to the POA the property located at the corner of Slippery Rock Drive and Des Moines Lane, provided the POA pays all the expenses to accomplish the transfer.

**MOTION:** Mick made a motion to accept conveyance of the property owned by Mr. Torsberg located at the corner of Slippery Rock Drive and Des Moines Lane, seconded by Mike. A roll call vote was taken, and those in favor were Mick, Mike, Sue, Kay, Don, Crystal, Lois, Rosslynn and Charlie.

**DRAINAGE COMPLAINT:** Charlie reported that the drainage complaint between two property owners had been resolved, and the drainage complaint on Portage Lane would be addressed and taken care of by Ken Oltmanns. President Finn stated there are a lot of ditches in the community that have never had work done to them, and this would be an ongoing issue that would need to be addressed every year in order to keep the ditches cleared. He further stated that the ditches that were addressed this year were ones where nearby homes were threatened by flooding. Mick reminded everyone that roadway easements are owned by the POA, and property owners should not be landscaping the ditches in front of their property, as this may restrict water flow either in the ditches or from runoff from the road. Charlie stated that it was appreciated when property owners mow the

easements, and as long as water flow is not restricted, it would save the POA money. Charlie further stated that next summer a lot of ditch work would need to be done. Sue reminded everyone not to blow their leaves, including grass clippings, onto another person's property.

**SPEEDING VIOLATIONS:** Sue brought several speeding violations to the Board's attention.

The first violation involved a property owner who was sent a warning violation for a speeding offense that occurred on 07/21/09 for 34 mph, and on 08/30/09 they were clocked going 30 mph.

**MOTION:** Sue made a motion that a \$25.00 fine be issued for the second offense, seconded by Charlie. A roll call vote was taken, and those in favor were Mike, Sue, Kay, Don, Crystal, Lois, Rosslynn and Charlie. Mick abstained.

The second violation involved a property owner who was sent a warning violation for a speeding offense that occurred on 07/15/09 for 35 mph, and on 08/07/09 they were clocked going 33 mph. Initially Sue made a motion to assess a \$25.00 fine, but after hearing the property owner's explanation that the first offense was not committed by someone she knew, nor were they invited to her residence, and the second offense was committed by her son who was in a different car coming to report that his daughter had been abducted, Sue withdrew her motion.

The third violation involved a property who was sent a warning violation for a speeding offense that occurred on 05/24/09 for 31 mph, and on 08/27/09 they were clocked going 33 mph.

**MOTION:** Sue made a motion that a \$25.00 fine be issued for the second offense, seconded by Charlie. A roll call vote was taken, and those in favor were Mick, Mike, Sue, Kay, Don, Crystal, Lois, Rosslynn and Charlie.

Sue again reminded everyone not to speed. President Finn explained that prior to the Board discussing and voting on a speeding fine, the property owner is sent a letter in advance, inviting them to attend the meeting.

**AUDIENCE QUESTIONS/COMMENTS:** Christine Turner who resides at 211\* Tamarack Drive stated that besides the speeding violations that were discussed, she attended the meeting to ask permission for her to display a sign on her lawn to bring awareness to the abduction of her granddaughter.

**MOTION:** Mike made a motion to allow the signage at both gates and at the Turner's residence, seconded by Rosslynn. A voice vote was taken, and those in favor were Mick, Mike, Sue, Kay, Don, Crystal, Lois, Rosslynn and Charlie.

**ADJOURNMENT:** Mike made the motion to adjourn, seconded by Lois. A voice vote was taken, and all present were in favor, none opposed. Meeting adjourned at 8:40 p.m.

Submitted by Leslie Edgar, Office Manager \_\_\_\_\_

**SUMMARY OF MOTIONS MADE BY THE  
UNITED LOST LAKE POA BOARD OF DIRECTORS  
SEPTEMBER 17, 2009**