

UNITED LOST LAKE PROPERTY OWNERS ASSOCIATION  
Regular Board Meeting  
MINUTES  
December 13, 2008

**Roll Call:**

Attendance:

Mike Robinson	Crystal Pohlman
Tom Wendling	Mick Kazmerski
Sue Hill	Don Finn
Lois Lytle	

Absent:

Sandy Lewis  
Marilyn Mancini

Motion to Accept Agenda:

A motion was made by Mike Robinson to accept the Agenda as presented. Sue Hill 2<sup>nd</sup> the motion. This motion was put to a roll call vote with the following results: Voting yea –Sue Hill, Mike Robinson, Crystal Pohlman, Mick Kazmerski, Don Finn, Lois Lytle. Voting nay – none. Motion unanimously approved.

Motion to Accept Minutes:

A motion was made by Don Finn to accept the November 8, 2008 minutes as presented. Mike Robinson 2<sup>nd</sup> the motion. This motion was put to a roll call vote with the following results: Voting yea – Mike Robinson, Crystal Pohlman, Mick Kazmerski, Don Finn, Lois Lytle. Voting nay – none. Abstained – Sue Hill (Sue was absent at the 11/08/08 meeting). Motion approved.

Treasurer's Report:

Crystal stated that the annual billing for dues and assessments is underway and will be mailed out after the 1<sup>st</sup> of the year. This is new for the New Landing Subdivision Members. They were previously billed in June and will now be on the same schedule as the Lost Nation Subdivision. The Sheriff sale on the last three properties that were in the foreclosure process of the New Landing Subdivision has been completed. We now have three more properties to sell and when the newly elected Board selects committee chairs, then the new properties committee will make the determination on what we're going to do with those three properties. Hannibal 26, Hannibal 151 and Memphis 12 are the properties in question. Tom Wendling asked Crystal if part-time employees accrue unemployment compensation. Crystal stated yes, that these are part of the payroll deductions sent to the state. Crystal answered a few other questions regarding items on the check register by Board Members. Mike Robinson made a motion to approve the treasurer's report as presented. Lois Lytle 2<sup>nd</sup> the motion. This motion was put to a roll call vote with the following results: Voting yea –Sue Hill, Mike Robinson, Crystal Pohlman, Mick Kazmerski, Don Finn, Lois Lytle. Voting nay – none. Motion unanimously approved.

**Unfinished Business:**

Computer Purchase - West Office:

Tom Wendling tabled this issue since only one bid had been submitted. It will be placed on the January Board Agenda.

### Volunteer Luncheon:

Tom Wendling stated that different ideas had been bounced around and instead of a luncheon a volunteer coffee with desserts would be more appropriate since there are so many people who do so much for the community. The Board decided to call it United Lost Lake Volunteer Appreciation Day. This item will be placed on the January Board Agenda to complete.

### Lakeshore Repair:

Tom Wendling distributed copies of bids from Lewis Pools and Fishers Excavating. Tom stated that some people have not responded to a request for bids. Mike Robinson suggested that we don't discuss anything until the RCD hears back from their bidders. Mick Kazmerski asked if the RCD was going to participate with us. Don Finn stated that we are not going to share in any funds back and forth between the two agencies. Don stated that we were going to try and piggyback on to their contractors so we can get the best price for us and the best price for the RCD. Mick felt we need more answers from the RCD. Don went on to state that there is no legal binding claim that we have to do this. Tom Wendling stated that there is a fair amount of erosion and that we need to take care of this. Tom suggested that we table this until the RCD gets their bids in. Marty Portner stated that the RCD submitted a grant to develop a silt basin at the end of Babbling Brook. He stated that he hopes to have this done by the end of their fiscal year – April 30, 2009. Marty stated that it depends on when construction can begin. There is also an issue with the weight limitations that are posted on the roads and when those weight limits are lifted.

Mike Robinson then asked about the lighting on the signage at the front gates. He wondered why there was lighting in only one direction on the signs. Frank Durkin will explain the signage lighting issue during committee reports.

### New Business:

#### 2009 Monthly Meeting Dates:

Tom Wendling stated that at the last meeting it was decided to move the monthly meeting dates to the third Saturday of the month. There are several problems with this. The Lake Court Center is booked on the 3rd Saturday of October so the Annual Meeting will be held on the 2<sup>nd</sup> Saturday of October. In February and September, the RCD facility is not available for meetings so the suggestion is to hold evening meetings for those two months. In February the meeting would be held on Thursday, February 19<sup>th</sup> at 7:00 p.m. and in September it would be held on Thursday, September 17<sup>th</sup> at 7:00 p.m. Tom Wendling made a motion to leave the Annual Meeting on the 2<sup>nd</sup> Saturday and to move the February Meeting to Thursday night, February 19<sup>th</sup> and the September Meeting to September 17<sup>th</sup>, on a Thursday night. Mike Robinson 2<sup>nd</sup> the motion. This motion was put to a roll call vote with the following results: Voting yea – Sue Hill, Mike Robinson, Crystal Pohlman, Mick Kazmerski, Don Finn, Lois Lytle. Voting nay – none. Motion unanimously approved. Becky Breckenfelder will be contacted to post these dates and all Board Members will also be notified of these changes.

#### Allocation of Funds for the Front Entrance Upgrade:

Tom Wendling explained that earlier this fall the Board had approved a set amount of dollars for the front entrance upgrade. He stated that we have not spent that money yet but there is still work to be done on the inside, lighting, landscaping, etc. He would like the Board to allocate the leftover funds to be used in 2009 and would be earmarked to be spent in 2009 but it does not affect the 2009 budget that was approved at the Annual Meeting. Mike Robinson noted that

there is only a camera that scans the back of the car and wanted to know if there would be a camera that would scan the front. Tom told him no due to the way the pedestals are set up on the inbound side at the west gate. Tom stated that there is about \$4,000 left out of the \$10,000 that was budgeted. There was also a discussion regarding some rewiring of the east entrance gatehouse to allow the outside outlet to be on a separate circuit. Tom Wendling made a motion to allocate the remainder of funds that were set aside earlier this fall to be used to complete the project in the year 2009 in the amount of \$4,000. Mike Robinson 2<sup>nd</sup> the motion. This motion was put to a roll call vote with the following results: Voting yea – Sue Hill, Mike Robinson, Crystal Pohlman, Mick Kazmerski, Don Finn, Lois Lytle. Voting nay – none. Motion unanimously approved.

#### Allocation of Funds for Volunteer Appreciation Day:

Tom Wendling stated that in the most recent planning meeting they discussed not exceeding \$500 for this event. This item was not budgeted for this coming year but he stated there was money to cover this. Tom Wendling made a motion to allocate funds not to exceed \$500 for the Volunteer Appreciation function to be held within the first six months of 2009. Mick Kazmerski 2<sup>nd</sup> the motion. This motion was put to a roll call vote with the following results: Voting yea – Sue Hill, Mike Robinson, Crystal Pohlman, Mick Kazmerski, Don Finn, Lois Lytle. Voting nay – none. Motion unanimously approved.

#### Ideas for West Entrance Bulletin Board:

Tom explained that he took off the bulletin board at the old gatehouse and it fell apart. He would like to do something similar to what is at the east gate where you have a separate bulletin board where you're not blocking traffic sitting at the gate. He stated that they have the room in there to allow a car to pass if someone was stopped to read the bulletin board. Mike Robinson stated that was a good idea and unfortunately the east gate did not have the room to allow another car to pass if someone has stopped to read the board. Tom suggested that perhaps they place it 25 feet past the gatehouse on the west side. Frank Durkin stated that he had spoken with Bill Sharp who had constructed the bulletin board on the east side and stated that Bill would be willing to submit a bid to duplicate that same application and stated that his cost for the east side was a little over \$2,000. Tom suggested that they only do a one-sided board, which would catch the people coming in. Tom Wendling stated that they have money but it is not budgeted for the coming year. Don Finn stated that we have \$4,000 and that should cover the cost and felt no monies need to be allocated. Tom stated that they would like to have ideas for the bulletin board.

#### Unlicensed Vehicles (ATV, Golf Cart):

Tom Wendling stated they needed to straighten out the unlicensed vehicle, ATV, golf cart, flag sticker, insurance requirement issue. Tom Wendling read item #4.07 from the Rules & Regs regarding unlicensed vehicles. Tom stated that we are doing away with the flag requirement and the \$300,000 liability insurance. Mick Kazmerski made a motion to accept these requirements as written. Mike Robinson 2<sup>nd</sup> the motion. This motion was put to a roll call vote with the following results: Voting yea – Mike Robinson, Crystal Pohlman, Mick Kazmerski, Don Finn, Lois Lytle. Abstained – Sue Hill. Voting nay – none. Motion approved.

#### Old Invoices for Ken Oltmann:

Ken Oltmann had submitted two invoices to Lost Nation a few years ago that were never paid. Don Finn stated that he had an invoice from Ken for \$130 dated 9/23/07 for road mowing and an additional one for \$325 dated 8/24/07 also for road mowing. Don's feeling is that Ken has done a lot of work for this community over the years and he's not been paid and Ken stated he had done the work and unless someone says that he has not done the work, then these should be approved and paid so this can be cleared up so the new Board doesn't have to deal with this.

Mick Kazmerski made a motion to pay those bills as submitted. Mike Robinson 2<sup>nd</sup> the motion. This motion was put to a roll call vote with the following results: Voting yea –Sue Hill, Mike Robinson, Crystal Pohlman, Mick Kazmerski, Don Finn, Lois Lytle. Voting nay – none. Motion unanimously approved.

### Decals:

Sue Hill brought up the issue of how many decals a property owner should be issued. We don't want people to order ten or twenty stickers for friends and relatives to be coming in and out of here. She felt that there should be a limit. Sue had Leslie call various lake communities to see what their policies are regarding stickers. Woodhaven does not issue stickers and Lake Carroll gives out one free sticker and every decal after that costs \$20. Mick Kazmerski made a motion that vehicle stickers are limited to vehicles owned by property owners – proof of ownership may be requested. If ordering more than five decals, please enclose \$5 for each additional decal requested. Mike Robinson 2<sup>nd</sup> the motion. This motion was put to a roll call vote with the following results: Voting yea –Sue Hill, Mike Robinson, Crystal Pohlman, Mick Kazmerski, Don Finn, Lois Lytle. Voting nay – none. Motion unanimously approved.

### Committees:

Roads – Don Finn: Don stated that UC Paving has not done the requested repairs and he has come to the conclusion that they are not going to do it. He will send them a letter on Monday stating that as far as we're concerned, this issue is closed and we will retain the \$5,000 that was held back. Don stated that winter snowplowing has gone well with only a few mailboxes damaged.

Rules & Regs – Mike Robinson: Mike read a statement regarding the By-Laws on the website (this statement is available at the East Office). Mike then went on to state that there was a meeting with the lawyer on November 13<sup>th</sup> and there were only 13 property owners present at that meeting. A few things he wanted to bring out that regarding that meeting that it is okay to have two standards. The new Board can change any existing variance and the second thing of importance was that all you need is two-thirds of the elected Board Members to approve By-Laws. It is not needed for property owners to approve them. And lastly, the Office Protocol that we had voted on at a previous meeting was unnecessary and actually what was in the By-Laws was sufficient and they were not as constraining as the ones we had voted on. He stated that hopefully, the By-Laws Committee, with some of the changes that occurred today with Rules & Regs and By-Laws that we can get together. He stated that there is only one item in Rev. M that we did not vote on. If you have something that is bothering you with the By-Laws, he requested that you please respond to someone on the By-Laws Committee so the next time we have a meeting we can get it together. Tom stated that Article XIII needs to be changed regarding the two-thirds of Board approval needed to change the By-Laws. Mike then asked if we are in agreement that the 10% – 20% that is in special assessments should remain that way? Don Finn stated that once all the changes are made in Rev. M we can vote on all those changes. Tom Wendling stated that Article VIII, Section II – 501c3 needs to have the 3 dropped from 501c because we are not a 501c3 (Revenue Code). Mick Kazmerski stated that the lawyer was very specific on the Board modifying a variance issued to Rules and Regulations but you cannot regulate covenants. Variances to By-Laws and Rules and Regulations are variances we can change. Variances to covenants are there.

Mike asked again if the Board was in agreement that the word contiguous lots is going to be removed from the By-Laws. He stated that this was something we never came to a resolution on because the lawyer said you have two options. Option 1 is after a certain date they are no longer

going to be or you as a new Board and a new entity can just stop them completely. Mick thought that they were going to end it or recreate it in some other form you could do that. Mike stated that “contiguous lots” do not exist in Rev. M. Crystal stated that she wanted to see Article XIII revised which is the article that states that the By-Laws have to be approved by the Membership. Sue Hill said that it could state “either by the people or by two-thirds of the Board”. Hopefully the Committee will meet and changes will be made and presented to the Board prior to the January meeting.

Social Committee – Lois Lytle: Lois stated that the Christmas Party was held last Saturday and approximately 100 people attended. She stated that in January two auctioneers will be speaking at Senior Focus and they will tell us all about public auctions and teach us the lingo that the auctioneers use. In February, Dr. Appenheimer will be coming from KSB Hospital and will be bringing one of his residents he is training. He will be talking about senior health and everyone is encouraged to come with any questions they have.

ECC – Mick Kazmerski: Mick wanted to remind everyone that all paperwork for any new building project must be completed and submitted 30 days prior to construction. He also stated that we need to remember our wildlife. Make sure our birds have food and heated water throughout the winter months.

Security – no report.

Utility – Mike Robinson: Mike read his report. (This report is on file at the East Office)

Parks – Frank Durkin gave a report about the lighting for the new signs. The current lights are only temporary. He stated that there will be four posts – one on each side of the sign. Each post has been stained to match the current signs and each one has a cap at the top. He stated that the logistics still have to be determined as to placement of these lights due to glaring, intensity and illumination and will have to be resolved before they can be placed in the Spring.

Covenants – Sue Hill: Sue stated that the Covenants Committee has not met recently but are scheduled to meet the 1<sup>st</sup> week in January.

Office Administration – Crystal Pohlman: Crystal asked that anyone on the Board who has volunteers to turn in for different projects they worked on should give those names to the office managers by the end of the year.

Tom reminded everyone that there will be an Executive Session Meeting on Monday, January 5<sup>th</sup> at 7:00 p.m. at the West Office to elect officers. Term limits will be drawn at the first open meeting in January.

Tom Wendling thanked all Board Members for their help over the past 2-½ years. Also, for moving on and making a lot of change in this community. He wanted to express his appreciation for all the input from Board Members and also the office administration people for their help. He wanted to offer to the new Board his assistance in any way that he can and wished the new Board much success.

Mick and Don thanked Sandy Lewis and Marilyn Mancini for serving on the Board and especially Tom Wendling for his leadership on this Board and getting us through some tough times.

A motion was made by Mick Kazmerski to adjourn at 10:51 a.m. Lois Lytle 2<sup>nd</sup> the motion. Unanimously approved.