

**LAKE SENECA PROPERTY OWNERS ASSOC., INC.**  
**MINUTES OF THE 40th ANNUAL MEETING MAY 17, 2009**

Janice Bilton opened the annual meeting. The following board members were also present: Jim Delcamp, Lynn Elston, Ron Parke, Jim Donze, Tim Moll. Mark Shenkel was absent. Mr. Boerst will be taking care of the parliamentary procedure part of the meeting. Don Swiatkowski will be security. If someone gets out of control, uses foul language, disrupts the meeting they will be escorted out of the meeting. The whole board will direct Don to do that.

**Certification of Quorum** – Janice Bilton asked to see all of your red membership tickets to see if we have a quorum. She asked Ron Parke to count the membership tickets. Ron Parke asked Rocky Warner and Tim Moll to help count. Ron Parke, Secretary, advised we do have a quorum, so we'll go ahead.

Janice Bilton introduced the Board Members: Ron Parke has been a volunteer and has been a very hard worker at the lake. Tim Moll has been raised here at the lake and has been very helpful volunteering. Lynn Elston is the Treasurer and has been working very, very hard on keeping our finances straight and making the board members tow the line. My name is Janice Bilton. I have lived here for 40 years. I have been on the board several times. I live on the south side of the lake. Jim Delcamp stated that she does a very good job. Janice continued with Jim Delcamp. He has also lived here 40 years. He has served on the board several times during that time. He does volunteer work and has worked in maintenance as Ron Parke has also. Jim Donze is our legal trustee and keeps our attorney abreast of issues. Mark Shenkel is not here today. He is Buildings & Grounds. This Board has worked very hard this year and we hope to continue this coming year. If you have general questions for the board, they will talk about their chairmanship throughout the meeting.

**Minutes - Reading and Acceptance of the 2009 Annual Meeting Minutes** – Janice Bilton asked if we should read the minutes aloud or accept them as printed. Ron Parke made the motion to waive the reading of the minutes aloud and accept them as written. Tim Moll seconded it. **Motion passed - Motion #09/05/01**

**Agenda for May 17, 2009 Additions & Acceptance:** Janice Bilton stated I'll give everyone a chance to talk about what they want to talk about, but I'm putting a 5 minute limit on it. I am not going to say, when you're half way thru, you have to shut up and sit down. But I do not want this meeting to go on and on and on. Please state your issue in 5 minutes if possible.

**Treasurer's Report** – Lynn Elston: Lynn Elston thanked Jim Beggs, who was a part of this board, unfortunately we lost him. I think that his family and the rest of the people who knew him are very proud of him and what he accomplished. He is one of the people who talked me into running for the board. Also, thanks to the rest of the board and especially all the volunteers who have worked so hard in the last year.

Turn to February 28, 2009 Balance Sheet. When the fiscal year started we had \$89,000 in and at the end of 2008 we had \$120,000. As of today we owe \$1,312,000 on the Dam Loan. We have \$70,000 in the Dam account so we'll be able to make the June payment of \$61,700 and carry over \$9,000 or \$10,000. This board made the decision to never pay more on the principal because the only people who will benefit are the people who are here in the year of 2025. The Income Statement shows last year we had a budget of \$300,000. This has changed drastically this year. This board made a pledge to never overspend on any account. We saved almost \$19,000 with all the volunteers and cutting costs. On top of that, we saved another \$15,000 with the dredge insurance payment left

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over. That money cannot be taken out except for an emergency. It takes two people and the vote of the board to get to that money.

When the last Capital Improvement was turned down, the board realized that at some point in time you have to address the infrastructure; roads, bridges, culverts, buildings, etc. If you don’t, the deterioration will set in and get worse. In December of 2008 the board looked at the Deed Restrictions and it specifically says in there that there is a \$30 charge for the improvement of the common properties of the infrastructure that the members use. We made a determination and made a motion to take that \$30 and separate it from the \$275 that goes into the General Fund and put the \$30 into the Capital Reserve Fund. Also a part of that Capital Reserve Fund is any dirt sales, real estate sales, building permit for new homes, bridge assessment, capital assets, etc. That way it doesn’t get spent on other things. With tremendous support from the membership, this Capital Reserve Fund has to be spent on infrastructure such as roads, bridges, culverts, buildings, etc. When we visited other sister lakes in Ohio, we found that when they let their infrastructure collapse, people started selling property, they went to other places and collections became a problem. Our roads need to be addressed.

If the collection process holds true to what it has been in the past, we think we can spend \$40,000 to \$45,000 on the infrastructure. That’s the good news. The bad news is when you take that \$30 lot fee away from the operating fund, it puts tremendous pressure on the operating fund. We’ve been able to get by with that because of all the wonderful volunteers. Now we can actually start doing things with the infrastructure.

On the Dam Loan, to make both payments for the year it is \$123,400. If you divide that by the \$350 dam fee per membership, that means we have to have 353 members paying that in full every year to make those payments. Right now we have some money in reserve in the Dam account. Currently as of today, we have 285 members paid up. We have 111 members who are not paid up and 22 of them will never pay. I’m just sharing with you what the future looks like. We really need to keep an eye on this stuff.

About the collection process, there is not a Corporation that can survive long term if you cannot collect the revenues that the membership owes. The membership set up the collection process through the by-laws in 2003. In 30 days, you get a notice. If you’re late 60 days you go to collection. If you’re late 90 days, the board has the option of putting a lien on property. As we sit here today, people who are 30 days over, they owe us \$2,500. People who are 31 to 60 days over, they owe us \$3,700. People 61 to 90 days over owe LSPOA \$40,000. That’s the problem. People over 90 owe \$118,000. People who have been written off but not forgiven owe \$147,000. This board is going to follow the by-laws. All these people who are calling the office and harassing the office help about their dues, this cannot be allowed to happen anymore. If they are not willing to carry their fair share with the rest of the members that do, this will not be allowed.

Let’s talk about this real estate stuff. The Association’s real estate taxes have gone from \$5,500 to almost \$9,000 next year. This is just the Association’s property taxes. This is getting out of hand, when you have an operating budget of \$125,000 and you have to pay \$9,000 in property taxes and another \$9,000 in insurance and another \$12,000 in utilities and then the office help spends half their time on collections. Over average we’ve spent \$10,000 in legal fees with lawyers and another \$8,000 in wages. So with the people who are not paying, we spend \$18,000 to collect from them. This is a problem.

The other issue I want to share with you is the North Central school levy. We’ve had two levies that have been voted down. Right now North Central is getting \$400,000 off this lake. They want another \$100,000 from us. I don’t think we can afford that. We need that money here. If that passes, that has the potential, in my opinion, to take us under.

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On the Collection process, there was a petition passed around in November by people to help the Board to collect the non-payment of dues and assessments strictly using the by-laws. Janice Bilton asked for a motion to accept the Treasurer’s report. Chuck Crow made the motion to accept the Treasurer’s report. Rocky Warner seconded it. Janice Bilton asked for discussion. Linda Earhart said Courtney Earhart went to the county commissioner and told them he does not get anything for his taxes that he pays. If everyone could go and complain about this, maybe we could get some results. It was suggested to call the court house to find out when they can meet on these issues. Rose Bowen asked if we could get some of the money the government is giving everybody. Lynn Elston responded that we did get a grant from North Western Electric for \$1,000. That comes from the round-up money you pay. We’re going to apply for that every year from here on out. Back to Rose’s question, I personally wrote a letter and an e-mail to every representative from the township trustee, county commissioner, Ohio Reps, Ohio Senators, Governor Strickland, all the US Senators, all the US Representatives, VP Joe Biden and President Obama asking for help. I just received a package from Sherrod Brown who is US Senator. Now I have to follow up on that to pursue every avenue that we can. Rose offered to help with this.

Janice Bilton informed everyone it is 2:00 pm and the polls are closed on the ballots, but not the proposals and the amendments.

Karen Raszka - Lots 885 & 886 asked if someone could write up a template that each of us could use and sign to send to the representatives. Janice Bilton stated that the Board will put a letter together and probably put in the next newsletter so members can sign and send it. We’ll have a list of the names & addresses in there also. You can send one to everyone you want.

Rose Bowen stated that if someone goes to these meetings, they should let people know they are going so others can join them. Janice Bilton explained that if you want to talk at these meetings, you need to call first so they can put you on their agenda. If you just want to go and listen, then you don’t need to call. Lynn Elston said that the best way to get their attention is to go to these meetings and take a petition with signatures on it letting them know there are number of people that expect to be represented.

Janice Bilton asked for a vote to accept the Treasurer’s report. No one opposed. **Motion Passed – Motion #09/05/02**

### **STANDING COMMITTEES**

**Beautification** – Barb Hulisz: Absent. Linda Earhart reported for Barb. Just to let you know as you can tell we recently painted the floor. There is a sign up sheet for volunteers to help for the garage sale on June 27, 2009. We will be installing new linoleum in the kitchen so when dirty boots come in, no one will know because it will be dark. We have shirts & hats for sale. Let us know if you would like to help take care of flowers. The clean-up day is on June 20<sup>th</sup>. If you want to help, meet at the front entrance at the bridge at 10:00 am.

Janice Bilton added that Beautification bought the paint for the floor and paid for half of the cost of the propane tank.

Lynn Elston added that Mark Shenkel worked on getting that propane tank. We also worked on getting an agreement with the propane supplier on the price of propane. We bought about \$2,000 worth of propane for the future for \$1.40 a gallon. That is a tremendous savings. That paid for the tank right away with the help from Beautification.

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**Recreation Committee – Lori Poynter:** Absent. Ron Parke reported that we have the sausage & pancake breakfast coming up next Saturday. We have horseshoes on Sunday and poker run on Monday. Next weekend, Memorial day weekend, is going to be pretty busy.

**Remarks by President -** Janice Bilton stated that volunteers have been working really, really hard down on the beach. They cleaned it all up and took good sand and leveled it off. Most of those people were from the Recreation Committee that was all volunteers. They got the sand down at the pit. They really worked hard.

I would like all of the volunteers to stand up. Audience Applause. Tim Moll stated there are three or four who helped, but are not here. They are Corey Fenicle, Seth Saladin, Timmy Moll and Dustin Barras.

Janice stated we will take a break right now. There is coffee and cookies on the counter.

After the break, Janice Bilton stated she would like to go into the committee reports. I will have each board member to give a little synopsis on what they do. We will start with Tim Moll.

**Lake & Dam, Security, Waste Water - Tim Moll:** As far as the Dam goes, we did get the report back from the state. There's really not a whole lot to say about that. We do have to get down there and get some of the small trees and brush, but we've been working on the beach since next weekend is Memorial Day weekend.

As far as security, if anyone wants to yell at people who are on the lake and are not supposed to be, help me out. It's hard to keep track of all of them. Sue Shenkel has been helping and doing a heck of a job.

As far as the testing of the water, it has been testing well. A question was asked about where are we allowed to fish down by the Dam? Fishing is allowed down in the river part, but not on the concrete part which is part of the Dam.

No further questions.

**Buildings & Grounds - Mark Shenkel:** Janice Bilton stated that he is not here. He's trying to get everything looking good; changing light bulbs at the main entrance, changing all the entrance signs, etc.

**Legal – Jim Donze:** There have been a lot of accounts turned over to the attorney and the collection agency for collection. That's all I have for legal.

**Office – Lynn Elston:** As you all know right now the office is only open Monday, Wednesday and Friday. We closed it two days so the office help can get their work done on those days. That was part of the \$3,000 savings in the office.

The other thing I want to clarify is that I know a lot of the members think that there are a lot of people working in there. The reality is there are only two people in there who are getting paid. The others are volunteers. Last year we spent \$15,800 on office wages. If you just had one person there full time, they'd be making \$7.61 an hour. They are pretty efficient in what they do and I think everybody understands they have a lot to do especially spending half their time with collections. They will start opening the office the Saturday after Memorial weekend. Janice Bilton stated that Carol Swiatkowski is office manager and asked her to stand up. Audience Applause.

Lynn Elston said the other part time person in the office is Brandy Saladin. The two of them together do not average 40 hours a week. There is the perception that we spend a lot of money in there, but we're really not for what they do.

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Janice Bilton stated if you see a bunch of cars out here in the parking lot, we're probably getting a mailing to the membership ready or collating the newsletter for mailing. Nancy Elston and Sue Shenkel have been putting the newsletter together with help from Mandi Crawford who puts it all together with the ads. They did a very good job and hopefully they'll do the next one.

**Dredge, Crane & Bridges – Ron Parke:** We can't do anything with the dredge until June 15<sup>th</sup>, but we have been hauling sand out of the dredge pit and putting it on the beach. We've hauled around 40 to 50 loads to the beach. It's starting to look pretty good. We need to get it out of the pit so we can dredge this year. We haven't done anything with the crane because we can't do anything until after June 15<sup>th</sup>.

I do want to thank the volunteers. They've been super as far as mowing, hauling sand using the dump truck. Audience Applause.

Ron Parke stated that I think everyone got the flyer stating that the Burn Pile has been closed. The burn pit has been shut down. We can't burn back there anymore because of the EPA. We really don't need anything more dumped back there because we have no way of getting rid of it. A question was asked what are we suppose to do with the brush and stuff. Should we burn until they tell us to stop? Ron Parke informed everyone, the EPA did tell us to stop. They have already threatened us with a fine. If the fire department comes out here if we burn, we will get fined. Janice Bilton said the fine is about \$1,500. A member asked about burning on their own property. Ron Parke stated that they will allow a recreational burn 3 ft to 5 ft ring. The farmers can do it, but we can't. Janice Bilton explained to the membership that you cannot burn within 1,000 feet of someone else's property. Ron Parke said that there is a possibility that we could start a composed pile, but then you run the risk of people misusing it.

A member from the floor stated she had a complaint about her neighbor building this huge pile and then setting it on fire. I'm tired of looking at this junk build up in front of my porch. My porch look towards the lake and this pile is right in my view. Janice Bilton asked this member to send a letter to the Trustees addressing this matter and we can send this neighbor a letter from the Board. Everyone can write up a complaint and send it to the Trustees. Ron Parke stated that if the fire department comes out here, someone is going to get fined. They will not even allow a controlled burn.

**Maintenance – Jim Delcamp:** Janice Bilton stated that Jim will be leaving the board this year. I think we should all give him a hand for all the work he's done for the lake. Audience applause. Jim Delcamp thanked everyone. It's been a pleasure working with this board. We've had disagreements and that is good because they should have disagreements that they work out. The board of trustees are suppose to represent the membership. There are some of the volunteers I have worked with and would like to acknowledge. George Pinc took his equipment out on Pontiac and worked on the road. Larry Laub has done a lot of volunteering. He & John Cook has done cold patch. Audience Applause. I want to thank Tim Moll for plowing snow and he was offered money to plow and he said he was a volunteer. Audience applause. Then there were three gentlemen and myself who put the roof on the salt shed out back. Bob Gallant, Larry Mercer & Larry Laub who volunteered for that. Audience Applause.

I have a couple of things I would like to talk about. One is that we had a relationship with the Commissioners and with Bridgewater Township. Somewhere over time, someone made them upset with LSPOA. Early this year Mark Shenkel and I asked Deb Nester about getting help from our taxes. The last time the county helped us with our roads was in 2001. We spent \$98,000 on the road in 2001. I don't know if the laws have changed or what, but now they can't help us because we are private.

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This is touching on what Lynn is in charge of....from January 1<sup>st</sup> to December 31<sup>st</sup> of 2008, this is a rough accounting of where the money has gone. This is just on maintenance labor. Jim Delcamp explained \$3,641 for roads, for the beach was \$885, the bridges were \$1,089, the dredge was \$800. There was some painting and other stuff done on the dredge to prepare it for operation. The pumps was \$347, snow \$877. On mowing of lots was \$1,710, mowing roads was \$2,149, work on the Dam was \$454, removal of brush was \$290, putting the docks in was \$685 and the work on the crane was \$544. That was all taken from the Job Report from the computer.

One thing I would like to see is try to get the garbage companies to come in with smaller trucks. The large trucks they come in with are tearing up our roads. We need to do something with the weight limit on our roads or something.

There are two culverts that need to be repaired.

Albright sent Ron Parke a report on which culverts need to be repaired or replaced. If we can fix these ourselves, we could save some money there.

### **PRESIDENT'S REMARKS:**

Janice Bilton stated that she did not call on two of our committees. One is the Rules, By-law and Deed Restriction committee. Some of the proposals you will be voting on today came from that committee. We are still working on the By-law documentation. We should have it all done in about two or three weeks. This committee has to come before the Board and any by-law changes will need to be voted on by the membership.

I do have several other people who I want to acknowledge. They are John Halderman, Bill & Joyce Collins and Steve Moore. These people are all part of this committee and they have worked very hard.

Clair Ham stood up and thanked this Board for the tremendous job they have done. A lot has been accomplished and I would personally like to thank each and every one of you. I think you've done an excellent job. Audience Applause. Janice Bilton thanked everyone.

Janice Bilton stated that we are requiring now that if you have a complaint, you come into the office fill out the form and sign it and it will go before the Board. We will not ignore it.

### **INTRODUCTION OF NEW BOARD MEMBERS:**

The Election – Janice Bilton stated that the election was fairly good. We had seven write-ins and one blank ballot. David Deubner is the only new member on the Board. He lives on the Island. He is currently in California. So you got us all again except for Jim Delcamp.

### **OLD BUSINESS**

**No Old Business**

### **NEW BUSINESS**

Janice Bilton stated that Doug Tansel would like to make a motion. The motion reads Current yearly special assessment on Capital Improvement for roads is \$20 per lot and established at the annual meeting. What I'm asking is \$20 added to each lot so we can put it towards the roads or any other Capital Improvement. Janice Bilton added, David Bilton Seconded it and there are 5 members who

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signed it. This is to add be added to Article 11a, the current yearly special assessment for Capital Improvement (roads) is \$20 per lot owned and established at the annual membership meeting. So the lot fee would be \$50 per lot and the \$20 will go towards the roads & culverts.

Don Bowen stated that this has been brought before the Board in the past but this is not a legal thing to do. You cannot do it. Why not just ask for \$100 assessment or increase in Dues across the board? You have already been informed by the Lake Association's Lawyer that this is not legal to do. Bill Collins stated that this could be the worst mistake we've ever made. One, our collection has gone along pretty good. Every member pays equal and we've done that for forty years. Also, the way it is set up with Deed Restrictions is one lot, one vote. If you have one lot, you get one vote. If you own 10 lots, you get 10 votes. To increase this lot fee, would not be a fair decision. You would be dividing the community. Much more discussion followed.

Jim Delcamp asked for a question. Janice Bilton read what they were voting on. Everyone for it vote now. 19 yes, 22 no. Motion Failed.

Don Bowen proposed to take a poll to see how many would be in favor in a \$100 every year increase in Dues no strings attached. Note now. 21 yes. 19 against.

Janice Bilton stated that Don Bowen's proposal passed. Jim Delcamp explained that a proposal made, voted on and approved at the annual meeting has to be mailed out. Two thirds of people sending their votes back that are in approval.

Don Bowen made the motion the Dues be increased from \$275 to \$375 effective March 21<sup>st</sup> 2010 continuing yearly. Rocky Warner seconded it. If this is voted in favor, this will be sent out to entire membership. Jim Delcamp called for a question. 21 yes, 19 no. This proposal will go out to the whole membership in a mailing.

A recount was in order. This is to pay \$100 increase – yes 21, 19 no. Proposal will be mailed to entire membership in 20 days. **Motion Passed – Motion #09/05/03.**

Rocky Warner made the motion to increase the Dues \$50 the first year adding \$5 increase every year thereafter effective March 1, 2010. Tim Moll seconded. Discussion followed. Janice Bilton asked for a vote. 14 voted yes. 16 voted no. Motion failed.

Janice Bilton moved on to the Amendment Article 4 section A to change the Annual Membership Meeting to Quarterly Membership Meeting. Which would be third Sunday in the months of May, August, November & February at 1:30 pm for transactions of such business that may come before the meeting. The election of new Trustees will be held at the May quarterly meeting.

This way we don't have to carry business for a whole year. We can take care of it quarterly.

Everyone got these and voted on them. If not, vote on them now. Place your votes on all the issues in the box if you have not done so previously.

Janice Bilton asked while these votes are being counted, does anyone have any questions.

Marcy Ducat stated she would like to make a motion. I move we increase the annual general membership dues by \$25 effective March 1<sup>st</sup> 2010 and \$5.00 increase for inflation every year thereafter. Karen Van Nortwick seconded it.

Janice Bilton explained to the membership that you'll get all this in the mail and you can vote on it. Vote yes 23. Vote no 6. This will go out in the mail. **Motion Passed – Motion #09/05/04.**

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**PROPERTY OWNERS COMMENTS & REMARKS:**

Mr Collins: I have everything covered.

Janice Bilton stated that the Board will go into the office and assign responsibilities to each Board member.

Janice Bilton stated that they have put me in as President again. Jim Donze is Vice President, Ron Parke is Secretary, Treasurer is Lynn Elston. Jim Donze is in charge of Legal & Long Range Planning, Ron Parke will do Maintenance, Lake & Dam will be David Deubner's responsibilities, Mark Shenkel is Buildings & Grounds, Dredging, Crane & Security is Tim Moll, Lynn Elston is Office. A member stated that's a fine group. Audience Applause. Ron Parke informed the membership that you can come in the office and sign up as to what you want to do and what equipment you are qualified to run.

Janice Bilton informed the membership that the quarterly meeting vote passed 38 to 12, the wording for quarterly meeting be changed passed 25 yes to 15 no and the proxy vote passed 22 to 17 and one blank vote.

Motion number one – Incentive package was 12 yes 2 no, did not pass.

The sale of lots motion number 2 20 yes , 15 no ` blank.

No other business.

Janice Bilton asked for adjournment. Darrel Durham made the motion. Chuck Crow seconded.

Vote was unanimous. **Motion passed - Motion #09/05/05 .**

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Janice Bilton, President

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Ron Parke, Secretary