

**LAKE SENECA PROPERTY OWNERS ASSOC., INC.**  
**BOARD MEETING OCTOBER 8, 2009**

Janice Bilton called the September 10<sup>th</sup> board meeting to order. The following board members were also present: Lynn Elston, Ron Parke, David Deubner, and Mark Shenkel. Jim Donze and Tim Moll were absent. Janice Bilton asked all the members who go to Florida, please make sure you let the office know your new address and when you are leaving.

**Minutes from September 10, 2009 Meeting:** Janice Bilton asked the board members if they had any questions, additions or changes to these minutes. Ron Parke made the motion to accept the minutes as printed. Lynn Elston seconded it. Vote was taken and it was unanimous. **Motion passed - Motion 09/10//01.**

**Treasurer's Report:** Lynn Elston asked the members to review September 2009 Balance Sheet as follows:

LSPOA Checking	-----	\$	20,743.57
Petty Cash	-----	\$	200.00
Operating Fund - Savings	-----	\$	43,002.03
Dam Fund - Savings	-----	\$	44,847.48
Capital Reserve Account	-----	\$	18,320.84
Operating Reserve	-----	\$	29,059.67
Emergency Reserve Fund	-----	\$	<u>15,558.79</u>
<b>Total Current Assets</b>			<b><u>\$171,732.38</u></b>

We've been getting a lot of money for the Dam; a lot more than what this sheet shows. We've taken in over \$20,000 within the last 8 days. We have about \$84,000 for the Dam so far. This board is trying to keep these last four accounts until next year. We are having a problem with our legal costs. They are a lot higher than anticipated. As far as the budget on the income statement, you can see under revenue, the short coming is where the brackets are. We are about 98% funded. We have a person who is trying to buy two lots and hopefully we can get the real estate account closed. Then we will be close to having 100% of the money collected that we projected and that's really good considering we still have 4 ½ months to go. If you look at the accounts under expenses, you can see none of them are overdrawn. That's because the Trustees are working together to make sure we keep them balanced. All the numbers on the right side that's the money we have in those accounts.

One other issue we have is we got all the tax evaluations back which is for about 325 lots which is about 200 too many. All the tax evaluations stayed the same. The one on this building is evaluated at \$134,000. I'm challenging this. Just this building is costing us over \$2,500 in taxes. I called the Auditor's office and talked to an appraiser. I'm challenging them to lower it. They will get back to us in November and let us know what the outcome is. If they don't get back to us in November, I plan to appeal it in January 2010.

One of the things we had to do in the office was to change our credit card company and our checking account company. State Bank & Trust was going to double our rates on everything. Carol and I contacted several banks and Huntington Bank came out and agreed to take over the credit card at a much cheaper rate. They will furnish the terminal to swipe the card and they're giving us \$200 to open a checking account with them. The State Bank & Trust see us as a non-value added customer in their operations. State Bank has new compliance fees, monthly fees, transaction fees, annual fees, etc.

One other thing I've been working on is a grant through the Department of Natural Resources called the Marine Grant. It doesn't look like we're going to qualify, but the revenue for those grants is coming from the sales tax on gasoline, watercraft licenses and US Coastguard which we all pay into. The catch is you have to have a certified Marine Patrol Officer to administer that and we don't have that. I'll try to get a hold of the district in Toledo and see if we can get something from them.

## **Board Meeting for October 8, 2009 Treasurer's Report Cont.:**

Our budget for legal collection is almost maxed out. Some of the reasons are, we have 70 members at the attorney, we've got 23 liens, we've got 10 at collection and we have some other law suits we have to deal with. We will either have to back off on some of those liens or we'll have to decide to spend the extra money to put more on. It affects the bottom line.

As far as these lots that have dirty titles, our attorney is trying to convince the Judge to wholesale the cleaning up of all the lots with liens. Another thing, some have a "Break in the Title Chain". Basically, back in 1967 when these lots were deeded over to LSPOA Inc., they were recorded in the Auditor's office but were not recorded in the Recorder's office. That creates a legal issue for us. This affects the financials, by the way. Janice Bilton asked for a motion to accept. David Deubner made the motion to accept. Ron Parke seconded it. Vote was unanimous. **Motion Passed – Motion #09/10/02.**

**Maintenance & Bridge: Ron Parke** – We have the dredge out but still have a little work to do on it. The pipes down by the bridge are all unbolted. We're just waiting until it dries up a little so we can get in there without tearing up the yard and get the pipes out. They'll be moved to the sand pit on the other side.

All the docks and all equipment on the beach has been taken out and put away.

We were using the old dump box from the dump truck for a scrap hopper. We cleaned that out and are using that for bulk salt. You can buy bulk salt a lot cheaper than bag salt. A volunteer took his dump truck and went to Ashley Indiana and bought 5 or 6 tons of bulk salt. We just have to get sand up here to get it mixed.

All the lots have been mowed. The mowers have been put away. They're all cleaned up.

We finished grading the back roads on the south side today. We still have a lot of work to do. We have the sand pit we need to finish cleaning out. We have some mill run to take over on Maka Trail.

The volunteers have been outstanding. They've kept the entrances mowed, the side roads, the main road, etc.

The Lake looks good. The volunteers have done a super job.

We still haven't heard on the pump on County Road R. We have a three phase motor and it's a one phase down there so we still can't use the pump. Ron Parke asked for any questions. David Deubner asked about snow removal. Ron Parke stated that we have a couple of volunteers to cover the snow plowing for this winter. Janice Bilton asked for any other questions. No further questions.

**Office: Lynn Elston** – Carol and Brandy have been working on Dam Assessment collections. They've been coming in pretty good. Obviously the last \$20,000 will be the toughest to get. They spent a lot of time working on the new credit card process and checking.

Janice Bilton asked for questions. There were none.

**Legal & Long Range Planning: Jim Donze** – Absent. Janice Bilton said we have a couple of things floating around as far as legal, but nothing finalized yet.

**Public Relations & Long Range Planning: Janice Bilton** – Everyone knows the store is closed. We hope that things work out and get it back open. A lot of people have been asking about it. The office is open Monday, Wednesday and Friday from 9:00am to 1:00 pm. If you can't get there during those hours, there is a Drop Box to put your notes, suggestions, questions and payments. Janice Bilton asked for any questions. There were none.

**Building & Grounds: Mark Shenkel** - The heating and cooling units have all been serviced. I have some molding on this window to finish and then we'll be done with that. I'm waiting on some blue prints for a building permit for a new home for John Cook on the south side.

The shingles on the lodge roof are curling and some that have been blown off. I'm collecting strictly material costs to replace it, looking at two different types of material. One is to re-shingle or go with the steel roof.

## **Board Meeting for October 8, 2009 Buildings and Grounds Report Cont.:**

Cost wise there is only about \$300 to \$500 difference between doing shingles for 35 year guarantee or a steel which is a lifetime guarantee. I'm just doing estimates right now; no labor.

Janice Bilton asked for questions. No questions

**Lake & dam, Waste Water: David Deubner** – The September bacteria count and all this year has been acceptable. We'll test this again in April. We're still planning on lowering the lake the weekend of the 17<sup>th</sup> of October. If there is too much rain, our backup weekend is October 31, 2009. There are two things to be done. One is to inspect the pipe that leads to the low flow structure to the flip bucket. There is some suspicion that there is some water leaking from the inside of that to around it and then coming out of the Dam. It is not considered a major structural issue, but we are supposed to see if there are leaks inside that pipe. We have to lower the lake level and someone will have to take a look.

The other thing that we will need to be do is pump the water out of the flip bucket and see how much debris is in there and what will need to be cleaned out. Ron Parke and I went out there on Sunday and checked the gates and the low flow structure and they seemed to move easily so we don't anticipate any problems. We need volunteers. We really don't know how much work needs to be done, but we do need volunteers. We will start lowering the lake either Thursday or Friday slowly so we can do the inspection on Saturday morning. If anyone wants to volunteer, please show up on Saturday morning or check with Ron Parke or myself on the 17<sup>th</sup> of October.

Janice Bilton asked for any questions. Janice stated that the biggest thing is if you have a boat or pontoon on the lake you may want to take it out before the lowering or it may get stuck in the mud. Ron Parke stated that once we check that tube, and clean the flip bucket it won't take long to bring the lake up. It will only take a day or two for the lake to fill back up. If we get rain, we won't be able to do it.

**Security, Dredging & Crane: Tim Moll** – Absent. Janice Bilton stated that the board members did talk about Tim's absents tonight and we're just going to let it ride until the election in May. It would be very hard for someone to walk into this at this point and get caught up to speed on everything. Dredging and the Crane are pretty much completed. On security, we're still working with the Sheriff's department to keep that going. Ron Parke stated that Thane Faber will be coming here to finish with the crane as soon as his job permits.

**Recreation Committee: Lori Poynter** – Absent. Carol Swiatkowski stated that a pancake and sausage supper will be coming up on October 14<sup>th</sup> and the Halloween Dance is on October 31<sup>st</sup>. The Ohio vs Michigan game will be on the third Saturday of November. We will be using the TV in the lodge to view it.

**Beautification Committee: Barb Hulisz** – I would like to thank Jan Boerst for taking over the flowers and weeds. She's been doing a really good job with the access posts. We have themes for all of them now. She got some new people to help so that's a good thing.

Someone put in a suggestion to Beautification to put a grille up here at the lodge. We don't know yet if we want to build one or buy one. We would need approval from the Board as to where we should place it.

This Monday will be our last meeting until March.

### **OLD BUSINESS:**

Janice Bilton asked if anyone had any old business. There was none. Janice stated the only thing she had was about the snow plowing. The Board cleared this issue up. Whoever plows snow will get paid.

## **Board Meeting for October 8, 2009 Cont.:**

### **NEW BUSINESS:**

**New Motions – Lynn Elston:** After talking with Bruce Ernst about Chip & Sealing Seneca Drive next year, he advised that we schedule it early. So, I'm making a motion now to spend approximately \$16,500 from the Capital Improvement Fund to cold patch and chip & seal the paved road from Seneca Drive Bridge to St. Rt. 576. We spent that much on the south side from Lumbee to the bridge and next year we'll do this side. Mark Shenkel seconded it. Janice Bilton asked if anyone had any questions on how it's worded or on anything. No questions. Vote was unanimous. **Motion Passed – Motion #09/10/03.**

Lynn Elston has another motion. This motion is on how we're going to sell the association lots and it's based on a membership directive that was presented to the board at the May membership meeting. Here is the motion they presented. Lake Seneca Corporation to sell any saleable lot that it owns to the highest bidding new member either through sealed bids or public auction. If no bids from new members, then sell to highest current member to get off of the \$75 per year cost to the association. Buyer will pay the transfer cost. Lynn explained I did some research on this and there are about 220 lots that could be saleable, 121 are not mortgaged. Some of the other ones could be traded if someone wanted to buy them.

Lynn Elston read the other part of the motion. All LSPOA saleable lots are for sale effectively today, 10/08/2009, for or above the County Auditor's appraised value to any acceptable buyer.

To satisfy the other part of the motion, this is how it reads:

LSPOA Inc. will, effective October 15, 2009, offer for sale all saleable lots by sealed bids. Sealed bids will be accepted October 15, 2009 thru February 28, 2010. All bids received at Lake Seneca Property office will be opened on March 1, 2010. The highest new member bidders will be given the opportunity to purchase said lots by signing an Intent To Purchase form after reviewing the LSPOA organizational documents, ie: Deed Restrictions, By-Laws, Rules, transfer costs, etc.

Once a new member signs an Intent To Purchase form for up to three (3) lots, they will then be considered a member in regards to purchasing other lots.

Lots that have no offers from new members will be offered to current members thru the same process.

This offer will be advertised in local newspapers and surrounding area papers. The cost will come from the Capital Reserve Fund since the proceeds from the sales will go back into that same fund.

Janice Bilton asked for a second on this motion. Mark Shenkel seconded it. Janice asked for discussion.

There was discussion on the number of lots that can be purchased and who can purchase. A new member can bid on one lot or up to three lots. Once they have purchased three lots, they are considered a member and if they want to purchase more lots, they have to purchase the additional lots at the appraised value.

Janice Bilton asked for a vote. Vote was unanimous. **Motion Passed – Motion #09/10/04**

Mark Shenkel presented a motion on Policies and Procedures on filling out a complaint form if you have a complaint. This is to try and alleviate or help the office personnel because they spend a lot of time on the phone addressing complaints. If someone has a legitimate complaint, instead of calling the office they can come in the office and fill out the form and the Trustees will review each complaint and respond back within two weeks max. Vote was unanimous. Lynn Elston seconded it. **Motion Passed – Motion #09/10/05**

The other motion is to accept the actual form itself. Lynn Elston seconded it. Vote was unanimous. **Motion Passed – Motion #09/10/06.**

**Board Meeting for October 8, 2009 New Business Cont.:**

Lynn Elston thanked Courtney Earhart and Ingrid Halderman for circulating the petition that will eventually be sent to Congressman Bruce Goodwin. I'm still waiting for feedback from the other lakes. When I get all that back, we're going to forward a package to Congressman Goodwin.

**Trick or Treat Day & Hours** (Did not discuss)

**BUSINESS FROM MEMBERSHIP SLIPS**

Darrel Durham put a driveway in on a member's lot near the entrance. This member put "D" rock on his lake shore and was wondering if the lake would pay for half, he would put "D" rock along the shoreline of the access lot next to his lot. That way that whole corner will be covered. There was discussion on the cost of this. It was decided that Ron Parke and Darrel would take a look at it and try to get an estimate.

No further business. Janice Bilton adjourned the meeting.

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Janice Bilton, President

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Ronald Parke, Secretary