

**LAKE SENECA PROPERTY OWNERS, ASSOC., INC.
BOARD MEETING NOVEMBER 18, 2010**

Minutes of the Lake Seneca Property Owners Association, Inc. Trustees Meeting
Held at Lake Seneca Arrowhead Lodge on November 18, 2010

Roll Call: Sue Shenkel, Jim Donze, Lynn Elston, David Deubner, Denny O’Hair. Excused absentees were Ron Parke & Roger Pontious.

Meeting called to order by President Sue Shenkel.

Sue Shenkel read the motion to change rule #69.7 to read: ATTENDANCE AT BOARD MEETINGS (Amended 2010) Any property owner may attend Board of Trustees meetings. Should he/she wish to speak to the Board, the property owner may raise their hand and will be acknowledged by the President. When the agenda dictates, the President will call upon the property owner to present his/her concerns to the proper Trustee. A five (5) minute time limit will be enforced; unless granted extra time by the President. A member speaking without authorization shall be ruled out of order by the President. If a second out of order is issued to any member, he/she will be asked to leave the meeting.

Motion made by: Lynn Elston Second by: Jim Donze Discussion followed.

Motion passed: Yes = Unanimous - Effective from this time forward. **Motion #10/11/01**

Jim Delcamp asked isn’t there suppose to be a record of all motions made? Lynn Elston stated yes. We have a binder in the office with all the motions made since I’ve been on the board. Jim Delcamp stated that the rule #s 69.7 & 75.3 had a sentence that stated any further amendment must be made by the LSPOA membership. There was never a motion to remove these sentences so there is no record of the changing of these rules. Lynn Elston said there was a meeting called by the President at that time where you were there and Linda Earhart was there. At that meeting there was a sense of urgency, as you know, because we had to have these rules & by-laws recorded at the court house by September 8, 2010. There is a motion to change this wording on these rules that Janice Bilton executed. Her intent was to run it by the next board meeting but that didn’t happen. We have her motion in the book in the office if anyone would like to see it.

Sue Shenkel & the rest of the Board Members granted permission for Randy Bernath, a non-member, to stay for the meeting but will not be allowed to speak. Lynn Elston acknowledged all the volunteer work Randy did last year and Lynn and the Board thanked him for his work. Audience applause.

Property Owners Time:

Merland & Bev Torkelson – The lodge is attached to our septic tank and you have asked us to pay for our Dues for that property. Back in 1996 the Board was supposed to give us a date as to when they would disconnect from it and that hasn’t happened. The Board did not charge us for the Dues in the past due to this situation. When we bought the house, the stipulation the bank had was there would be the lodge would disconnect and that has not happened. We cannot sell that house with the lodge still connected. We are asking for our Dues to be waived or to disconnect from our septic system. Sue Shenkel stated that the lodge property is considered commercial and a septic system would be very expensive. Much discussion followed.

Board Meeting for November 18, 2010 – Property Owner’s Time Cont.:

Sue Shenkel asked for a motion to suspend the Dues on lots 183 & 184. Denny O’Hair made the motion to suspend the Dues on lots 183 & 184 in the amount of \$335.00. Jim Delcamp stated that in the past we provided the maintenance of the septic tank. Denny O’Hair rescinded the original motion and then made the motion to suspend the Dues on lots 183 & 184 in the amount of \$335.00 and maintain the maintenance of the septic tank.

Motion made by: Denny O’Hair Second by: David Deubner
Motion passed: Yes = Unanimous **Motion #10/11/02**

Sue Shenkel asked for any other issues and/or concerns.

Merrie Ann Ferow stated that our lake is not private. This is an issue that maybe we can work on before spring. Non-members have been swimming at our beach and putting their boats in the lake. Sue Shenkel addressed this issue. We are only as strong as the membership dictates. The first weekend of the season I sat down at the boat launch. Within a half hour after leaving that gate was left open. You have to police yourselves. If anyone has any suggestions, please write them down and give them to us. Rocky Warner stated that this is where we use the decals for our vehicles and watercraft. It would be much easier to police. Much more discussion followed.

Jim Coolman asked what can be done about the 4-wheelers. The back lots are so tore up by the 4-wheelers that you can’t even mow those lots. They come from P-50 and County Road 8, but most of them come from the Lake. Discussion followed to no conclusion.

Jan Boerst stated that she cannot get a response from Aqua Ohio on issues that we have. Sue Shenkel stated that everyone needs to contact the PUCO if you do not get a response from Aqua Ohio. Jim Delcamp stated you need to follow up with a letter to PUCO.

Dan Mangas stated that I want to put a garage on my lots across the street from me. I bought them from a former board member knowing what my intentions were. She did not tell me I could not build a garage across the street from my home. Much discussion followed. Sue Shenkel asked Dan Mangas who denied you a building permit because your attorney’s letter states that you were denied a permit. Dan explained that the dirt and the layout was done while I was gone without my knowledge and when I came home, I came to office to get a permit. That’s when I found out it was against the deed restrictions. Sue Shenkel asked for a motion to enforce the Deed Restrictions by denying a building permit for Mr. Mangas for his garage on an adjacent lot.

Motion made by: David Deubner Second by: Denny O’Hair
Motion passed: Yes = 4 No = 1 **Motion #10/11/03**

Merland & Bev Torkelson asked why the Amish were allowed to use our beach and swim. The horses were up by the tennis courts and they leave droppings. The horses should be bagged. They were guests of a member, but we will look into this.

Approval of minutes for October 14, 2010:

Motion to accept minutes of previous Trustee meeting dated: October 14, 2010

Motion made by: Lynn Elston Second by: Denny O’Hair

Motion passed: Yes = Unanimous, accepted as is. **Motion #10/11/04**

Board Meeting for November 18, 2010 Cont.:

Treasures Report: Lynn Elston See Balance Sheet and Expenses as presented for October, 2010:

LSPOA Checking	-----	\$	13,425.95
Petty Cash	-----	\$	200.00
Operating Fund - Savings	-----	\$	42,828.57
Dam Fund - Savings	-----	\$	64,074.85
Capital Reserve Account (Roads)-	-\$		32,040.17
Operating Reserve	-----	\$	20,338.28
LSPOA Checking w/Huntington Bnk		\$	3,806.82
Special Road Assessment	-----	-\$	28,106.60
Emergency Reserve Fund	-----	\$	<u>16,079.21</u>
Total Current Assets			<u>\$220,900.45</u>

We have pretty much collected what we projected we would. There are about 300 people who have paid on the Road Assessment and about 40 or 50 who normally pay but haven't paid yet. The aged receivables are a little higher than normal. It shows that some people are struggling out there. It appears we will have money left over for utilities due to the fact that we own our propane tank and can shop around. All the Trustees have done a good job at keeping their budgets in check. There is money left over in Maintenance Wages thanks to all the volunteers. About \$700 savings in real estate taxes because we had the lodge re-evaluated. The insurance was cancelled on the old red truck. We got a rebate check for about \$450.00

Sue Shenkel asked for a motion to accept Treasures Report:
Motion made by: Jim Donze Second by: David Deubner
Motion passed: Yes Unanimous. **Motion #10/11/05.**

Committee Reports

Maintenance – Ron Parke: Absent – Sue Shenkel reported that Ron had called her and told her all the equipment has been winterized. The plow is on the dump truck. The sand and salt has been mixed. We are ready for the snow.

Office – Lynn Elston: Our office copier died, so we had to shop around for a copier. The quote to repair it was more than a fairly new one. We wound up buying one from Current Office Solutions for \$550.00 plus tax. They take care of the toner and all the service. Thanks to Beautification for donating \$400.00 towards that. The Membership only had to pay approximately \$150.00. Another issue is the IRS wants us to start paying by e-pay. There is a 1998 computer in the office that is so old & slow it's like watching grass grow. Sooner or later we will have to replace that computer. That's the way business moves.

Legal & Co-Chair Long Range Planning – Jim Donze: I got a hold of a letter that someone put in the drop box about Larry Sines and why no one has tried to go after him. We have tried but the real estate tax liens and the IRS liens all will come before us. There wouldn't be anything left after we spent the money to foreclose on him. He also declared bankruptcy. They wanted to know who the board members were when this happened. Gregg Snyder was president, John Halderman was vice-president, Gary Raymond was secretary, Ken Ducat was treasurer, Jim Wheeler was a Trustee, Gary Bailey was Trustee and Rita Mercer was Trustee. Larry Sines was also giving out the combination to the launch at the hardware up in Morenci. Hopefully the county auditor will foreclose on him so we don't have to spend that money and then maybe we will get something without spending anything.

Board Meeting for November 18, 2010 – Committee Reports Cont.:

Buildings & Grounds – Dennis O’Hair: There is a member who is putting 6 inch tile in his ditch and there is a minimum of 8 inch required. Sue Shenkel stated that member is not here so we will have to follow up on this. Denny continued - John Halderman has applied for a permit for 8 inch perforated tile to be installed around the water tower. Aqua Ohio is paying for this replacement of tile. Sue Shenkel has been overseeing the Buildings & Grounds responsibilities until Denny took over. I did a walk thru for Tom Kline’s houses and Mr. Orwig’s house. They all passed inspection. There was a \$1500.00 dock stolen and was on a member’s property. The sheriff was called and the member said he was going to repair it. He was told to have it back to the shop yard by a certain date and he complied. Charges were dropped. The empty house up on Yuma had people in there working. Come to find out the house had been sold and they were making repairs. Regarding the white box truck on Tass; I ran the license plate and the Vin code. Carol sent a letter to Mike Sulier about the numerous complaints about this truck. I did receive a phone call from their son. In the letter we gave them 7 days to remove it. The son asked if he could have 3 more days. I gave him the 3 days. If it is not gone, it will be towed.

Public Relations & CO-Chair Long Range Planning – Sue Shenkel: I got with Mandi Crawford on updating our website. It has the Deed Restriction, By-Laws and Rules. The Krafter’s Klub and the Exercise Class will be put out there also.

On Long Range Planning – Whatever it takes to maintain the Dam, Lake and the infrastructure I am for. If we don’t have those three items, we are doomed. Sue Shenkel addressed Lonnie Sumner about volunteering to get out in the water and designate where it needs to be dredged. Sue asked for any other suggestions.

Rocky Warner stated that we should change our by-laws so we could put up a pole barn on an adjacent lot but they would still pay 1/2 year Dues. Lynn Elston added that you need to take a petition and a notary with you and get everyone’s vote. You need 2/3 of the membership vote. More discussion followed.

Lake & Dam, Waste Water – David Deubner: All of the wood has been hauled off the dam using the large dump truck and thanks to the volunteers.

Dredging & Crane – Roger Pontious: Sue Shenkel reported that Roger has winterized the raft for the dredge. There is on-going maintenance on the dredge right now.

Road Committee – Clair Ham: Courtney received a quote for one mile of road. It was pretty high. They are looking for more quotes

Recreation Committee – Lori Poynter: Absent. No report.

Beautification Committee – Barb Hulisz: We are done until March 2011.

Old Business

Jim Delcamp – Concern about rule changes. Covered earlier

Rocky Warner – Concern about bid on lot. Lynn Elston reported that it would take \$2000 to clean up each lot that has liens. We just can’t afford it.

Board Meeting for November 18, 2010 Cont.:

New Business

Motion to Charter We Care Crafter’s Klub – Sue Shenkel read: Purpose is to plan, coordinate and encourage all Lake Seneca residents to be a part of the LSPOA “We Care” Community and share their crafter skills. To coordinate the Lake Annual “Summer Auction” to be held with LSPOA Garage Sales. To Coordinate the Lake Seneca “Annual Fall Craft Event” – Craft, Antique, Collectable, Flea Market, Etc. sale. Work with LSPOA Board for Funding and Support. Other responsibilities are to give updated reports at Trustee and Membership meetings. Discussion followed

Motion made by: Lynn Elston Second by: Jim Donze

Motion passed: Yes Unanimous. **Motion #10/11/06.**

Motion to open up LSPOA Lots for Sale Bid – Sue Shenkel read: LSPOA Inc. will sell any saleable lot that it owns to highest bidding New Member through sealed bids. If no bids from New Members, then sale to highest Current member to get off of \$75 per cost to Association. Buyer will pay all legal and transfer costs. All bids turned in to the LSPOA office by February 15, 2011 will be opened February 16, 2011 and high bidders will have until April 15, 2011 to enter into a written purchase agreement with LSPOA, Inc. to buy said lots.

Motion made by: Lynn Elston Second by: Sue Shenkel

Motion passed: Yes Unanimous. **Motion #10/11/07.**

Motion to accept Capital reserve Fund to satisfy New State Law – Sue Shenkel read: Designate and rename current Capital Reserve Account (Roads) as Capital Reserve Account to align/correlate with Sec.5312.06 A1 Of SB-187 Ohio Law. Paragraph 8 of the Deed Restrictions supports this (\$30 lot fee). Discussion was By-Law Art 11-B, 4a3 addresses common facilities improvements.

Motion made by: Lynn Elston Second by: Jim Donze

Motion passed: Yes Unanimous. **Motion #10/11/08.**

Sue Shenkel read the document “Memorandum of Understanding LSPOA Trustees’ fiduciary responsibilities and the LSPOA hierarchy of organizational documents levels”. The authors and creators have the authority to make & to change content. Proper linkage from lower level documents to higher level documents must be transparent and shall not be conflicting in nature. At the top of the list is the “New Bill”. Sue continued to read this document. Lynn Elston stated that at the annual meeting we will have a list of what we have to change with the By-Laws. We have to make sure our documents are in compliance with the new law.

Sue Shenkel asked for a motion to adjourn.

Motion made by: Jim Donze Second by: Denny O’Hair

Motion passed: Yes Unanimous. **Motion #10/11/09.**

Sue Shenkel, President

Approved

Ron Parke, Secretary