# LAKE DABINAWA BOARD MEETING DRAFT MINUTES

## AUGUST 7, 2024 AT 7:00 PM

*Join the Zoom meeting at this link:* https://us02web.zoom.us/j/88631786742?pwd=HPl6hN9OXb4sJE0a9LKU2TqcBikwlc.1

1. Call to Order – The meeting was called to order at 7:00 pm by Chair Jeff Stokes.
2. Roll Call – Attending via Zoom were 16 participants. Attending at the Community Building were 10 participants.
    a. Board Members – Jeff Stokes, Jared Soppe, Aimee Losey, Kelly Woodward, Rusty Thomas, Mark Van Nuland and Dave Noll.
    b. Residents –
        i. Zoom: Curtis Eichman, Mary Weathers, Kevin/Donna Wade, Julene Soppe, Doug Von Feldt, Leo Medina, Joe Eagle, Tarris Rosell, Ben Biller, Terry Lassen, Kathleen Carpenter, Linda Alexander, Susan Delfelder, Gena Kirk, Jon Parsons, Troy Rea
        ii. Community Building: Gretchen McClure, Leo Cain, Dallas Pasco
    c. Guests – None.
3. Welcome new members – No new members were present.
4. Agenda Approval **– Rusty Thomas motion to approve the agenda as amended to add item 10.b Pasco request to purchase street right-of-way. Motion approved. Mark Van Nuland motion to add an Executive Session after conclusion of the public session to discuss existing or potential litigation or mediation, arbitration, or administrative proceedings. Motion approved.**
5. Previous Month's Minutes – **Rusty Thomas motion to approve the July 10 Regular Board Meeting, July 16 Board Budget meeting, and July 23 Board Budget meeting minutes as written. Motion approved.**
6. Reports of Officers
    a. Treasurer's Report – Aimee Losey presented highlights of the Treasurer Reports that were distributed. The Reserve Account balance is $21,538.56. There are still two unpaid Road Access assessments, two unpaid total annual assessments, and two unpaid second half annual assessments. Mark Van Nuland will make follow-up courtesy calls to these property owners in arrears. There was a question about a recurring technology subscription (PayHOA) and Jon Parsons said the $25 per month is for the public website (Weebly). The Association received back fees from the sale of one of the properties in arrears and these funds will be transferred to appropriate funds. The Treasurer noted concern that the current Accountant responded that they cannot assist with QuickBooks online. **Rusty Thomas motion to find a new accountant. Motion approved.** The Treasurer and Assistant Treasurer will put out the word and make inquiries about recommended accountants. **Kelly Woodward motion to accept the Treasurer's Report as presented. Motion approved.**
    b. Secretary's Report – Kelly Woodward reported communications including a request for the Capital Reserve Study, three dock permit inquiries, numerous address and contact information updates, continuing needs for key/boat permits, actions regarding collections/enforcement, inquiry regarding the sales process for Association-owned lots, receipt of a new fisheries report, request regarding road repairs, inquiries on dues/payoffs, receipt of a board candidate bio, and a reiterated request to purchase right-of-way on Choctaw Ct. The Secretary was busy with activities to ensure election notices are received/opened per household.
    c. Vice Chair's Report – No report.
    d. Chair's Report – No report.
7. Standing Committee Reports
    a. Activities (including Community Garden) – Aimee Losey reiterated that the annual picnic is August 31 at 6 pm at the west boat ramp area. There will be music and fundraising activities. Donations of lake life items for the auction and cakes for the cake walk are appreciated. It is a potluck dinner and people are asked to bring side dishes, chairs and drinks. The funds will go toward a shelter at the park for events like the Farmer's Market.
    b. Beautification – No report.

DRAFT

c. Building, Equipment and Grounds – There was a suggestion to extend the beach area, and statement that drainage would need to be improved to avoid beach erosion. This will be considered by the Committee.
d. Bylaws – No report or outstanding items.
e. Docks – No report. The Board would like the Committee to look at the application form and consider whether to add a check box confirming that neighbors are aware of the planned dock (not that they have given approval), and whether to amend the Bylaws and Covenants or Rules and Regulations to implement an expiration date for dock permits in relation to completion of construction. There was a request for the committee to inspect the approved docks that are under or completed construction, per authority granted in the approved charter, to be certain the terms of the permit are met.
f. Election – Aimee Losey reported that the election is Saturday, August 10 from 9 to 11 am. Only one bio has been received to date for Board candidates.
g. Fish – No report. The Board states that they need the results of the water test performed with the fisheries study.
h. Hospitality – The Committee welcomed three new members as detailed in the submitted report. The Board is not receiving information about new members from title companies, and therefore asks that members talk to their new neighbors and ask them to pass along their contact information to the lake email. It was suggested that the Association email address be added to the agenda.
i. Long-Term Planning – No report. The Capital Reserve Study is being updated.
j. Newsletter – Mary Weathers reported that the next newsletter will be in the fall.
k. Roads – Dave Noll reported that the primary road repairs are in progress but not yet complete.
l. Safety – A new water test has been taken and results should be back in a few days. The Board stated the buoy at the beach needs to be replaced. **Dave Noll motion to approve up to $500 to replace the buoy. Motion passed.**
m. Silt and Dam – Dave Noll reported that the dam report is being prepared by the Engineer.

8. Special Committee Reports
   a. Technology – The web portal is ready to go live. The last step is to validate all contacts. It was suggested we use the next newsletter to introduce the web portal and website. Further personalization is needed, and the financial functionality may be implemented at a future date. It was suggested that we send text messages and emails to notify members of the upcoming vote and the portal, and questioned whether we would receive notification if a text was received. Jon Parsons will look into this.
9. Unfinished Business (Additional public comment will be taken per agenda item)
   a. Enforcement actions – This will be addressed in the Executive Session. Mark Van Nuland and Jared Soppe will investigate a dock complaint.
   b. FY 2024-2025 Draft annual operating and capital budget – The Board presented the draft budget totaling $61,971.40 for review. The budget is organized into various expense categories including administrative, fixed, operating and planned capital expenses. It includes using $10,000 of excess cash for projects in the coming year and funding the reserve account in full at $50,000. The reserves will be put in a money market account to earn interest. To balance the budget with anticipated annual revenues of $62,012.50, $41.10 will be added to the property taxes line item. The idea of hiring a part-time administrator to assist the Board remains to be discussed in the future if funds are available.
10. New Business (Additional public comment will be taken per agenda item)
    a. Draft amendments to Rules and Regulations (associated with proposed Bylaws amendments) – a draft amendment was distributed to all members before the meeting, reflecting the removal of environmental standards pending member approval of the Bylaws amendments to add those standards to the Bylaws and Covenants. It was also suggested that the criteria for use of the Reserve Funds as discussed in the July 23 budget meeting be presented as an amendment to Section 1 of the Rules and Regulations. **Rusty Thomas motion to present a proposal for the next Board meeting to amend Section 1 – General Internal Operating Procedures of the Rules and Regulations to include the three criteria for use of Reserve Funds which are 1) Unexpected expenditures of a critical nature, 2) Short-term cash needs, and 3) Capital projects. Motion approved.**

DRAFT

b. Pasco request to purchase street right-of-way – The Board asked Dallas if this is a new request. She said this is not a new request, but asks for reconsideration of her previous request. The Board presented the history of this issue, starting with her first purchase request in July of 2018 which was denied by the Board in August 2018. In August 2019, the Board received a notice from Pasco that they were blocking the current turnaround on Choctaw Ct with rocks and shrubs, having determined the historic turnaround was partially on their property. Their desire to purchase the circular area of the turnaround to accommodate a septic system for their Lots W-129 and W-130 was reiterated. In September of 2019, a motion was approved to table this request until the property owner presented a legal description for the property to be purchased, a formal sales offer, and an engineered plan for an alternate vehicular turnaround. None of these items were received. After the Board received a neighbor complaint regarding the blocked turnaround, the Board paid for a professional survey to include an aerial image, boundaries of the right-of-way, and location of the existing gravel turnaround. The Board also received a proposal from one firm to engineer plans for an alternate turnaround. In November of 2022, a motion was approved to send the surveys, a copy of the plat and the engineering proposal to the Roads Committee to discuss turnaround options. Working with the committee, it was determined that there would only be enough room within the cul-de-sac to accommodate one septic system, and this would interfere with a vehicular turnaround. There was Board consensus not to bring forward a vote to sell this right-of-way. A motion was approved to consider this item finished until Pasco comes forward with a new proposal based on the discussion. No new proposal was received.

   In response to the letter of July 24, 2024 reiterating this request, the Board added this item to the August 7 agenda. The discussion resulted in the following findings:

   i. Dallas Pasco stated that the septic system for the existing house on Lot W-129 is in compliance. This request is to accommodate a larger house and system in the future.
   ii. The land Pasco wants to purchase does not have an existing legal description like the other Association properties that are being considered for sale, and unlike those properties, the cul-de-sac is dedicated on the plat for the use of all Lot Owners. The plat would need to be amended to transfer land from dedicated public to private use and update legal descriptions.
   iii. The request for a Re-subdivision would have to go through the County planning and zoning process and would be subject to current Subdivision Regulations. The request would not meet the requirement for all dead end roads to include a cul-de-sac of minimum 75' radius (only 40' is currently platted). Dallas's proposal is to make this a dead end road with no turnaround. It is likely that the Planning Commission and County Commission would have public safety concerns regarding the lack of turnaround for emergency vehicles and may not grant a rule exception. The property sale cannot occur without County approval of the Re-subdivision. There would be extensive professional fees associated with preparing the legal documents for the application.
   iv. It is unclear how this proposal would benefit the Association as a whole.
   v. Dallas was told that she should consider alternative proposals and secure the assistance of an engineer to design a septic system for the envisioned home so that she would know exactly how much area is needed within an easement for use of Association right-of-way, to create a legal description for such area that may be accommodated in an easement, and an engineering recommendation for an alternate turnaround that is compatible with the easement. Otherwise the former Board decision stands.
   vi. The costs to replat and other legal fees would have to be paid by Pasco.

   The Board will issue a letter to Dallas Pasco summarizing the main points of consensus and documenting past actions and considerations.

11. Open Podium (Non-agenda items) – None.
12. Executive Session to discuss existing or potential litigation or mediation, arbitration, or administrative proceedings – **Rusty Thomas motion to go into Executive Session. Motion approved.** The Board returned from Executive Session and stated that no final vote or action was taken.
11. Adjournment – Meeting was adjourned at about 9:02 pm.

DRAFT