

LLPOA BOARD MEETING Minutes
February 19, 2023

CALL TO ORDER 1:04pm

ROLL CALL

President Damien Miller, Vice President Rick Pfeiler, Treasurer Vacant, Secretary Missy Frazier, P1 Dave Merrill, P2 Vacant , P3 Joyce Jarding, P4 Shannon Leppert, P5 Michel Theisen, P6 Debbie Bartell, P7 Rod Miller, P8 Sheila Rooney- absent.

PRESIDENT – Damien Miller

- Attorney – Research has been done to find a new attorney for the lake. Fuerste, Carew, Juergens & Sudmeier, P.C. is recommended.
 - Motion to move forward and approve make the change
 - By Rick; Second by Dave
 - All in favor, motion carries

SECRETARY REPORT – Missy Frazier

- Minutes from January meeting sent to the Board
 - Motion to approve by Rick, Seconded by Dave
 - All in favor, motion carries.

TREASURER REPORT: - Damien

Submitted accounting reports

FOC: Working on collections of past due members. Members are receiving notices of past due amounts and if no response the accounts will be sent to the attorney for collection thru judgements.

If members need payment plans, approval must be received through FOC and Treasurer.

Lengthy discussion of the FOC responsibility to the Treasurer. The committee was organized to assist the Treasurer and provide financial input and oversight as a service to members.

BYLAWS: Bylaws proposed changes (attached) read into minutes

- Motion to accept the proposed changes read in
 - By Shannon, Seconded by Rod
 - All in favor, motion carriers

RULES & REGULATIONS: Rules & Regulations proposed changes (attached) read into minutes

- Motion to accept the proposed changes read, with the exception of the proposed road rules being sent back to the committee to review
 - By Missy, Seconded by Shannon
 - All in favor, motion carriers

PRECINCT REPORTS:

P1 – Dave Merrill – nothing

P2 – Vacant

P3 – Joyce Jarding - nothing

P4 – Shannon Leppert- nothing

P5 – Michel Theisen- member wants to know if we could have a crash course on when to call the sheriff. Direct the member to call non-emergency number to request the information they need.

P6 – Deb Bartell – nothing

P7 – Rod - nothing

P8 – Sheila Rooney – absent

Committee reports:

Entertainment: Director Joyce Jarding, Chair Michel, Sheila, and Aubrianna – need more help with July 4th. Suggested a sign-up sheet at the general membership meeting.

Roads: Director Damien Miller, Chair Shawn Frazier – May be posting roads with weight limit soon with the weather getting warmer

Lake/Blue Heron: Director Dave Merrill, Chair Scott DeYoung – Some island work is being done to remove sediment.

Pavilion: Director Dave Merrill – preparing for building

Building, Grounds & Maintenance: Director Dave Merrill, Chair Damien Miller – nothing

Security: Chair Dave Gerhardt - nothing

Zoning: Director Shannon Leppert, Chair Linda – Nothing

By-laws: Director Shannon Leppert, Chair Margie Loeffelholz – nothing in addition to changes already presented

Beach: Director Dave Merrill, Chair Rod Miller – nothing

Fireworks: Director Sheila Rooney, Chair Missy Frazier – There will be a breakfast fundraiser the morning of the general membership meeting

OPEN DISCUSSION:

We need to have a few trees replanted at the beach to replace the ones removed. Dave is working on this.

ADJOURNMENT:

Motion to adjourn:

- By Rick, Second by Dave
 - All in favor, meeting adjourned 2:58pm

**LEISURE LAKE
PROPERTY OWNER'S ASSOCIATION BY-LAWS**

Restated: 05-27-01, 09-09-01, 08-08-04, 05-23-05,
05-20-07, 09-13-09,09-12-10,05-22-11,05-20-12,
09-13-15; 05-21-17; 09-12-21

LEISURE LAKE PROPERTY OWNER'S ASSOCIATION BY-LAWS

ARTICLE I - NAME AND ORGANIZATION

Section 1. NAME

The name of this organization is Leisure Lake Property Owner's Association.

Section 2. ORGANIZATION

This Association is a Corporation, incorporated under the provisions of Chapter 504 of the Code of Iowa, and is now governed by the provisions of Chapter 504A of the Code of Iowa.

ARTICLE II-OBJECTIVES

- A. To establish and implement standards and to improve facilities and recreational areas of Leisure Lake, and including the ability to legally enforce these standards.
- B. To maintain and improve existing roadways.
- C. To encourage the social atmosphere within the community surrounding Leisure Lake.

ARTICLE III-MEMBERSHIP

Section 1. ELIGIBILITY

All property owners, including co-owners, of property within the boundaries of Leisure Lake Property Owner's Association, (hereinafter, "LLPOA") shall become members in good standing of LLPOA upon payment of annual dues, special assessments, assessments and any other amounts due and owing LLPOA. Special assessment(s) is defined in Article IV, Section 2, Paragraph A.

Section 2. DEFINITION-MEMBERSHIP

Each person owning an interest in real estate within the boundaries of Leisure Lake Property Owner's Association becomes a member and gains membership in LLPOA. Member/Membership is defined to cover immediate family members only, spouse/partner and children under 18. One vote is allowed per membership. Ownership of multiple lots does not increase number of votes.

Section 3. PRIVILEGES OF MEMBERSHIP

Privileges include limited use of all common recreational areas, participation in social activities, as well as the right to vote in LLPOA elections and issues affecting LLPOA. Privileges may be revoked by the Board for:

- A. Violations of criminal laws upon property within LLPOA boundaries or owned by LLPOA.

- B. Non-payment of dues, special assessments, and assessments.
- C. Violation of Rules and Regulations.

Section 4. RULES & REGULATIONS

- A. All members must abide by the Rules & Regulations of LLPOA.
- B. The Executive Board shall be authorized to enforce reasonable Rules and Regulations.
- C. LLPOA, through its members, shall make such Rules and Regulations as it deems to be in the best interest of LLPOA. The Rules and Regulations may be amended, modified or repealed by the vote of a simple majority of the eligible members voting. Such Rules and Regulations, as amended, shall be binding upon all members, guests, and agents of members. An amendment to the Rules and Regulations shall be valid and enforceable upon adoption without recording same with the Jackson County Recorder.

Section 5. ENFORCEMENT

- A. The voting or other membership rights of any member may be suspended by action of the Executive Board for violations of the By-Laws or the Rules and Regulations governing the use of LLPOA property after hearing before the Board, at which the member or any other interested person may be represented by an attorney if he or she, any member of his or her family, or the guest of any of them have violated such By-Laws or Rules and Regulations.
- B. If after thirty (30) days from the receipt of a written notice from LLPOA, any member continues to violate the By-Laws or the Rules and Regulations, the Executive Board shall be authorized to take any steps necessary to remedy the violation. The cost of which shall be assessed against the lot or lots owned by the violating member. The member shall be personally liable for the payment of any such costs, and such costs shall become a lien against the lot or lots owned by the member upon which LLPOA may foreclose should the member fail to pay amounts due plus interest. If the Association takes legal action against a member, all suits shall be brought in Jackson County, Iowa.

Section 6. CHANGE IN MEMBERSHIP

- A. When a member sells property, all dues, special assessments, assessments, and all other amounts due and owing to LLPOA must be paid in full by either the seller or buyers. Any special assessments, assessments, and all other amounts due and owing to LLPOA which remain unpaid as of the date of sale, shall constitute a lien upon the property. Both buyer and seller shall be jointly and severally liable for payment of such dues, special assessments, assessments, and all other amounts due and owing to LLPOA.
 - a. Seller must notify LLPOA of the sale, with name and address of buyer, within seven (7) days of the transfer of the property.

- B. New property owners are to register with the Treasurer of LLPOA within thirty (30) days of the date they receive ownership of the real estate.
- C. If a member sells their property on a "land contract", until the contract has been fully satisfied and the property is recorded in the new owners' name, the selling property owner and the buyer shall be jointly and severally responsible for the payment of all dues, special assessments and assessments. The buyer shall have no vote unless a copy of the land contract is provided to the Treasurer; in that event, the Seller shall have no vote.

Section 7. ADDRESS CHANGE

All members are to notify the Treasurer of an address change within thirty (30) days of the date of their billing address change.

Section 8. LAND USE

- A. Anyone wishing to take any action, whether through proposed rezoning or otherwise, which may potentially infringe upon the rights of other LLPOA members, must submit a petition requesting LLPOA approval of the proposed use, along with a detailed plan, in writing, to the Executive Board at least thirty (30) days prior to the next regular or special board meeting. A public hearing will be held upon the issue at the next board meeting.
- B. Petitioner shall be informed by mail of the Board's decision.
- C. Property owners must abide by Jackson County zoning laws.
- D. Property owners shall not rent their property located within the boundaries of LLPOA. Without providing a copy of a written Land Contract to the Treasurer of LLPOA, the **[PROPOSED CHANGE] member owner** will be considered renting and will be subject to a penalty of \$250.00 per month.

Section 9. NON-MEMBER RESIDENTS/GUESTS

When a child or any other family member becomes 18 and does not own property within LLPOA boundaries, they are no longer a member or included in any membership. If your child or family member is 18 or over, does not own property but wants to permanently reside in separate housing on property owned by any member; construct a structure for seasonal use on property owned by a member; or bring in a mobile home or camper/motor home for seasonal use on property owned by a member; they must also pay dues, special assessments, assessments and follow all county ordinances including, but not limited to, site size and waste disposal system requirements. As they do not own real estate within LLPOA boundaries, they will have no vote and property owner is responsible for their actions.

ARTICLE IV-DUES AND SPECIAL ASSESSMENTS

Section 1. PAYMENT

Membership dues, special assessments, assessments and penalties will become due and payable on September 1st of each year for the following year, and are in default on the 1st

day of January of the year for which they are due and owing. At which time a penalty of \$10.00 per month shall be added to the amount due, unless alternate arrangements for payments are made pursuant to LLPOA Rules & Regulations. Dues shall be paid by mailing to LLPOA, P.O. Box 8, Bernard, IA 52032.

Section 2. SPECIAL ASSESSMENTS.

- A. A special assessment(s) is defined as an assessment for a specific amount and specific time period for necessary expenses voted on by the membership and charged/billed to all members of LLPOA. Assessment is defined as an assessment for a specific amount charged/billed to a member for violation of the By-Laws and/or Rules and Regulations
- B. Special assessments may be made by the Executive Board should the Executive Board deem a special assessment to be necessary for the payment of expenses incurred in the course of carrying out LLPOA business.
- C. When special assessments are required by the Executive Board, they are payable as per Article IV, Section 1.

Section 3. NON-PAYMENT OF DUES

Member with unpaid dues, assessments, special assessments, and/or penalties on January 1 following the billing year will have all LLPOA privileges suspended until such time as the dues, assessments, special assessments, and/or penalties are paid in full. LLPOA may take any action allowed by law to enforce the provisions of this Article including legal action. Membership privileges are restored when full payment of unpaid dues, assessments, special assessments, and/or penalties is received by the LLPOA Treasurer. **[PROPOSED ADDITION]** All unpaid dues, assessments, special assessments and/or penalties collected by the Treasurer/FOC shall be spent in accordance with the dues and special assessments found in the Rules and Regulations.

ARTICLE V-MEETINGS, VOTING AND RULES OF ORDER Section 1. REGULAR

MEMBERSHIP MEETINGS

The two (2) regular Membership Meetings of LLPOA shall be held at 1:00 p.m. at the Pear Street Complex on 1) the Sunday before Memorial Day weekend to transact such business as may properly come before the meeting; and 2) the Sunday after Labor Day weekend to elect Executive Officers and Precinct Directors and to transact such business as may properly come before the meeting. **[PROPOSED ADDITION]** Date and time are subject to change due to inclement weather and/or illness preventing a quorum.

Section 2. SPECIAL MEMBERSHIP MEETING

Fifty (50) members in good standing must sign a petition, which shall be submitted to any member of the Executive Board, in order to call a Special Membership Meeting. Thirty (30) days written notice of a Special Membership Meeting must be provided to all members in good standing by the Executive Board with a proposed agenda attached to the notice.

Section 3. PRECINCT MEETINGS Four (4) times per year, each Precinct Director shall hold a meeting for all members of their precinct.

Section 4. REGULAR BOARD MEETINGS

Regular Board meeting shall be held at least five (5) times a year. Except as set forth below, all regular or special Executive Board meetings will be open to the membership. The Executive Board may hold a closed meeting only on affirmation vote of a simple majority of all board members present to discuss only litigation strategy, items that fall under attorney-client privilege or current law enforcement investigations. Any of these meetings may be held electronically.

Section 5. SPECIAL EXECUTIVE BOARD MEETING

The President shall have the right to call a Special Executive Board Meeting as necessary. Any combination of four (4) members of the Executive Board shall have the right as a group to request the President to call a Special Executive Board Meeting.

Section 6. ATTENDANCE

Any Executive Officer or Precinct Director missing three (3) consecutive Board Meetings without proper notification to an Executive Board Member shall be considered to have vacated his/her office and will be replaced in accordance with Article VIII, Section 4.

Section 7. VOTING

Only members in good standing as defined in Article III, Sections 1 & 2 are eligible to vote at Regular and Special Membership Meetings and at Precinct Meetings.

Section 8. RULES OF ORDER

All meetings will be conducted using Robert's Rules of Order.

ARTICLE VI-ELECTIONS, QUALIFICATIONS AND ELECTION PROCEDURES

Section 1. ELECTIONS

- A. A term of office for the President, Vice President, Secretary, Treasurer and eight (8) Precinct Directors will be two (2) years.
- B. All members of the Executive Board are elected for a two-year term in the following manner: The President, Treasurer and Precinct Directors 1, 3, 5 and 7 are elected in odd-numbered years. The Vice President, Secretary and Precinct Directors 2, 4, 6 and 8 are elected in even- numbered years.
- C. If there are no nominations for an office, the Board shall make an appointment to fill the vacancy.
- D. All eight (8) Precinct Directors, when elected or appointed, must own property in the precinct they represent.
- E. **[PROPOSED ADDITION]** Elections of FOC members shall be three members in odd years and three members in even years. The election shall take place at the Fall Membership meeting starting Fall of 2024.

Section 2. QUALIFICATIONS

- A. Any Executive Board Member who is found by the Executive Board not to be a member in good standing will be disqualified from holding office. However, he or she will be notified by mail. The Board Member will have thirty (30) days to respond to the Executive Board to answer the allegations or remedy the violation prior to disqualification.
- B. All nominees for any position must be members in good standing.
- C. Spouses, immediate family members and persons living in the same household may not hold elected office at the same time. Immediate family is defined as spouse/partner, children, step- children, siblings or parents.
- D. All nominees for any precinct position must own property in the precinct they

represent.

Section 3. ELECTION PROCEDURE

- A. Each precinct shall meet prior to the July Executive Board Meeting to nominate candidates for the Executive Offices and Precinct Directors. All nominees for Executive Officers and Precinct Directors shall have their names submitted to the Board of Directors at the July meeting.
- B. A list of qualified nominees shall be prepared and posted by the Executive Board prior to the Sunday after Labor Day Regular Membership Meeting.
- C. Nominations shall be accepted from the floor at the regular Membership Meeting held on the Sunday after Labor Day. The nominated member must accept or decline the nomination. If the nominated member is not present at the Regular Membership Meeting at which he or she is nominated, he or she must provide a written and signed acceptance of the nomination to the Executive Board prior to the meeting at which the nomination is made.
- D. Voting will be by secret ballot. A simple majority of the voting members in good standing from each precinct will elect their Precinct Director. A simple majority of the voting members in good standing shall elect the Executive Officers. In the event of a tie vote for any office, a new election will be held immediately. If more than two nominees are on the ballot; one person must receive a majority of the votes cast to be declared the winner. In the event that no person receives a majority, the person receiving the fewest votes shall be removed from the ballot and a new vote shall be held.
- E. The elected Executive Officers and Precinct Directors shall take office at the next Regular Executive Board Meeting. All incumbent Executive Officers and Precinct Directors shall turn over all records and LLPOA property to their successors.

ARTICLE VII-BY-LAWS

Section 1. PROCEDURE

- A. Any proposed amendment to the By-Laws or Rules and Regulations shall be presented in writing at any Membership Meeting, Regular or Special Executive Board Meeting, at which time it shall be read and recorded in the minutes by the Secretary.
- B. The proposed amendment will then be referred to the By-Laws committee for research and development and then referred to the Corporate Attorney.

Section 2. PASSAGE

- A. The proposed amendment shall be communicated to the membership thirty (30) days prior to a Regular Membership Meeting for a vote by the membership in good standing. Board recommendations for or against each amendment may be made at this time. A simple majority of the members voting shall be required to pass a proposed amendment.
- B. If passed, the new By-Law or Rules and Regulations is effective immediately.

Section 3. VETO

- A. The Executive Board shall have the power to rescind action taken at any Regular or Special Membership Meeting only if such action represents a legal liability to LLPOA or a violation of any law code of ordinance of Jackson County, the State of Iowa or the United States.
- B. Notice and a legal explanation for any such rescission will be mailed to all members within sixty (60) days.
- C. If a petition requesting a Special Membership Meeting to address the issue is received by the Board, a Special Membership Meeting shall be called in accordance with Article V, Section 2.

ARTICLE VIII-GOVERNANCE

Section 1. AUTHORITY

The Executive Board shall have complete authority to govern in accordance with LLPOA's Articles of incorporation, the By-Laws and Rules and Regulations.

Section 2. QUORUM

A quorum at an Executive Board Meeting will exist when two (2) Officers and five (5) Precinct Directors, or three (3) Officers and four (4) Precinct Directors are present.

Section 3. MOTIONS

A motion shall be approved by the simple majority of the eligible members voting.

Section 4. VACANCIES

The President, subject to the approval of the Board of Directors, shall appoint a member in good standing to complete any unexpired term of office when any Officer or Precinct Director leaves office for any reason prior to the expiration of his/her term.

ARTICLE IX-COMMITTEES

Section 1. STANDING COMMITTEES

The President, subject to the approval of the Board of

Directors shall appoint or dismiss Committee Director and

Chairperson for the following Committees:

BEACHES, **[PROPOSED CHANGE]** ~~BUDGET AND FINANCE~~, FINANCIAL OVERSIGHT, BY-LAWS, ENTERTAINMENT, FIREWORKS, FISH, HISTORIAN, LAKE MANAGEMENT, ROADS, SANITATIONS & ZONING, SECURITY

Each Committee Director and Chairperson will be given the Standard Operating

Procedures.

Section 2. SPECIAL COMMITTEES

The President, subject to the approval of the Board of Directors, may appoint any Special Committee deemed necessary.

ARTICLE X-ACCOUNTING AND BUDGET

[PROPOSED TO DELETE]

Section 1. FINANCIAL RECORDS

- ~~A. The financial records must be reviewed by a qualified accountant each month.~~
- ~~B. The Treasurer's duties connected with this Article shall be as follows:
 - ~~1. He/she shall prepare a monthly accounting, to be presented to the accountant.~~
 - ~~2. The accountant's annual report shall be presented to the Executive Board at the next available Board Meeting.~~
 - ~~3. All unspent budgeted money at the end of the fiscal year shall be put into the Emergency Fund to maintain a \$15,000.00 balance. Any excess shall be allocated by the Board of Directors at the October Board meeting.~~~~
- ~~C. The financial accounting shall be presented twice a year, at the Regular Membership Meetings, which shall include records from September through April and May through August.~~

Section 1. FINANCIAL RECORDS [PROPOSED REPLACEMENT]

The Financial Oversight Committee (FOC) which includes the Treasurer works in conjunction with the Executive Board, and represents the members of LLPOA with financial oversight, reporting and accountability. The Financial Oversight Committee is a permanent committee and shall be composed of six LLPOA members to include no more than 2 board members. All committee members must be LLPOA members in good standing.

- A. Financial Oversight:**
 - 1. All checks written require two signatures, which must include the President and an Executive Board Member.**
 - 2. Treasurer shall prepare a monthly accounting to be reviewed by the FOC and/or accountant.**
 - 3. The FOC and/or accountant's annual report shall be presented to the Executive Board at the next available Board Meeting.**
 - 4. The financial accounting shall be presented twice a year by the FOC at the Regular Membership Meetings, which shall include records from September through April and May through August.**

Section 2. BUDGET

- A. The budget shall be presented for approval at the Regular Membership Meeting on Sunday after Labor Day weekend.
- B. All unspent budgeted money at the end of the fiscal year shall be put into the Emergency Fund to maintain a \$15,000 balance. Any monies above \$15,000 shall be allocated by the Board of Directors at the October Board meeting.
- C. **[PROPOSED TO ADD TO BY-LAWS, \$1000 ALREADY APPROVED]** All committees must have Board approval to spend anything greater than \$1,000.

ARTICLE XI-LIMITATIONS OF LIABILITY

The Executive Board of LLPOA shall not be personally liable for LLPOA's debts nor obligations. The Executive Board and volunteers of this Corporation shall not be personally liable in that capacity for any claim based upon an act or omission performed in the discharge of duties as a Board Member or volunteer except for: 1) liability for a breach of duty of loyalty to the Corporation, 2) liability for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of the law, or 3) liability for a transaction from which the person derives an improper benefit.

LLPOA shall indemnify any present or former Executive Board Member or volunteer of this Corporation to the fullest extent possible for expenses, including attorney's fees, judgment penalties, fines, settlement, and reasonable expenses, actually incurred by such person relating to his or her conduct as a Board Member or volunteer of this Corporation except that the mandatory indemnification required by this provision shall not apply: **1)** to a breach of the duty of loyalty to the Corporation, **2)** for acts or omissions not in good faith or which involved intentional misconduct or knowing violation of the law, and **3)** for a transaction from which such person derived an improper personal benefit.

**LEISURE LAKE
PROPERTY OWNER'S
ASSOCIATION
RULES & REGULATIONS**

As of: 5-23-2010, 7-31-2010, 9-12-2010, 9-13-2015, 05-21-
17, 9-12-2021

LEISURE LAKE PROPERTY OWNER'S ASSOCIATION

RULES AND REGULATIONS

Any blatant abuse of rules can cause suspension of facility privileges, assessment penalties and/or possible prosecution.

Any member who has had their privileges revoked by the Executive Board may not have a guest pass issued to them by any other member. Any guest, which has violated any standing rule or regulation and is not accompanied by a member or has a written pass in his possession at that time, will be asked to leave the association grounds immediately or be prosecuted for trespassing. No Pass may be issued to a guest after the fact.

Any guest or former member who commits a crime against a member of LLPOA, and is found guilty in a court of law, may not be given a guest pass by a member. If the person who committed the crime is a relative of a member, that person would only be permitted to go to the member's lot by the most direct route. Any violators will be prosecuted.

GENERAL RULES

No animals, livestock or poultry of any kind shall be raised, bred or kept on the property except dogs, cats, or other common household pets.

Household pets means animals and/or pets kept in the house.

Animals may not be raised for commercial purposes or for food. It is the purpose of these provisions to restrict the use of the property so that no person shall quarter on the premises horses, cows, bees, hogs, pigs, sheep, guinea fowls, ducks, chickens, turkeys, emus, peacocks, ostriches, reptiles, tigers, large cats, skunks or any other animals that may interfere with the quietude, health or safety of the community.

NO

hunting.

NO horses.

NO gunning of any kind.

NO trapping without the permission of the Executive Board. The only fireworks allowed are those legal in the State of Iowa.

If required by Jackson County, or any applicable authority, you must have a county permit before you build anything on your property or drill a well.

15 MPH speed limit on all lake roads.

[PROPOSED ADDITION]

Enforcement:

LLPOA Board Members, LLPOA Security, and the Jackson County Sheriff

Violation/Penalty:

\$10.00 assessment per day to the property owner and/or loss of privileges for violations of the above.

ASSOCIATION AND PRIVATE PROPERTIES

No signs allowed on Association property without the permission of the Executive Board. NO signs allowed on private property without the permission of the property owner. Public buildings are to be kept clean and sanitary. Defacing buildings or its contents shall be subject to reprimand and/or possible prosecution.

DUES AND SPECIAL ASSESSEMENTS

1. Dues and special assessments, assessments and penalties will be deemed paid on the day which they are personally received by the Treasurer, or in the event payment is mailed, on the postmark date.
2. A payment plan in writing, signed by the member and the Treasurer, may be entered into for payment of dues. In order to be valid, such payment plan must contain the specific dates upon which payments are due and the precise dollar amount due on each date. If a member defaults on such a payment plan, LLPOA may move forward with a collection action or resume charging the \$10.00 per month penalty. Failure to pay a scheduled installment as specified within 5 days of its due date, shall constitute default.
3. Dues shall be paid by mailing to LLPOA, P.O. Box 8, Bernard, IA 52032. As an alternative, dues may be paid in person from 12:00 Noon to 1:00 P.M. at the Fall General Membership Meeting.
4. **[PROPOSED ADDITION]** The money collected from back dues will be

allotted by the Treasurer and FOC as follows:

- Roads – 25%
- Lake – 20%
- Remaining money will be allotted by the discretion of the LLPOA Board
- Assessments and special assessments will be put into the appropriate category.

Enforcement:

LLPOA Board Members, LLPOA Security, and the Jackson County Sheriff.

Violation/Penalty:

\$10.00 per month assessment to the property owner and/or loss of privileges.

CHANGES IN DUES STRUCTURE

The amount and /or structure of the annual dues and/or special assessment may be changed utilizing the following procedure:

- A. a proposal shall be submitted to the Executive Board in writing.;
- B. if the proposal is accepted by the Executive Board, the Executive Board may call a referendum
- C. a notice of the proposed change shall be provided to each member in good standing by **[PROPOSED CHANGE]** email, regular or bulk mail at least thirty (30) days prior to the date that the referendum shall be held.;
- D. on the date of the referendum for the proposed change, votes shall be cast by each eligible member by personally placing said vote in a ballot box;
- E. all such referendums are to be held on a Saturday or Sunday between the hours of **[PROPOSED CHANGE]** ~~10:00 a.m. and 3:00 p.m.~~ **1:00 P.M. and 3:00 p.m.** A simple majority of the votes so cast shall decide the issue.; (f) all eligible members will be able to request an absentee ballot, to be requested in writing to LLPOA, PO Box 8, Bernard, IA 52032, and returned by certified mail, and post marked seven (7) days prior to said voting date.

NON-MEMBER RESIDENTS/GUESTS

Family and friends of members are welcome to bring in a camper/motorhome to spend a weekend or a vacation period pursuant to Jackson County ordinances. Storage of any recreational vehicle not belonging to a member is prohibited and is subject to an assessment per the

Rules and Regulations.

Any member found violating the requirements in Article III, Section 9 (B) of the By Laws will result in an assessment of \$150.00 per offense. Non-payment of this assessment will void all privileges with the exception of road use only for access to and from owner's property and a lien will be filed against member's residence or property.

[PROPOSED ADDITION]

Enforcement:

LLPOA Board Members, LLPOA Security, and the Jackson County Sheriff.

Violation/Penalty:

\$150.00 per offense assessment to the property owner and/or loss of privileges.

SECURITY

YOU are responsible for any guest you bring into the lake area. Any guest not accompanied by you, the property owner, must have written and dated permission to be in the lake area. Minor children must have an adult PAID UP MEMBER that is responsible for them.

REWARDS for the information on burglary, theft or vandalism within the lake area, to public or private property may be established by the LLPOA. Rewards shall meet the guidelines set by the Executive Board. Any information leading to the arrest and conviction of such person shall be kept confidential and may receive a reward.

VEHICLE RULES

Autos must be driven by a valid licensed driver. ALL vehicles must be muffled.

Property Owner decal shall be displayed on ALL MOTOR VEHICLES.

No vehicle is to be driven on the beach, picnic area, private property, in the lake, or on the ice.

ALL vehicles must use the right side of the road.

NO riding two abreast.

NO one to ride in front of the driver and anyone riding on the back must be able to reach the pedals.

**NLMV-NON-LICENSED MOTORIZED VEHICLES - [PROPOSED ADDITION]
"AND all POWERSPORT VEHICLES"**

[PROPOSED REMOVE] ~~ATV's, golf carts, snowmobiles, ATC's, and any non-licensed power transportation are referred to as NLV's.~~

[PROPOSED CHANGE] Property owners are required to register all NLVs and Powersport vehicles with the Secretary or Treasurer, including but not limited to ATVs, golf carts, snowmobiles, ATCs, side by sides etc.

[PROPOSED TO DELETE]

~~ALL motorized NLV's must be registered by property owners, with the Leisure Lake Security and inspected for a flag and functioning exhaust system including mufflers. In taking this action the Leisure Lake Board, Security, and it's appointed representatives take no responsibility for determining the condition, road worthiness, or safety responsibility of the registered and inspected NLV.~~

~~NLV's may be registered by making an appointment with the head of LLPOA Security or Precinct Directors.~~

The initial cost **[PROPOSED CHANGE]** ~~of the registration and inspection~~ will be \$10.00 per unit and ~~\$5.00~~ **\$10.00** per unit annual renewal.

[PROPOSED CHANGE – ADD POWERSPORT VEHICLE THROUGHOUT PARAGRAPH]

All NLV's and **Powersport vehicles** must have a 5-foot high day glow flag mounted and firmly attached to them.

Propose to take out: **ATC & ATV—No riding before 8:00 AM or after 10:00 PM.**

If an NLV or **Powersport vehicle** is not equipped with lights, it must be off the road by dark.

NLV's and **Powersport vehicles** must abide by all road signs and a maximum 15 miles per hour speed limit. NLV's and **Powersport vehicles** authorized to operate within the Leisure Lake area must be owned by a Leisure Lake Property owner in good standing and have their NLV and **Powersport vehicle** registered **[PROPOSED CHANGE]** ~~with Leisure Lake Security~~ **LLPOA**. Any NLV or **Powersport vehicle** which is not owned by a Leisure Lake Property

Owner will be stopped, identified, and charged with trespassing through the Jackson County Sheriff's Department. Any NLV and Powersport vehicle which has been determined **[PROPOSED DELETION]** ~~by Security~~ to have been operating in a careless or reckless fashion will be reported to the Jackson County Sheriff's Department for prosecution. Any property owner or guest(s) found to violate Leisure Lake's NLV and Powersport vehicle registration, flag, muffler, license, or speed limit rules and regulations while operating on association roads or property may have these privileges revoked by the Executive Board. The Board may also issue a warning or may impose a special assessment against the responsible LLPOA member not to exceed \$50.00 for each violation reported as documented **[PROPOSED DELETE]** ~~by Security~~. It is understood by the LLPOA member that they are personally accountable for the conduct of themselves and their guest in regard to all NLV and Powersport vehicle rules and regulations and all NLV's and Powersport vehicle they authorize for use within the Leisure Lake area.

NLV's and Powersport vehicles must be operated in accordance with manufacturer's recommended age and passenger limits.

[PROPOSED ADDITION]

Enforcement:

LLPOA Board Members, LLPOA Security, and the Jackson County Sheriff.

Violation/Penalty:

Up to \$50 per violation assessment to the property owner and/or loss of privileges.

BOATS AND WATERCRAFT RULES

Boats and watercraft MUST be owned and registered by property owners. The initial cost for registration is **[PROPOSED CHANGE]** \$10 and a ~~\$5~~ \$10 renewal fee for each following year. The boats and watercrafts are to display Leisure Lake Property Owner decals in the middle of the boat/watercraft on both sides and be visible from shore.

NO boating or water crafting in the swimming area.

Any boat or watercraft found on the beach or in the emergency areas will be taken to the complex and chained. An assessment MUST be paid to reclaim your boat or watercraft.

NO internal combustion engines are allowed on the lake.

The area around the boat or watercraft's resting area must be maintained by the craft owner.

FISHING RULES

ONLY MEMBERS OR THEIR GUESTS ARE ALLOWED TO FISH ON LEISURE LAKE.

NO fishing with minnows. NO fish trapping.

NO trout lines.

NO fishing from a swimming raft or an inflatable boat. NO fishing in swimming area.

Electric motors ONLY allowed on the lake, (NO gas ice augers, cycles, or vehicles of any kind.)

NO fish cleaning on the beach, picnic area, complex, or boat areas. Fish shall be cleaned and the refuse buried on your own property. DO NOT put fish cleanings in the association garbage containers.

TYPE OF FISH	SIZE	DAILY LIMIT	POSSESSION
Bullhead	10 inches	6	12
Bass	5 inches	3	6
Channel Cat		8	16
Walleye	14 inches	5	10

DO NOT throw Bluegill back into the lake.

If you catch White Amours, please throw them back.

[PROPOSED ADDITION]

Enforcement:

LLPOA Board Members, LLPOA Security, and the Jackson County Sheriff.

Violation/Penalty:

\$25 per violation assessment to the property owner and/or loss of privileges.

BEACH AND SWIMMING RULES

Swim at your own risk. NO swimming alone.

NO swimming after dark. NO nude swimming.

NO swimming in the boat area or in the middle of the lake. NO fires on the beach.

NO food or drink on beach or in water. NO offensive language will be tolerated.

Violators will be subject to loss of privileges and/or an assessment.

Children MUST be supervised on the beach and in the water.

Swimming is confined to the roped off swimming areas. Lake front property owners may swim up to 25 feet from shore directly in front of their

property.

PICNIC AND COMPLEX RULES

Open fires are NOT allowed—portable charcoal or barbecue grills or camp stoves may be used on picnic areas, NOT ON THE BEACH.

Trees and shrubs on public grounds are not to be destroyed. Picnic tables will be kept clean and ready for use.

Abuse of the picnic tables or other public equipment will NOT be tolerated. Children must be supervised at all times.

Pavilion activities shall cease at midnight, (unless approved by the Executive Board).

Complex facilities may be reserved with Board Secretary.

ROADS

No parking along the roads—you must be 100% off the road.

Any tree limbs hanging over roads must be trimmed.

Abuse of the roads will NOT be tolerated.

DOMESTIC PETS

NO dogs or cats allowed on beach areas.

ALL dogs must be confined to your private property by a fence or a leash. ALL pets must be leashed when in public areas.

NOISE RESTRICTIONS

Noise restrictions from 10:00 PM to 8:00 AM, no chainsaws, mowers, cycles, etc.

NO loud parties after midnight.

NOISE ORDINANCE

It is the purpose of this ordinance to prevent excessive sound which may jeopardize the health, welfare or safety of its residents, or to degrade the quality of life at Leisure Lake, and it shall apply to the control of all sound and vibration originating within the limits of the LLPOA.

Noise disturbance (definition): Any sound, which endangers or injures the safety or health of humans and animals, annoys or disturbs a reasonable person of normal sensitivities, or endangers or injures personal or real property.

Real Property Boundary (definition): An imaginary line along the ground surface and its vertical extension, which separates the real property owned by one person, from that owned by another person.

Exemptions:

- Non-commercial public speaking at public assembly (including LLPOA sponsored
 - o dances and fireworks displays).
- Emission of sound in the operation of snow removal equipment.

- Emergency vehicles.
- Refuse collection vehicles.
- **[PROPOSED CHANGE]** ~~Lawn maintenance equipment.~~

Specific Prohibitions:

- Radios, stereos, televisions, musical instruments and similar devices which produce, reproduces, or amplify sound: **A)** During night time hours in such a manner as to create a noise disturbance across a real property boundary. **B)** In such a manner as to create a noise disturbance 50 ft.(15 meters) from such device when operated in or on a motor vehicle.
- Animals and birds: Owning or possessing or harboring any animal or bird, which frequently or for a continued duration, howls, barks, meows, squawks, or makes other sounds, which create a noise disturbance across a real property boundary.
- Construction operation, operating or permitting the operation of any tools or equipment used in construction, drilling, or demolition work during nighttime hours.

Special Variances:

- Any person seeking a special variance shall bring their request to any scheduled board meeting or general meeting. The request shall include the reason why compliance with the ordinance would constitute an unreasonable hardship and the time period which the variance is sought.
- In determining whether to grant or deny the request, The Board shall balance the hardship to the applicant and the LLPOA community.
- Special variances shall be granted by notice to the applicant containing all necessary conditions including a time limit on the permitted activity. The special variance shall become effective when the applicant agrees upon all conditions.

Enforcement:

- LLPOA Board Members, LLPOA Security, and the Jackson County Sheriff.

Violation/Penalty:

- Possible \$50.00 assessment to the property owner and/or loss of privileges.

GARBAGE AND REFUSE

All refuse and garbage disposal is the responsibility of the individual LLPOA property owner and must be disposed of in a legal manner by all members.

Any member found to have willingly disposed of refuse or garbage in an illegal manner will be subject to an assessment not to exceed \$250.00 per incident.

No refuse shall be put into the lake for any reason, including cans, bottles, wrappers, etc. All trash, wrappers, cans, bottles, etc. brought onto the beach/picnic area MUST be taken with the member or guest when they leave.

No chemicals of any kind shall be dumped into the lake.

All appliances, furniture, construction material, etc., MUST be disposed of by the member(s) at their own cost.

[PROPOSED ADDITION]

Enforcement:

LLPOA Board Members, LLPOA Security, and the Jackson County Sheriff.

Violation/Penalty:

\$250.00 per incident assessment to the property owner and/or loss of privileges.

MEMBERS' BUILDINGS AND GROUNDS

All LLPOA property owners and members shall be required to maintain their property and building structures in a serviceable manner which does not constitute a nuisance to their neighbors and the LLPOA community in general. Non-compliance to this rule will result in a \$10.00 daily assessment for each infraction until compliance has been met.

A serviceable structure is defined as a building and/or structure which does not have one or more of the following deficiencies: broken windows, unsafe construction, deteriorating roof and/or siding, faulty electrical service, non-functioning septic systems and drainage fields, uncapped or abandoned wells, and/or buildings which may be in a state of non-repair.

Any structure, mobile home, or camper determined by the LLPOA Executive Board to serve as an individual's or groups primary or extended residence must have a county or Iowa Department of Natural Resources (DNR) approved sanitary waste disposal system. Any individuals or groups found to be in violation of these standards will be reported to the County Health Department and/or DNR and may have fines and/or assessments filed against them.

A nuisance is defined as any property, which contributes to the monetary devaluation of the adjacent property, or contributes to the detrimental health and safety of adjacent property owners or the LLPOA community in general.

[PROPOSED ADDITION]

Enforcement:

LLPOA Board Members, LLPOA Security, the Jackson County Sheriff, and Jackson County Zoning Department

Violation/Penalty:

\$10.00 per day assessment to the property owner and/or loss of privileges

ABANDONED AND STORED VEHICLES

No motorized vehicles may be stored or abandoned on property owned by any LLPOA member.

No LLPOA property owner may authorize a non-association member to store or abandon a vehicle on property owned by them or property held in common by association.

A stored vehicle is defined as a vehicle that does not possess the current year's licensed tag issued by the state of title. Recreation vehicles used for seasonal camping are exempt from this rule.

A motorized vehicle shall be defined as any vehicle that would normally require a state license to operate on a local, city, or state road or highway.

[PROPOSED ADDITION]

Enforcement:

LLPOA Board Members, LLPOA Security, and the Jackson County Sheriff.

Violation/Penalty:

\$10.00 per day assessment to the property owner and/or loss of privileges.

[PROPOSED ADDITION]

ROAD RULES

1. Any construction or repair that requires a building permit or large scale landscape projects to your home will require a Road Deposit of \$500 paid to LLPOA.
2. This Deposit will be held by the Association until construction is completed as determined by the current Board & Road Committee members.
3. Any damage to our roads will be repaired by the Association and billed to the homeowner.
4. Burning of any kind on our roads is prohibited. Evidence of burning on the road will result in \$100 fine.

5. There may be an embargo placed on the roads due to weather conditions to limit or prohibit vehicles that could cause damage to the road surface. Violators will be assessed a \$500.00 fine.