

## LLPOA SPRING GENERAL MEMBERSHIP MEETING MINUTES

May 21, 2023 1:00 P.M.

CALL TO ORDER – Damien Miller 1:24

ROLL CALL - Missy

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

PRESENTATION: Kevin Bohach, Financial Oversight Committee

- Presented explanation of needed increase in dues. Financial Oversight Committees recommendation on dues increase. Recommending the following increase:
  - 2023/2024 – dues go to \$370
  - 2024/2025 – dues go to \$430
  - 2025/2026 and beyond– dues go to \$490
  - 5-year road assessment is in addition to this

PRESIDENT – Damien Miller

- Thank you to everyone on the board, committees and members for all their time to keep this lake going.

SECRETARY REPORT – Missy Frazier

- Voting process – discussed details of process. Dues vote won't be counted until 3:00pm.
- Fall membership meeting minutes
  - Motion to approve minutes without reading, by Missy
    - Second by Rick
      - All in favor, motion carries
- College tuition assistance program
  - The tuition assistance award has been provided to 2 applicants, Brianna Harwick and Aubrianna Jarding. They have both been active in the community. Congratulations to both!
- Accepting bathroom bids for this summer. To bid, there is a form on the website or you can email the treasurer.

TREASURER REPORT: Financial Oversight Committee

- Budget & Financials – Lorin presented and submitted the financials, Profit and Loss and Balance Sheet.
  - Discussion regarding concerns of the emergency fund being at \$15,000.
    - A member suggested that there be a minimum of \$15,000 and a maximum of \$50,000 in the emergency fund. Directed to write up a request to the board to be voted on.

PRECINCT REPORTS:

P1 – Dave Merrill - nothing

P2 – Vacant

P3 – Joyce Jarding - nothing

P4 – Shannon Leppert - nothing

P5 – Michel Theisen - nothing

P6 – Debbie Bartell - nothing

P7 – Rod Miller - absent

P8 – Sheila Rooney – Had a member ask if they are on a payment plan if they are in good standing. Members are in good standing while on a payment plan as long as payments are current

Committee reports:

Entertainment: Director Joyce Jarding – Thank you to everyone that volunteered last year. We will need many again this coming year. There are sign up sheets to sign up to volunteer.

Roads: Director Sheila Rooney, Shawn Frazier – Over 10 days, we had a total of 1,173 tons of rock put on our roads. It was 86 loads of rock hauled with personal vehicles and equipment. The cost of the rock was \$9,550. The cost of the fuel was \$1637 for a total of \$11,187. To have it delivered, the cost would've been approximately \$16,500. Thank you to Damien Miller, Shawn Frazier, Kory Feldman and Wayne Loeffelholz for doing the work and saving the money for our lake.

Lake / Blue Heron: Director Dave Merrill – The fish kill appears to be from normal causes, as its limited to 1 or 2 species.

Building, Grounds, Maintenance and Pavilion: Director Dave Merrill – Many volunteers to thank. Special thanks to Tom Clark for everything he is doing to work on the pavilion preparation. The concrete is in and the building will follow soon. The budget is very tight and we will need to raise additional money to complete it.

Building, Grounds, and Maintenance – Bathrooms are open. If vandalism begins, they will be closed. The water heater isn't working at the beach, and there's discoloration in the water. We will shock it to make sure that clears it up.

Assessment, Zoning, Sanitation, Security: Director Shannon Leppert – Discussion of Jackson County Zoning being here.

Bylaws – will be voting on updates today

Beach: Director Dave Merrill – we need the swimming dock

Financial Oversight Committee – List of 5 members that court cases have been filed on is available. Started with 8 members, but 3 have cleared up their past dues. The 5 listed will all be responsible for attorney fees, court costs, in addition to their back fees. With the 5 members, it's approximately \$12,000. Names are posted because it's public knowledge.

Fireworks: Missy Frazier – Fireworks will be held June 24<sup>th</sup>. The breakfast this morning raised \$1,300 toward the fireworks. Thanks to all who worked and donated.

Voting Bylaws and Rules and Regulations – Margie Loeffelholz – In working with the attorney, he recommended several items for clarifications. Adding enforcement, violation and penalty to the bottom of each section was recommended to make it clearer.

Each section was read and voted on. The changes with voting results noted is attached.

5 minute break

3:00 pm – count votes for the increase in dues vote

Vote was held to increase the annual membership dues to:

- 2023/2024 – dues go to \$370
- 2024/2025 – dues go to \$430
- 2025/2026 and beyond – dues go to \$490

Voting results:

Yes to the increase: 65

No to the increase: 54

Dues increase passes and becomes effective beginning with the 2023/2024 dues.

ADJOURNMENT – Motion to adjourn by Dave, Second by Shannon. All in favor. Meeting adjourned 1:10pm

By-Laws Proposed Changes - For a full copy of the By-Laws go to llpoa.ia.com

[PROPOSED CHANGE] Article III Section 8. LAND USE

A. 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 member owner will be considered renting and will be subject to a penalty of \$250.00 per month.

Vote: All in favor, no one opposed. Motion carries

[PROPOSED ADDITION] Article III 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. Property owner shall be responsible for all actions of its guests and invitees, including responsibility for any violations, fines, penalties and costs incurred in the enforcement of the same.

Vote: All in favor, no one opposed. Motion carries

[PROPOSED ADDITION] Article IV 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. 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. All dues unpaid when due and any unpaid assessments or special assessments shall automatically become a lien against the lot or lots of the owner responsible.

Vote: All in favor, no one opposed. Motion carries

[PROPOSED ADDITION] 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. Date and time of meetings may be rescheduled for inclement weather or any reasonably justifiable reason that may prevent a quorum.

Vote: All in favor, no one opposed. Motion carries

ARTICLE VI-ELECTIONS, QUALIFICATIONS AND ELECTION PROCEDURES

[PROPOSED ADDITION] 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. 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

**B. Vote: All in favor, no one opposed. Motion carries**

[PROPOSED CHANGE] 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, ~~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.

Vote: All in favor, no one opposed. Motion carries

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:
  - He/she shall prepare a monthly accounting, to be presented to the accountant.
  - The accountant's annual report shall be presented to the Executive Board at the next available Board Meeting.~~
- ~~C. 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.~~
- ~~D. 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.~~

[PROPOSED REPLACEMENT] Section 1. FINANCIAL RECORDS

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.

**Vote: All in favor, no one opposed. Motion carries**

[PROPOSED ADDITION] 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. All committees must have Board approval to spend anything greater than \$1,000. (need to approve to put in bylaws but the \$1,000 has already been approved in a Board meeting)

**Vote: All in favor, no one opposed. Motion carries**

## **Rules and Regulations Proposed Changes: For a full copy of the Rules & Regulations, go to LLPOA-IA.COM.**

### **GENERAL RULES**

[PROPOSED ADDITION FOR CLARIFICATION]

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 plus costs and expenses incurred by the Board in enforcement of the violation

**Vote: All in favor, no one opposed. Motion carries**

[PROPOSED ADDITION]

### **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. The money collected from back dues will be allotted by the Treasurer and Financial Oversight Committee as follows:
  - Unpaid dues, assessments and special assessments will be allotted to the appropriate category.
  - Roads – 25%
  - Lake – 20%
  - Remaining money will be allotted by the discretion of the LLPOA Board

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 plus costs and expenses incurred by the Board in enforcement of the violation

**Vote: All in favor, no one opposed. Motion carries**

### **CHANGES IN DUES STRUCTURE**

[PROPOSED CHANGE]

(e) all such referendums are to be held on a Saturday or Sunday between the hours of ~~10:00 a.m. and 3:00 p.m.~~ 1:00 p.m. to 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.

**Vote: All in favor, no one opposed. Motion carries**

### **NON-MEMBER RESIDENTS/GUESTS**

[PROPOSED ADDITION FOR CLARIFICATION]

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

Violation/Penalty: \$150.00 per offense assessment to the property owner and loss of privileges plus costs and expenses incurred by the Board in enforcement of the violation

Question posed regarding members paying the penalty and leaving it.

**Vote: Motion to table, by Damien. All in favor, motion carries.**

### **VEHICLE RULES:**

[PROPOSED CHANGES]

#### **NLMV-NON-LICENSED MOTORIZED VEHICLES - "AND ALL POWERSPORT VEHICLES"**

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

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.

~~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 of the registration and inspection will be \$10.00 per unit and ~~\$5.00~~ \$10.00 per unit annual renewal. All NLV's and Powersport vehicles must have a 5-foot high day glow flag mounted and firmly attached to them.

~~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 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 or Powersport vehicle which has been determined 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 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

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 plus costs and expenses incurred by the Board in enforcement of the violation

**VOTE: One member opposed, all others in favor. Motion carries.**

## **BOATS AND WATERCRAFT RULES**

[PROPOSED CHANGE]

Boats and watercraft MUST be owned and registered by property owners. The initial cost for registration is \$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.

**Vote: All in favor, no one opposed. Motion carries**

## **FISHING RULES**

[PROPOSED ADDITION FOR CLARIFICATION]

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 plus costs and expenses incurred by the Board in enforcement of the violation

**Vote: All in favor, no one opposed. Motion carries**

## **NOISE ORDINANCE**

[PROPOSED CHANGE]

Exemptions:

- Non-commercial public speaking at public assembly (including LLPOA sponsored dances and fireworks displays).
- Emission of sound in the operation of snow removal equipment.
- Emergency vehicles.
- Refuse collection vehicles.
- ~~Lawn maintenance equipment.~~

**Vote: All in favor, no one opposed. Motion carries**

## **GARBAGE AND REFUSE**

[PROPOSED ADDITION FOR CLARIFICATION]

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 plus costs and expenses incurred by the Board in enforcement of the violation

**Vote: All in favor, no one opposed. Motion carries**

## **MEMBERS' BUILDINGS AND GROUNDS**

[PROPOSED ADDITION FOR CLARIFICATION]

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 plus costs and expenses incurred by the Board in enforcement of the violation

**Vote: All in favor, no one opposed. Motion carries**

ABANDONED AND STORED VEHICLES

[PROPOSED ADDITION FOR CLARIFICATION]

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 plus costs and expenses incurred by the Board in enforcement of the violation

**Vote: All in favor, no one opposed. Motion carries**