

# CONDO CONNECTION

February 23 2024

2024 Assessment and Budget Edition By: Chris Reinoehl

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**Remember to  
Spring Ahead on  
Sunday, March  
10, 2024 at 2am**

**\$20.00 Camp Usage Fee**

Starting March 1, 2024, overnight stays are allowed any night of the week. Just remember to unplug by 5pm if you do not want to pay the Camp Usage Fee of \$20.00 per night.

**Rentals:** Bylaws require any co-owner renting it unit to contact the Office at least 21 days before the rental begins. Renters must come into the office and complete the renter's paperwork and receive their renter's entrance stickers.

**Handicap Parking:** Additional handicapped parking spaces will be added this season. Golf cart handicapped windshield parking permits are offered this season for no-charge at the Office. In order to receive a golf cart handicapped parking permit, the co-owner has to have a State issued handicapped vehicle plate or hang tag and bring copies to the Office and complete the required paperwork. One permit per unit is allowed.

# Message From the President

- By Ryan Nasrey

Good day to all my fellow co-owners. As we are quickly approaching another wonderful season here at Leisure Lake, I wanted to go over a few very pertinent points. The Board has set the 2024/2025 annual assessment amount, while keeping a responsible budget.

This Board is committed to following the Bylaws in preparing a budget that projects expenses for the proper operation, management and maintenance of our campground. The Board reviewed historical revenues and expenses as well as increased prices in contracts, goods, and services. The Board is happy to announce that the FY24/25 assessment will not be increased and will ***remain the same at \$2,025.***

The revenue is based on income of \$2,025 assessment and historical income from other sources. Expenses are based on historical payments and increased contract rates for 2024. Included in the budget are funds for:

- Activities
- Fireworks
- Fish Stocking Program
- Consultant fees for EGLE responses
- Playground equipment repairs
- Mandatory 10% for the reserve account.

The budget does not include the following items:

- The Vernon Township RV Tax. The RV Taxes collected are not income for Leisure Lake. The \$2 collection fee for Leisure Lake (estimated at \$388) is included in the budget.
- Funds to replace or purchase major equipment, examples, tractors or vehicles. The FY24/25 Board will be preparing a 5-year equipment replacement and funding plan.
- Funds for EGLE or repairing the large maintenance barn. At this time the Board does not have a proposal from EGLE or an estimate to repair the large maintenance barn. Rather than guess and use an arbitrary amount to increase assessments, the Board decided to wait for actual cost projections because the budget has \$92,181 in the reserve account that could be used for emergency infrastructure repairs or projects.

The Board is happy to announce that EGLE has issued our 2024 campground license with the stipulation that the Board continues to work with the EGLE to correct wastewater deficiencies, to continue to enforce the governing bylaws and rules and regulations that the camping season is not open year-round, and to continue to monitor and cease potential year-round/permanent residency use of campsites.

This Board pledges to continue to work with EGLE, the State of Michigan's Attorney General's Office, our attorney, and multiple consultants and experts to find the solutions for these outstanding issues that have been weighing on our Condominium Association since 2018.

EGLE has identified one change needed to help resolve our wastewater issues with our septic tanks. That change is banning the use of black tank deodorizers, personal and cleaning wipes, and any other Ammonia-based cleaning or deodorizing products. Our wastewater ammonia levels were cited by EGLE as high and are one of the factors for our large tank being out of compliance. So beginning on May 1, 2024 these products are not to be used at our campground nor are these products to be disposed in black water tanks, gray water tanks, or in any bathroom or toilet: black tank deodorizers, personal and cleaning wipes, and any Ammonia-based cleaning or deodorizing products. Please help us keep our camp license by abiding by this new and critical rule.

Regrettably, the Board has to announce that in addition to our lawsuit filed by Dan Donoghue, our Association has received a second lawsuit filed by Thomas Smith. This lawsuit is a “temporary restraining order” that prohibits the Association from including language from our Bylaws in our communications, literature, and instructions regarding who can serve on the board and who can vote by proxy. It also prohibits the Association from enforcing Bylaws regarding owners that receive violations after December 31, 2023 for non-payment of assessments, fines, or restitution for damages.

This edition of the Condo Connection was to include the list of candidates running for the board, voting instructions for absentee and proxy, the absentee ballot, and the candidates’ letters of intent. The Association was also preparing to distribute the 2024 owner packets and the 2024 parking entrance stickers. All of these documents contain language and references to our Bylaws that are under the “temporary restraining order” in the Thomas Smith lawsuit and cannot be distributed.

Until the Thomas Smith lawsuit is resolved, the Board has to put the election process and the distribution of the 2024 owner packets and park entrance stickers on hold. Our Association voter instructions and owner packets contain the Bylaws regarding who is allowed to serve on the board, who is allowed to vote, and the Association’s violation process. Sharing this information violates the Thomas Smith restraining order. The Board cannot risk a third lawsuit and having to spend even more money in legal fees if we reference or share our Bylaws with our Condominium Association Co-owners. Please understand that the Thomas Smith lawsuit prohibits all Leisure Lake Board members, employees, agents, or representatives from discussing this matter with you until the case is resolved in court. It is not that we don’t want to inform you, we cannot. So please understand and be patient.

We will notify you as soon as our attorney has presented the Association’s cases in court, when we have court decisions that we can share with you, and when the Association can continue with the election process and distributing the owner packets and entrance stickers.

Regards,  
Ryan Nasrey  
LLCA President

## BOARD APPROVED PAYMENT OPTIONS FOR FY24/25 ASSESSMENTS

The FY24/25 Annual Assessment is \$2,025 and is due May 1, 2024. A \$50 late fee will be charged to all Co-owners that have not paid by May 1 and interest of 7% will be charged to all past due accounts.

### **The \$2,025 Annual Assessment can be paid by the following methods:**

- By check to Leisure Lake Condo Assoc at the Office Tues-Saturday 10am to 3pm
- By check to Leisure Lake Condo Assoc in envelope at the D-1 Mailbox anytime
- By check US mail to Leisure Lake Condo Assoc, 10001 E. Goodall Rd, Box F-1, Durand, MI 48429
- Through PAYHOA- there are fees associated for ACH or Credit Card payments
- By cash at the Office, Tues-Saturday 10am to 3pm, appointment is preferred
- By credit card in person or by phone (989-288-2616) to the Office. There is a 3% bank fee. Total payment is \$2,085.75
- Co-owners may make payments before May 1 without a contract as long as the full amount of \$2,025 is paid in full by May 1.

### **Written Contract for Assessment Payable No Later than June 30, 2024**

The Board has approved a written contract payment plan where the \$2,075 (\$2,025 plus \$50 late fee) is paid in full no later than June 30, 2024. The conditions are as follows:

1. **A co-owner that has defaulted on a previous payment plan is NOT eligible for any payment options past May 1 and must pay all unit assessments by May 1.**
2. The contract must be in writing and signed by the co-owner and the Leisure Lake Office Manager.
3. A \$50 late fee is charged and is paid in the first payment. Payments can be weekly, bi-weekly, or monthly.
4. The co-owner must pay off the entire contract no later than June 30, 2024. The contract can be paid in full before the end of the contract.
5. The contract serves as the written notice that if the Co-owner fails to make the payments on or before the due date and/or fails to fulfill the terms of the agreement, that the balance of the contract is due immediately and the utilities will be locked out and all services discontinued until the account is paid in full. A \$100 lockout/off fee will be charged and added to the account.

### **What Happens When a Co-owner Does Not Have Signed Payment Contract or Does Not Pay by May 1, 2024?**

If a Co-owner does not pay the assessment in full by May 1, 2024, and does not have a written, signed agreement with the Office by May 1, 2024, the co-owner is in default and the following occurs:

- May 2: \$50 late fee and 7% annual interest is billed to the unit's account.
- May 2: Entrance stickers are not issued until assessment is paid in full.
- May 2: 7-day notice is sent to the co-owner through PAYHOA notifying that the co-owner is in default and that the utilities (water, electricity, sewage removal, trash/dumpsters) will be locked out on May 10.
- May 10: The electricity and water will be locked out and pump out service will be discontinued. A \$100 lockout/off fee will be charged for each unit and added to the account.
- May 10: If the co-owner is in default, the co-owner shall not be entitled to utilize any of the general common elements (examples, beach, clubhouse, pavilion, comfort stations, bathhouses, parking lots, pathway, tennis courts, dog park, etc.)
- May 10: All services will be discontinued (pontoon boat program, rental of clubhouse or pavilion, rental storage in parking lots) until all assessments are paid in full.

### **Vernon Township RV Tax**

The 2024 Vernon Township RV Tax is \$38 and is due December 1, 2024, for all units that do not have a permanent plate registered in the Office. The tax can be paid with the \$2,025 assessment or anytime until December 1, 2024.

## **Summary Report**

### **How the FY23/24 off-season (Nov 1- April 30) Camp Usage Fee was Determined**

The Board has communicated how the \$20 camp usage fee was determined in open meetings and in the April 2023 Election handout. For the new co-owners or those that might have missed the articles, below is how the Board determined the fee for 2023-2024. Our Association's Attorney has reviewed our 1979 Bylaws and 2009 Court Case documents and determined that the Board followed the Bylaws and Court requirements when determining the FY23/24 camp usage fee. The Supporting citations are at the end of this summary.

On July 8, 2023, the Board Members (Ryan Nasrey, Cindy Mathers, Bonny Webber, Chris Jacobs, Jerry Kargel, Rebecca Nasrey, and Thomas Smith) met and discussed the FY23/24 camp usage fee rate based on (1) the camp's actual electricity bills, (2) the impact on the assessment if the fee was reduced to \$8, and (3) the comparison rates for rustic campgrounds in Michigan.

During the meeting financial information was reviewed. Based on the camp's actual electricity bill between November and April, it was noted that if the \$20 camp fee was reduced to \$8 that it would require all co-owners to pay an additional \$24 in their annual assessment.

Less than 10% of the co-owners spend the night during the off-season. Most board members agreed that it was unfair that 90% of the co-owners that did not spend the night in the camp would have to have their assessment increased by \$24.

It was discussed that co-owners who are not in the camp and leave their units plugged in and use electricity for porch lights, heaters, and refrigerators cause all co-owners to have to pay higher assessments to cover the increased off-season electricity bill. It was agreed that units plugged in between 5pm and 8am would pay the camp usage fee regardless if the co-owner was in the camp or not. Several members suggested that co-owners can use solar security lights.

The Board discussed that Michigan rustic campgrounds (no electricity, water or hot showers) averaged \$18-\$20 a night.

The Board decided that the \$20 a night was fair and that the camp usage fee for FY23/24 would remain at \$20 for the hours anytime between 5pm and 8am.

#### **Supporting Citations and Electricity Bill**

The Bylaws and a Court Case give the Board the authority and responsibility each year to determine the off-season camp usage fee. The Master Deed of Leisure Lake as recorded August 17, 1979, Article IV Common Elements, Section C, Item #3 states that:

- The cost of the electricity during the months of May through October shall be borne by the Association. During the months of November to April, the cost of the electricity shall be borne by the co-owner of the unit as billed to the co-owner by the Association at the prevailing daily rate established by the Association.

The Court Case Donoghue vs. Leisure Lake, dated April 21, 2009, settled with a Mediation Agreement signed by the Judge, the Board of Directors (Hank Larsen, Lynn Sorenson, Robert Hunt, Curt Thompson, Charles Fisenhast, and Rick Hall) and the Plaintiff, Dan Donoghue.

- The Mediation Agreement states that the parties agree to a voluntary dismissal of the lawsuit upon the following terms and conditions. Leisure Lake shall adopt the following amendments to its rules and regulations.
  - The campground season is May 1<sup>st</sup> through October 31<sup>st</sup> for the purpose of the annual assessment. Between November 1<sup>st</sup> and April 30<sup>th</sup>, co-owners may use their lots, but will be charged a daily lot usage fee. The amount of the lot usage fee and the uses for which the fee will be charged shall be determined from time to time by the Board of Directors.
  - Residency is considered temporary and/or seasonal. Per STATE LAW, the campground may not be any co-owner's permanent residence.
  - A bath house within the campground shall be kept open during the months of January and February each year, from noon on Friday to noon on Mondays.
  - No overnight stays are allowed Monday through Thursday in January and February.
  - Co-owners may petition the Board for a waiver of any of these rules based upon showing of hardship.

Master Deed, Exhibit A, Condominium Bylaws, Article II, Section 3 states that:

- (b) The Board of Directors of the Association shall establish an annual budget in advance for each fiscal year and such budget shall project all expenses for the forthcoming year which may be required for the proper operation, management, and maintenance of the Condominium Project, including a reasonable allowance for contingencies and reserves.

When factoring the Donoghue court case from 2009, "co-owners may use their lots, but will be charged a daily lot usage fee. The amount of the lot usage fee and the uses for which the fee will be charged shall be determined from time to time by the Board of Directors." The minimum camp usage fee would be the number of visits into the actual bills, leaving any lot coming in for the day expected to pay the difference. For example: \$41,351/845 (Actual Electric Bill divided by actual # of camp usage visits in FY22/23) would pay \$48.94 per day. The board members agreed that it would be unfair to charge this amount for the actual usage amount.

<b>With \$20 Camp usage Fee</b>		
Actual Electric Bills FY22/23 November 1, 2022 to April 30, 2023	<b>\$41,351.91</b>	
Collected 845 camp usage fees x \$20	-\$16,900.00	41% of Electric Bill
<b>Camp Usage fee does not cover this amount of the electricity</b>	<u><b>\$24,451.91</b></u>	<b>59% Not covered</b>
<b>\$8 Camp usage Fee vs. \$20</b>		
Actual Electric Bills FY22/23 November 1, 2022 to April 30, 2023	<b>\$41,351.91</b>	
Collected 845 camp usage fees x \$8	-\$6,760.00	16% Electric Bill
<b>Camp Usage fee does not cover this amount of the electricity</b>	<u><b>\$34,591.91</b></u>	<b>84% Not covered</b>
<b>\$8 camp usage fee revenue</b>	<b>\$6,760.00</b>	
<b>\$20 camp usage fee revenue</b>	<u><b>-\$16,900.00</b></u>	
<b>Shortfall must be paid through assessment increase</b>	<b>-\$10,140.00</b>	
<b>If \$8, would need assessment increase</b>	<b>\$24</b>	\$10,140/425

## The Condo Connection



### Big Chicken Clio, Michigan

Located at 11476 N Linden Road, Clio, MI 48420

Have you often complained that your chicken sandwich is too small for your hand? Fear not, Big Chicken in Clio Michigan is serving chicken sandwiches that even Shaquille O'Neal would even say that this chicken sandwich brings the "Diesel" size meant for The Big Aristotle and packs a Superman Punch of flavor. The soft opening took place on February 6, 2024. The Clio location is the first in Michigan and has been receiving positive reviews on Google. If you are a huge fan of Chick-fil-A chicken sandwiches, then you will be blown away with Big Chickens rated four times higher chicken and has no hormones added.

Shaq's Big Chicken will host a Grand Opening Celebration on Shaq's birthday, Wednesday, March 6. The first 34 customers will receive free chicken sandwiches for one year. During this event, ice cream cones will be provided to anyone that shows. And according to Corporate Chef Robert Ryan, The Big Diesel himself (Shaq) may or may not show up.



Join the Shiawassee Regional Chamber of Commerce for the 3rd annual St. Patty's 5k on March 16th, 2024, presented and hosted by Fitness Coliseum. 5k starts at 1030am and runs till 2pm. Stick around after the 5k and enjoy the Shiawassee Chamber Beet Tent, best dressed competition, medal ceremony and games.



### Bavarian Easter Celebration

Location: Throughout Frankenmuth

Dates: March 15 through April 14 2024

Once a year in the area of Franconia Germany (Northern Bavaria) one will find many wells, trees, buildings, and fountains richly decorated with colored Easter eggs, pine-branch garland, and spring flowers. This tradition of decorating Easter Fountains in Germany is over 200 years old and is a reminder of how difficult it was in those early days to obtain clean water. Since Franconia is the area from which the early settlers of Frankenmuth originated; Frankenmuth has mirrored this Osterbrunnen tradition since 2008. Come and explore all of Frankenmuth to view the colorful Spring Decor and take joy in the Bavarian Easter Celebration.

### THE BOARD OF DIRECTORS

RYAN NASREY - PRESIDENT

JERRY KARGEL – VICE PRESIDENT

REBECCA NASREY – TREASURER

CINDY MATHERS – SECRETARY

BONNY WEBBER - ASSISTANT TREASURER

MICHAEL TERRY – TRUSTEE

CHRIS JACOB – TRUSTEE

Question for the board? Email it to [leisurelakedirectors@gmail.com](mailto:leisurelakedirectors@gmail.com)

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Zach Watters – Director of Facilities

Jerry Vik – Security Supervisor

Chris Reinoehl – Office Manager

Winter Office Hours-- Tuesday - Saturday, 10am to 3pm

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Medical Emergency: 911

Security & Camp Emergencies Phone: 989-288-4131

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Website: [leisurelakemi.org](http://leisurelakemi.org)

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