

Garrison Creek Cottage Owners Association Board of Directors Meeting

July 18th 2024 at (Marty and LaDona Malachowski's 1279 41X Ave NW)

Meeting Time: 7-9 pm

BOARD MEMBERS/DOCK COMMITTEE MEMBERS PRESENT: President, Keith Knutson; Vice President, Marty Malachowski; Treasurer, LaDona Malachowski; Secretary, Deb Keller; Tom Magnuson, Member at Large (joined at 7:25 PM); Rolly Ackerman, Dock Committee Member. **ABSENT:** Brenda Tangadah, Dock Committee Member.

OTHER ASSOCIATION MEMBERS PRESENT: Bruce Zimney (joined at 7:15 PM and left at 8:05 PM).

I. **CALL TO ORDER:** President Keith Knutson called the meeting to order at 7:05 PM

1. **OPENING MEETING REMARKS:**

- a) **INTRODUCTIONS:** Brief introductions were made as new Secretary, Deb Keller, is joining for the first time.
- b) **ANNOUNCEMENTS:** No further.
- c) **SPECIAL GUESTS:** None present at this time.
- d) **CALL FOR AGENDA ITEMS:** Marty requested that an additional agenda item be added to "New Business" to allow for discussion regarding the washed out roads to the boat ramp. It was agreed to add this item to the agenda.

II. **APPROVAL OF THE MINUTES:** Copies of the June 20, 2024 Meeting Minutes were distributed.

MOTION: Marty moved to approve the June 20, 2024 Meeting Minutes as presented. LaDona 2nd. All in Favor. Carried.

III. **TREASURER'S REPORT:** LaDona announced that she paid some bills and received some Association Dues since the last meeting. The checking account balance is currently \$30,740.51 and the checking account remains unchanged since last meeting with a balance in excess of \$8,000.00.

LaDona noted that five (05) members with outstanding Association Due; namely Janelle Butler, Eric Nelson, Andrew Olson, Anastasia Meyer, and Chris Eng. Keith Knutson said he had emailed/contacted all as a reminder. Anastasia Meyer said she had mailed their dues and could expect to receive it soon.

MOTION: Deb Keller moved to approve the Treasurer's Report as presented. Bruce Zimney 2nd. AIF – Carried.

IV. **OLD BUSINESS:**

- a) **Annual Meeting discussion and preparation:** No further discussion regarding A M Preparation;
- b) **Dynamite Bay stairs discussion – Marty:** No further discussion.
- c) **Shoreline weed control – Keith:** No further discussion.
- d) **Concrete on the boat landing discussion:** Additional discussion was had regarding some member(s) suggestion that for an additional 5 foot of concrete be added to the width of the public ramp. Interested member(s) plan on coming to the next meeting. It was requested that the question be run by Bob Frohlich of NDFG.

Marty felt there is little to no room to run wider at the bottom and that it could cause an erosion issue which to prevent would require a break wall. It was noted that Van Hook Association raised money for their break wall and that the State kicked in some supplemental funding as they hadn't raised enough money.

Marty agreed he would ask Bob Frohlich about potentially widening the ramp and he will report back what he learns. No further discussion.

- e) **Dock waiting list approvals/Dock Signs:** LaDona noted that a few members have not yet contacted her for their dock signs. Rolly provided several hardcopies of the Agreement for dock signs for ease of distribution to remaining members that yet need to complete and return them.

Rolly also noted that all members who are on the community dock list need to complete and return the same as well as provide a certificate for evidence of insurance. Additionally, the Agreement and the Shoreline Management Document are both available for download from the Association website.

Keith suggested that it may be beneficial to send by mail copies of the Agreement to applicable members with a reminder request to complete it and return the necessary Certificate of Insurance along with it. There was no objection to this suggestion.

LaDona confirmed that she would also keep the hardcopies of the Agreement and hand them out when people stop to pick up their dock signs. No further discussion regarding old business dock waiting list approvals.

- f) **Township road (Friese addition) discussion:** No further discussion.
- g) **Shoreline (boat dock area) Rip Rapping:** No further discussion.
- h) **Friese Addition One LDA discussion (they want their own LDA):** No further discussion.

V. NEW BUSINESS:

- a) **Annual meeting recap and discussion:** Keith stated that there had been 32 members who indicated they would be attending but that 40 were in attendance. It was generally agreed the meeting was successful and well done. No further discussion.
- b) **Airbnb discussion:** Keith noted that he has heard from a number of members with concerns regarding the advertising and renting by some GCCS members of their properties to the general public.

Keith has previously contacted the Director of Tax Equalization, Todd Schreiner and McLean County States Attorney, Ladd Erickson to learn if the County would enforce the already established ordinance in place that prohibits this activity. They declined to take action at this time citing that they struggle with the definition "commercial" and its application to this scenario. They feel the definition is too vague. Additionally, Keith has contacted with the Township board and they also are declining to take action at this time

- c) **Garrison Creek bylaws discussion:** It has been suggested that the Association may want to update their bylaws to include language to address the Airbnb issue and/or any other updates that may be needed. It was generally agreed that more information is needed.

Marty mentioned that it may be possible to petition the county to enforce their own regulation noting that a certain percentage of the membership would first need to sign the petition in order to present it to the county. Rolly suggested that we contact some of the other Associations in the area to learn how they address the rental issue. If the GCCS board opts to go forward it may be helpful to present as a group. Keith will look into the pros/cons of this option.

It was generally agreed that Keith will first contact Sheldon in his capacity as an attorney regarding rentals or any other bylaw items and ask if he would be willing to visit with the board. If Sheldon cannot assist with the matter he will be asked to provide a reference for an alternative attorney.

It was noted that the membership would need to vote on the matter at the next annual meeting and that the requisite number of votes to approve would first need to be received before the bylaws could be updated. Lastly, it was noted that the Corp currently cites the penalty for engaging in prohibited commercial activity may result in the loss of any dock permit. Rolly mentioned that the board does have the authority to take away dock permits is but that members would then have the right to appeal to the Corps.

- d) **Corps email talking about complaints with our dock list:** Keith reported that he had received an email dated July 06, 2024 from Joan Koob at the Corps requesting a response related to some questions sent regarding the process the GCCS Board follows for assigning dock permits; specifically relating to those on the waiting list. Keith responded by email to Joan on June 15th and explained the process noting it has been approved by the Corps previously and is communicated to all members as well as the dock assignment process being available on the Association's website. *See the attached copy of the email correspondence included for the record.* Keith noted that as of this date, he has not heard again from Joan and assumes his response was satisfactory.

Member Bruce Zimney asked how the community docks work. It was explained that all community docks that appear on the current dock list were all done at the same time. Now, as openings become available, the member(s) next in line to be offered a dock permit are identified and contacted and provided the names of the other members who they would potentially share the community dock. They are encouraged to visit with each other to determine if they would be well suited to share a community dock and, if so, the dock permit is granted. Additionally, as permits become available, the Association will encourage participation in the community dock option to hasten the wait for others still on the waiting list. Bruce thanked the board for that information. – No further discussion.

- e) **Dock list updates and approvals:** Two more applications for dock permits were previously received; one for Dustin and Gwen Schoepp dated 06/22/2024 and a second for David and Andrea Werner dated 06/23/24.

Marty MOTIONED to approve both the Schoepp and the Werner dock permit application(s) and to add them to the Dock Waiting List. AIF – Carried.

- f) **Friese Addition LDA – Chad Effertz conversation:** Keith reported that he is still waiting to hear back from Chad. Further discussion tabled until more information has been received.
- g) **Web site discussion – replacement for Rolly:** Discussion was had regarding the search for someone to replace Rolly in managing the Association website. He noted that site is built and operational and now will just need updating which is fairly straightforward using the “Go Daddy” platform. The website is up to date pending only these meeting minutes. Rolly also noted that the site is backed up to the cloud.

Deb Keller offered to replace Rolly in managing the Association website. It was agreed by all that would be acceptable. Rolly will update the site with these Minutes once done and then will pass the passwords and any other information necessary for the task to Deb.

- h) **No Diving or Swimming sign for the dock at the boat landing:** Discussion was had regarding the need for a sign to be added to the Public Dock that states “No Diving, Swimming, or Fishing”. Additionally, the public dock needs repairs after taking impact. The Association makes these repairs and shares the cost of the same with the Game and Fish pursuant to the current agreement for splitting expenses at 75% and 25% Game and Fish and Association; respectively.

Additionally, the public dock may need to be moved now as the water is down. It was noted that Warren Gesner has been doing it.

Marty MOTIONED to pay Warren Gesner \$150 for his time and effort for keeping the public boat dock and ramp up and running. Tom Magnuson 2nd. AIF – Carried.

- i) **4th of July Parade recap:** Discussion was had regarding the 2024 4th of July parade and all agreed it was a very nice parade with good turnout and it was very nice to end the parade at the Magnuson’s property on the south end. All extended their gratitude to Tom and Nancy Magnuson for their kind generosity and effort in arranging such an enjoyable event. The Association offered to compensate the Magnuson’s for the food and drink they provided. Tom declined the offer. Tom was asked if he felt they would want to do it again next year and he agreed that they will again assume the role of managing the parade event next year.

Additional Discussion was had regarding the parade route. Some members had asked if a new or expanded route should be considered to potentially include the Friese Addition. Concern was voiced regarding a good area to turn around in the Friese Addition as well as it being potentially too far of a distance for any walkers in the parade. Keith had some proposed alternatives to the parade route in mind and Tom suggested that an alternative(s) version for a parade route be sent out to membership for their review and comments before the board would consider or approve a new route. No further discussion.

- j) **Hand holds on dock at the boat landing:** Marty contacted Bob Frohlich of the NDFG to pose a question that had been received from a member of the Association asking to remove one of the upward post handles on the boat dock to lessen the issue of impact with some boats that are on or around 24 ft. in length. Mr. Frohlich responded by email, *a copy of which is attached here and made part of the record*, stating that the handles could not be removed for safety and liability reasons. The information was shared with all interested members and there was no objection to the decision.
- k) **Washed out roads to boat ramp:** *This topic was added to the agenda at the top of this meeting.* Marty discussed the issue of the washed out road to the boat ramp. The water isn't draining into the ditch since Loren built the new structure. It was suggested that Loren could easily grade the road to re-direct the water to Sheldon's culvert. Marty wants to ask Loren to grade it now vs waiting as it's a simple fix. There was also discussion regarding contacting the Township as a possible option to address the issue. Marty will call Corey at the Township for more gravel but otherwise it was agreed that Loren will be contacted first to see if he can do it.

Adjourned at 8:30 PM.