

Leisure Lake Association, Inc.  
Board Meeting Minutes  
April 13, 2019 Approved

**Board Members Present for Roll Call/Meeting:** Lynn McCarter, Dale Hansen, Mike Parkhurst, Kim Telkamp, Rose Welsh, Randy Wellman, Denise Johnson, Alan Smith, Miles Tratchel, Rodney Dilley and Tom Metzgar.

**Board Members Absent for Roll Call/Meeting:** N/A

**Guests:** Nancy Thrap, Ann Hansen, Mike Smith, Phil Stewart, Jeanne Wheeler, Mark & Denise Lindquist and Kristie Martin

Lynn McCarter called meeting to order at 9:04 a.m. and took roll call. Guest roll call followed.

**Guests Discussion:**

Jeanne Wheeler presented the issues concerning noise violations with 4-wheelers/quads and inquired about cutting away dead tree limbs. It was suggested she contact Grundy County Electric to assist with limbs near utility lines.

**Minutes/Financials:**

Dale Hansen made a motion to approve the March 9, 2019 minutes as written. Mike Parkhurst seconded the motion. **Motion carried.** Alan Smith made a motion to approve the February 2019 financials. Mike Parkhurst seconded the motion. **Motion carried.**

**Committee Reports:**

**Road Committee:**

Lynn McCarter reported that 4 loads of rock was laid in each of the units on the worst spots of Mike Smith's discretion. There is currently 6 loads of gravel remaining until 6/30/2019. 2 tires on the maintainer needs to be replaced. 3-4 culverts will need to be replaced once the new budget begins on 7/1/2019.

**Building Committee:** No report.

**Budget Committee:** Report postponed to the May 11, 2019 Board Meeting.

**Election Committee:**

As reported by Denise Johnson that Dale Hansen's term has expired and he cannot run for re-election. The following terms are expired but they can run for re-election: Kim Telkamp, Mike Parkhurst, Denise Johnson and Lynn Mc Carter. Anyone who is eligible to run must complete and sign a 'Willing to Run Form' which is available at the lake office. All incoming and current Board members must have a sign Covenant on file to run and remain on the Board. There is a question regarding Alan Smith's term & will research when term is up.

**Entertainment Committee:**

Denise Jonson reported that Rose Welsh and Connie Metzgar will remain on the committee provided a Committee Chair can be determined. Deanna McCarter is interested in helping the committee, however, she will not be Chair. The Committee donated \$3478.21 towards the remodel of the lake office.

**Shelter House Committee:**

Dale Hansen reported there will be another Shelter House work day on April 27, 2019 at 8 a.m. Shelter House renting will begin on May 1, 2019. Plumbers and Carpenters are need to complete this project.

### **Office Committee:**

Denise Johnson reported that Ann and Dale Hansen began the Covenant project. To complete this project the lake office needs approximately 1144 letter sized hanging folders. Lake Secretary, Kristie Martin passed her notary exam. In order to complete the notary process she needs to purchase her bond and supplies and be sworn in at the Courthouse. The lake website has been updated. We need to ensure that the Not in Good Standing List and approved Board Minutes gets posted at the mailboxes each month. The Committee list has been updated but not yet approved. We have not heard from the Fishing Tournament Chair. We also need a Chair for the Entertainment Committee as well as 2 members for the nominating Committee and Unit Representatives for Unit #1 and Unit # 3. Fishing trophies have been ordered and received for the Fishing Derby on May 25, 2019. Need information for the Newsletter that is being published in May 2019. Becky Thrap needs dates for Scrap Metal drop off and location for the Newsletter. Pricing for a dumpster to haul furniture off needs to be researched.

### **Nominating Committee:**

Discussion of who is and is not eligible to run has been previously discussed.

### **Audit Committee:**

Denise Johnson stated that records generally get audited four times a year. At this time due to the backlog of items to be accomplished an audit has not been completed recently. She has been keeping an eye on the records each month.

### **Vision & Mission Committee:**

Kim Telkamp stated that she will organize a meeting and present information at the May 11, 2019 meeting.

### **Lake Reclamation:**

Miles Tratchel reported that Gary Schieble with Missouri Department of Natural Resources suggested that we over seed the backside of the dam with grass. Gary Schieble has a contact to mow the backside of the dam for brush should we need. It was recommended it be mowed twice a year. A committee report is required at the June 2019 Board Meeting.

### **Lake and Property Committee:**

Lynn McCarter reported that he is not on the Committee, however, he has spoken with Kenny Thrap regarding the need to spray the lily pads. More chemicals need to be purchased. Training needs to be provided for new helpers.

### **Legal Committee:**

Dale Hansen reported that he and Rose Welsh met to discuss the process for Small Claims Court. They have isolated 5-6 accounts that should be the first group to legally pursue. Court fees are \$38.50 for file and \$33.00 + \$5.00 for Sherriff service and requires two checks to be presented at the Courthouse.

### **Old Business:**

#### a. **By-Laws Committee: (was discussed during the Old Business section of the meeting)**

Ann Hansen presented to the Board the report from the By-Laws Committee regarding proposed changes to the existing By-laws as indicated below by bold and double underlined markings. Much discussion ensued. The Board asked that the words/sentences be struck from the proposed changes as indicated below.

Shawn Metchler and Vicki Baker had sent emails to the board. Shawn has the part about the felony in his email but it hadn't been actually added to the bylaw he thought it should be.

## LEISURE LAKE BOARD MEETING – April 2019 - REPORT OF BYLAWS COMMITTEE

The Leisure Lake By-laws committee met by email to make the changes the Board made after their March meeting. Below are the changes we made. Please advise us if any other changes need to be made before the By-laws changes are voted on. At the last Board meeting we were directed to discuss the proposed bylaws changes, proposed by Kenny P. Thrap. Listed below are our suggestions:

1. Change old bylaws to the following:

### Article I: Membership

#### Section III – Assessments

##### A. Assessment Charges

Leisure Lake Association membership year is from January 1 thru December 31. Assessments for all property owners are payable in **(Add: advance)** of utilizing any Leisure Lake facilities, services, serving on any board or committees and due on or before December 31<sup>st</sup> of each year. A 10% late payment penalty will be assessed to all payments made after December 31<sup>st</sup>. On any lot purchased after January 1<sup>st</sup> the assessments will be [prorated from the 1<sup>st</sup> of the following month forward to December 31<sup>st</sup>.

##### B. Non-Payment of Assessments

In the event a property owner has not paid in full the amount of the assessments on his/her lot(s) no later than December 31<sup>st</sup> of the assessment year or make arrangements satisfactory to the Board of Directors (signed a payment agreement), he/she will be considered delinquent and no longer a member in good standing. He/she will no longer be eligible to vote in the election of Directors and will not receive a ballot.

**STRIKE THE SENTENCE:** ~~Only the President or the Office Committee Chairman can authorize a payment plan.~~  
(add last sentence or leave out)

D. Employees Payment of Assessments – much discussion, but leave the same.

##### G. Payment Plans

The association offers a payment plan for assessments which is intended to have assessments to be paid in full before they are due in the current assessment year.

- The amount due on each monthly statement will be increased to include postage and handling.
- Properties purchased with liens and back dues owed are given a one year period to have all liens and assessments paid in full before the following assessment year due date.
- Assessments being paid on a payment agreement will have a 10% penalty applied to the principal of the unpaid balance after **March 1st, (changed date)** of the assessment year owed.

## Article IV – Directors

Section I. A. **STRIKE THE WORD:** ~~However,~~ Individual Board or Committee members do not have the right or authority to make decisions for the board without specific authorization by the Board, (add the word Committee) (leave out the word “However” at the beginning.

Section II – Qualifications - No person shall be eligible to become or remain a Director of the association who is not a paid-up member or the member of paid-up member’s household who is in good standing.

**STRIKE THE SENTENCE:** ~~Additionally, no person who has a felony conviction, or currently charged with a felony, may be a Director.~~ A member must have signed the Covenant agreement for all properties in his or her name(s) effective August 9, 2014.

### Section IV Election and Tenure of Office –

**B.** Eligibility – Only one (1) member in good standing of any household shall be eligible for nomination or election to the Board at any one time. **Delete this sentence:** ~~However, another household member may be eligible for nomination or election after the term of their household member has expired or upon their resignation from office.~~ **Add: A member must have his/her name on the deed of their property to run for office).** **Add: A member in good standing has all their dues current, and is not in any violation of the Leisure Lake Bylaws.)**

### New Business:

a. Former ELB Property Initial Payment

Discussion of Initial payment to Jerry Nibarger of \$300.00 down payment plus closing costs (Approximately \$500.00) will be drawn out of Special Assessments account as this is considered a capital improvement. In 2020, a \$6,000.00 per year payment will be made at 4.0% which will continue until 2024 or 5 years of payments. In 2025, there will be a principle payment of \$351.69 plus interest and the note will be paid in full. The revenue generated from rentals by the building will be deposited back into Special Assessments. The Board is confident that earned rental funds will be close to cover the annual payments. Discussion ensued. Mike Parkhurst made a motion to use the Special Assessments account for the initial payment plus closing costs to Jerry Nibarger for the former ELB property. Tom Metzgar seconded the motion. **Motion carried.**

b. David Duenow Properties

A letter was sent to the Clerk of the Court seeking clarification regarding the purchase of new properties post court case confidential settlement. The court replied to the letter recommending the lake to follow up with legal counsel. The legal committee spoke with the lake attorney who advised the lake to bill at their discretion. The lake attorney further advised that the opinions from the court case should have been challenged. The Board decided to not pursue the new property for assessments.

c. Spillway Contract

The 2009 Contract was for the apron on the spillway and was associated with the blocks. Research needs to be done to determine any warranty and if any blue prints were constructed on the project.

d. Troy Green house tear down

Dale Hansen obtained three bids to assist with removing shingles and house tear down. Kale Harmond would push the house in for \$500.00, Dan Stevens of Stevens Construction would push the house in but the lake would have to remove the shingles for a cost of \$400.00 and Jerry Nibarger gave the bid of \$50/hour and/or \$300.00 to push the house in and load the shingles into our dump truck so we can haul it off to the transfer station in Trenton and pay the fee to unload. Jerry Nibarger's bid will be completed inside of 60 days. Alan Smith made a motion to accept Jerry Nibarger's bid of \$300.00. Rose Welsh seconded the motion. **Motion carried.**

e. Advanced Disposal

Dale Hansen contact our Rep. Scott Johnston regarding the cost to come an extra day versus adding another 4 yard dumpster. Dumpsters are currently \$456.25 per month. To add an additional 4 yard dumpster would be \$608.35 per month. To add an additional day of service would be \$684.00. Mike Parkhurst suggested Porter's Disposal out of Bethany, Missouri. Advanced Disposal renewed on February 1, 2019 thru January 31, 2020 at a rate of \$469.94 as of September 25, 2018 per a conversation with Kristie Martin, Lake Secretary. Mike Parkhurst reported that his non-profit is charged \$50/month for one dumpster with twice a week service. He suggested to check to see if the Lake's contract has an auto renew clause. Lynn McCarter suggested that Kristie Martin, Lake Secretary review the contract with a Board member for that clause. Kristie Martin read aloud, "Terms: The Initial term of this agreement is 5 years commencing on the Effective Date and shall automatically renew thereafter for successive 5 year terms (each a "Renewal term" and together with Initial term, the "term"), unless either party gives written notice of a non-renewal (via certified mail) to the other at least 60 days but not more than 120 days prior to the expiration of the current term". Mike Parkhurst suggested that that we have Advanced Disposal strike those miscellaneous renewal statements. Mike Parkhurst will follow up with Advanced Disposal in October 2019 and present the Board with his findings.

Lynn McCarter opened the floor for miscellaneous comments and introductions by guests.

**Executive Closed Session Minutes:** Pursuant to RSMO. 610.021 (2)

Discussion ensued over whether or not an Executive closed session was in order to approve the March 9, 2019 minutes. The Board decided to approve the minutes outside of and Executive Closed Session. Alan Smith made a motion to accept the minutes from the March 9, 2019 Executive Closed session minutes. Rose Welsh 2<sup>nd</sup> the motion. **Motion carried.**

**Adjourn:** Dale Hansen made a motion to adjourn the meeting. Tom Metzgar seconded the motion. **Motion Carried.** Meeting adjourned at 11:24 a.m.

**Next Board Meeting: Saturday May 11, 2019 at 9:00 a.m.**

Lynn McCarter  
Respectfully submitted,  
Without Prejudice, All Rights Reserved  
By: Kristie Martin, A.R.  
Leisure Lake Secretary