

**Leisure Lake Association, Inc.**  
**Board Meeting Minutes**  
**November 11, 2023 Approved**

**Dave Knox** called the meeting to order at 9:00 a.m. Roll call was taken. Happy Veteran's Day.

**Board Members Present:** Vicki Baker, LayLonnie Charles, Craig Knox, Dave Knox, Rick Lee, Michael Saindon, Grace Sivadge, Alan Smith, Kenny Thrap, Ardith Wellman

**Board Members Absent:** Charlie Pattee

**Guests:** Max Dickerson, Adam Gallagher, Dale Hansen, Denise Johnson, Carlyne Kelso, Denise Lindquist, Gary Mariner, Cinda Stifel, Jack Stifel, Randy Wellman

**Guest Discussion:** Grace Sivadge distributed gifts for the veterans at our lake – Max Dickerson, Dale Hansen, Bill Johnson, Robert Jones, Dave Keifer, Steve Leonard, Tom Metzgar, Russ Sivadge, Alan Smith, Jack Stifel.

Dave Knox – Would like a definition from the Board – what is an outhouse? There is one at the dock, it gets pumped out; it's a Porta Potty. It has been pumped out twice. If they are self-contained, they are ok. Grace stated that someone should go talk to her to see if their camping trailer is going to be used year-round.

**Approval of October Minutes:** Kenny Thrap made a motion to approve the October minutes, Grace Sivadge seconded the motion. The motion passed.

**Approval of August/September Financials:** Kenny Thrap asked Denise Johnson to explain the write off amount, which was brought up at the October meeting. She said when properties are sold and assessments are unpaid, the board voted not to pass these costs on. The assessments are written off. That zeros out every year. Kenny made a motion to approve the August financials, Ardith Wellman seconded the motion. The motion passed. Ardith Wellman made a motion to approve the September financials, Kenny Thrap seconded. The motion passed.

## **COMMITTEE REPORTS**

**Roads Committee:** Richard Charles – There were two clean ups in October, there were 16 people the first day. Ladies of the Lake provided lunch on both days. The Roads Committee will meet on the 3<sup>rd</sup> Saturday of each month, at 2:00 p.m. The next clean-up day will be November 18<sup>th</sup>; the Ladies of the Lake will provide lunch. At the roads committee meeting Richard is going to discuss ways to get funds to buy the equipment we need to keep the roads maintained. Richard and Kenny were talking about a box blade for the tractor. Jamie got the rock chips put around the lake for the winter. Will be putting chains on the tractor. Per Grace Sivadge we owe the roads committee a big thank you for helping us get things accomplished.

**Building Committee:** Tom Metzgar is absent. Chris Hood's lot has been levelled; getting ready to build, has the lumber. The septic has been located at John Martin's house, waiting for the septic people to

return. Per Connie Metzgar, many of Leisure Lakes properties were sold at the tax sale. Gary McClain sold all of his properties to the Tongans. The Tongans are planning to build homes for people who were displaced because of an earthquake. They have a church in Independence, MO, and that is how they are able to buy property in MO.

**Lake & Property Maintenance/Spillway Committee:** Alan Smith – Brought in a ‘carve out’ of the new collection box for the dam. He suggested using steel to build a barrier dam approximately 6 feet south of the roadway and modify the inlet of the pass-thru (box) so more water can flow under the roadway at the same time stopping the water leak.

Kenny Thrap reported that he met with an excavator that has dealt with similar situations to what we have, and he recommended that removing 8 feet of cement just north of the roadbed, (on the downside of the dam), use a camera to trace the path of the leak underneath the roadbed to determine the extent of the damage the leak has caused. Repair (with compacted clay) and repour reinforced cement where the cement has been removed. The use of Bentonite is possible solution for filling the voids, and stopping the leak under the roadbed. No discussion with a contractor for the process of sealing the leak using Bentonite has been had, so a cost estimate is just a guess, (\$8,000.00 for removal cement, camera use, forming replacing of cement, and filling the trench that has developed along the west side of the sloped cement outflow and \$7,000.00 for Bentonite injection) \$15,000.00 total. This is similar to what Doug Hood (Dr Pond) recommended in 2021. (Dr. Pond has a camera).

Alan Smith suggested that it sounds like ‘mud jacking’ and questioned if the camera could get all the way to the lake. A piece of steel would run us \$10k - \$12k, then we would have a pile driver come in and hammer an 8-foot-tall piece of steel into the ground, and then we’d pour concrete over the top of it. A ¾ inch piece of steel will be there for a thousand years and fixes the dam forever, Alan states. It’s an expense, but stops ANY water from getting through. Alan thinks both processes are necessary. The water needs to be stopped but can’t do that except from the lake side. Need to think about the spillway box. Alan will check the costs for a piece of steel that size.

**Budget Committee:** Nothing to report, except that in late January or February the Budget committee will meet again to start discussing the next budget.

**By-Laws Committee:** Article 10, Section 1 S states absolutely no outside toilets or privy allowed. As long as what is present meets the Grundy County and State requirements it is ok, per Kenny Thrap, other than it says no outside toilets, temporary or permanent. Vicki Baker feels that this statement indicates that it is NOT ok. Per Kenny Thrap, it is deemed ‘temporary’ as long as there is a permanent structure being built with inside toilets; so there would be an end date. This should be accepted, in Kenny’s opinion. The temporary toilet in question has no septic there, it’s just a hole in the ground. It’s 20 feet from the water, laterals are between the camper and the road. Vicki Baker and Michael Saindon feel it is a temporary toilet, with an end date, as it pertains to building a permanent structure. Connie Metzgar suggested that Tom go down and speak with the people to discern what their intentions are.

**Audit Committee:** Nothing to report.

**Legal Committee/Security Camera:** According to Jamie Allen, three different groups of people are squatting at properties at the lake. Jamie has pictures saved; he and LayLonnie will meet after the meeting to discuss the issue. Per Michael Saindon, the people who are squatting on the property have no

water or power, and have an extension cord plugged into a power outlet across the street. The legal committee should be pursuing this. Kevin Smith is the chairman of the committee and he is in North Dakota for the winter. If chairman cannot be present to run the committee, he should appoint someone else to do it. LayLonnie Charles will meet with the Grundy County Sheriff's office regarding residents having drugs at the lake, and the description of vehicles that has been brought to her attention. Per Michael Saindon, the sheriff's office needs proof of intent regarding drugs before anything can be done. The legal committee has people trying to get pictures. LayLonnie Charles states there is a junky place here at the lake that people are coming in and using as a meeting spot for picking up drugs.

**Office Committee:** Julie Warner read the Office report. The annual bills were mailed out to residents the beginning of November. Also, a property owner by the name of Jack Fredricksen called about his bill and suggested that maybe the lake could implement some type of discount for the assessments for senior citizens. Most in audience and on the board were not amenable to this suggestion.

**Covenant Committee:** The covenant committee had a meeting after the last board meeting, with Grace Sivadge, Vicki Baker, and Sean Maschler present on the telephone. It is the first covenant that's not valid (October 2013), it was filed before it was approved by the Directors, (however the second covenant is valid filed August 2014). The 2013 needs to be off the records with the county, per the recommendation of attorney. A May 19, 2023 letter suggested that the lake get the covenant issue resolved (the board of directors can authorize this by a simple majority vote of the board, and filing a Quit Claim Deed, releasing those covenants). Vicki Baker made the motion and Tom Metzgar seconded at the June 2023 meeting, allocating up to \$1,000.00 to have the attorney prepare at the appropriate Quit-claim deed and file it with the Grundy County Courthouse, Motion carried 6 yes 0 no.

On November 10<sup>th</sup> Grace Sivadge and Vicki Baker met with the attorney to authorize (using the June meeting minutes as verification) the removal process to proceed of 2013 covenant (Charlie Pattee was going to meet with the attorney, but had family obligations attend to). The attorney will contact Charlie when documents are ready, as they will need to be signed by our President.

Kenny states he is challenged to understand how a Quit Claim Deed can affect an owner's property, yet the property owners don't have to sign anything, before it gets filed and goes into the records, affecting a property.

Vicki is not sure, but stated that's what they were told by the attorney.

Kenny reminded the Directors, the exact same attorney, said that if you don't have a signed covenant, you are not a member, and cannot use the facilities and trash, are picking and choosing what we want to use from the attorney.

Michael Saindon feels that since we are spending all this money to have this written up, we also need to be able to enforce the covenant.

"We consulted an attorney and trust his decision, this is not a discussion, only a report", per Dave Knox.

**Ann Hansen Community Center:** Dale Hansen – we have trees south of the road that need to be cut up with chain saws. We need volunteers with chain saws. People need to know that the wood is available to take. Ardith Wellman – Thanksgiving dinner is tonight at the shelter house. Everyone is welcome. Freewill donation.

**Vision/Mission Committee:** No report.

**Ladies of the Lake Committee:** The Ladies of the Lake did the lunches for the clean-up crews. There has been talk about doing special events like at Christmas, distributing Candy Canes for kids to each home. LayLonnie and Richard Charles suggested dressing up like Santa & Mrs. Claus and going through the community and giving out candy canes, etc. Someone suggested passing out cookies and caroling to people who are shut ins. Can we obtain the names of children who live at the lake? There were thirty children here for the Halloween party. The next meeting is on December 2<sup>nd</sup>, at Grace Sivadges home, at 9:00 a.m.

**OLD BUSINESS:**

- A) Emergency spending – Craig Knox – Per By-Laws, all board members have to vote on all expenditures. The president can spend \$500.00 per term. This would be a one time expenditure. Craig feels all expenditures should be pre-approved. Perhaps change the By-Law so that one \$500.00 expenditure so that a necessary item could be done without having to change the By-Law. It would save money if everything was budgeted.
- B) Broken Skylight –Bill Johnson fixed, cleaned and winterized the restroom.
- C) Gutter Repair – Michael Saindon repaired.
- D) Procedure Manual for the lake – No changes. Kenny Thrap made a motion to approve the manual ‘as is’, Grace Sivadge seconded the motion. Motion passed.
- E) Possible person to help clean up lots – Jack Wright’s proposal – Third party to go around and make a list and prioritize work needing to be done. No action, strike this item from the agenda.
- F) Dam/Spillway – This has been previously discussed. Committee will go to the Spillway after the Board Meeting to look at exactly what’s needed. The Board has not acted on the engineers (McClures’) recommendations, we were only given an outline of what needs to be done, which Kenny shared with the excavator and Dr. Pond. \$17,000.00 is for the project specifications only. The board has authorized spending the \$17,000.00. Leave on Old Business until we decide how to proceed.
- G) Painting posts across the dam – Per Richard Charles, the posts are rotten. Painting won’t help. They could be replaced with concrete blocks on both sides; would keep cars out of the lake. He will bring a proposal to the next meeting.
- H) Completion of railings and dredge cove at the mailboxes, Jack Wright – Do next month. Railing on the south side needs replaced. We have the needed supplies, still need volunteers.
- I) Look into property maintenance person to maintain lake properties in lieu of volunteers, Jack Wright – No resources available. Leave until next meeting.
- J) Have board vote on percentage increase every year from 1% to 10%, Craig Knox – A slow increase is more financially sound. Per Jamie Allen, how are we to collect assessments on the 130 parties who have not paid their assessments? Do we need to wait until the covenant gets fixed? Craig Knox made the motion for the board to vote for an overall assessment increase every year. LayLonnie Charles seconded, 5 voted for the motion, 2 voted against the motion, 1 party abstained, motion passed.
- K) Make it possible for assessments to be paid in full. Item moved to next month.

## **NEW BUSINESS:**

- A) Allow maintenance employee to clear brush, Jamie Allen. Michael Saindon stated this is up to the board. Jamie needs a chainsaw or small saw to clear as he goes to keep brush cleared so roads can be cleared by snow plow. Discussion ensued. Insurance rates are based on the job description and hours worked. Julie to check insurance rates. Move item to next month.
- B) Would like access to addresses of all members to send correspondence to – LayLonnie Charles. Wants access to addresses and phone numbers to be able to send letters and correspondence. Discussion ensued. Any correspondence must be approved by the board and a copy given to the office for the members file. LayLonnie motioned for Board Members and Board Business to have access for mailing addresses (not for legal issues). Grace Sivadge seconded the motion. Five in favor, Four not in favor. Motion passed.
- C) Gravel, use it or lose it – Richard Charles – clarification of budget
- D) Equipment – buying of – Richard Charles – Protocol for getting approval for, and the buying of equipment. This should be put on the agenda.
- E) Easements – Richard Charles – Roads are 40 feet wide, 20 feet each side. Cul-de-sacs are 80 feet. 5 feet set back from property line.
- F) Road Committee Meetings – Richard Charles – 3<sup>rd</sup> Saturday of every month, at 2:00 p.m., at Michael Saindon’s residence.
- G) Clean Up Day – Richard Charles – every 3<sup>rd</sup> Saturday.

Closed session to discuss employees

Dave Knox, Vice President

Julie Warner, Secretary