

Papakeechee Protective Association (PPA) Board Meeting (via Zoom)

President, Pat Ebetino called November 14, 2020 PPA Board Meeting to order.

Roll Call:

President	Pat Ebetino	Vice President:	Dave Hewitt
Treasurer:	Sally Whitehead	Secretary:	Candace Wallace

District # 1 Director: Paul Garl	District # 5A Director: Linda Minnick
District # 2 Director: Bernie Ebetino	District # 6 Director: Jim Whitehead
District # 3 Director:	District # 7 Director: Sherry Doherty
District # 4 Director: Steve Herendeen	District # 8-9 Director: Terry Radtke
District # 5 Director: Dave Floyd	

Guests:

Joyce Arleen Corson – District 1

Pat addressed the board regarding her presidency.

Calendar:

November:

- In prep of billing, finish updating lot owners list.
 - Per Sally this has been completed.

December:

- Conduct 4th quarter Dam inspection.
- Dec 15 receive professional liability insurance renewal, review coverage for revisions.
 - Per Sally this has been updated and paid.

Secretary Report:

Minutes from the October 10, 2020 Board Meeting were distributed via e-mail.

- Corrections to those minutes are as follows:
 - Under Maintenance Report Dam, Lake, Grounds, Dam, Lake Grounds, second bullet, add in Jason's last name of Randolph
 - Under Maintenance Report Dam, Lake, Ground, Wetland, the first motion, discussion, bullet 5, Bernie's response, If found not to be in compliance we would get fined and may not be release.
 - Under Old Business, Weed Study, bullet 5, Jim response add in the word is after that.
 - Under Letter from Refior Law Office, bullet 4 change he to Stuckman
 - Under Road Repair, bullet 1, add Janice's last name of Murphy.
 - Under Finalize Goals, Motion Discussion, second sentence should read as PLEAP said it was not one of the top 5 priorities.

- Under New Business, Information from EEI regarding Sidewalk Repair, second bullet, second and third sentence should read as, If there was any overrun in the price it would be if we needed more cement than originally thought, it wouldn't be much. The estimated cost of the cement is only \$1,500.
 - Under Director Concerns, Bernie Ebetino, change the work content to context.
- Sherry Doherty made a motion to accept the corrected Secretary Report.
 - Dave Floyd seconded the motion.
 - Motion carried.

Treasurers Report:

Sally Whitehead provided copies of the September Treasurer Report.

- Operating Fund: **\$85,419.69**
- Bernie Ebetino made a motion that we accept the Treasurers Report.
 - Terry Radtke seconded the motion.
 - Motion carried.
- **Delinquent Dues**
 - No update.

Maintenance Report:

- **Dam, Lake and Grounds**
 - The lake is coming down. We are about an inch away from 24 inches. This helps make room for the chemicals next season.
 - Sally did get a copy of the digital map but it was so big that they sent it on a flash drive. Bernie said he had a way to send out large emails. Sally was going to get it to Bernie.
 - Terry received an email from Kellen. We need to come up with a contract. Kellen was going to look at the old contract from 2012 when we originally repaired the dam and see if maybe we can go off that. We are at a standstill until we get that hammered out. The sidewalk repair probably not going to happen until next year.
 - Terry also was concerned about a neighbor's seawall being put in. He spoke with the contractor and the contractor was going off the property line, the neighbor's seawall and he could tell where the virgin in ground was. Terry thought there was something written in the covenants and bylaws. Pat – This needs to be a future topic. Also, the covenants and bylaws are specific to a building.
- **Wetlands**
 - No letter from IDEM releasing us.

- Pat let Arleen know she appreciates all the work she has done with the wetland. Without her efforts, we could not have gotten this far. Over the past few months, we discovered that we hit a snag. We now just need to get this over the finish line.
- Pat also had a timeline of information regarding the wetlands, it follows:
 - May 14, 2016 Per audio recording of PPA Board Meeting
 - Arlene Corson volunteered to assist with inventorying the plants, Arleen has a good understanding of what needs to be done and Larry does not
 - Larry asked Arleen to work with him, with plant identification within the mitigation area, he will basically be doing what she suggests
 - He asked the board if there were any objections. No one at the meeting objected. If she needs additional funds, she should contact Sally
 - February 2, 2018 Per audio recording of PPA Board Meeting
 - Received letter from Army Core of Engineers releasing us
 - Still need to obtain release under Section 401 Water Quality Certification, urged Larry to contact IDEM
 - Also requested a copy of the conservation easement mitigation per condition 4 of authorization outlined in section 7.3 of approved mitigation plan
 - May 12, 2018 Per audio recording of PPA Board Meeting
 - Larry talked to Ryan Cassidy of Army Corp; they are releasing. We do need to talk to IDEM they require us to file a legal change on the property that sets aside the wetland.
 - July 14, 2018 Per audio recording of PPA Board Meeting
 - Larry is pursuing release of wetlands. Working with CORP, still needs to contact IDEM
 - October 13, 2018 Per audio recording of PPA Board Meeting
 - Larry advised he was unclear about the release. Talked with both Ryan Cassady, CORP, and Jason Rudolph, IDEM.
 - Received examples of what they are talking about
 - Purpose – get promise to keep it as a wetland
 - Once completed submit to CORP and IDEM
 - Larry made a motion that he work with Candace and Bernie to create the document and once completed give to Pat to sign. Motion carried
 - February 16, 2019 Per audio recording of PPA Board Meeting
 - Larry reported draft Declaration given okay by Corp and IDEM needs to be signed and recorded to send to CORP and IDEM
 - Document was signed by Pat and Candace Notarized by Sally Whitehead on 02/16/2019, and filed with the County of Kosciusko Recorder on 02/20/2019
 - Larry then sent the report to Ryan Cassady of Army Corp and Jason Rudolph of IDEM

- May 20, 2020
 - Bernie called IDEM and left a message to understand the regulations for wetlands. Jason Randolph called Bernie back and Jason advised that PPA had not been released.
 - Jason would be in our area over the holiday and would stop by the wetland
 - He did not see any issue with being released and after the visit would write up the release. Once released we should do nothing to the wetland without permission.
 - Bernie reached out to Larry to let him know what he uncovered
 - July 11, 2020 PPA Board Meeting
 - Bernie advised that IDEM has not yet officially released us.
 - He shared that he talked with Jason Randolph and Jason said that he still needed to do a site visit and then prepare the release
 - Per Jason once released we don't have to do anything to the wetland
 - Bernie and Larry talked after the meeting and Larry asked Bernie to follow up with Jason since he had the most current contact
 - September 21, 2020
 - Bernie reported he had a second conversation with Jason (IDEM)
 - Jason once again advised that he had not had a chance to view the site, but he hoped to complete that by mid-October. He again stated he does not see an issue with the release, things are just backlogged. He also stated that once released, we can just leave the wetland alone
 - October 2020
 - I have personally attempted to contact Jason Randolph, however he has yet to return my calls
- Bernie was told by Jason Randolph that we were to leave the wetland alone. Bernie was concerned because wetland regulations are very strict but in email Arleen shared with the board, Jason is giving us permission to work in the wetland so if we continue the maintenance of the wetland we should be okay.
 - Steve Herendeen thought it makes sense to maintain it after all we have done.
 - Bernie's concern was that we have permission, we have no obligation to maintain it.
 - Arleen sent her report and wanted to share a fact sheet about invasive species that went into effect in 2020. These species can't be sold, transferred, etc. and we should remove them from the wetlands. Bernie let us know that it doesn't say they have to be removed.
 - Steve Herendeen thanked both Arleen and Bernie for being so diligent.

Old Business:

- **Update on meeting with Steve Snyder**

- Pat, Bernie, and Candace went and met with Steve Snyder on October 16th. Pat asked about billing Powell this coming year. Steve said to bill for everything, but we should check with Randy.
- The meeting overall was disappointing. It did not appear that Snyder did any research. He did agree that the Covenants and Bylaws are a mess, but they have held up in court. Spoke about riparian rights and he said that revoke and suspend mean the same thing. Steve also said we do not need to record them, though in a previous meeting he stated we should. After the meeting it seems we are no better off.
- We did receive the bill and he charged us for 1.5 hours, Pat doesn't disagree that we were there for 1.5 hours, but he wasn't working/meeting with just us during this time. This was verified by Candace. However, if he did do any research, he did not charge us for that.
- Pat believes there are 2 bylaws that do need to be changed. She will work on them and bring them to the board.
- Sally asked about taking away Powell's rights. Pat – Yes, we can suspend them, and we can remove their pier from the lake side. Candace did ask Steve what would happen if the Powell's called the police, and Steve said it was a civil matter and they would do nothing.
- Steve also said that every property owner has riparian rights and has the ability to construct piers.
- Linda asked if the members are informed about the change in wording. Pat said yes, normally we send them the old wording and the new wording and vote at the annual meeting. The members have to be notified 10 days prior to the annual meeting and before a vote. The wordage cannot be changed without a vote.
- Terry had heard that Steve Snyder could possibly be retiring. Dave H was going to ask Randy when he spoke with him.

- **Weed Study**

- Pat was going to add this to the February meeting for further discussion.

New Business:

- **Email from Blackmer**

- Pat received an email from Burt Blackmer about the common pier. He said one pontoon was out of the water. He did go and fix it. Linda checked it out. It seems that people tied their boats to the pier and then left the rope and when the lake level dropped the pontoon could not freely move because of the rope.

- **PLEAP**

- Last meeting while finalizing the goals for next year the fence along Koher Road was brought up. This was on PLEAP's list; however, it was not in

the top five. We need to discuss some of the things that were not in the top five next year and see what we should do.

- **Procedure Update**

- Dave F was working on a Boat Procedure update. Last, he could remember was that Pat was going to look at it. He was going to check into it and get in touch with Pat.
- Pat would also like to work on a Procedure if property is split.
- The Billing/Collections Procedure need to be updated. It has the wrong dates. Dave H says when billing we need to include all the owners on the bill. Also, we need to put that Monies must be received by our specified deadline.

Guest Concerns:

- **Joyce Arleen Corson**– None of us have riparian rights. The Lake association has riparian rights. Snyder originally did this as a favor to Ron. We worked with another attorney about motors on the lake if anyone wants that information.

Director Concerns:

Jim Whitehead – We need to be concerned with the swans on the lake. They poop 6lbs a day and it all goes into the lake.

Paul Garl – Promontory Point was graded, and it is a lot better. We can't put the new stuff down because we can't get it. Also, have some new people at the end of Promontory and it's really nice.

Terry Radtke – Did we ever hear back from Stuckman's lawyer. Pat – No, I have not received anything new.

Bernie Ebetino – This morning I emailed everyone about the memorial for Larry if everyone could look at it and then we can decide what we would like to do at the February meeting.

Adjourn:

- Sherry Doherty made a motion to adjourn the meeting.
- Dave Floyd seconded the motion.
- Motion carried.

Meeting Schedule:

- February 13, 2021 8:15 AM – Dave Hewitt's Office

2020 Goals:

1. Develop 2021 goals and budget.
2. Continue to update existing procedures.
3. File delinquent claims in small claims court through our attorney by June 1, 2020.
4. Have lake appearance and weed control in good shape by Memorial Day.
5. Review By-law and covenants. Recommend any changes.
6. Future storage of Files that are off site.
7. Work on developing an Emergency Procedure.
8. Develop a Road Maintenance Plan.

9. Task force tackles PPA future needs and estimated costs.

Calendar of Events:

January:

- Member dues & fee notices mailed. [Completed](#)
- Send calendar year Financial Statement to Lake City Bank (LCB). [Completed](#)

February:

- Set Officers Pay [Completed](#)
- Preparation for filing prior year's tax return. [Completed.](#)

March:

- Establish Harvester and Lake Maintenance program and budget. [Completed.](#)
- 1st draft of POW WOW by March 30 [Completed.](#)
- Send copy of Tax Return to Lake City Bank (LCB). [Completed.](#)
- Review Inventory of Keys [Completed.](#)
- Conduct 1st quarter Dam inspection. [Completed.](#)
- Propose next calendar year's budget. [Completed.](#)

April:

- Dues and fees are due April 1. [Completed.](#)
- Complete harvester maintenance. [Completed.](#)
- POW WOW distributed. [Completed.](#)
- Review and Approve next calendar year's budget. [Completed.](#)

May:

- Pay property taxes for year. [Completed.](#)
- Weed treatment. [Completed.](#)
- Water quality testing.
- Send list of delinquent property owners to Steve Snyder. [Completed.](#)

June:

- Establish nominating committee [Completed.](#)
- President appoints Audit Committee of 3 Association Members [Completed.](#)
- Fiscal year end June 30 [Completed.](#)
- Conduct 2nd quarter Dam Inspection [Completed.](#)

July:

- Plan for Annual Meeting

August:

- Annual Meeting.
- Review Insurance coverage. [Completed.](#)

September:

- Propose goals for next calendar year. **Completed.**
- Conduct 3rd quarter Dam inspection. **Completed.**

October:

- In prep of billing, begin updating lot owner list. **Completed.**
- Finalize next year's Goals. **Completed.**

November:

- In prep of billing, finish updating lot owners list. **Completed.**

December:

- Conduct 4th quarter Dam inspection.
- Dec 15 receive professional liability insurance renewal, review coverage for revisions. **Completed.**