

PPA Board Meeting Minutes - September 14, 2024

1. Call to Order- Shane 8:17 AM

2. Roll -
President- Shane Wallace
Treasurer- Pat Ebetino
District 1- Lynn Ballentine
District 2- Bernie Ebetino
District 3- Anthony Serianni
District 4- NP
District 5- Steve Wilson

- Vice President- Dan Connell
Secretary- Linda Minnick
District 5A- Marshall Minnick
District 6- Jim Whitehead
District 7- Sherry Doherty
8&9- Darby Miller

Guests

1. Georganna Hart, D5
2. Paul Erst, D6
3. Dave Arnott, D7
4. Steve Longstreet, D5
5. Joan Courtney, D7
6. Terry Radtke, D9
7. Susan/Richard Schafer, D6
8. Kathy Roman, D1
9. Joanna Miller, D9
10. Jon Korejwa, D6
11. Shannon Therriault, D5

3. Secretary's Report- Linda

- A. Review of July 13, 2024 Meeting Minutes

**Motion to Accept July 13 minutes- Marshall

Second- Sherry

Carried

4. Treasurer's Report- Pat

- A. July 31, 2024

Money Market-	\$ 25,516.24
CD-	50,000.00
Checking-	31,270.81
Total Checking+Savings-	56,787.05
Total Current Assets-	\$ 107,829.26

Paid	Gate Installation (Radtke, Erst)	\$ 1,880.00
	Harvester Hours	920.00

- B. 1 of 4 Delinquent owner dues were paid including late fee, interest & attorney fees

- C. August 31, 2024

Money Market-	\$ 25,579.30
CD-	51,595.21
Checking-	28,624.16
Total Checking+Savings-	54,203.46
Total Current Assets-	105,993.50

Paid	Harvester Hours	560.00
	Aquatic Weed Control	575.00

- D. 2 of 3 Delinquent owner dues were paid including late fee, interest & attorney fees

- a. 1 remains out, new owner 2023, billed Jan., 4/13 sent reminder gave to 4/29 no add. charge, 5/1 sent new invoice w/\$50 late fee + 2% interest by 5/31, 6/24 attorney sent new invoice w/ \$150 fee by 7/24, no response, attorney bill monthly w/new fees added, until 1/2025 then invoice total owed if not pd file lien, small claims an option, **Shane**- District? 5A, Marshall find out what's going on

there is a conflict those with the conflict must be excluded from further discussion on that topic. The Board can proceed but those with the conflict must be left out. No decision was made. In the matter of STR attorney info some review- 4/24 a letter from Beers & Maller an attorney representing Concerned Members of the Association contained his response to the Board's 2/24 letter to all members, he informed his clients they can proceed without limits, retention of STR attorney was in response to 4/24 letter. Contact made again after another letter was sent which included the previous 4/24 letter and another document that stated the Board was trying to take away your property rights, that we (STR people, summer rental people) paid for this attorney to protect your rights, that the Board does not have the authority to limit STR, it is possible that members on the Board who own STR were involved in retaining Beers & Maller, in having sent the letter for which the Board retained an attorney and in the mailing for which the Board again consulted STR attorney for an appropriate response. Therein lies the conflict, a point of view was presented that what the Board was doing, what we can and can not do, that they disagree with the 2/24 letter. We know their position, if there is a disclosure it is to people who have a personal issue that is in conflict, it is info that was directly in response to written info the Board received that gives an opinion in direct opposition to what the Board is doing, the Board as a whole has a fiduciary responsibility to do what is best for the PPA, you can not wear a Board Member cap and an STRO cap simultaneously, I think the Board can continue on and if you were involved in those mailings you have to be removed from that conversation

- c. **Bernie-** sees no difference than if they had been on the Board when this discussion came up, they would have been involved in the conversation
- d. **Shane-** to Dan, we are clearly on opposite sides of the aisle, I'm here on behalf of the majority of PPA members on both sides of the aisle, I have no qualms with you, you have a position and I have a position and we will work through this, in reference to fiduciary duties and loyalty to the Board, you are saying I personally do not want STR I'm standing my ground and putting my sign up that I personally do not want this that is a conflict of interest because you are not looking out for the Board members you are looking out for your personal beliefs on what the Board needs to be influenced by, you're in a position to influence the people on the Board on personal feelings versus what the Association members want for themselves, we're here to represent everybody as a whole, not my personal views, whether I've got a STR or I don't, we're here to represent everybody, not just me and not just you, we need to remove the personal side out of it, if the Board as a whole doesn't want me to be part of that then I can live with that but I'm gonna ask everybody who is biased on this Board to remove themselves as well, and we all know who they are and bring in somebody else, we'll get people from the Association members that are neutral, that aren't sure where we're at and help them
- e. **Linda-** there is a difference between your personal involvement with this situation and people on the Board who feel that it's in the best interest of PPA to proceed with what was decided before you got on the Board, that's 2 different things **Shane-** I can see if it wasn't just personal feelings, it's not just in the interest of the Board, I personally... the same as you have stated you personally are against STR **Linda-** I did not state that, I don't have anything to gain or lose if they are here or not, I can't even see the lake from my house, it's from what I have read, researched and looked into with the original documents, if my feelings or opinion are different than what you think, it's not my personal, oh my gosh I don't want STR on the Lake because I have some personal thing against it, that's what we are here for, to interpret those documents
- f. **Shane-** what I'm saying is the people who are in that position where they are personally wanting something for personal outcome that are on the Board are in the same position that I am only I'm on the opposite side because I actually have a rental versus I don't want it
- g. **Linda-** you make money from it
- h. **Shane-** it doesn't matter about making money **Linda-** it really does **Shane-** what I have been told, I want to clarify this is not something we're gonna hash out right now but building blocks to get to a point, I don't want this to drag out for another year or 2 that involves everybody on the lake, everybody just wants to move past it in a bipartisan way one way or the other, it is my

understanding the Board has approved rentals on the Lake, yes or no? **Jim-** yes **Pat-** I look at that differently, the Board has allowed... there are people who rent their house on the Lake year round, yes **Marshall-** as a resident **Pat-** yes, as a resident **Shane-** so we're not giving special contracts as stated in the ABCs to these said rentals, they're not signing special contracts, correct? **Sherry-** no sir, correct **Shane-** that being said those people are making capitol gains profiting from said rental, correct? So they're profiting from the rental as well, correct? **Sherry-** the long term rentals? **Shane-** the rentals on the Lake are making profit and gain from the Lake as they have for 70 years on the Lake so I keep hearing everybody going back to you are making profit from the Lake **Steve-** we are all, property is an investment, if we do a bad job as the Board our investment diminishes, if we do a good job on the Board we all profit financially, I think the larger issue for Boards and the way they are set up is nondisclosed profit where a Board member would be hiding that they were specifically for ... picking a random beer company buying property where they would be operating a still, it's the nondisclosure issues of profit that matter not the fact that people profit because we all profit, in fact it is because Shane has property that contributes to why he won the President's position because a majority of members at that meeting felt that that position needed to be heard and Shane did a good job of presenting that he can see both sides because he's on both sides, I don't think the issue of gain is a problem because we all do, the issue is- is anything being hidden that later after decisions are made that comes to light and you go oh that is what was going on

- i. **Sherry-** have we shared everything with everybody that's on the Board? **Shane-** obviously not **Sherry-** explain **Pat-** prior to the August meeting everything had been shared with all Board members, we now have new Board members that the prior to August info has not been shared **Sherry-** and the rationale is? **Jim-** who made that decision? **Sherry-** is there a reason? We are not sharing it because of the fiduciary responsibilities? **Pat-** Yes **Sherry-** I don't care what's on the Lake, I follow the ABCs and my interpretation, in some ways like Linda, did I vote against STR? Yes sir I did, does that mean that I don't like them? no , it means that when I read the ABCs this is my understanding, that's my job as a Board member, not to like or dislike it but to follow the ABCs, if we are to follow the ABCs if we are saying that we can't share what's the alternative? Do we kick everybody out and start over? Tell me Dan what is the purpose of this? Why can't we share?
- j. **Dan-** you have an obligation if you have a conflict that you can not partake in whatever that issue is, financial interest is a personal conflict, we do know there was correspondence sent saying what we can and can not do, we do know there was a correspondence sent in which they were saying this is my interpretation of what the ABCs are based on their lawyer's representation, we do know there were costs associated with the prior Board in order to investigate and look into it, we do know (I believe) that members of the Board were involved in retaining that attorney in order to provide a position in which we had to seek out legal advice to get an understanding, these people still are members of that same entity on the Lake which are not representative of 100% of the membership, what I am saying is the fiduciary duty is an ethical obligation to acknowledge I have a personal stake in this, I should not be involved in this because it may look bad to the Association as a whole, I understand and I agree Shane won by 1 vote and there was a percentage of people that disagree but Shane has an obligation as the President to do what's in the best interest of the Association as a whole which includes those who disagree with that position that was voiced at the annual meeting, everybody gets the same benefit from the value of their property so not a conflict, not everyone gets the benefit of having a STR, the Board has no formal position that STR are allowable, Shane provided his understanding of the ABCs, but that is not the Board's understanding of the ABCs, the Board should continue doing what it thinks is in the best interest of the PPA, need to acknowledge that it can do so without the conflict, that is to carve them out, if the Board were to decide that I don't belong in that conversation because I have an opinion I don't want them and that is equivalent to a financial interest, you vote me out and I'm out, you can not take your governing responsibilities as a Board and pick others outside to do our job for us, that is why we are here, if the Board decides certain

members have a conflict the Board can function without them **Jim-** who made the decision not to share with Shane? **Dan-** there was no decision, there is an ongoing discussion **Jim-** Shane doesn't have it yet

- k. **Shane-** reads from Article II section 2: "All conveyances and legal documents of any form or character executed for and on behalf of the Association shall be signed by the President and attested by the Secretary under the seal of the Association." **Pat-** full disclosure- there was an executive meeting, not all members were able to attend, Shane was coming in as President and wanted to know what he needed to know, Dan brought this up (fiduciary responsibilities), there was no decision made, info was not given but there was no decision to or not to **Jim-** if you were to exclude the dissenting view point which is what I assume you are doing **Linda-** No, it's not the dissenting view point it's the people who are making thousands of dollars off the PPA that's the conflict **Jim-** what I'm asking is, what about people like Jeff Glon who don't own STR and are not against them? Aren't you excluding their point of view? **Shane-** we have fiduciary duty to look after everybody, not my opinion not your opinion, it's the majority of people on the Lake that we need to listen to, all these people we are representing it's their information, it's not my dollar or your dollar, we are representing all the people if the people say why am I not privy to the info that I am paying for regardless of what side of the aisle I'm on it's still my money, it's still my property, I'm still part of the Association, if Dave Arnot wants a document from the attorney he should be able to go get it, hiding it to be able to sue people on the Board is not what we should be doing
- l. **Anthony-** there seems to be some confusion about the definition of conflict of interest, it's not a matter of how people think about an issue it's the appearance of a person being involved in the decision when they have a financial stake in the outcome, that is true anywhere in the world, the Board can make it's own choice in how to define conflict of interest but it's a very common issue, Anthony sites tenure of faculty members at Notre Dame, the first thing we are asked as a faculty is to recuse ourselves if we have any financial stake in the outcome of that decision, if you could benefit from the decision being made in your favor, even if you have a conflict but can get over that it doesn't matter, what matters is the appearance of you being a part of that decision making, would a person want to see a certain outcome of a decision based on gaining financially from that outcome? Normally what people do in this situation is recuse themselves, they recognize they have a conflict and they recuse themselves from the discussion
- m. **Shane-** you said appearance, appearance is how you react or involve yourself in one way or the other, people on the Board appearing in one way have interests now personally and benefit personally on their views how now they can affect the Board on what the outcome can be is the same as me having a conflict of interest that appearance to now benefit personally is now a conflict of interest and those people now sit on the Board as well and want me to recuse myself which I said I would do if it was equally recusable **Anthony-** basically what you are saying is, you can go down the list and figure out what people's stands are on this issue, maybe it's because they have that stand based on informed analysis of the problem, if you have the opinion that anybody can't participate in the discussion because they have an opinion you are going to have a hard time finding anybody to participate, everybody is going to be burdened to some degree with some bias hopefully they can get past that point when they look at all the data in front of them at least there isn't a financial stake involved, if I have \$100,000 invested in a place I want my money back am I going to be in favor of voting against STR? of course not, that's very clear you would never argue against yourself financially, that's the point, of course everybody including myself has a view on the matter, I have a view on the matter, why? because I have studied so many different points of view in the last 2 years I have an informed opinion on it and that's true for other people on this Board but at the least I don't have a financial stake in the outcome, that is the discerning factor
 - i. **Marshall-** it's been 3 years, I've heard everything, Linda and I don't care whether there are STR on the Lake or not it doesn't matter to us, your personal business means nothing to us, the signs mean nothing to us, everything you have heard for 3 years is BS,

it's complicated, I pushed them to write the letter, quit trying to find the perfect legal description so that we can snuff this out in court, everybody agreed, the letter was written, it was simple, 1 page, we were going to find out how serious of a matter this is, if you are running a good STR on this Lake you got screwed because you got people who aren't, that's what the members are beating us over the head with, you aren't going to fix that, nobody can pick their neighbors and what's going to happen, the difference is these neighbors are coming in every week, they don't care what's going on around them, people have suffered, you are a victim of that, I wanted a letter that said let's just stop, are we being sued? Why all the legal talk? We needed a legal vote in March or April of last year of everybody on the Lake whether you can keep doing what you are doing or not, there is no reason for all of the legal BS, we have intellectuals on the Board, but it's accomplishing nothing, for 3 years we have done nothing but write 1 letter, are we going to vote? Let's find out **Pat-** before we can vote we have to know what we are voting on and we are not getting there. **Marshall-** it's all hypothetical, let's do the vote, if you want to sue the PPA after it's over than go ahead and we'll arm up, these meetings are out of hand nothing is being accomplished

- ii. **Sherry-** do the ABCs say we can have rentals or does it not? **Marshall-** the words in the book all have meaning **Sherry-** they do, when we make the vote we have got to be sure we follow those words completely, it's not hard, we are all smart people, do you think there is something in the attorney statements that will benefit him? **Dan-** the seeking out of the attorney was in response to the written info from that group and their attorney where they have a position and personal interests now that group wants access to that information which could be used ... it's not whether they will or not but the appearance of impropriety, you would be handing over something to people on the Board who have a strong position and an attorney and that info could be used to further their position, you said let's take a vote, the Board did take a vote, they sent a letter with a position on it **Marshall-** I want the members to make a decision **Dan-** decide what? **Bernie-** yes or no, allow or not **Marshall-** Dan and Shane come up with what we are voting on, bring to next meeting for review **Dan-** it's nothing personal **Shane-** willing to move on regardless of the outcome **Marshall-** remember you said that **Shane-** I'm a man of my word
- iii. **Anthony-** what I have heard in interactions with district 3 people and at the annual meeting questions, my assumption that people on the Lake who expressed opinions pro or con may never have read the ABCs, with that impression I discount that point of view, you need to do the homework before you can have an opinion, I will not be in favor of any vote until this Board reviews here those specific things in the ABCs and arguments are brought up as to why people think certain ways about what's in that document so everybody hears those arguments before any vote is taken, it's not a matter of opinion, it's a matter of informed opinion, it's hard for me to take seriously somebody's anecdotal remark when all I care about is what's in the ABCs
- iv. Discussion on sending ABCs to all- **Lynn-** how many guests have come to meetings saying oh there's covenants & rules? I never saw them, we need to get the ABCs in front of everyone with the integral items highlighted, how can they vote on something when they don't know what the rules are? **Shane-** it boils down to interpretation of how that individual reads the ABCs **Marshall-** I don't think it is an interpretation, those words have meanings **Shane-** clearly the meaning the Association believes they say versus attorney's having a say, I'm sure the Papakeechee representative may say that is kind of a gray area, I don't know, we could do this or that **Bernie-** things are very ambiguous, not everybody on the Board agrees to what those things mean, you send it out to the people you are going to have 15 different opinions **Lynn-** it's full disclosure, they are entitled to read that **Anthony-** our responsibility to assure the Board has done it's duty of informing everyone, I also recommend we send them to everyone **Shane-** I agree every owner

should have a copy, if they don't we should give them one, they need to understand them **Pat-** it will have to be a motion because it could be a lot of money to print and send, the website is on every Pow Wow **Linda-** the website is also on the invitation to the annual meeting **Anthony-** it should be sent electronically **Pat-** apx 50 haven't given email, we send the Pow Wow both email and USPS to those who haven't supplied email, need a motion, a vote and who is going to do it **Dan-** send ABCs w/ cover letter **Marshall-** start w/ Dan & Shane coming to a collective opinion

- v. **Linda-** even if you supply the ABCs to everyone that doesn't guarantee they will read them or understand what they are reading or that they will delve into the meaning of each of those words, one of the reasons the Board is elected is we are here to do those things, understand what the rules are and make sure they are upheld, and if you have read them to make new ones, they will need the Board's guidance on what we have come to understand is the meaning of those words **Pat-** a yes or no vote would not be the end of it, if NO the STR must stop what they are doing if Yes there could be a lot of things that need to be decided about that
- vi. **Shane-** I think Dan & I can come up with common sense bipartisan legislation, to make it simple **Dan-** I thought what we were delegated to do was to come to an agreement on how we would pose this yes STR or no STR question **Marshall-** that was my request **Dan-** then circulate the ABCs so all are informed as to what they say **Linda-** there are going to be people who say Yes they want STR only because they want them not because that is what the ABCs allow, there are people who have been misinformed by a mailing that was sent that says what all these other things could mean if you let the Board tell you you can't have STR (then you can't have a dog or where you can park your car) it's all a bunch of lies and it was circulated by this unnamed group, you are going to throw a vote out there to let people who have been told a bunch of lies through the mail to base their vote on that?
- vii. **Anthony-** I didn't view this ABC mailing as a conduit to allow these people to then vote on the matter, I see it as a way of making sure the people have the opportunity to understand what's in the ABCs before the Board makes a decision so that they understand why the decision was made and the way it was made not because we were going to usurp our responsibility as a Board to make that decision, we are giving the opportunity to understand those documents and the letter that we send should be to that effect, it should say as a PPA lot owner you have the responsibility to read these documents very carefully especially in light of the STR issues that are being considered, probably certain sections should be highlighted, I did this when I contacted my District 3 people before the annual meeting, at least directed their attention to the pertinent sections **Dan-** send ABCs out with an explanation of why we are sending them
- viii. **Darby-** what was the point of the survey? Wasn't that a vote in itself? **Shane-** I would say that was just a waste of effort, to be honest **Linda-** we have the results, would you like to see them? **Shane-** no, I don't need to see ... **Linda-** I think you should see them **Anthony-** the Board had very little feed back from the community, it was designed to accumulate info from the residents on how they felt about STR related issues on the Lake, it was a way for the Board to get a sense of where people stood on that matter
- ix. **Linda-** I think the point could be made that the Board could make the decision, say this is what the Board has decided now you get to vote, like when the Board decides the dues need to be changed
- x. **Shane-** make a motion to send the ABCs to all members using email and USPS w/ a cover letter **Marshall-** why are we making a motion to send something when we haven't agreed on what to send? Dan & Shane need to come back next month with a draft of what we might send out for a vote **Sherry-** sent together with the ABCs? **Marshall-** yes, we need to do what Anthony is saying **Dan-** it just changed, I understood to 1. send ABCs w/cover letter 2. after doing our duty to inform then this will be finalized **Shane-**

do them simultaneously **Pat**- If we are going to ask for a vote it must be mailed
Anthony- I thought we send the ABCs, we aren't going to ask the membership to vote, the problem here is as a Board we haven't really delved into the ABCs and why some people have certain interpretations of that document, we have not had that serious discussion, we need that discussion **Marshall**- it appears to me we have been debating it for 3 years **Anthony**- perhaps the reason is we haven't had that discussion, once that happens then the decision is how does the Board proceed, take a vote and send that as advisory to the members then let them decide if they agree or not, I'm not ready to make that decision but we need to inform the members of the ABCs by that mailing and we need to inform ourselves, I would welcome the opportunity to sit down with an overhead looking at each section that is relevant in the ABCs and talking about those issues so people can air their concerns with their interpretations of those words, we haven't had that discussion and that is the impediment

- xi. **Sherry**- we have discussed that, we can do that but we need to decide what our next step is so that we can move on **Shane**- this the problem, we are always ready to just skip it then get on to something else, I am here to help get this thing on down the road where it can be off the table so the Board can get back to other things that are more important **Dan**- I think what Anthony is saying makes sense so we are better educated when we present our recommendation so we can respond, that should happen first **Anthony**- the impediment that I have is I'm not confident that we really have done our homework thoroughly, once I feel that we have than whatever the vote is it is, what I don't like is a decision made when I'm uneasy about whether someone has really done their homework **Marshall**- were you confident in the 2/24 letter? **Anthony**- Yes, because we knew the issue was complicated and it put a stopping point to further proliferation until the Board could get on top of the problem, it did what we wanted it to do **Linda**- after the letter was sent I had a few emails from people asking questions and then STR owners showed up at the meetings from then on, very few other people said anything or made an effort to come to the meetings, I think the majority of the people accepted what the Board was saying, these are the rules this is what we expect to happen, they didn't question it, they were like ok wow that problem is solved thank goodness, the people who showed up to complain (mostly) are the ones who are making money, they are the ones who showed up and have tenaciously stuck it out saying we don't agree with what you are saying **Darby**- 60% of the PPA doesn't care about this issue that's why they didn't show up **Marshall**- I wouldn't say that **Shane**- we are on a backwards merry-go-round **Pat**- next step?
- xii. **Shane**- somebody on the Board is going to print the ABCs, we are going to email or USPS them to all PPA lot owners, Dan & I are going to come up with bipartisan ideas on how do we approach ... **Pat**- what happened to Anthony's idea for the Board to go through the ABCs, get on the same page with understanding what the meaning of the wording is, is that before or after we send them the ABCs? **Marshall/Bernie**- before **Anthony**- they are not coupled, send the mailing as soon as possible- **Pat**- who is going to write the cover letter? Can Anthony share his letter to his district 3 people with the Board? **Anthony**- Yes, it may need tinkered with to be suitable for the entire association

**Motion to email ABCs with Anthony's approved letter to all PPA members or USPS if email unknown- Pat
Second- Marshall Carried

C. Seawall Request Approval Procedure- Shane

- a. Request from Richard & Susan Schafer, 9533 Hiawatha Dr.
 - i. **Shane**- Schafers would like to retain their Shoreline, sent photos, asked for approval procedure, How has this been dealt with in the past?
 - ii. **Marshall**- back to the ABCs- (Section 1 (A) 1. ... no part of said margin shall be excavated without a special permit, which shall be in writing, protecting the Association in it's rights to the margin) **Lynn**- everyone on the Lake could say their shoreline has

moved, keep it equal for everyone require a survey it determines where the seawall goes

- iii. **Mrs. Schafer-** we are on a river between us and Promontory, there is erosion, this will cost over \$10,000 **Mr. Schafer-** have been there 25 years, has been surveyed 2 or 3 times, not able to find out where the shoreline was 20 years ago, 25 years ago a concrete pier footing was 1 ft from the waters edge that's how he determined his 1ft out
- iv. **Shane-** any surveyor can find the legal points **Jim-** 1 ft out would match the neighbor's **Shane-** is there a problem with building at the existing shoreline?

**Motion to require a survey be brought to the Board before seawall construction- Lynn

Second- Bernie

Carried

- v. **Shane-** bring a survey to the board, better to have a benchmark, you may need to put the seawall against your property instead of moving it out and filling in
- vi. **Bernie-** DNR permit not required on private Papakeeche, Kos. county requires a flood development permit
- vii. **Mr. Schafer-** consequences for putting in the seawall without permission? **Shane-** you are doing the right thing by coming to the Board for approval, bring the survey and we work from there **Mr. Schafer-** would a copy of the last one work? **Shane-** yeah, found 57 seawalls on the Lake, stone, masonry, concrete, vinyl
- viii. **Linda-** if they have an existing survey that is not going to translate into stakes in the ground, has Beacon overhead photo, shows lines w/measurements and existing shoreline **Shane-** that's just Beacon it's just a visual
- ix. **Shane-** to the Schafers bring that to the next meeting, I'll have to look up the date **Pat-** it's the 12th **Shane-** I'm going to be out of town

D. Harvester Maintenance Schedule fall/spring

- a. **Terry-** same as your car same as your boat Pat- taken out on Sept. 13, 2023 Shane- hasn't operated it yet talked to the manufacturer, sent .pdf w/starting sequence, take out next weekend w/ my truck **Jim-** he can help **Shane-** as far as winterizing- no big deal going forward I'm not going to do it we will need to find someone, also the chemical boat, do we have a trailer for the chemical boat?

E. Weed Update & SSW

- a. **Shane-** met w/Donahoe/AWC on the Lake, Shane showed him a problem weed that's been in front of his parent's house (8908 Nordman) has now spread across 4 more properties, Donahoe identified as SSW not found during the Spring survey, Donahoe mentioned a February meet to discuss 2025 treatment, will need to find application person for 2025, if paid needs license or let AWC do it **Pat-** not a paid task in the past except 2023 Leif AC applied, Donahoe the only one treating SSW, **Terry-** he and Dave applied 2024 initial Fluridone treatment, he and Paul applied the bump
- b. **Anthony-** hasn't seen any data this year weed surveys, chemical concentrations, when the bump was applied, chemical concentrations before or after, spending tens of thousands of dollars and no hard data to make future decisions, after having spent all of that money wants to know if the conditions were met, SSW Fall 2023 needed to quickly get on top of the problem, voted for Donahoe chemical treatment but this year not the case are we going to be stuck same as last year? SSW can never be eradicated, you can manage, he wants to be convinced that we are managing it but no data to base that on, we're in trouble, he wouldn't spend \$20,000 of his own money if he didn't get the results to evaluate the effectiveness of the expenditure **Pat-** 8/18/2023 treated 12.75 acres SSW, 6/17/2024 treated 13.9 acres, treated again 8/2024 no invoice yet to know acreage, did a spring visual survey to map near shore SSW, no Tier 2 survey **Dan-** Anthony wants results, is there a reason we don't have them? **Anthony-** wanted rational for Fluridone application **Linda-** documentation of what was growing before Fluridone was applied **Anthony-** Elodea needs certain concentration over an extended time (90-120 days) to be effective, with the higher Lake level that would increase the amount of Fluridone needed **Terry-** the problem with Elodea is the timing was off, 2023 the chemical was added too early the plant

- a. nonLakefront owner would like to put pier on the 15 ft Oakeechee easement, not Association owned, nonLakefront owners with piers on the west levee agreed to pay Lakefront dues

8. Guest Comments

1. **Shannon Therriault**- too many people on the Board to get any kind of consensus, form committees, ie Architectural for Seawalls, building projects etc., Lake for specific Lake items, the founding fathers when they wrote the ABCs in the 50's? (20's) weren't thinking about STR, regards to bylaws and the Treasurer when a property is sold you are contacted by a title co. to see if dues are paid at that time send them the ABCs, ignorance is not an excuse when you buy in a subdivision you agree to abide by the restrictions so not a legal requirement to send to everyone, did you all get copies of the STR survey, my letter sent to Alysia? this is my lake house, I have an STR next door and long term rental across the street no problems, what's the difference between a long term rental and a short term rental? **Paul Erst**- it's where you get your mail it's where you live **Linda**- use the federal government's definition, go to their website for the 10 year census **Shannon**- I thank you all and I sat here very quietly for many hours so I'm asking you to give me my time, I'm not here to debate anything with you, I'm here to help find a solution for everyone, I'm not for them I'm not against them, I don't have issues with the renters near me, I know there are issues in the community, what is the win/win solution? I feel sorry for you long term Board members going over and over this, I want to know what I can do as a resident who is not for or against to help you come to a resolution, you have the power to form a committee, your judgment as been clouded because you've been inundated with this for so long, I find it difficult to say that you can control someone's property rights that's gonna be a tough sale, I know there's gonna be litigation if this starts going to fight, letters are going to attorneys from both sides, what's it going to accomplish? I'm not going to stop renting my home what are you going to do about? what can you do? You can't evict them from their house, I want people to think the whole thing through because I feel sorry for you, I don't know the answer, I want to maintain my property value as a homeowner, I want to feel safe in my neighborhood, I want to keep our liability rates at a minimum, if something ever happened to our Dam and we need another million dollar loan there should probably be a cap to the number of residents who can have rentals, have them register with the community so we have an accurate count also print a set of friendly Papakeechee community rules for visitors coming in so they know, they don't know what they can and can not do, they don't know what the fish limits are, people coming in are not the ones to blame because they're not being properly educated, I volunteer my services to form a committee to offer suggestions to the Board on what may or may not be done to resolve this issue, does anybody know how many rentals we have? Make the owners who are already renting happy then pick a percentage once we hit 30% they will all come to an agreement as long as I can keep mine they'll all be happy, you're gonna need the whole association to vote on these things
 - a. **Lynn**- how many STR were on the letter so we can have an idea of how many there are?
- 2.) **Kathy Roman**- when the first letter went out I took it upon myself to reach out to every person on that I could get in touch with through VRBO & Air BnB at that time it was 19 to me that's not that high at all, it took a lot of work to do, some of us choose to be here as property owners not residents but STR owners I am still a member of the community there are others that feel their anonymity is going to shield them, but I found them, that's their choice I didn't force them to do anything that they're not comfortable with, do I know who they are? Yes some have sold since this started so maybe 17 less than 10%
 - a. **Shane**- we aren't here to tell you if you can form your own committee
 - b. **Anthony**- if you remember Dave Hewit's comment at the annual meeting he proposed that we stop any further development of STR but to allow those who currently have STR to continue until they sold their property, that's a viable idea but it assumes we interpret the ABCs in light of that
- 3.) **Shannon**- they are so old, I'm not saying they're not good but what's going through their mind when they were writing these that many years ago maybe it's time to do a thorough revision, add some covenants and restrictions, there are things that can be done, I voted for Shane to be President not because I'm for or against rentals but because when I saw the 2/24 letter a group of people were making a decision without getting ... anyway I wanted to see both sides come to a resolution, I felt like it

was leaning biasly, you could hold these meetings at the North Webster Library they have AC, web access and bathrooms, you could web conference in

- 4.) **Terry-** It's in the bylaws that anything done on the Lake was to be brought to the Board, the problem with this Board is you're too lax, how many permits are out there for all these homes that are being repaired? there's none not one, this is supposed to be our job to keep everybody in line on this Lake there is no organization, I'm glad Shane said that should this ever go up for vote he will shut his places down, I know there are people in this room that know exactly how many STR are on the Lake, these are my views that have been thrown at us, I've been here for 20+ years, it used to be the Board meeting would start at 8:00 we were having coffee at home by 9:00-9:30, today broke the record, I'm sorry I wish everybody well but like you said there's no organization, it's falling apart, I'm glad Marshall came out and said we've been talking about this BS for 3 years some of us longer, I'm glad Dan put things in prospective
- 5.) **Jon Korewja-** having a vote to change bylaws for STR, it's back to a bylaw area not a covenant area good, as part of the EAP put in a toilet
- 6.) **Paul Erst-** we have 179 acres of private Lake if that 179 acres was corn you guys wouldn't be dealing with STR, you guys are profiting off of our Private Lake, put that into corn you guys aren't renting sh*t
- 7.) **Georganna Hart-** STR are really catching on, my concern is if too many people have them it's going to change our Lake until we just don't have it, each time a property sells off if they STR it, it is a Private Lake and we have to be careful to figure out what we're going to do about this, I don't want it to change
- 8.) **Kathy Roman-** I agree and support Shannon and her statements, if there is anything I can do, I'm not a member of the Board but I have devoted a lot of time coming to these meetings, let you know there are dozens not hundreds of people that support us obviously I own property here this is my way of knowing what's going on, I didn't come before but I read the notes but it is very different, you say it's transparent but it's not as transparent and as quick as it should be which is why I started coming when we came, there's people out there that think they know what's going on but they do not, they're trusting the Board to guide them in the right direction and do it fairly, I used to do that and turn a blind eye but I think if more people came to these meetings if they could access them remotely if they weren't 4 hours long and they had to wade through that whole thing you would get more input and participation maybe start with open comments at the beginning of the meeting and they can leave if they want, I'm not hiding, I'm not ashamed of what I'm doing, I stand by it and I will continue to do that at the same time I understand my neighbors and how they feel but for me it's about establishing relationships with those people, that's the most important thing, they may not want to do that, I can't change that I can only affect how I react and how I respond to the situation I can't impact what you do
 - a. **Linda-** can I ask you a question? You say when you come to the meetings you realize how nontransparent we are? **Kathy-** you say there's transparency but there's not, if I didn't come to these meetings I wouldn't know what's going on **Shane-** you say you don't get the full effect from what you read versus what you get when you came in person? **Linda-** a lot of the notes that are coming out now because we are dealing with the STR situation are practically word for word from a recording I don't know how more detailed you could get **Kathy-** my point is some people might say ok I want to go to the Oct. meeting let me read the Sept. notes **Linda-** you have to wait until they're approved **Kathy-** I understand from a communications stand point but from a decision making stand point that might not be fair **Linda-** you can come to any meeting to listen **Kathy-** but maybe based on what the prior notes were and what's gonna be on the agenda they are gonna make their decision on if they want to attend that meeting **Bernie-** we can't post them until they are approved **Jon-** don't approve the minutes she says approve some kind of overview **Kathy-** yeah, highlight what was said **Bernie-** we could send out the agenda **Kathy-** before the meeting **Sherry-** is that what you want? **Kathy-** yeah, before the meeting **Jon-** the minutes are always a month late and right now they are 2 months late because of the annual meeting **Linda-** they aren't a month late they are right on time they are posted right after they are approved **Pat-** the only time you see multiple month delay is between July and Sept. because of the annual meeting the July minutes aren't approved until Sept. every other month they are posted within a week of being approved **Kathy-** that hasn't always been the case

that's

Linda- there could be some anomalies I'm not arguing **Jon-** likes the idea of not coming in general

9. Director Comments

- 1.) **Anthony-** need to do my due diligence and remind you of Jeff Glon's letter, Linda and I have been working on this, based on the observations I made at the election in Aug. I walked away uneasy, not because of the results, I'm worried that the procedures we're using in our election process are flawed, going forward we could have very close elections, I want to be confident that that closeness is correct, we are working on a draft of how we might change the election procedures to make them more controlled, on the seawalls again BMPs(best management practices) matter to me, on seawalls there's a whole literature on this as they relate not only to private Lakes but to shorelines on oceans etc. they're very different there is a lot written on best ways to manage that now it doesn't necessarily mean a concrete seawall, if we are going to make decisions on seawalls we need to educate ourselves about what people currently think about how to manage shore erosion, what affects different types of seawalls have on peripheral erosion around them, it's not a small matter, the impact it has on a Lake's life, I'm ok with having the discussion but not without having done the homework to understand what the current thinking is on the installation of seawalls, my current big concern around STRs focuses on corporate ownership of property on the Lake for STR use, I could be convinced perhaps on STR owned by private individuals it would be very difficult to convince me about property owned by investment firms, corporate interests that are buying this property for the sole purpose of STR, we should ban those because that would make matters really bad for us in terms of community spirit etc. it's another parameter in the STR business, they have the money to buy these properties and we would have a very hard time controlling them **Linda-** are you talking about LLC that type of thing? **Anthony-** correct **Linda-** we have several already **Anthony-** I know we do, I have been contacted to sell my property to an LLC so they could develop it in some way, that would be the worst that could happen to a private Lake if we were to allow that to proliferate, at the very minimal we should be acting on that so it doesn't get worse **Lynn-** just got one from Boston (offer to buy her property)
- 2.) **Linda-** has procedures for District Directors and Board of Directors not up to date but do exist, Druckmiller property paddled canoe through a wide path in lily pads right up to the his shoreline no problem much clearer than others in that area, but the bay has some dying off lily pads? The roots are surfacing and you can't paddle through those, the old Louck's property has a major building project going on, appears to be decks out over the water

**Motion to Adjourn- Marshall

Second- Sherry

Adjourn 12:17 PM

Next Meetings:

October 5, 2024 ~ at the PPA Building ~ 8:15 AM

November 9, 2024 ~ see below ~ 8:15 AM

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