

PPA Board Meeting Minutes ~ April 12, 2025 ~ Professional Learning Center

1. Call to Order ~ Shane 8:18 AM

2. Roll	President - Shane Wallace	Vice President- Dan Connell
	Treasurer- Pat Ebetino	Secretary- Linda Minnick
	District 1- Lynn Ballentine	District 5A- Marshall Minnick
	District 2- Bernie Ebetino	District 6- NP (Jim Whitehead)
	District 3- Anthony Serianni	District 7- Sherry Doherty
	District 4- Mark Laurent	District 8&9- Darby Miller
	District 5- Steve Wilson	

Guests

- |                              |                        |
|------------------------------|------------------------|
| 1.) Paul Erst D6             | 7.) Jeff Glon D3       |
| 2.) Kathy Roman D1           | 8.) Wes LaRue D1       |
| 3.) Alysia & Stacy Hammel D1 | 9.) Mike Flood D1      |
| 4.) Terry- Radtke D9         | 10.) Connie Heimann D4 |
| 5.) Dave Arnott D7           | 11.) Georganna Hart D5 |
| 6.) Kent Renner D7           |                        |

3. Presentation- Aquatic Control (AC), Malena Ryan

A. Company

- a. Private Lake & Ponds, Founded in 1966, Specialize in aquatic vegetation & algal bloom management, aeration systems sales, aquatic product sales
- b. Staff- 500+ years combined experience, 9 regional offices, 3 in IN
  - i. Malena- mapping, fisheries surveys, 2018 Purdue grad, BA Fisheries & Aquatic Sciences, minor Wildlife Science, previously w/ INDNR, w/AQ 2022
  - ii. Leif Willey- from Seymor, IN, Purdue grad. BA Fisheries & Aquatic Sciences, UFL MA Agronomy & Aquatic Science, previously research ass. UFL, research biologist w/ Aquatic Systems, worked for SePRO, w/ AC 2018

B. 5 ways to manage

- a. Mechanical control (dredging, harvesting), 1.)Chemical abatement (apx 10 years for EPA approval, basically safe), 3.)Biological (introduce a control species), 2.)Cultural (clean, drain, dry to negate transfer between lakes, Physical & Manual (draining, dig out, hard reset)

C. History with PPA

- a. apx 181 acres, max depth 55', 11.5' avg depth, private, inflow from TriCounty, drains into Wawasee, recreational use (fishing, aesthetics)
- b. Mapping- 2020 PPA Bathymetric
- c. Surveys-
  - i. 2016 vegetation (114.3 acres of Curly Leaf Pondweed 63.1%)
  - ii. 2016-2020 applied Avast (Fluridone) to reduce Curly Leaf
  - iii. 2020 Bathymetric and vegetation, 91.4 acres Curly Leaf, SePro Fastest-concentration exposure time not met, adjusted Fluridone to account for depth
  - iv. 2023- 2 more vegetation survey, 4% Curly Leaf, AC applied Fluridone for free, Summer survey- 0% Curly Leaf, 94% Littoral coverage (native plants, mostly Coontail & aggressive Elodea) Coontail + a couple of other plants rule out

Chemical reduction of Curly Leaf as cause for Elodea explosion. SSW 16% of sites, season end treatment plan

- d. Recommendations- AC “very close to IDNR Tier II survey”, recommends 1 Spring April-May, 1 Summer July-August
  - i. Spring- early emergent, cold temp. plants (Curly Leaf)
  - ii. SSW- favors hard water
  - iii. \$2,000 per survey includes update to most recent management plan (2023 \$3,500)
  - iv. Spreadsheet determinant- shows diversity of plants, % of littoral coverage
  - v. Mechanical Harvesting- reduces height but spreads fragments that propagate new plants, especially Curly Leaf & SSW (not always recommended)
  - vi. Cultural- recommended but doesn’t control wildlife access
  - vii. Chemical- Herbicides/ Algaecides registered for aquatic use
    - 1. predictable, lowest cost, few required restrictions depending on what is treated
    - 2. PPA mostly Elodea, SSW perhaps Curly Leaf
      - a. Sonar, Diquat, Copper, Endothall, Galleon, Clipper (possible use)
      - b. Elodea- combination of Diquat/Copper at reduced rate, good results
      - c. SSW- Grants- GRLI, LARE Diquat & Copper effective reduction Tippy/Wawasee (not eradication)

#### D. Questions

- a. **Marshall-** How quick can you do the study? First week of May Cost? \$2,000 per survey We need to get moving. **Shane-** Agree **Pat-** \$5,000 budgeted survey, testing (fish, vegetation) SePRO test \$300 each? **Pat-** depends on who does the tests, last year AWC \$525 each
- b. **Anthony-** If a soluble chemical (liquid form of Fluridone) is applied where the conditions of stratification exist, does the chemical get distributed amongst all layers or only in epilimnion or the top layer? **Malena-** During the survey AC also does profiling that will show if stratification is happening. Labels are extensive when it comes to stratification mostly recommend not to apply if stratification exists but if it did stratify it would stay mostly in the epilimnion and a little bit into the hypolimnion, not anywhere super low. **Anthony-** Why is that? The reason I ask is because that would determine the final concentration. Why does it stay only in the epilimnion section? Wouldn’t that be a function of the mixing of the Lake? Our Lake has natural springs in the bottom. How would that effect that? What’s the story there? **Malena-** It depends a lot on the product that you use. SePRO came out with a product that is called Komeen Descend that we use specifically on the SSW. It turns a liquid when it hits the water, into a crystal that goes to the bottom and sits. That’s why with Fluridone that stays in the water column for 30 days or so we see really good rates. It doesn’t matter how the wind is going or if it’s mixing. Eventually it’s going to get down. There are new products coming out that address the problem of exposure times. We don’t typically use Avast anymore because Sonar has Affinity & AS, different formulations depending on what they are targeting.
- c. **Pat-** We’ve used Fluridone for 25 plus years. Could the reduction of Elodea been because we’ve been using it so long everything is used to it? If you decide that something else makes more sense to use, are you only going to treat where you’re finding the weeds? **Malena-** Depending on what your goals are. With chemicals we can

get kind of an idea of where it's are coming from. It could be that your question of Fluridone and things becoming resistant, that is possible, when you you do something over and over again. Most of the time we try to keep it at a certain rate or period of time. We have a product called Procella 40C where the product label specifically says, don't use for more than a specific period of time because the plant can become tolerant to it.

**Pat-** If it's determined that we want to use spraying, how often do you have to come back and treat? **Malena-** Depending on what we find and what you guys contract out to treat, like if you are targeting the invasives, Curly Leaf, SSW, etc., it could be a couple of treatments. It depends on what the goals are, how much we need to apply and what that label says for the product that we use. 2 weeks, 1 month, that's typically why we do 2 surveys because we want to see why we are spraying, what have we got going on, then we come in and we treat. Then in the Summer, how much of that was effective, what are we looking at? Etc.. **Pat-** The cost of treatment is where I'm at but you won't know that until you do the survey. **Malena-** Correct

- d. **Bernie-** We operate the Harvester during the Summer. It is basically fragments going everywhere. If we have a management program using chemicals, we're going to want to know whether those chemicals are actually working. I would think we would refrain from using a Harvester until we get some definite answers. If we disturb what they are doing with our Harvester we're not going to get data that is worth anything? **Malena-** There is plausibility with that. A down side to using a Harvester, it's good at the time but not a long term solution. That's where chemicals come in because it can give predictability of time. Using dredging or Harvesting at the same time as chemicals is probably not going to make your chemicals effective. **Bernie-** If we are going to have a chemical program, we would be better off to not be using the Harvester at the same time. **Malena-** If the Harvester were to come through an area we just treated it could really skew if we know if the chemicals are working or not. We don't want to do multiple treatments or cost you guys anything more than where you're at. We want to go in with the right chemical and the right concentration and be able to say this is a one and done thing. That's what we provide. The experience, the calculations, the cost of things and all of that. We have Leif and those people who are very good at what they do.
- e. **Shane-** \$2,000 per Tier II survey is that a quoted figure or is that a last time figure? **Malena-** I believe, yes, that is a quoted figure.
- f. **Dan-** Would we be able to look to you in terms of a green light when to harvest after the chemicals are applied? **Malena-** Yes. If you are going to do mechanical harvesting after chemical application I would say wait to around Fall. If you harvest around SSW in the Fall you will spread the main source of the plant's reproduction, the bulbils. I'm not trying to discourage you from mechanical harvesting. I know you have been doing that for awhile. It is effective for sure. If you are wanting to come in with a management plan in terms of chemical control and trying to understand what it provides in terms of predictability and where that's coming from, give it a chance to see where the chemicals go to from there and provide those long term solutions. Eventually, potentially, you guys don't have to do the mechanical harvesting anymore because those weeds are being maintained through chemical probabilities.
- g. **Terry-** In a Lake our size, what happens to the quality of our water with all those dead weeds laying on the bottom of the Lake and sediment build up? **Malena-** That's a really good question. We always tell people, your water clarity with a lot of plants, which you guys have a lot of plants, yes, your clarity will be diminished a little bit. It will contribute to

muck build up, sediment build up, that sort of thing. When we come in with a management plan we always say we want to keep native plants. Elodea, for example, is not invasive. It can be aggressive so we can nail it back but we always tell people, in terms of water clarity and sediment build up, there will be some. And we don't want to do complete eradication because we want to keep enough native plants to keep your lake up and running. There will be some sacrifice to the water clarity but there will be some rebound due to the native plants that are left to repopulate. It's more management versus eradication. Terry- I just worry about all those dead leaves laying on the bottom of the Lake. Malena- Eventually they will, it's not a thing where they will just sit there and drive up your nitrogen and phosphorus. It will do that for a little bit of time but eventually, Mother Nature's pretty good about decomposing that at a certain rate. Stratification, wind events, rain events, things like will speed up or decrease depending on weather. Decomposition is normal. If you don't go out and kill it you will have some that die off naturally.

h. **Marshall**- We need a study.

**\*\* Motion to- Hire Aquatic Control for the Spring Tier II Survey as quick as possible.- Marshall**

Second- **Steve**

Carried

4. Secretary's Report ~ **Linda**

A. Review of March 8, 2025 Board Meeting Minutes

**\*\*Motion to- Accept March 8, 2025 Minutes as written.- Pat**

Second- **Marshall**

Carried

5. Treasurer's Report ~ **Pat**

A. February 28, 2025

Money Market-	\$	25,890.41	
CD-		51,595.21	
Checking-		49,873.30	
Total Current Assets-	\$	144,800.52	
Paid	Community Roads/Snow Plowing (March)	\$	1,406.25
	Dam, Quarterly Inspection		950.00

B. Delinquent Dues

- 32 not paid, 2024 at this time 22 not paid, 18 paid in 'grace period', 3 paid within first month after 'grace period' = \$50.00 + interest, 1 lien process started
- 1 complaint about lakefront not cleaned up

C. 2026 Budget

- Upped Administration Exp. \$1,500.00 to \$2,500.00 includes winter room rental etc.
- Mark**- if internet contract needed where does that fit in? line 1 ? **Pat**- may need new category with added website host exp./ cameras

**\*\*Motion to- Accept February 2025 Treasurer's Report. - Marshall**

Second- **Sherry**

Carried

6. Lake Maintenance Report ~ Marshall & Linda

A. Dam-

- Lake level -4.6" from 867.5, 6" & 9" logs removed for 18" opening, dropping 1"/day, monitoring closely, used canoe to access outlet box for log removal
- 1st Quarter Inspection complete (see hard copy)

- c. Spoke with Kellen Heavin, Terracon engineer about Biennial Inspection, need proposal signed
- d. Mole tunnels spotted on west levee near Blackmer property, Shane suggests Steve Hanford for removal
- e. Removed drifted in tree from ramp

**\*\*Motion to- Hire Terracon for Biennial Inspection of Dam.- Pat**

Second- **Bernie**

Carried

B. Building-

- a. Small leak in roof, near center peak

7. Old Business

A. PPA Documentation and Files Retrieval- **Pat**

- a. Prepared communication, will get with Linda

B. 2025 Goals & Project List- **Mark**

- a. Project List- **Pat** points out some items never discussed before, calls this Mark's "wish list", **Mark** agrees and calls it a "proposed Papakeeche Board project list, asks us to focus on ranking priority

- i. **Bernie**- thinks we have too many projects, these are not up to the Board to pursue

- ii. **Sherry**- the High ranked items are for the Lake

- iii. **Mark**- the Board should say what's on the list, give each item a priority and a responsible person (could be a non-board PPA Member)

- b. Goals List- could be chosen from the Projects list

- i. Hands out 7 item Goals List- discussion ensues, resulting list:

1. Long term strategy for Short Term Rentals- All
2. Determine Lake Weed Management Program, including Starry Stonewort- All
3. Long term Weed Removal (not dumping harvested plants)- All
4. Future Storage of currently off site Files- Secretary
5. Update PPA Website- Bernie
6. Continue to Update existing Procedures, develop new- All
7. Review Bylaws & Covenants, recommend any changes- All

C. PPA Building WiFi & Camera info update- **Dan**

- a. 2 Company quotes for equipment install

- i. Bontrager Security Solutions

- ii. Cottage Watchman Security Systems

- b. Internet providers- Bright Speed & MediaCom, \$25-\$39/month

D. Mowing- Shane

- a. 2 Company Quotes

- i. Salyer's Home Improvement & Lawn Care- \$4,200.00

- ii. Rowe Lawn Care- \$4,655.00

**\*\* Motion to- Award mowing bid to Salyer.- Mark**

Second- **Lynn**

Carried

8. New Business

A. PPA Calendar-

- a. May-

- i. Property Taxes- **Pat**- in process

- ii. Weed Testing- LAPSI- **Pat**- no testing last year, Bylaws say we will test every year, no documented Procedure
  1. Prior to LAPSI Terry, LAPSI- Diane, **Anthony**- provided a pamphlet with 10 years of test results to Board & Members
  2. **Shane**- need to figure out, is that under Dam management? **Pat**- No, instituted before the Dam requirements, 2 categories 1) Dam 2) Lake
  3. **Mark**- could ask Diane for training help, ask for volunteers
  4. **Shane**- Weed Management Company has capability?
  5. **Sherry**- write into Management program
  6. **Mark**- there is equipment needed could be \$1,500.00, DO meter etc. LAPSI did temp., clarity, D.O. ourselves, paid to send out samples for nitrogen, phosphorus, chemicals
  7. **Steve**- could be just knowing how to collect sample, take to Warsaw
  8. **Anthony**- LAPSI wanted a broad view of the problems, D.O. meter for oxygen concentration as a function of depth, how anoxic the Lake is has implications for fish, more scientific other than serving specific needs of the Board. If the Board wants specific information like temperature, pH or chemical concentrations they have to decide what tests are important. Multiple point studies are expensive. LAPSI spent \$3,000.00 per year. The Board needs to decide what tests are essential to their decision making.
  9. **Pat**- the tests have evolved greatly from eColi & VOs at specific sites to what LAPSI has provided
  10. **Anthony**- in reference to eColi, had a 'protocol', measured concentrations at particular times during the Summer, were done 'in house', Fluridone samples were sent out, it's expensive
  11. **Mark**- will put together a list of tests, based on what LAPSI has done, including equipment cost for in house, versus sent to Lab
  12. **Steve**- could add "Board approved testing standard" to goals list, **Shane** agrees, **Mark** to add

#### 9. Guest Comments

1. Wes LaRue D1- (see Handout drawing, survey not included) lot's 5, 6, 7 in District 1, intends to remove old home on middle lot, build new, completion by Spring 2026, has owned for 8 yrs, won't build if can't improve shoreline, property to West has concrete seawall, proposes connecting fieldstone seawall to apx. center of lot 6 then fieldstone only to the east. Survey stakes in from edge of water by 1', *Linda*\*- need to be conscious of fire pit runoff into Lake because of Phosphorus content *Shane*\*- as long as it's on your property not the 1' border Wes- guesses it to be 6-8' away

**\*\*Motion to- Allow Wes LaRue to proceed with his seawall/building project.- Anthony**

Second- **Steve**

Carried

*Steve*\*- regarding the firepit, if ashes are allowed to wash into the Lake it can change the chemistry of the Lake in that area, being able to specify to haul the ashes away thrown into the Lake, should be reinforced to everybody not just Wes because of project

not  
his

2. Paul Erst D6- Last time I tried to talk to Shane you were yelling at me and told me I was a pain in your side so I'll make sure to talk to somebody else. Thanks for the apology.

*Marshall\**- I'm sorry that happened, Paul. Paul- Well, it was uncalled for. *Marshall\**- I agree Paul- What do you got to say? *Shane\**- I'm not gonna say anything. Paul- Of course not. *Shane\**- Is there anything else you would like to add? Paul- When are we gonna start talking about the problem on the Lake? You've avoided for all the meetings so far this year. Why are you avoiding it? *Shane\**- I'm not avoiding it. Paul- The hell if you aren't *Shane\**- I'm not avoiding .. Paul- You leave it off of all the agendas and it's a big problem. *Shane\**- I agree it's a problem Paul- and you are avoiding it. *Shane\**- I'm not avoiding it. Paul- You've have control of the agenda. You don't put things on the agenda that you don't like. *Shane\**- I don't believe that's a true statement Paul- Let's get it on an agenda *Shane\**- It is goin' to be on until we are done with it. Paul- What happens in the mean time? More and more of our problem? That's where it's goin'. *Shane\**- More and more of what problem? Paul- The problem of making financial gains off the Lake. *Shane\**- You are one of them. So is Derby over here and I don't know who else on the Board is making money off the Lake, off of my dues. I pay for the machine. I pay for the Dam. I pay for the weeds. For the last 36 years I haven't made a f\*\*\*in' dime off of it and you have other people on this Board .. *Shane\**- Well for 36 years you didn't seem to have a problem with anybody else profiting from the Lake. Paul- Who else was profiting from the Lake? *Shane\**- Every rental that's been on the Lake since before you were here. Is that not profiting? Paul- Those rentals were just as illegal as yours. *Shane\**- But now you want to confront me because I'm a problem because I have a rental. Paul- You don't have control of the people that are in your rentals. *Shane\**- Sure I do. Paul- No you don't. *Shane\**- Do you have control of your.. Paul- You have drunks floatin' around in kayaks out there *Shane\**- Do you have control of your neighbors? Paul- My neighbors what? *Shane\**- Do you have control of your neighbors? Paul- ya, my neighbors I do. Your guests I don't. *Shane\**- So that's the problem. Paul- That's the problem. You're part of it. You're making financial gains off of this private Lake. Bernie even says it's a private Lake. *Shane\**- I agree it's private. Paul- Pardon me? *Shane\**- I said I agree it's private. Paul- Then keep these strangers off of our private Lake. *Shane\**- Define a stranger. Paul- You make money off of my private Lake. You cannot deny that. *Shane\**- I don't know that I need to deny that. Paul- Pardon me? *Shane\**- I don't know that I need to deny that. Paul- You need to follow the rules. *Shane\**- I have a rental property on Lake Papakeechee. Paul- Sure you do. *Shane\**- I know I do Paul- Ya and you rent it out *Shane\**- I do that, yes. Paul- and you're makin' money off of it. *Shane\**- I do. At the end of the year maybe I don't. Paul- Keep your people off our private Lake. Keep them off of our private Lake. You're making it public. Anybody who wants to pay you money can go out there and fish our fish and swim in our Lake and boat in their row boats in some cases. I've seen short term rentals put their kayaks in and out at our raft over there. They bring 'em from who knows where. I've watched it. I've talked to them. *Shane\**- Well that's good to know. I'm glad to hear that. I hope you documented that. Paul- Why don't you get out and about? *Shane\**- I am out and about Paul- Not enough. *Shane\**- Why I would think I am. Paul- So I know you don't like me because I'm pushing you to do something that you don't want to do. *Shane\**- No, I, that's not the case. It's not pushing me to do anything. I want to do what's right and what's correct by everybody. Not just by me, not just by you. Paul- What's right about you making financial gain off our Lake? Aren't you? *Shane\**- What's that? Paul- You are making financial gain off of our private Lake. Our private Lake. Private. *Shane\**- So at the end of the year if I make no financial gain then

I'm not financial gaining is that what you're saying? Paul- What does it say in the Book? *Shane\**- You tell me.

3. Alysia Hammel D1- No one shall make financial gain off of the Lake. That's what it says. That what it says and you know it. *Steve\**- Can I just insert just a hopefully calming .. (among murmurs from the Guests- *Pat\**- EXCUSE ME! He had the floor. *Steve\**- I appreciate .. ??- Who had the floor? It's supposed to be Guest comments. Alysia- I asked to be on the agenda. Agenda, not Guest comments, agenda. *Steve\**- In regard to short term rentals not having been placed on the agenda, at this point I appreciate that because the length of the meetings have been very excessive and we've had early year decisions regarding weed management that needed to be made so that we can get contracts .. I'm not saying that it doesn't get dealt with. There was an email that went out in response to this issue that next month now that we've made many of the weed issue decisions .. Paul- What happened last February? Where's it been since last February? *Steve\**- In February a motion that had been made was discussed and the Board could not reach a resolution based on that. So it had to be tabled. Now we are looking for a new motion that we can work through and that hasn't come up on the Board yet because .. Paul- Because .. *Steve\**- .. we've been needing to get some of these other decisions made. *Marshall\**- That's not accurate. Paul- You had all last year. *Marshall\**- That's not accurate. Paul- This has been going on for more than just last year. *Steve\**- I know. Paul- I have been to more of these meetings than you have. *Steve\**- .. because there were people who were concerned that we were getting off balance. Becoming much more emotional in dealing with this than was necessary and becoming very personal back and forth in a way that was counter productive to the spirit and neighborliness of the Lake as a whole. And so slowing it down, de-escalating the inaction about it and .. Paul- at the same time .. *Steve\**- is appreciated by me and those who are wanting to see a resolution come about, not through yelling and foot stomping but through a calm measured approach. Paul- He doesn't have it. *Steve\**- Shane has said that we will be getting to this next month. It will be getting more Board time because we have been having other things that need to get done. Is that correct? My understanding that was the intention? Shane? *Shane\**- Yes *Sherry\**- You could have shared that earlier in the year that we would be discussing it in May. Alysia- So Paul and I asked to be on the agenda. Somehow there was a miscommunication. When I was President you weren't here. I put up with abuse from people in this room. I'm glad that you like the way it's being calm and it's being tabled because I put up with all kinds of abuse. We asked to come. This is not a personal attack on anyone in this room. It is not. It is a matter of the Covenants and Bylaws. You weren't here. I asked you to serve on the Board. You did replace Steve. It is not an attack on any person. It is not. What it is, is as a Board we went through the Covenants and the Bylaws and there are things in them that say, nobody shall use the Lake for monetary gain. There are all kinds of things, there is the blurb about the fishing rights of the homes and this and that and it says clubs or hotels or motels. It says those things. We believed as a Board that it was the intent, you can agree or disagree, we believed that is was the intent of the original writers to protect the Lake to keep it private. (loud voices from the floor) *Shane\**- Let her finish. She has the podium. Give her her time, be respectful. Alysia- Thank you. It is not an attack on anyone. This Board made a decision. That's what it is Shane. It's not against you. I know that you can't stand me either because I'm out walking and you rev your engine at the dogs and I and I get all this stuff. It's not an attack on any of you. What it is, is the Board made a decision and



they haven't moved on it. You're sitting here doing nothing. We wrote a letter. You're gonna see a lot less people paying their dues if the Board doesn't start doing what's right by everyone. They come to me. I don't even want to be here today. I've been asked by countless people to ask the Board to do something. There were lies spread about the the Board by a group last year. This is a group that has come together. There will be more signatures. I haven't had time. I'm trying to enjoy Spring break. Paul has worked. There are 21 signatures, some of them by email. We are asking the Board to do something. I've also included for the Board, one of the arguments was they are not lumped in with clubs and motels and hotels, we're homes and the attorney said you can't do that. Well, if you are all aware of the County InnKeeper's Tax, which all short term rentals under 30 days, clubs, hotels, motels, homes, cottages, cabins, are all lumped in that description. It is a State law. It is a Kosciusko County law and it does include rooms in hotels, motels, lodges, ranches, villas, apartments, houses, bed and breakfast establishments, vacation homes and resorts, cabins, cottages, on and on it goes. So the State says that your home that you are renting out is a business and it is lumped with clubs and hotels and motels then why was there ever an argument that you guys aren't in violation of the Covenants and Bylaws? Like I said, it is not an attack on you guys. It is a right and a wrong. The Covenants and Bylaws if you're not going to follow them why do we have them? Just yesterday there were 6 guys from Wawasee, I drive by they are out there fishing the Dam. When we drive back past they are all getting into their trucks in the parking lot. We are allowing people to use our Lake. I thought we were here as a private Lake. I know you guys pointed me out to be an evil person, No, we are kind to the Air BnB guests. Curt will tell you, we let them use our things. We're kind to them. We are not awful people. But it is a Covenant and a Bylaw issue. Not a Shane issue. Not a Darby issue. Not a you issue. It is a Covenant and Bylaw issue. If you are going to have that a the Lake then enforce them all. If you're gonna collect dues from people .. if you are going to take people to court for not paying their dues, that's in our rules, enforce everything that's in here. Like I said, it's ridiculous. You'll see, you as a Board, I don't care if you're private. You have a fiduciary responsibility, according to the State of Indiana, to do your job. Alysia, what is your question? I didn't even want to be here. I have Grandkids. I have a life. I moved to this Lake for the privacy that it afforded me, not to be rented out. Not for anybody that can pay because by God I'm going to start renting canoes and kayaks and everything else and you can't stop me. Because you guys are not doing your job. And as far as Wes, I'm glad that you're now aware that seawalls and stuff require a permit because when I was President, oh, Did I have to know that, Did I have to have a permit? I did not get that and I got slandered and slammed and lied about, when I was President. It was awful. And I got accused by her (points out one of the Guests) She's trying to run it as an HOA. Guess what, we are not per say an HOA but we pay our dues to keep the Lake a certain way. It's already in your Covenants and Bylaws. I do appreciate you saying, Let me speak, because at the Annual Meeting, all your Cronies sat in the front and told me to shut up. Nobody respected me what so ever. I was lied about right to my face. And the attack of your wife on me, I was not attacking you Shane, I went to Terry. Terry said you didn't have the permits. I asked the County if you had your permits. That's all it was. It wasn't a personal attack. I just went through the chain of command, that's all I did. *Shane\**- We don't need to go down the road of who treated who, and who said what. Alysia- But I put up with a lot for over a year from you guys. I really did. I'm glad that we're having some sort of decent conversation. You guys

are because I'm presenting what people asked me to present today and I'm out. I know Jim Whitehead was afraid of lawsuits. You're looking at a lawsuit from a huge group of people on the Lake because you guys are not holding up your responsibility of the Board. That's not against anybody personally. It's just that you guys are not doing what you are supposed to do as the Board. If you're not going to honor these, I recommend you rewrite them, do what you need to do to fix them to be whatever it is that you guys want them to be because it's not about all the people around the Lake. It's about a few people who are making a profit off the Lake. That's all this is about. It's not about the majority. They don't understand the Covenants and Bylaws. They were lied to. They don't understand that the State says, you are an Innkeeper. That if you are renting out you are an Innkeeper then you have to pay that tax. People don't understand that. They think it's just this group of people that, oh you guys are just hard to live next to. No, we moved to a private Lake that's not private. You might as well open it up and make it public. Let the State pay 'cause I paid my dues this year. I'm not paying them next year. Take me to court because I'll take you right back to court for not following through with the Covenants and Bylaws. We're out. I'm not gonna sit and listen to the gossip of people accusing me of things I didn't do. I've pressed the Board on a decision. That's what I did and shame on you for not doing it. Stacy Hammel D1- Intimidation while we walk the dogs and everything that's not neighborly. You did it twice .. *Shane\**- No, I did not. Stacy- My wife has been on the phone with her Mother twice and recorded you spinning your tires and revving your engine. *Shane\**- No, I have not. Stacy- That's not being neighborly. . *Shane\**- I did not do that. Stacy- You did too. You did it in your red truck. *Shane\**- I know what my red truck does and I did not. Stacy- Look, we're adults here. *Shane\**- I understand that. I did not disrespect her by doing any of that. It is a manual transmission and the damn thing dies when it's cold. Stacy- Look Shane- I'm not going to argue with you about it because .. Stacy- I know you're not. *Shane\**- .. I know what the truth is. Stacy- I know what the truth is. You're warned.

4. *Steve\**- I have a question that is more appropriate for the Board anyhow. I understood her position so I didn't need to ask a question there. My question is in regard to what the Covenant and Bylaws say. Does, not that we have one, but does the Board have the authority to authorize a hotel, in association with the Lake property? My reading says that that is one of the things that could be authorized, not that we have one but it could be authorized. *Shane\**- Right. *Marshall\**- You have to go through the proper steps. *Steve\**- Because we probably never had an effort to put a hotel we never established what the proper steps were. In the original Covenants and Bylaws if they foresaw the possibility of a hotel, they must have foreseen the possibility of a business wanting to run a property for a profit margin. *Bernie\**- You can't definitively say that. *Steve\**- But there's not a hotel that would operate as a nonprofit. *Bernie\**- It doesn't say anything about putting a hotel or anything on the Lake, per say. It says to make special agreements with those. In other words there could be a hotel or something across the street over there at Wawasee and they could make an agreement with the PPA to let those people come over and kayak. You know, pay the PPA, if the membership agreed to it. That doesn't say that .. *Marshall\**- That's not the issue guys. The Board has already decided. We sent a letter. We are a year and 2 months and we have done nothing. Alysia is not wrong. This Board has decided to cease and desist. It wasn't a hip shot decision. I've said this a dozen times in these meetings. Nobody listens. There is already a cease and desist letter put out, based on these Covenants and Bylaws. Nobody has come forth with a

rules based proposal to straighten this out. You're gonna have to decide if you're going to enforce these rules or not or she's not wrong. We are culpable. We can be sued. Please let me finish. We've got to quit thinking that there's some Kum Ba Ya moment that's gonna happen here. We are deep into it. People already used the word hate. You're too late. This community is broken. Nobody's gonna win this game. There's gonna be hurt feelings for a long time. It would have been better to go to court in March of 2024 and have a Judge decide this. Now, we've got to stop. It's out of control. That letter was based on this book and we've got the names of the people and emails from the Board members that said yes. This STR thing is bad for the Lake. See what it's done? You got 15 people, I think it's cool, I mean STRs are great but this Lake does not allow it. It doesn't and if you these rules over and over you'll see that they are in violation. It's not a personal attack. If you make a deal with them now, let's say we do. Let's say they get a marginal vote to get STR on the Lake. Based on the rules you're gonna have 50 of them. They're gonna have competition. Is that really what this Lake, if you read, is supposed to be? There's a reason these words are put in here. It's crafted pretty well. It really is. That's my point. I don't want to give the illusion that there's something down the road that we can compromise on. We're beyond that. It's time to enforce.

5. Kent Renner D7- You dropped the ball. *Marshall\**- yeah Kent- You all dropped the ball. *Marshall\**- Ok, and we get it. It's easy to call it from the cheap seats, Kent. Kent- I'm agreeing with what you're saying. *Marshall\**- Anyone of you guys could be Board members and not drop the ball. Kent- No, I get what you're saying. You're right Marshall. *Marshall\**- We've been kicked in the head with this for 3 years. I'm starting my fourth year. I'm on my third President. We talk about Goals and Projects, screw that. We got to fix this. The only way we can do it right now is to enforce the rules and go from there or propose a rules based vote. Which means the majority of this Lake decides it. Now I say we cut that down to 30 days. Let's get that done in 30 days. Get this sh\*t behind us and see if we can repair this Lake because it's going the other way. People don't talk to me in general anymore. It's I hate that S.O.B, hate, on this Lake. We did it. All of us. Paul- I've talked to people that are thinking about moving. *Marshall\**- Sure, we've had people sell and moved because of this issue. We know the story. Let's not fantasize about something wonderful going to happen. It's hard. It's a street fight now. It's got rules. There's procedures to get out of it. We need to get on with it. If there is a group that wants STRs on the Lake, you need to read this stuff, follow the rules, do it properly and then the best vote win. *Shane\**- Couldn't be spoken better. *Linda\**- But that's not up to us. *Shane\**- I agree 100%. *Linda\**- You won't let us talk. *Marshall\**- Today he is letting us talk. Paul- This isn't on the record. It's not in the Minutes. *Shane\**- It's in the Guest comments. It will be in there. I don't need to hide anything. *Linda\**- You have prevented us from approaching the Membership with the rules before they are allowed to make their vote. *Shane\**- Explain that to me. How did I prevent you? *Linda\**- Because you don't want us to do that part. *Shane\**- What part? *Marshall\**- I will say this. He just agreed with me so I think he's on board with let's get it going within 30 days. *Linda\**- A rules based approach to a vote. *Shane\**- I want an explanation as to what you're saying. 'Cause that doesn't sound like anything that I've ever said to you. *Linda\**- We were going to have the rules interpreted so people understood what they say and you said, well I don't believe that. You weren't going to allow that to happen. *Shane\**- Somebody from the Board to explain to everybody the interpretation of the Covenants and Bylaws. Is that

what you're .. *Linda*\*- Yes. Point out the things in here that point to why this would be a problem on the Lake. *Dan*\*- I think it was to highlight. It wasn't to interpret. What we're talking about I believe was .. *Linda*\*- We're not interpreting. We're just going to show you the places in here where .. *Dan*\*- The word you used was interpret. I believe the action was highlight. It wasn't saying this is what it means. It was saying this is it. Do you understand the distinction? *Shane*\*- Yeah, I don't ever recall telling anybody to refrain from doing any of that. *Linda*\*- Did it get done? *Shane*\*- I don't know. I saw a draft, some highlights. *Anthony*\*- I agree with Marshall. I agree with everything you said Marshall. But I want to remind the Board of one thing. The November meeting was dedicated to this issue. In fact, explicitly I was asked to review our current position with regard to STRs, which I did. I made all the statements that Marshall, some people were here some people weren't. There wasn't a great deal of attendance at that meeting. But all of this was reviewed in November with the intention that once all of this was reviewed we would act on it. But nothing got done with it. It never became a priority on the agenda. I have to say, personally, I do take offense to getting an agenda the day before the meeting because that doesn't allow us enough time to change it. It doesn't allow us enough time to say, Hey, wait a minute, Why isn't this there? I mean, I can't do that on a Friday night. *Sherry*\*- I did. *Anthony*\*- Ok, I know you did. Thank you. *Lynn*\*- I did too. *Anthony*\*- I'm just saying, I think that that is an inappropriate thing to do. Because it closes out our ability as a Board to add items to that agenda. Which, honestly, if I had seen the agenda not last night, if I had seen 3 or 4 days ago I would have written and said I prefer to have STRs in the meeting. But I didn't have the option. I take offense to that. I feel manipulated on that, I have to say. *Sherry*\*- I did put in that we needed to have STR on the Agenda and your response was, and I can pull it up to make sure, was that it's always on the Agenda. It's always something we can talk about. My point was, it needs to be a point on the Agenda each month to discuss. Now you're telling me that, because in the past you've said, that you're working on an idea that is going to benefit everybody and you're going to present it and now you're telling me it's going to be on the Agenda in May. This is April, people do take vacations. To come to me and say in May now we are going to discuss this .. When I asked to discuss this, I even asked for a special meeting in January. We've asked to discuss it. Shane, you have put us off. So I would like to propose a horrible thing. This Board sent out a letter in February of 2024. What we didn't follow up with was, What will we do if you don't? *Marshall*\*- It's in the book. *Sherry*\*- It's in the book. Then why don't we do what we do? *Marshall*\*- That's what I'm saying. If it doesn't happen within 30 days we go right by this book. *Sherry*\*- That's right. We need to say, whatever the book says that they cannot do, they cannot do. We've already sent it out. We've already made our decision. Why? Are we sitting here doing nothing when we've already done it? We just need to enforce it. *Bernie*\*- We have no teeth to enforce it. *Sherry*\* & *Marshall*\*- Yes, we do. *Bernie*\*- What are you gonna do? *Marshall*\*- Read the book. Read it. *Bernie*\*- yeah, I know but .. *Marshall*\*- No, you don't. If you're asking the question. *Sherry*\*- If you want to roll over and die Bernie, go right on ahead but I will stand by that book. I apologize. *Marshall*\*- I got the book used against me. *Bernie*\*- We've got rules and stuff and we say this is what is gonna happen but how do we make that happen? We can tell people they've got to take their piers out. We can tell people they can't be on the Lake. How are we going to enforce it? We cannot touch somebody's pier. We cannot .. *Marshall*\*- You touched mine. Ripped mine out. Ripped Dan Stuckman's out. Ripped the whole west levee out. *Sherry*\*- If we can take out trees we

can take out .. *Bernie\**- That was the State. *Marshall\**- That wasn't the State. That was Corson & Dave Hewitt .. *Bernie\**- But the State required it. *Marshall\**- I understand that. But I'm sayin' it can be done. *Bernie\**- I'm sayin' How do we enforce our rules? *Marshall\**- And I haven't been allowed to put it back in. *Marshall\**- I think there's teeth here Bernie. *Bernie\**- I didn't say there was no teeth there. But we don't have any way to enforce stuff. *Marshall\**- There's also a procedure in here to avoid it too. *Dan\**- What's the alternative? Do nothing? *Bernie\**- No, I didn't say that. *Dan\**- Well then .. *Sherry\**- What are we gonna do Bernie? *Bernie\**- I said, and I said this months ago, why don't we send out a letter and just say, are you in favor of them or not? *Dan\**- You already sent the letter. *Bernie\**- We didn't send that out. It's a yes or no question. *Sherry\**- If you're saying we have no teeth, then why are we even here every monthly Saturday? Kent- There you go. *Sherry\**- We do have teeth and let's use them. *Marshall\**- It says in here how many times this thing has won in court too. Paul- You've got teeth to put a lien on my property at the end of the month because I'm not paying my dues. Why in the \*ell can't we do something to other people that are not doing the rules? Let's do something about that.

6. Terry Radtke D8- If you do one you have to do them all. I agree with you Marshall 100%. I've said 3 things the last 2 years. 3 things are gonna happen. The Board is going after the STRs. The STRs are gonna go after the Board. Now the people around the Lake are going after the whole Association. *Marshall\**- They will. Terry- I'll tell you another thing and nobody in this room will admit it, Shane had nothing to do with this Board until the STR thing. Kent- Exactly Terry- Darby is my neighbor. Nothing to do with the Association. *Sherry\**- Guys, that's all personal. Terry- I don't care, listen, here's what's happening and they won't admit it. I watched the meetings going down at my neighbors house all the way up until the Annual Meeting. They're putin' their plans together. Then Shane wants to turn around and say, oh you must have heard that from JW. They said they were gonna run us out of money. There gonna keep at us. Now, the other thing I said .. *Shane\**- I want to know who said that, because that's a blatant lie. Terry- I've got the floor, right now. What I've noticed, and I said this before, and everybody said this to me, Do you really think that's gonna happen? As the votes come in with the different areas, they'll get all the STR in all the Districts and I like what Dan said, being a conflict of financial gains, they're not allowed to vote. That's still true. Right, Dan? *Dan\**- I believe it is. I believe that a fiduciary duty requires if you have a personal gain and interest you must recuse yourself from the conversation and the vote. If you have a personal economical gain, for the integrity of the Board, so there's not an appearance of impropriety, the correct action is, I will recuse myself as I have a personal gain. That has not occurred. Terry- All these times that we've talked about the STRs comin' to the Board, to ask if it's ok. If it's ok to have one. How many of you guys have said ?? None, and we have been doin' this for 2 years. And we've told you come to the Board. You guys have not come up with any kind of solutions and in fact at the November meeting I think Dan and Shane were supposed to get together and talk about these things. Did that ever happen? No. *Dan\**- It did not. Terry- But anyway, nobody wants to admit what's goin' on, except for Marshall. Marshall's got the biggest mouth in here, no offense Marshall, but you say it the way it is and that's what this Board needs. This Board is going down hill. I've gone through 7 Presidents. 7! And it's not getting any better, Shane. *Shane\**- Well, it's gonna get better. It just takes time. Terry- Time? How much time do you want? *Sherry\**- Who's working on it, Shane? *Shane\**- I've been working on this for a

year. (jeers from the floor) *Sherry\** You cannot work on it alone. You are our President. We are the Board. *Shane\** I understand that. I'm talking about the Community besides the Board, the other side of the aisle. The people who also have an interest. There are other people that aren't here. (from the floor- Who?) *Shane\** Everybody that has a rental or doesn't think this is a .. *Marshall\** Do they refer to any of this? *Shane\** Yes. *Linda\** Then why haven't they come to the Board? *Sherry\** .. You have to come to us. We are the Board. *Shane\** I understand that. But just like this you have to have a complete .. (a lot of voices all at the same time) *Linda\** No, wait, wait a minute. This is getting out of hand. *Shane\** This needs to be said. Terry- We've got a book of rules that our forefathers put together. Why are we not abiding by them?

7. Drew Foster D4- I have a copy of the Covenants & Bylaws from 1959 that said, you couldn't rent your property to anybody of the Caucasian race. So at that time, there was a distinction between making profit off the Lake and renting. So you can't have it both ways. *Marshall\** as they reside *Linda\** Now wait a minute, wait, now wait. But what was that? It was a rule, about what kind of rental. Drew- It said anybody of the Caucasian race. *Linda\** Right. Drew- It means renting was allowed on the Lake. *Marshall\** Reside, must reside. *Linda\** It didn't say on the Lake Drew- It didn't say that. It just said, it was allowed. Right? *Linda\** No. Drew- It did. *Linda\** It didn't say it was allowed. *Shane\** It did state, in 1966 was the last copy I have that it states that, anybody other than the caucasian race, you cannot rent to anybody other, rent lease or a, what was it? Rent, lease or sell a piece of property to anybody other than the Caucasian race. Drew- So you can't bring up with .. *Shane\** I had that document Drew- you can't .. *Linda\** We're not saying you can't rent. We're saying that you can't make a profit off the Lake. Drew- You can rent and you can .. *Linda\** They're .. *Marshall\** Resident *Linda\** That's the key. *Shane\** Listen. I literally been working on this. I don't care what you say. I'm trying, as I said from day 1, to look at it from both perspectives. Paul- You can't. *Shane\** I can look at it from both perspectives because I .. Paul- You're too busy making money off us. You don't want .. *Shane\** Again, this is an exertion that you know everything about me and you guys don't have a clue. Paul- Ok, let's hear about your little boat rowing across the Lake over from your parent's house when you moved. *Marshall\** There's only one perspective. That's the perspective. *Sherry\** Why don't you show us what you're working on. Please .. *Marshall\** These rules are the only perspective that .. *Shane\** Literally, the draft is done. That's why I'm saying .. *Sherry\** The draft of what? *Shane\** The draft of what the phase would be for the approach for the people who feel that they're bein' encroached on with their property. So, this is the rental people and the people who don't rent but may want to or think it's their right to based on what they read and what the attorneys had said. *Linda\** We're not saying you can't have a residential rental. *Marshall\** Where they reside. *Linda\** You can't bring the public onto the Lake over and over, in and out like open doors. *Steve\** I haven't seen the residential qualification. *Marshall\** You haven't? *Steve\** I haven't *Marshall\** It's in there. *Steve\** I haven't seen the residential requirement. *Marshall\** It's Covenant 3 *Steve\** It says, residential rental? *Marshall\** No, it says reside. It is a word that has meaning. *Shane\** To speed this along. At our next gathering which is going to be really quickly, I will have you, in writing, a draft of the proposal and if this is not something that we want to do then so be it. Because then it boils down to .. *Linda\** We have a written draft right here. *Sherry\** Why do we need a new one? *Shane\** This is not, this a draft to understand .. *Marshall\** Is this a draft of something you'd want the Community to vote on? *Shane\**

Yes Terry- Is this a draft to benefit the STRs? *Shane\**- It's not just the STRs. *Sherry\**- What is it? We have no idea because you worked on it. *Dan\**- This is the first we're hearing of it. *Shane\**- I haven't even got it printed out yet. Like it takes the whole Community to communicate this .. *Dan\**- We are the Board. This is our job. We are supposed to do what you are doing on the side. *Shane\**- I understand that. *Sherry\**- You do? *Dan\**- It's a parallel .. The point of this is to address it. They are representing their District. They are speaking for their Districts. This is where that conversation takes place because this is where the people speak through their representatives. I don't understand the side issue where .. Who's the we? in the we comment? We are going to present a proposal? That's what we do here! We present the proposal. *Sherry\**- You are not a one man show, Sha\*n .. *Dan\**- This is the representatives. *Shane\**- I understand that. I am not a one man show. What I am saying is you have people who want to approach the Board with a solution to this problem. You can't have 50 people come in here with all these different ideas and do this number everytime they come because everybody has nothing in common to bring to the Board to make this simple. Terry- Make the STRs go away, the problem's gone. *Linda\**- You don't have a problem when it's your guys being vocal but now this is a problem. *Sherry\**- We already have a plan. I believe we need to move forward with it. *Shane\**- I agree *Sherry\**- We send out the next letter to everybody saying that if you are doing an STR you are in violation just as you were in the 2024 letter and this is what you will lose if you do not follow the law and stop your STR. Terry- As soon as the Annual Meeting was over when the vote for the President was up they walked away. They didn't even stay for the rest of the meeting. *Sherry\**- That doesn't matter. Terry- All they were here for was for Shane. Kent- That meeting was the biggest sham I've ever seen in my life. *Marshall\**- That's why we gotta get this solved so we can straighten out the elections. Paul- It was the Shane show. *Marshall\**- So it doesn't turn out like it did the last time. Kent- We vote like that in Kindergarten. *Anthony\**- Shane, I heard what you said. I remember from prior meetings that you were saying you were going to put this document together. I remember that but my response to it, although I may not have articulated it at the time, is, You're not in a position to make that call. The reason why it has come up so many times I'm almost tired of talking about it, is the whole conflict of interest thing. You just can't do it. If you have a fiscal connection to a decision within a corporation or any governing body, you can not. You have to be responsible enough to make that choice .. let me speak, please. to excuse yourself from the problem. That I think has been the impediment here. The Board is kind of stymied. We have opposing views. We have conflicting views because of fiscal connections here. It's very difficult to make decisions like that. What's really bothering me for the last year is, is what I perceive as your refusal to excuse yourself from this, even questioning whether it is a conflict of interest which it is clearly a conflict of interest to anyone who knows about it. Especially in this case because it's fiscal. It's nothing else but monetary. There is no way you can possibly convince me Shane. You're a good guy, I have nothing personal, there is no way you can convince me that you could come up with a document that wasn't somehow tainted in favor of your position because you would have a financial gain by doing so. It blows my mind. It blows my mind. I've never seen anything like this. I've been on a lot of governing bodies and people recuse themselves because they know they have a conflict. Here, we refuse to do that. That's bull sh\*t.

8. Connie Heimann D4- Everybody here has a conflict. *Anthony\**- No! It's a defined term. You need to do some literature reading on this and understand it. It's not an opinion. I'm

not giving you an opinion here. Connie- I did. I spoke with an attorney and he is saying, that clause refers to property that is owned by the Organization. Drew- My ability to interpret the Covenants and Bylaws is just as equal as yours. *Anthony\**- No. Drew- You have the ability to say yes or no *Anthony\**- I'm not going to talk about this anymore because .. Connie- that is your job. *Anthony\**- It's a financial conflict of interest. Ask your lawyer. Connie- You sent out a letter .. *Shane\**- Guys, that's additional things that we don't need to .. *Anthony\**- It's an issue though. *Shane\**- It is. *Anthony\**- It's an impediment, Shane. *Shane\**- I get it. Paul- You started it. *Shane\**- I started what? The finger pointing and the calling me out. Look, I'm looking at things from a, and it's ok, I get it. I'm not .. I'm looking at things from a different perspective. As a property owner it's my right to .. to protect my property and my views to the property. That is what I am doing. Now, that I'm President, I see, there is a conflict of interest. Paul- We're trying to protect our property .. *Shane\**- I get it. Paul- .. as the Association. We have just as much right to protect our property as the Association. *Shane\**- Absolutely. Paul- .. as you do for your home not the Lake. You can do whatever you want in your home or your little rental but keep it off our Lake. Our Lake. Private. You heard that didn't you? *Shane\**- Yeah, I've lived here long enough. I know what private means. I live on a private Lake. Paul- When did you want to give it up? *Shane\**- What do you mean, give it up? Paul- When did you decide to give up the privacy of our Lake? Connie- We still have people back here that would like to talk. Paul- Shut up. *Sherry\**- NO, no, no *Marshall\**- Ok, we need to move on. *Linda\**- We have to finish the Guest comments.

9. Mike Flood D1- Before I moved here in 2002 I went around the Lake with a friend of mine. That's how I found Papakeechee. I saw several homes, beautiful places. A realtor convinced me to consider making a purchase. *Pat\**- For you folks that want to speak could you go to the podium so we can all hear? It is difficult ton hear folks. That's what we asked for at the beginning of the meeting. Some people chose to do it, some didn't. That would be very helpful. Thank you. Mike- I was raised in Catholic schools, 12 years, in Detroit. What I've seen here is unacceptable to each other. You shouldn't swear in a public meeting at somebody. It's disrespectful. So cut it out. You dropped the F word .. Paul- ?? Mike- .. and you started it, Stop. You're very stubborn. Be nicer. Kent- Which school did you go to? Mike- ?? Kent- He went to a Catholic School in Detroit also (points at Paul). Mike- What school? ?? Paul: St. Michaels Mike- So anyway, I think we should be nice to each other. And I don't think you should swear. That just sets me off. It's really bad. It's like Washington DC right now. Just tone it down. If you respected each other you'd get a lot more done. I came here in 2002. I traveled around the Lake with a friends. I saw his rental properties. 5 of them and they were beautiful. And he said a lot of good things about the Lake. So I bought my own place. I've had it since 2002. So then multiple houses were being rented, back then. I didn't have a problem with it. I bought my house knowing that I could rent on the Lake. I didn't have intention to do that and I don't but my experience, the point is, the short term rentals have been much more respectful- than the long term rentals. So precedence has been set for a long time, that rentals have happened. When you try to mess with people's money, personal income, that's where this conflict is coming from. I think that with such long precedence, to come in and say no more, what if somebody got to a point where they had to rent their house? They have a financial situation where they could get out of it or help themselves by renting. Long term brings in some bad, short term they're in and out. You can address it. Lastly, we could make money on the Lake. I've been in retail for 40 years. When I see



that property and all those cars driving by and that long line of fishermen, and people wanting to get on Wawasee, even just taking that property and renting it out on certain Saturdays, Fourth of July, whatever it might be, you could make passive income and pay for some of the extra things you guys want to do. Everyone has a lot of ideas. It was a long winter. If you want to know ways of making money, feel free to talk to me. Thank you.

10. *Shane*\*- Any other guest comments? Anything polite? Like I said, I get it. I'm on the chopping block. I'm opposition but I'm opposition for, I feel, everybody's rights on the Lake. If you don't agree with having a short term rental, that's fine. I understand where you're coming from. Persecuting me and telling me I'm a terrible person is fine. I get it, that's what this does when we butt heads on things. But you gotta look at it from more than one side. I can do that, whether you believe it or not, but I also have to listen to the other people who oppose your views. We all have to look at that and understand that because they're on this Board as well. They're on this Association as well. That's why I was elected. They didn't feel like they were being heard. I been on the Lake 40 years and I never once thought I'd run for President. I played on that weed machine when I was 8 years old. My Dad was District Rep. He worked hand in hand with Corson. I knew all these people. I been here a long time and the division on the Lake sucks. It is what it is at this moment. At some point in time I personally want to be ?? and everybody else does. The Board can move through with following their agenda as far as what their next steps are gonna be. Because the Board has made a decision that, you know, no short term rentals will be granted. Whatever that step is, you know, I can't vote for that. That's you guys voting that in so if that's something you want to bring to the Board and figure out and talk about it, I can sit here and listen. I've got good ears. I've got 2 ears and 1 mouth. *Linda*\*- It's already done. *Shane*\*- Right, it's already done, but it hasn't went to the next phase. It's like, what's the Board want to do next? It's not something I can vote on. I'm not here to vote. I'm here to guide. I'm guiding for the whole Association. Not my views. Not Paul's views. Not the guy in between. It's everybody. It's collective. We have to listen to everybody. I can't cast a vote. I'm here to be the middle guy that understands this side of middle and I feel compassion for this side. Whether he believes it or not or anybody else. I am actually compassionate for it. I don't want some meth head on Promontory Point sneakin' around the Lake at 2:00AM and comin' to my house 'cause he has a full time rental. I don't want that either. I grew up with all the trailers and all the trash down there. It's getting better. This is a bump in the road. It's got a lot of people divided. It's partially divided Dan and I and I worked for him for what? 2 years prior to that? And we were good. Right? *Dan*\*- We're still good. *Shane*\*- That's what happens when you butt heads. People can't navigate that without hatred. That's where we need to stop. What I'm saying is, the Board continue with wherever the previous administration left off. What their next step is I haven't, I don't know what that is. It hasn't been presented to me. *Marshall*\*- It's in the book, Sir. *Shane*\*- What's that? I agree it's in the books. We want to know what the next step is. *Marshall*\*- Cite the violation and then the enforcement is in there. Along with the ability and resource for people of opposition to call Special Meetings. Everybody read the book. Read it a lot, read it over and over, it's in there. *Shane*\*- I guess since we're all here, 10 days from now, we're going to have a special meeting and that draft will be on your table so everybody that wants to come and see what the other majority of the Association member's feel. They will contribute .. *Pat*\*- 10 days from now we are having a Special Meeting? *Shane*\*- Well I got to give you 10



where COI is involved, anything we decide could be questioned if not. I have never been involved in a situation like that, ever.

4. **Darby-** Everyone on both sides have a right to contribute
5. **Bernie-** Either decision could bring a law suit. The short term people have a right to propose Bylaw amendment. The board has the responsibility to facilitate that if all in order.
6. **Linda-** There are rules in the book that state how.
7. **Darby-** concerning fiduciary responsibility, Everyone in my District knew my stance on short terms & property rights, I won overwhelmingly, I am representing my district. Will recuse himself if the Board decides
8. **Anthony-** It's not personal, it's the legal implications of the decisions we make if someone calls into question the COI matter, people have opinions, the facts are if you have a financial stake in a decision, if you have a financial stake in the particular outcome of a decision, it's very clear & indisputable COI, will not compromise, cannot. Shane, I'm not questioning your ability to be objective. That's not the issue. The issue is the appearance of it. The fact that somebody looking in from the outside, doesn't know you, They're going to say, was that guy really objective in that decision making? You are not going to be able to dispute it one way or the other. It is impossible to argue your way out. It's clear cut. He'll not be persuaded otherwise. This is the impediment for making progress. He is conflicted with what he wants to say or not say within the Board meeting because these conflicts are going on and they shouldn't be there. This is the big impediment here and it's not going away. Next meeting is going to be the same problem. Has considered resigning because it's really bad. It's impossible for anybody to argue their way out of this unless you don't know the rules. If the short term owners want to change the content of the Covenants they have a way to do that, but what they are doing is saying they don't matter or they can't be interpreted that way. That's a legal issue. To avoid the legal problem they can petition the Board to change bylaws. Then there's a vote. The Board has already spoken. If we had tried to enforce back in April '24 it would have been bad because the short terms were likely already rented, you can't go back on your word. So let them but this year, a grace period. The next year, the rules are already in place. Anyone short term renting this year is in blatant violation of the rules. They had 12 months to process this problem.
9. **Dan-** Your obligation on the Board is to do what you think is the right thing as dictated to you by the position you were given. Not how do I avoid a lawsuit. The Board has to have the flexibility to it's job without fear of retribution, without fear of being influenced by a future lawsuit. It's called the Business judgement Rule. As long as you are doing your job without some dark motive, it's looked at as you are doing your job as best as you could with what was in front of me and if there is no showing that you did something dirty, you are protected.
10. **Bernie-** They can't sue us individually but the Association could be sued.
11. **Shane-** I was elected by a majority, Linda- by 1 vote. Shane- 1 is all it takes, What I'm sayin' is my job is to represent the people who put me in this position. Now, I understand the COI and we're gonna figure that out. I don't like when I'm put into the situation where somebody else is making rules and regulations for me on my property without my understanding or my consent. From my position I'm looking out for the majority of the Association Members. That's why I was elected. My obligation is to fulfill that duty. I

understand your points that I have a fiduciary duty, also I have a personal duty. I live here too. I need to be heard.

12. **Pat-** The Directors are here representing the people in their District. So Marshall has people he's representing in his district. His people aren't coming here to speak their mind so is it feasible that your District Rep should be representing your position as a property owner? (directed to Shane) Do you know what I'm saying? **Shane-** Yeah **Bernie-** That wouldn't work because he would have to represent both sides. **Pat-** That is the District Rep's responsibility, look at both sides. You look at the rules and you follow the rules.
13. **Sherry-** If you are coming in here with 1 deadline idea, that's not what you're going to do. I listen to what my District wants. My District was ??
14. **Linda-** (to Shane) You are saying 2 things. You are saying, I'm bringing a proposal that represents everybody and I'm here to represent the people who put me here. 2 different things, in less than an hour.
15. **Shane-** I don't think so. The proposal is representing those people that feel different on the views of the short term rental. **Bernie-** It's their proposal. Not Shane's. **Shane-** I'm not drafting this proposal.
16. **Dan-** Will this proposal include signatures? **Shane-** I guess **Dan-** That's fair. Your talking about the general they and them and others in this group. Do we even have a full comprehension of what we mean when we use those terms? 'Cause I don't. I'd like to know who 'they' are. If you're concerned with intimidation or something? I don't know. I'm willing to listen to that argument. In fairness, Alysia presented her's and it had signatures. They know they're sticking their necks out. They've got neighbors. **Shane-** It doesn't bother me. Everybody knows my stance so, I mean I don't care. I'll make that request. It's not the end of the world. They all live here. They shouldn't have a problem with it. If that's what you feel everybody might want.
17. **Anthony-** I think if that proposal is representing the short term people's interest, fine. What I have a problem with is you presenting it as opposed to somebody within that group. Because of the COI issue.
18. **Steve-** Can I suggest that Shane and I talk. I don't have an STR. I'm new so I don't have the emotional back and forth that everybody else has. Could Shane explain the proposal to me and then I present it at our meeting on the 27th? Now it's coming from somebody who is neutral. I will read through it. It will be my proposal. But I like it when Mark comes with a list that's been prethought and we simply work through the list. I like when there's a proposal that is a beginning point for discussion. I understand the need for it to be something neutral. I'm willing to serve as the neutral party, hearing and presenting the proposal and not bringing a pre-argument against it. Saying this is the way I understand the short term's wishing that we would precede. The Board can then hash that around and say, Does that give us a foundation to proceed. Then at the next regular meeting when we have guests and stuff we're able to say, this is our plan for moving forward. Then we take an official vote or maybe an official vote on the 27th. If it would help for me to step in as a neutral party to kind of move this forward, I will.
19. **Bernie-** If that group has a proposal, to make changes to the Bylaws or whatever, they have the right to do that whether the Board agrees with it or not. **Shane-** It doesn't matter who proposes that. **Linda-** There is a prescribed way to go about doing that, if they don't agree with what the Board decided. **Bernie-** That's what I think this proposal is. If they have a proposal obviously they want to make changes. There is a process by which they should do that. The Board can't approve that. If it's a change, the

Membership has to approve it. We cannot stop them from taking it to the Membership. We have to facilitate that. **Linda-** If it is done according to the rules. **Dan-** I'm fine with you presenting. Are we talking about a change to the governing documents? We haven't seen it yet. **Shane-** You need to read it before you decide. I'm going to present it for you to look at it and then I will leave if I need to and you guys hash it out.

20. **Dan-** Until this moment Shane has been the point man for a group of people who want to present a proposal. If someone else from the group wanted to present it we would have nothing to stand on. The issue is, he has a COI. He can not be involved in that. He can't present it. **Lynn-** It should be somebody in the group presenting it, not somebody on the Board. Somebody that Shane is comfortable with, not somebody on the Board. **Shane-** In my view it doesn't matter who's presenting it. It's their vision on what .. **Anthony-** If it's a proposal from whatever group that doesn't address the Covenants or Bylaws but just tries a way to allow str on the Lake then that would be contrary to what the Board has already decided. The only way this works is if that community says, we want to change these laws and this is how we are going to go about doing it. I'm open to that idea. I'm not interested in the idea that str are allowed under the current Covenants, that's where I have a problem. If that document falls into that second category, we are wasting our time. **Dan-** Let's see it. If it falls into the second category let's move on.
21. **Pat-** Then spend the rest of the meeting figuring out how we are going to enforce what was already decided. **Sherry-** I think we already know how we are going to enforce it. Removal of piers or whatever else. But I think Anthony is right, we have to know the intention of the proposal. **Linda-** You have been telling us for months that you are working on it. It's crazy. **Dan-** Let's look at it. **Pat-** It's a document. Is the presenting somebody explaining what the words are or just here it is, open for discussion? If it's just let's have a discussion it doesn't really matter who presents it. Today Lynn handed us a document from that group of people. **Lynn-** as a District Rep. I was asked to hand it out. **Pat-** It was Lynn doing her job as a District Rep. **Lynn-** We also need to discuss document 2, Alysia's, that needs to be discussed. **Dan-** I think her petition is detailed about what we discussed, fiduciary duty, recusal, not doing our job by not enforcing the Covenants and Bylaws as we decided. I agree Alysia's proposal needs to be discussed too. **Sherry-** at the Special Meeting. I don't want it lost **Dan-** Yes **Bernie-** If there is ambiguous language in the document, we need someone there to answer questions. What are they asking of us or what are they telling us. I don't think Steve can do that. **Steve-** If the document itself needs explaining I could sit down prior to the meeting and get Shane's perspective so that so that .. **Bernie-** I understand that but there may be questions during the meeting that you wouldn't be able to answer. **Shane-** I'm going to give you that documentation as quickly as I can for review. If you decide to hold a meeting without me to review that because you have it in advance great. If you need me here to understand it, I'll be here.
22. **Lynn-** I have a request from Dan Clay to clarify the road situation. I sent it for the agenda. It did not make the agenda. I have to go back to Dan Clay and say we never discussed it. I told him I would add it to the agenda. Can we add it to the website or put it in the Pow Wow. He's new. He doesn't know how the roads are maintained, who maintains them. It's a biggie. **Shane-** I did get your note. I had already sent the agenda and didn't get a chance to put that in there. Can you maybe put it in the Pow Wow because there are other new people who don't know. **Shane-** I only know hearsay of what roads .. **Pat-** History! **Lynn-** We don't need to do it now. Could somebody clarify it

and .. **Pat**- the quickie answer to it is, The people on the private roads own to the middle of the road. It's their responsibility, The PPA has agreed to do the snow plowing. Which could be a discussion at some point. The PPA did pay for some Duraberm on Promontory Point last year. **Lynn**- I know this and the Board knows this but for the new people.. **Bernie**- For the long haul, it's their road, their responsibility. If they have potholes in front of their place .. **Shane**- What we are saying is that needs to be on the PPA website. **Lynn**- Just a clarification. **Shane**- I'm glad that got brought up because I didn't know that.

23. **Sherry**- Lavora Singleton- Is saying she "has received email about what she said, "are stolen items from lakefront properties." I didn't see the word stolen. Just that they had lost it. I assume it is paddle boats that have been blown off. How do I respond to her concern that there has been stealing on the Lake? **Bernie**- When did you receive? **Sherry**- Yesterday **Bernie**- 3 emails sent, a paddle boat still tied in front of his place, another one stuck under Fred Stepen's pier. He said, It floated away., and a lost paddle boat reported, cream and some other color. None were stolen.
24. **Pat**- Everybody needs to remember, In reference to str, every conversation I have had with our attorney, he has said, If you do something for one you have to be consistent and do it for all. It's not just str, it's people who are renting properties. My understanding from my conversations with the attorney in the past. **Shane**- Everybody on this Board had been briefed with the PPA's attorney. The PPA had got an attorney and they had gave them legal documentation regarding str. That you had some response on what the Association could do with str and how to navigate that. Right? So you all are privy to that information. Some of us, I guess. Nobody has ever seen anything from the attorney? The PPA has gotten a response from legal counsel and they knew how to navigate str and long term rentals? **Pat**- Yes **Marshall**- I got it out of the book. **Pat**- I'm just saying, wherever we land with this it's not just these few people who have these rentals where they have these people coming in and out. It's rentals. **Marshall**- I'm not seeing it that way. **Steve**- I think that's part of what needs to be clarified before we move forward. **Marshall**- It's in the book. **Steve**- Well, you got, you're inferring resident like long term resident and I would consider that if I rent a hotel room for the night and somebody breaks into the room I've got a right to protect myself in my residence. Where I'm at is my residence. Especially if I paid for the right to be there, that makes it my residence. So if the right of the property owner is transferred to the renter in regard to fishing, then if I rented that place .. **Marshall**- You are not residing in a motel room for a night. That is not your permanent home. **Linda**- just look it up in the dictionary, what the definition is. **Steve**- I hear what you're saying. I would interpret it very differently. **Marshall**- There is no interpretation. **Linda**- Just look the word up in a dictionary. **Pat**- It was my turn, sorry. I was just telling you what I was informed by our attorney. That's all I'm saying. Take it. Do with it what you want. I'm just informing you. To Mark and .. sending things out early is very helpful so have an opportunity to read it. Thank you. There was a meeting where it was discussed where people were concerned about transparency. They wanted the agenda posted on the website. At some point it was said, a week before. It would be helpful, again, if somebody would explain to me why we are not sharing because it was said, that's how they know if they are going to come to the meeting or not.
25. **Shane**- Ok, the agenda will be out a week in advance. Is that soon enough?

26. **Linda-** Water level, as we sit here speaking we are losing 1/2 inch per 12 hours so 1" per day. Where do you want me to stop it? **Shane-** I thought we had a benchmark already? **Marshall-** I was hoping we would know more about what is happening with the chemicals. Do we need to draw down or hold? **Linda-** We were 4 1/2 inches down last night. If we don't need the retention time (like to hold Fluridone) then there is no reason for us to go all the way back down and then try to recover for summer when maybe we can hold at 6 inches and that gives a choice either way or .. **Pat-** Didn't we agree at a meeting that we put it at something for winter? **Linda-** 12 inches down. **Pat-** in the past, once we determined we were going to put the chemical in we put the thing in and we stopped all of it. Why would we not just go back to what we decided for winter until we get to the point that we decide what we .. **Linda-** We could but .. **Marshall-** I would be nervous to draw it back down to 12 inches in April. Because we've been burned a couple of years. **Shane-** What's it at now? **Linda-** 4 1/2 inches down **Marshall-** About 4 1/2 **Shane-** Ok Linda- we are dropping every 24 hrs an inch. Right now. Of course it depends, Dericke could let out a bunch .. , **Marshall-** It could rain **Linda-** who knows how much. I spoke to him last week. He's willing to work with us. We don't know what kind of rain. **Marshall-** Do you have a feel for what chemical we're going to use? **Anthony-** I heard the word Fluridone used today when Aquatic Control was here. I'm still a bit mystified as to why we are doing that but I'm willing to hear more of their argument. **Marshall-** You're ok with her doing the study though? **Anthony-** Absolutely. I'm very interested in her theory as to how Elodea got predominant in the Lake. I don't know if we are going to use Fluridone. **Marshall-** Then maybe we shouldn't go below 6. **Shane-** 6 inches is what we are going to shoot for.

\* Name\* Board Member speaking during Guest Comment

**\*\*Motion to- Adjourn- Marshall**  
**Second- Sherry**  
**Carried- 11:58 AM**

Next Meeting:

June 14 ~ 8:15 AM  
 PPA Building, Hatchery Rd, Syracuse