

## PPA Annual Meeting Minutes – August 9, 2025

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### 1. Call to Order & Welcome – President Shane Wallace ~ 9:06 AM

Thank you everyone for coming, it's hot. I ask everybody to be respectful of each other. We're all neighbors. As we roll through this there are going to be lots of questions and things to talk about. I just want to keep everything civil and peaceful. With that I'd like to call this Papakeeche Annual Meeting to order.

### 2. Roll –

|                                   |                                 |
|-----------------------------------|---------------------------------|
| President – Shane Wallace D2      | Vice President – Dan Connell D1 |
| Treasurer – Pat Ebetino D2        | Secretary – Linda Minnick D5A   |
| District 1 – NP (Lynn Ballentine) | District 5A – Marshall Minnick  |
| District 2 – Bernie Ebetino       | District 6 – Jim Whitehead      |
| District 3 – Anthony Serianni     | District 7 – Sherry Doherty     |
| District 4 – Mark Laurent         | District 8&9 – Darby Miller     |
| District 5 – Steve Wilson         |                                 |

### 3. Election & Voting Process Explanation - Bernie Ebetino

- A. Apologized for last years impression of confusion
- B. Each eligible to vote Member was given their Ballot at sign-in
- C. Will take nominations from the floor for yourself or someone else (they must be present to accept)
- D. When you have your Ballot filled in, hold in the air, someone will collect
- E. 4 preselected Members will count votes and verify correct tally, then present the results to group
- F. If you must leave before the election you can vote for names already on the slate, turn in your Ballot
- G. 1 vote each Officer per signed in Member, 1 vote for District Rep. in Districts where property is owned
- H. Questions from Members -
  - a. Jill Corson D1 - Who are the counting Members?
    - i. Bernie will supervise
    - ii. Patty Schwartz D7
    - iii. Candace Wallace D2
    - iv. Shannon Therriault D5
    - v. Kathy Siri D5

### 4. Proposal of a Code of Ethics (CoE) - Rita Schnedler D7

- A. Members aware of issues made apparent a Code of Ethics for PPA Board members is needed
- B. State does not require but strongly encourages, does require acting in an ethical manner
- C. Submits Code of Ethics (see written copy included) for a vote
- D. Kent Renner D7- How is that handled?
  - a. Shane recommends taking under advisory, bring up at next Board meeting, not in position to vote on it now
- E. Connie Heimann D4- If you want to vote, should have been included in the handout packet, she is given a copy
- F. **Pat-** to Rita, not asking to be included in Articles, Covenants & Bylaws but a separate document?  
Rita- Right, hoping for a motion to accept and vote on today.

**\*\*Motion-** Code of Ethics as presented be adopted by the PPA.- Rita Schnedler

**Second-** Brad Ballentine D1

**Approved 46 Yay 26 Nay**

## A. Discussion-

- a. Jill Corson D1 (acting as Ron/Arleen Corson POA)- Code of Ethics should be voted on by the Membership. If accepted entire Membership should be made aware.
- b. Dave Hewitt- You shouldn't be voting on anything that hasn't been seen by everyone.
- c. **Bernie**- Indiana HOA code Boards are held to a Code of Ethics. Should go to entire Membership if we are going to vote on it.
- d. Shawn McKinley D2- POA does not give voting rights. (Arlene Corson is here)
- e. Alysia Hammel D1- Indiana Attorney General says there should be no Conflict of Interest, it should be disclosed. Do we have that info?
- f. Dianne Tulloch D4- Every Member should be allowed to vote if there should be a Code of Ethics for our Board, not just the Board.
- g. Connie Heimann D4- If you already have a Code as Bernie said we should just move on.
- h. Sherry- I thought they could vote on something if they want to.
- i. Laurie Eckman D3- If we are going to vote on something every Member here should have a chance to read it. Half the people haven't read the Code of Ethics.
- j. **Linda**- We could read it out loud, 1 page in large type.
- k. Stacy Hammel D1- Half the people here haven't read their Covenants and Bylaws to know the rules already in place.
- l. **Dan**- Annual meeting is your meeting. If there has been a motion, second and discussion it can be voted on. It's up to you.
- m. **Mark**- Differences in the language. The original says 'should' recuse themselves from voting and discussion, this says 'must' recuse. There could be a minor issue where no problem voting. A Board member may not be disproportionately benefitting from the vote. When a Member drafts a document we have an obligation to review, make a decision on what the appropriate language is.
- n. Terry Radtke D9- As Dan said this is our meeting. We are allowed to do this once a year. We should vote on the Code of Ethics today.
- o. Connie Heimann D4- Agenda doesn't say we are going to vote on CoE. The contents should have been included so people who want to vote could have come.
- p. Jeff Glon D3- No problem with a CoE but one that's been approved.
- q. Dan Helfers D1- If we want to tweak something later that's possible. The Board should not be deciding, that's a conflict. We could take 5 minutes to read it or read out loud.
- r. Rob Seracci D5- Already mentioned there already exists a CoE, what's the point?
- s. **Bernie**- The State has CoEs but if an Association does not have one they are still held to certain standards.
- t. Jill Corson D1- Has this Board accepted a CoE so that everybody can see it? **Bernie**- No Jill- Should be voted on and included in documents to hold everybody accountable.
- u. Shawn McKinley D7- If you want to vote on this all willy nilly real quick than I move that we vote on whether to have short term rentals or not. Let's put it to bed. If everybody votes no are you going to abide by that?
- v. Connie Heimann D4- If we have CoE drafted by State attorneys I would like to see that one. It's got to be better.
- w. Charlotte Hill D2- We have a motion and second we need to vote. If you don't like it, vote no.
- x. Steve Longstreet D5- The reason we need a CoE is Members are getting on the Board to vote for Air BnB and most people think that's a conflict of interest. Postpone this vote but the Board will agree that they will not vote on Air BnB until we vote on CoE. Everyone on the Board have to recuse themselves from voting or discussion on Air BnB until we move forward with this vote.
- y. Rita Schnedler D7- A CoE would require people to recuse themselves that's why you need CoE.
- z. **Mark**- the State CoE does not 'require' recusal.
- aa. **Dan**- Nothing that says an organization cannot further limit for their organization. Not in conflict of the statute because it further limits. **Mark**- I agree. **Dan**- Not specifically str. Going forward would require PPA Board to abide by on any issue.
- bb. Rita- researched CoEs, also a member of a non-profit Board for a number of years, attended a seminar that dealt with CoEs
- cc. Steve Wilson- Reads aloud the proposed Code of Ethics (see enclosed copy)
- dd. **Bernie**- First sentence says we do have legal obligations.
- ee. Lou Siri D5- Just write a Y or N on your Ballot for yes or no.

- ff. **Shane-** Write a Yes or No on your Ballot to approve or not approve the Code of Ethics for the PPA Board.

**5. Support of the Board's Recent Decisions-** Diane Tulloch D4

- A. Pleased the Board did test for Microcystins (Blue/Green Algae) and shared the results
- Many local lakes are also dealing with Microcystin algae, not something we have done.
  - Important to know when there is a bloom, you won't want to be swimming, Thank you to the Board for the warning
  - Chemicals used this year have changed because the Lake is changing.
  - Would like an outside expert to give an informational presentation (what chemicals are we using, what plants do we have, health of the Lake, ect.)
  - It's our Lake, we are responsible for it. If there are things we need to be doing to preserve it for down the road it's important for all of us to know how to do that.
  - Support for the Board's recently sent Notification letter
    - 36 New Signatures, representing 30 homes that support the 21 signatures that Alysia Hammel submitted at the April meeting regarding enforcement of the 2/24 cease & desist Letter.
    - Joselyn Drake D4- Asked for clarification on the submitted signatures
    - Diane- Alysia Hammel brought 21 signatures to the April Board meeting asking that the Board continue to uphold no str. This is 36 additional signatures in support of the Board's actions.

**6. Secretary's Report –** Linda Minnick

- A. Review 2024 Annual Meeting Minutes

**\*\*Motion-** to Accept the 2024 Minutes – Shannon Therriault D5

**Second-** Jody Hedges D2

**Approved**

- a. Jody- Thought everyone could vote on a Motion not just the single property owner like during the Election? **Shane-** Hold up your Ballot to approve or disapprove.

**7. Treasurer's Report –** Pat Ebetino

- A. Financial Report

|                       |    |            |
|-----------------------|----|------------|
| a. Total Income -     | \$ | 72,316.13  |
| b. Total Expenses -   |    | 51,146.67  |
| c. Checking Account - |    | 54,057.21  |
| d. Money Market -     |    | 26,002.89  |
| e. CD -               |    | 53,408.96  |
| f. Ending Balance -   | \$ | 133,469.06 |

**\*\*Motion-** to Accept the 2024 Treasurer's Report – Rita Schnedler D7

**Second-** Kent Renner D7

**Approved**

- B. Comprehensive Financial Review – Committee Report – Jon Korejwa D6

- Committee members- Pat, Jon Korejwa D6, Shannon Therriault D5, Sally Whitehead D6
- Covers all incoming money, dues, bank account interest reconciled against all checks written, Balance correct

**8. Dam Operations-** Marshall Minnick

- A. Last Fall Dam Operator position became open, Marshall & Linda proposed to take it over on an interim basis through the 2025 Biennial Inspection.

- a. PPA Dam IDNR ID 43-7
- b. 350 feet of Dam & 1,216 feet at the West Levee earth embankment
- c. Check Infrastructure - Dam-
  - i. Dropbox, Lake level, Riprap upstream bank, ArmorFlex concrete block mat on the downstream side, Toe drains that drain onto the Apron (that contains concrete baffles), need flushing biennially (last done 9/24)
  - ii. Linda has daily Data, includes weather, Lake level, ect.
  - iii. Thanks to Terry's previous records, and procedures/documentation for Maintenance & Management to follow we were able to pick up and move forward
  - iv. Some long time problems that need attention at the Dam ->
    - 1. Concrete Cap (sidewalk) has been fractured for several years, not getting much worse
    - 2. Some spalling of the joints in the outlet pipe
  - v. West Levee ->
    - 1. Riprap upstream, grass cap and downstream slope, kept longer than area lawns to thwart erosion
    - 2. Toes Drains- also biennial flushing (last done 9/24)
- d. Biennial Inspection by an engineer required by the State.
  - i. He does the same things Linda & I do for the quarterly inspections following the same format (using the State form)
  - ii. Took place on May 23, 2025
  - iii. Have a Draft of report that will go to the State with a rating of Satisfactory, the highest rating that is given
  - iv. Couple of problems, probably could have done a little better with the weeds on the riprap
- e. **Shane-** Thanks Minnicks for helping out

## 9. Lake / Property Management- Shane Wallace

- A. Felt best approach for everybody's property was to target the shoreline
  - a. Combat the overgrowth and things that are too hard for everyone to take care of
  - b. Presented to the Board
  - c. Had 3 different companies- Aquatic Weed Control sent information. Jones Lake/Pond Management, Aquatic Control came to meetings gave presentations.
  - d. Board chose Aquatic Control
  - e. Shane rode along when they treated the invasive Curly Leaf, pin pointed places that had been abused in the last 30 years, made a map of Starry Stonewort & places taken over by Spatterdock, Arrowleaf and numerous other submerged vegetation. They came back with a proposal for that treatment and the Board voted to accept that.
  - f. Thinks they did a good job for the first time. Still have some areas that didn't fully come around as I hoped. They understand that and will be coming back around again as a courtesy treatment to help target those places that are out of control with the Spatterdock. Only top water treatment this time, not doing any submerged weeds.
  - g. Starting to see big beds of Elodea floating at the west bay. Hasn't been personally to see it but knows what it is. When Malena (Aquatic Control technician) returns he'll have her take a look.
  - h. When they are here this week they will be treating multiple places not just one spot, touring the whole Lake, looking at it again. Giving us an idea of maybe what we should be doing next so we can stay ahead of the game.
  - i. When he gets that info he will get it out to everybody. Tried to be super transparent on weeds and the implementing of the new process.
- B. Has had several conversations with people upset about killing the Water Lilies and the Spatterdock.
  - a. Understands he should have stayed out of certain places (when we did the whole shoreline treatment) because they are treating it as a 'habitat'. It's undeveloped land and they don't care. There were a couple of places they mentioned to stay away from and I did that.
  - b. Have met with people who asked not to spray that. I'm in total agreement with that. It's their piece of land in front of their house and if they want to let that grow up into frog and gar habitat that's ok with me. But there is a lot of people that want their property cleaned up so they can

enjoy getting in a boat easy or have the Grandkids swim on the beach without having to pull Lilypads every couple of days.

- c. Hoping going forward we can continue with this and find good results and keep our costs down. We were able to save a little bit of money this year but I don't think we're done yet with that process but only time will tell.

### C. Questions/Discussion

- a. Paul Erst D6- When can we expect to see clarity in the Lake? You can't see 1 foot down.
  - i. **Shane-** That's result of the mass kill off of all the weeds but there are other things that play into that, not just 1 item. I can pull a picture of 10 years ago and the Lake is just as dirty and green. It's not poisonous. Not harmful to fishing. The fishing is still great. Actually I feel it's a little better in the last 9 weeks on the south side. It will clear up. I had that conversation with Malena and it is a direct result of that and high temperatures and the rain. It all feeds into this murky water. She explained it'll settle out. It always does. The idea going forward is, if we can keep the shoreline clean (we want to target that from your yard 40 feet out roughly) so you can fish off your dock and swim without catching all the weeds. If we can maintain that perimeter in a relatively clean manner and everyone is enjoying that then maybe we can throttle back the amount of chemicals and the amount of decomposition we're having because we're maintaining that now versus never doing it. You know we've killed a heck of a lot of weeds. Everyone knows in these places that didn't have a beach there's a lot of weeds that have gotten killed off. Going forward we aren't going to have to concentrate so much on that area.
- b. Diane Tulloch D4- Goes back to what I mentioned earlier. Are the reports from Aquatic Control available? On the website? Assuming they write something up and give their recommendations? Saying what they did and what they used? Can we have access to any of that information?
  - i. **Shane-** I don't know why we couldn't. We have the proposals from Aquatic Control. As we posted what we were doing on treating the Lake we always send the recommendations, the chemicals they're using, informing you of what is being put in the Lake and how much so we're being as transparent as possible. I don't foresee why we couldn't. Diane- Did they come out and actually do a study? And look at what's out there? It'd be nice to have that available. **Shane-** I don't foresee that being a problem.
- c. Dan Gross D1- Do you think maybe next year you can get the company to initiate this treatment earlier in the year? Instead of the Friday before the Fourth when the weeds were 5 feet tall? Maybe treat them when they are younger? And maybe we wouldn't have such a large decomposition of weeds and maybe the water would be a little more clear? Then if we need to do it again maybe the 13th of August? **Shane-** Dan and I had this same conversation 4 or 5 weeks ago. We had a heck of a late start. The reason is that we did our due diligence on finding the best company with the best results.. That's not something you can just jump into. We're asking these people to come to Board meetings on a Saturday and spend their time giving us presentations. Going forward we're not going to have to have that 3 month drag out of proposals. We're all really satisfied with Aquatic Control. I believe we should start our treatments way earlier, before the spawns happen. All that stuff has never been done and it's a process. I should have mentioned that earlier. We had to do our due diligence and find the right company. Unfortunately it happened this late in the year and close to a holiday weekend. We did it with the best of intentions knowing we were not going to poison our community and yet we still want our weeds tackled. By all means we are going to be way ahead of the game next year.
- d. Georganna Hart D5- People with Lilypad problems are some of them actually dying off? I talked with you and you said they put something else down because nothing is affecting those at all. They are totally taking over. **Shane-** On their initial treatment they killed a heck of a lot but it wasn't up to what I ... they didn't fulfill their duty to me and it's common they want a 2 week time for that to take a hold. At 3 weeks they came back out and I said we still have some that need to be treated and they agreed. And they came back out and they sprayed. This time they didn't use the same chemicals. Using Cide-Kick and Glyphosate a top water spray and it didn't kill anything. The only place was Rick Leach's place where they sprayed right on shore. They said they're coming back out with a different chemical and do a much better job. I'll do a ride

along and show her those areas of concern. Hopefully we'll get it better this time. If not they'll come back and do it again.

- e. Joselyn Drake D4- Have you done eColi testing? **Shane-** We have not. In the past they have done a test ... Maybe Anthony can fill us in on that. We have talked about that but have not done an eColi test. Joselyn- Also, are the chemicals you're using safe? Are they non-toxic? Because I had a lot of family members swimming in there right before Fourth of July. **Shane-** I get it. That's why we put all that information out there. That chemical, it's a contact killer so it flashes off in the water very quickly. We don't have the 30, 40, 55 days at a high level ppb to maintain the weed. It's a contact so as soon as it touches it absorbs and it dissipates right away. It's Glyphosate, Round Up. **Shane-** All chemicals are clearly not good for you. We posted the restraints, for the water and all that good stuff. Hopefully going forward we will do this way sooner. Joselyn- Are we doing eColi testing? **Shane-** The Board will have to ... Joselyn- It's so warm ... **Shane-** That's a good point and that's something we can take under advisement and go from there.
- f. Shannon Therriault D5- Did you sign a multiyear contract with that company? **Shane-** No, this is something per season. Every year will be renewed. We can always make changes whenever we want to. We're not bound to anybody. Shannon- Sometimes you can get better rates if you sign a multiyear contract. **Shane-** We're going to stay where we're at and see where we are at the end of the year.
- g. Jean McCarty D4- 25 years ago got an eColi infection from swimming in the Lake, Health Dept. took samples at her dock, tested at high levels, sent letter to Members and the Board. They had been testing in spring cool water, high levels happen when it's very hot. Now helped by fewer geese on the Lake. If tested the sidewalk at the Dam, it would test high. If someone gets it from swimming in the Lake, if we didn't warn, we could be up for liability. Doesn't want PPA sued for that. Do need to start testing for it. All the Lakes around us were testing, finding high levels and closing beaches. The State was doing the testing but they won't come here because it's a private Lake and it's our responsibility. We need to be testing for all kinds of bacteria especially when the water and air temperatures get high enough. Pushed for it for years. They did it for awhile but they quit because nobody wanted to drive to Warsaw. **Sherry-** It's doing the testing. Jean- It can't be that difficult to do the test. We could be leaving ourselves open to liability if we don't. **Shane-** Never heard that story. Growing up on the Lake I was told, you can drink the Water, it's the cleanest water. I haven't died and never gotten sick from the Lake. It's a really good idea. Everything changes. The occupancy of the Lake, it's full time population has changed, which adds to all this.
- h. **Anthony-** Wanted to address matter of Aquatic Control, some history behind that. I vetted the people who run that company about 7 years ago, was very impressed with their expertise. From a scientific point of view, would vouch for them. They made a bathymetric map of the Lake. Shannon- Not concerned about that. A multiyear contract, with the prices going up, could save us money. **Anthony-** It's one thing to have a group like this come in and give us advice on how to manage the Lake but we also have to have our own internal controls. We need to have enough expertise to be able to evaluate what they're saying. They are a Company and they have their own motivations for doing what they do. They do good work but they need oversight. It doesn't absolve us, as a group, from understanding the science behind what they're doing and asking questions about the safety of these chemicals. Same thing pertains to eColi. LAPSI did eColi testing routinely going back 10 years. We all know eColi testing is weird in a sense that to do it well you have to do it systematically. It's not something you can just go and do once a year because eColi blooms and changes over time. That's true for anything you measure. For example the question about turbidity, there's a test for that. A Secchi test, we know about how to do that. One has to test for Phosphorus, there are a lot of things that come into play to understand why a Lake is behaving the way that it is. In the absence of that information we really are just guessing.
- i. Terry Radtke D9- You brought up the thing about ???. If all we use is chemicals to kill the weeds it's a natural fact that as the weeds die they go to the bottom of the Lake. Through the microorganisms, bacteria this is what decays the weeds. Surveys have been done on the Lakes, after a certain amount of build up that sediment just lays on the bottom and causes oxygen depletion. In due time as the Lake is filling up with sediment on the bottom, what are our plans on doing that in the immediate future? Right now with the weeds dying, the ones that

sank to the bottom because of decomposition are beginning to float up to the surface of the water. Why can't we remove those weeds that are floating on top of the water so that we could see our Lake again? Down by us I know by us we will be able to walk across the Lake. It is just building up, building up. We've got a \$90,000 piece of machinery sitting behind you. We talk about the algae bloom, they're not first on this Lake. Not to ruffle anybody's feathers or pat myself on the back, whenever these areas we're seeing we would take the chemical boat and mix the water and immediately that's dissipated. Why are we not using the equipment that we have been paying for that are such handy tools? Why aren't we using that? Going back to the Lily pads and so forth, It was on the Harvester operator's duties to keep the Lily pads in check by cutting them back. None of that is being utilized. If we go back to all the other seasons we would treat the Lake once, not four times. Everybody was able to use the Lake by Memorial Day. Now, you keep going back with different stages of treatment, do you realize in three months we're going to have ice on the Lake? I don't understand this treatment process. Sure, you're saving money. But that's not what we're paying dues for. We want a Lake that the kids can go out and swim. I can't go to the end of my pier. I won't let the kids go out there. Does anybody else feel the same? **Shane-** Coming from the advisement of Aquatic Control, they felt and we agreed, was doing more harm than good until we understood how our treatment was gonna go. The Elodea that's floating in Terry's bay has been there for 30 years. I don't appreciate the ... Terry- The Elodea just showed up the last two weeks. **Shane-** Every year that Bay has been solid ... Terry- That could have been cut out. If you'd put the machine in the water and let it do its job we wouldn't have to be spending all this money on chemicals. **Shane-** That's just how it is. We, as a Board, agree that that wasn't a good process to take that and spread it around and haul it from one end of the Lake all the way to the other and dump it either on somebody's private property or dump it over there. You're just spreading that around. And that's not just coming from us. It's coming from professionals that handle that weed. Arleen Corson D1- That's just an excuse. **Shane-** That was the approach. We're not selling the machine. We're seeing what's happening. That Elodea is there every year doing the same that it has done right now. Your Bay that you can't swim in, you've never been able to swim in that Bay. You've been able to swim on your dock. That was the Bay I decided that I wanted to target the most because that's the Bay that's been neglected the most. Terry- I'll bring that up right now. JW? How many times have your kids been swimming in the Lake this year? JW Kompagne D9- Every day. Terry- Oh come on. Arleen- Our kids go to Wawasee. **Shane-** Obviously I have different ideas. I'm trying something new. I get it, not everybody's going to agree. Believe me, we're trying to do our best. We're trying to do somethin' different. Jill Corson D1- Why even have the Harvester if you're not going to use it? **Shane-** I'm not saying we're not going to use it. I just said, we're trying something different and we're gonna see the results. I didn't say that we were not gonna use it. The weed machine has its uses, by all means. It's like cutting your grass. The whole idea of treating your shoreline differently this year was to keep that weed machine from going in there and trimming Lilypads on a regular basis. We're wasting money and we're spreading cut ?? from one end of the Lake to the other. Adding maintenance and labor to all that and they come right back. In my view it wasn't a good approach and that's why we tried something different. I know not everybody's going to agree with it but let's see where we're at at the end of the year and where we're at financially and we can compare it going forward to the next season.

- j. **Sherry-** Here's my point. Every Bay is slightly different. When they would cut weeds in my Bay (D7) the cut weeds, because of the wind, would always blow towards my area. For me this year, it's been wonderful. Obviously, I don't like that I can't see the bottom. I'm like you Paul, I have that concern. Whenever we do treatment of weeds there's concern from Bay to Bay to Bay. Yes, for twenty years we did exactly the same thing, over and over again and we are just trying something new. It was not just Shane's decision, by the way, the Board voted to do this. It's not just him that chose it. He brought it to us but we all chose it.
- k. Alysia Hammel D1- She is an educator. Spent time at Lilly Center for Lakes & Streams (LCL&S) to learn different Lake procedures. It's the weed company's job is to sell chemicals. LCL&S used Papakeechee as a wonderful example of being unique because we are 1 of only 2 area lakes with the machinery to remove weeds. Asked about fragmentation, was told not always the case. Promontory Bay smells, dogs have to be bathed every time they are in the Lake. They didn't swim Fourth of July. It stinks. Reported recent algae bloom. Lilly came to

test. Dangerous level for dogs not humans at the time they tested. Board does the best they can but need to bring in people like LCL&S to educate on what we should be doing to make the Lake it's best not just listening to weed chemical companies. **Shane-** Good point, open to suggestions, a good approach.

- l. Jody Hedges D2- Believes one of the reasons they had to change how we are doing things is because of the Starry Stonewort (SSW). SSW sent everyone into a panic.
- m. Jill Corson D1- Harvester built to get more than just lily pads. In the past the chemicals were used differently and they were varied. Saw them being mixed. Wasn't the exposure of dragging from one bay to another. The Lake was cleaner. There were chemicals used and the Harvester to get rid of the weeds.
- n. Connie Heimann D4- at the meeting when Aquatic Control recommended not to use the Harvester until Fall, it would just spread the SSW all over the Lake especially in certain areas.
- o. Jon Hart D5- Is Elodea floating on top? Is it completely detached from the bottom? **Shane-** Terry could fill us in on the structure of Elodea. Eventually it comes to the top and floats in big mats. It could still be alive. I believe it's more like an algae. Right, Terry? Terry- Yes, it does not root to the bottom of the Lake. Jon- Wouldn't it be advantageous to run the Harvester shallow and pick that up? Not letting it fall to the bottom? Don't cut weeds but just gather them? **Shane-** Good point. Advised it's like the SSW. You go grab that, it's full of seeds and running it around you're spreading it all over the place. Advised us not to do that. We decided not to do that and see what the outcome is. The weed machine has been on the Lake before I was here. It's always been a thing that we've always done. Doing something different changes people's mentality. Change is inevitable. Change is coming. We have to learn to live with it and hope the change is for the better. Nobody here is intentionally trying to put more weeds in the Lake or pump it full of chemicals or kill anything. We're doing the best that we feel for the whole Association. I appreciate all the different ideas. Jill, what you bring to the Board. My Dad worked with your Dad. I appreciate where you're coming from. I have no disregard for all the effort you and your family have put into the Lake. It's got us to where we are now, taking care of the Lake.
- p. Dave Hewitt D4- Any discussions about using copper sulfate? Does anybody plan on using it? We used to use it. There are 20 some bags in there. **Shane-** I asked what happened to the copper sulfate. It's great for algae. I brought it up to Aquatic Control. They were yes, it served a great purpose. We will have to take it under advisement. It doesn't dissipate right away. Not hard to do. ?? from the crowd- We can do it ourselves. **Shane-** Exactly, we got the boat, we got the hopper. Not hard to do. We're not opposed to doing different things, by all means.

\* Proxies for Conflict of Ethics vote- **Shane**

- A. Proxy voting is allowed for things of this nature, just not the Election
- B. **Dan-** Proxy voting is permitted
  - a. Rita brought some Proxies for the CoE vote
    - i. They did vote yes. They are printed, signed, dated, have their addresses
    - ii. There are some from Members who are here. Would need to be careful of duplication.
- C. **Bernie-** Not all of the Membership was notified, that's a problem.
  - a. They haven't had a chance to sign or not sign
  - b. **Dan-** Agrees
- D. Jill Corson D1- Asks if a POA would be considered a proxy vote? **Dan-** Answers- No
  - a. Wes LaRue D1- Not all POA are equal, some have limited powers
- E. Bob Suraci D5A- Are you saying people who didn't make it to this meeting, their vote doesn't count?
  - a. **Dan-** Bernie noted correctly, for a proxy vote to count, all of the Members must have been provided the opportunity. Which they were not.

**10. Presidents Report-** Shane Wallace

- A. Discussed at length already, changes in the Weed treatment program.
- B. Board addressed, How to go about getting permission for seawall installations.
  - a. Hard to get approval with no guidance
    - i. Worked diligently to come up with something
    - ii. Members come to the Board with their idea of what they would like to get done.

- iii. Points for approval-
    - 1. Protect the shoreline, which the Association owns
    - 2. Standard of quality
- C. Would like to navigate the controversy on the Lake
  - a. Get people back together to enjoy the Lake and be neighborly
  - b. Feels that's coming soon in the future
  - c. Working hard to accomplish
  - d. It takes time
- D. John Hart D5- What is the procedure for seawall installation?
  - a. **Shane-** Guidance for seawall installation is on the Papakeeche website
- E. Going forward, will continue in a positive direction. Hopefully down the road we can start putting the Lake back to the fishing idea that it was generated from. The Lake hasn't been stocked since I was a kid. Fishing structure is there but not as good as it used to be. I think going forward we should be looking into that. Taking some of our money and putting in structure for fish habitat, breeding. The targeting of the shoreline, as a kid you could go around the Lake and see bluegill beds anywhere you wanted to. Over the years all the native grasses have moved in and that chokes all bedding out. It's got some positive stuff too, as well. Structure for places to spawn fish, the bait fish to get up in there. All those places that bed fish are deteriorating because the shoreline is not being taken care of like it used to be. Those are things that I would like to work on going forward.
  - a. a Committee for putting fish in the Lake
    - i. What fish would that be?
    - ii. What kind of structure can we add to the Lake to help that fish?

We're doing pretty good on our budget and hopefully we'll target some of those ideas. Those are my ideas going forward. May not be everybody's view but if there are things you would like to see or like to add or we're not doing right, I can hear both sides. By all means, if anybody has anything they want to chat about, I live on the Lake full time so always around. Try not to make it on Sunday.

## 11. Election of Officers and Directors- Bernie Ebetino

- A. Vice President
  - a. **Candidate Jeff Glon-** Has been on the Lake 40 years, a life long Syracuse resident, occupation as a sales rep keeps him on the road in 4 different states. Has been making improvements around his house before he retires. Thinks it's time after all these years as a Member that he would like to contribute to the Association. Will make a commitment to get involved with the Lake instead of just being on the Lake. Seeking a position on the Board to actively contribute to the preservation and enhancement of the Lake. My goals include, gaining knowledge about the Levee and Dam maintenance and water quality, weed control but also exploring avenues to generate added revenue for community improvements. Those occasions have come up, not enough money for LAPSI, ect. I think there are avenues to generate more revenue and I'd like to help. I'd appreciate your vote.
    - i. *Do you promote Short Term Rentals?* **Jeff-** I do not promote them. I don't have one.
    - ii. *Do you support them?* **Jeff-** I support the 80 year tradition that has been on Papakeeche. Short Term Rentals, Long Term Rentals have been allowed since the inception. Board members, current and past, have allowed it to continue. 80 years of precedence does not mean that somebody gets a burr under their tail says I've got a neighbor that I don't like that is renting, that you can change what is going on for the last 80 years. With that being said, I do support them. There is nothing wrong with them. They've been here, it was a private Lake then. It's still a private Lake. Having somebody that is going to spend a weekend does not make it a public lake.
    - iii. *So you are saying, that you don't support the STRs?* **Jeff-** I do support the STRs. I don't own one but it's fair practice. It's fair practice to do what you want to do with your property and there's nothing in the Bylaws that say you can't.
    - iv. *Then you think it's ok to make money off the Lake?* **Jeff-** That I can't answer. They may be operating at a loss or breaking even. That is their decision. That's not your decision. I do support them. It is unfair. **Point of Order- Marshall**

b. **Incumbent Dan Connell-** On the Lake since 2020 with his common law wife and step daughter. She was 11 when they got here. She named the house, it's called, The Great Flamingo. Love being here. This is our final destination. This will be home. Was given the opportunity and honor to become the Vice President. During that time I have become very familiar with the issues. Lake protection, the Lake maintenance, as well as working on the security of as well as monitoring of the Dam including cameras and other equipment. As well as familiar with when those on the Lake want to make changes to their property and how that process is done. What I am bringing is experience. I've been there. I've seen it. I've voted on it. I've been involved in all areas. At the very least in terms of voting on what was brought to the Lake in the last year and a half. I assume the question is going to be asked,

i. *Are you for or against STRs?* My response is, I am for enforcing the governing documents as written. Abiding by what the Board is mandated to do. Which is to take that and enforce it. Where does it start? The Articles state that we have the duty to protect the Lake as well as increase the desirability of the Lake for permanent and summer homes. I think it's a stretch to say that somebody who's renting a house for less than a week qualifies as a home. There are other parts, Section 1(O), talks about nobody can seek personal gain without the explicit permission of the Board. My position is, the rates that you're able to charge, and the attraction of why people come here are not because of the house, it's the Lake. When you read the commentaries of the Air BnBs, people talk about the kayaks they got to use, the fishing off the pier, how much they enjoyed the Lake. I'm not reading, the pillows were nice, thanks for the complimentary coffee. I'm hearing Lake. They are coming for the Lake. They are paying for the Lake. That is personal economical gain. That is the rule that we are bound to abide. The Board spent all year dissecting the Articles, Bylaws and Covenants. Just as the Board's predecessors did. We came to a decision whether or not to keep with the original position that was provided in the February 2024 Letter and to enforce and we recently voted yes. This isn't something that was taken lightly. That is what we have and that is what we have to work with. In response, I am for the Articles, Bylaws and Covenants.

**\*\* Result – Dan Connell elected Vice President - 50**

**Jeff Glon - 35**

B. Treasurer

**\*\* Result – Pat Ebetino retained as Treasurer, unchallenged**

C. District 1 Representative

**\*\* Result - Alysia Hammel District 1 Representative, unchallenged**

D. District 3 Representative

**\*\*Result - Jeff Glon District 3 Representative, unchallenged**

E. District 5 Representative

- a. **Candidate Georganna Hart-** Has been on the Lake for 19 years. Has a lot of wonderful neighbors, loves this place, kayaks a lot. Has served on LAPSI and held meetings at her home. Would like to see us all getting along. Her friend Carol Keiper invited everyone on the Lake for a brunch and Carol would like to see that too. Willing to work for you and be the District 5 Rep.
- b. **Candidate Shannon Therriault-** Has been on the Lake for 5 years. Lives full time in Ft. Wayne. It's a 35 mile drive so we are here quite a bit. I have almost a 20 year background in property management and the last decade a real estate agent with Century 21. At my job as a regional vp for a real estate investment firm out of MI I was responsible for maintaining a \$10M operating budget for about 15 properties in the Elkhart/St. Joseph county area so I am familiar with the area. I'm also a board member at the Lakes ?? Crossing in Ft. Wayne which is where I currently reside. Our board is also going through this same issue with STR. There are pains to go through the process but there is a process to go through. One way or the other to come to a conclusion on this. No, I am not a rental owner and no, I do not rent out my property.

F. District 5 A Representative

**\*\*Result - Marshall Minnick District 5A Representative, unchallenged**

G. District 7 Representative

**\*\*Result - Sherry Doherty District 7 Representative, unchallenged**

## **12. Members Address the Board -**

- a. Jeanie McCarty D4- My Grandfather bought the property I'm on for \$150.00 before WWII. I've been here my whole life, starting in 1949. Would like to have a rummage sale in the PPA building. We could charge booth rent but we are already paying for this building. **Sherry-** They would have to be Members, the Board discussed this last night. Jeanie- Would like to have it Labor Day Saturday. If we could use social media to promote it? Kent Renner D7- We have stuff to get rid of too. If you have it here the proceeds should go to the PPA. Jeanie- They have done that before. **Sherry-** A table that anybody could donate to that proceeds go to the PPA. Jeanie- Did have baked goods in the past. State Board of Health has rules on their website for items like that. **Shane-** The board has already approved for that Saturday. Terry Radtky- Whatever doesn't sell must be removed. ??- Nelson's Chicken would bring in more customers. **Shane-** Jeanie will be the point of contact.
- b. Dan Leffers D3- Family on the Lake over 60 years. Bought from Caskeys a little red fishing cottage. We bought the garage. 12 years ago he and siblings inherited cottage from our parents. The red Cottage next door was owned by professors in Goshen. Unbeknownst to us they sold the property. The only property that effects us. We learned the person who was going to move in was a big partier. We immediately took steps to protect our property. The septic tank at the cottage was a barrel buried in the ground. Near our beach on our land. We told the woman, you can't move in here until you fix the septic. It was super expensive to fix. It's a chore to meet the County's standards for new septic. Jeff's doing it right now. His is failing. I'm guessing a lot of these eColi issues are related to failed septic systems. We were able to buy the cottage. We don't really need it except when the whole family is here. The rest of the time we decided to fix it up and rent it. For 10 years my wife and I ran it. We only rent it to limited numbers of people, no young people, no parties. Never had any issues. Represented as quiet. No jetskies here that's why we all love it. What's happened recently has caught us off guard because we do rent it. I don't care if we rent it or not. We don't need to. I think we've been pretty responsible in terms of managing it, trying to keep things under control. I never attended an Association meeting until last year. It really bothered me to see animosity on Papakeecheie. Yeah, I got a str, I don't care if I have it. If we close it down it doesn't matter but I will say having it rented forced us to keep it up. We improved it. We maintained it. We take a lot better care of it than we would have. Otherwise it would just sit, nobody would use it. Not good for a property. I think you see a lot of those around the Lake that nobody uses. They go into freefall. The only reason I'm telling you this is I really don't see why we as a community can't come up with some reasonable guidelines, reasonable rules that everybody respects and follows to safeguard the environment that we want. The reason we've been here so long is because Papakeecheie's unique. I had a woman from Wawsee drive by our place who stopped and she lived on Morrison Island. She's telling she can't believe how nice this lake is. I want to move over here. The neighbors over there all have their noses in the air, don't talk to each other, they aren't neighborly. It's a completely different feel here. I'd like to see that feel come back. It really bothers me to see the hard feelings. Hoping the Board can work together to come up with some solution that maybe doesn't make everyone happy but doesn't make everyone unhappy. I believe compromise is the solution.
- c. Terry Radtke D9- asks Dan about the Board's agreement on Feb. 2024 Letter **Dan-** new Board decided the 2/2024 Letter was the position to keep and sent a second letter this year reminding everyone. Terry- asks about the recent Reminder/Notice **Dan-** The Board sent out letting everyone know that the Board is sticking to our Feb. 2024 Letter, reminding every owner that they need to stop and if they don't what actions can be taken. Terry- Everybody in this room when you bought your places had to sign your deeds. Along with that deed you signed a contract with the PPA to abide by all the rules and regulations that were set forth by the "God Fathers", so to speak. What is going to be the way the Board is gong to enforce all the Bylaws instead of using our so called 'honor system' we all had

grown up with? There's gotta be a way you guys have to come up with to police the Lake. I'm going to use the word police because you literally have to police the Lake. Any input from the Board? **Sherry-** I don't think we have fixed that part yet. We're working on it. Is that a safe statement, everybody? Terry- Does that mean come next year's meeting, 'cause this str thing we're going on 3 years. We gotta put this thing to bed. Agree? **Sherry-** Agree From the Members- Several 'Agree's from the floor.

- d. Jeff Glon D3- The recent controversy has been going on for 3 years. But what has been going on for the past 80 years? Either by the Board or by the Members, it has not been enforced for 80 years. The statute of limitations allows for this to continue. You cannot fight something that's been going on for 80 years. The Board has been complicit in it. The Board has not tried to stop it. 2 years ago 1 member got upset with a neighbor and started looking at Bylaws and thought she had a case. She does not have a case. This is the way Papakeechee has been and always will be. It's been a private Lake and will continue to be a private Lake. You cannot reverse 80 years of precedent because 1 neighbor, 1 homeowner, is upset. Terry- I have to disagree with you. Jeff- The enforcement, you're talking about enforcement? How do you enforce only str? There are other violations. There are always ... Terry- You signed a contract to abide by and this Board is supposed to be upholding. Jeff- This Lake is just as beautiful as it was the day I moved here. There is no additional traffic on the Lake. I live next door to one. **Point of order- Pat-** Jeff has the floor. If you want to speak, let us know and you can come up and speak. We cannot have this bantering back and forth. Jeff- What I'm trying to convey to you is that this has been going on since the inception of the Lake. Nobody has ever complained about it. That's the way it was. If the Bylaws were so cut and dried it would have been addressed years ago. The current situation is, we've allowed it to continue. There has been no detriment to the Lake, only improvement in my eyes. The neighbors that do rent I find to be more hospitable than the neighbor that lives permanently to my right. I haven't spoken to him in months or even years. My point is, you say you don't know who lives next door to me, you will if you go down and speak with them. Engage instead of enrage. As far as making profit from the Lake, profit from the Lake in my opinion is renting fishing boats. That's profiting directly from the Lake. Selling bait for people to go fishing, whatever. A garage sale is profiting from the Lake. It's a difference of opinion but it's not a reason for all this chaos.
- e. Steve Longstreet D5- The difference between the last 80 years and today are the companies called Air BnB and others. Today 3% of all single family homes are owned by corporations defined as someone who owns more than 20 properties. 35% of STR are owned by corporations defined as someone who owns more than 20 rentals. What you get is people who don't care. They don't live here. They saw a profit potential because our homes don't sell for what they do over there, yet they can rent the property for something close to that. And now you've got the, Shane, you take wonderful care of that place, but there are others who don't. We don't really have any enforcement mechanism. You can't expect the Lake owners to pay for what Air BnBs are making a profit on. If we were to go to allowing them, I know Shane has been working hard to get people on the Board that will approve it, that's his right to do, but if they do then you've got to put in some rules and the Air BnBs have to enforce them with their own money across the Lake so that we don't have people running up having cruddy renters. You can have really cruddy renters. People who live in Chicago and have someone else rent this place, they don't care. They could care less other than if they get a bad review. Most of the rules that they enforce, there are rules in the county that if things go further than we want you can start using the Sheriff. Somebody's noisy next door call the Sheriff. If somebody's burning a fire and not watching it, get the Sheriff out there. There are all these things that will bother you but I think you just need to be careful because corporations, because of our prices, will probably start looking at our Lake. That's one of the issues that we are potentially going to run into. There are thousands of communities fighting that same issue and corporations don't care.
- f. Kent Renner D7- We are agreeing to the Code of Ethics, right? **Pat-** Yes Kent- Because of the Code of Ethics if anybody owns a STR they have a Conflict of Interest being on the Board. **Shane-** They will not be able to participate in voting on the discussion of STR going forward. **Pat-** Not be able to participate in the discussion or the voting.
- g. Susan Sh?? D6- Could we divide it down that no companies can rent in here? And that the rest who live here and have rentals stay as they are? **Shane-** To be honest, the Board has talked all different options for over a year and they've been doing it longer. All these options have come and gone with discussion. It's hard to navigate those because there's a pro and there's a con for everyone and it's hard to get everybody to agree on any of those. That's the hard part of navigating this.

- h. **Bernie-** Eventually what's going to happen is it will have to come to a vote with the whole Membership on exactly how we're going to handle the situation. It's the Membership that sets the rules, not the Board on something like this. We're going to have to come up with some kind of recommendations and let the Membership come up with the actual solution.
- i. Joanna Miller D9- First of all the Board had a special meeting where they voted on the Conflict of Interest. Apparently that's not been shared with anybody. Conflict of Interest also depends on their interpretation of the Bylaws and Covenants and your interpretation is not supported by 5 attorney definitions. 3 were provided to the Board and 2 were provided to rental owners. They all said the same thing, that the Covenants are not enforceable to rentals of any kind. You're going down a path that's pretty dangerous. I did some quick math and got about \$130,000 in cash. Is that the money that you want to spend to fight this fight rather than try to come to an agreement where everybody can be satisfied, where we all respect the Lake and each other. Let me ask Rita a question. Rita, I have not seen you at any of our Board meetings. They're not excluded from the public. What makes you say that there's a violation of a Code of Ethics? Rita- I have said that we need a Code of Ethics. The state of Indiana encourages nonprofits to have a Code of Ethics. Every nonprofit, in my opinion, should have a Code of Ethics for Board members and I have not attended many Board meetings but I have been reading them. Joanna- What makes you think there has been a violation that ... Rita- I'm not saying that. I'm saying we need a Code of Ethics. Joanna- And the Board members clearly responded that they're obliged to follow the Code of Ethics that the state of Indiana has set forth. Rita- It hasn't set forth. It says, it encourages people to have a Code of Ethics. If you don't have a Code of Ethics you are still expected, but having a Code of Ethics makes it a lot easier to make sure that your Board members act in an ethical manner. Joanna- It seems like, just observation today, that your actions have really been what the people who are dead set against rentals and really want to abolish rentals and really want to make it hard for us to come to any cooperative agreement have used your action to their advantage. Is that the case? Rita- I think that possibly the Code of Ethics, that I have proposed and was approved, that this is hopefully going to settle some of the animosity that is currently present among the PPA members. Joanna- Animosity is present and I think we all agree that there's a path that we can find to work together. Rita- My solution is to, I think your first step is to get a Code of Ethics. Because we didn't have a Code of Ethics. I think we need a Code of Ethics and that is why I proposed a Code of Ethics. Joanna- And you think we need a Code of Ethics because? Rita- Because we are a nonprofit and every nonprofit should have a Code of Ethics. Kent Renner- And we just voted it in. Rita- And we just voted it in. Joanna- That's fine. You're just trying to use one part of that to satisfy your motivation. Kent Renner- No, I'm not. Joanna- I'm just putting you on notice, that's not a legal definition. Kent Renner- How do you know what my motivation is? Joanna- How do you know what people on the Board are out of control? I don't see you at very many meetings, all the time. Kent- I've been to a lot of meetings. **Shane-** To clarify, there were multiple conversations about Conflicts of Interest and the Board voted in favor of keeping those defined Conflicts of Interest members ... **Linda-** Explain the whole thing, how that played out, Shane. **Dan-** The special meeting that was brought up that Shane is talking about, the motion before the Board was, whether or not the STR owners, whether or not you believed the STR owners should recuse themselves, as you defined them, that they have an economical personal gain. It was tied 5-5, which means that the President gets to break the tie vote. It wasn't whether or not specifically whether it was a violation of a Code of Ethics or whether or not you believed they should recuse themselves it was dead 5-5 and then it was broken by the President. **Linda-** Who was an STR owner. **Pat-** There was a struggle with one word in it because there were people on the Board that wanted to hear from everybody. The Motion was they could not discuss or vote. We were then eliminating people to be able to participate in the discussion. In my belief, that's why the vote was tied. Rita- My belief is that you can participate in the discussion but if you have a conflict of interest, you cannot vote. Steve Longstreet- The way that works is you have to leave the Board and become a member of the audience. Then you can participate as an audience member, that's how the State does it. **Pat-** Our Board meetings are for the Board of Directors. We do allow Members to come but not to participate in the Board discussions. We give them time to comment at the end. Steve- Then that's what would be allowed to happen.
- j. Bob Suraci D5- I've been working on this for a couple days. I'm going to read it. I would like to propose a moratorium on STR until we figure out how we want to treat the situation. We are on a private Lake. There are properties intended to be bought up with STR in mind. People who live here for a long time will see this one time peaceful retreat turned into a money making vacation spot for the public. Strangers will be common place. This is a private Lake protected by an Association that all

homeowners can enter. When one owns property here one must follow established rules. They're in the handbook. Some people think these rules are ambiguous. They interpret them for their own financial benefit. One that gives them the right to do what they want to do with their property even if it infringes upon the rights of other PPA property owners. I personally don't want to see my Lake turned into a general public vacation spot where strangers impose their idea of fun and always along with an ignorance of their own boundaries. That is why I feel we need to do something like a moratorium now on any new or in the works STR. I haven't heard the word moratorium used here at all. But that would stop it and make it so there are no more coming this way. That seems a reasonable thing to ask.

- k. Kevin Jaburg D2- In reference to Conflict of Interest, one of the things that I would like to clean out is going back to last year's meeting, especially around the Presidential election, it was very clear on where Shane sat and where others sat on this issue. I feel like throwing in a Conflict of Interest on voting becomes a problem as well. Because part of that is the voice of the constituents at that time. Saying, now we're requiring you to withdraw from the conversation, to participate, that feels very off to me. There's something about the people who voted the people onto the Board, they are saying we want them to be our voice. In terms of pulling them out of the conversation, that feels very off.
- l. Shawn McKinley D2- Conflict of Interest for Board members goes both ways. If you got on the Board to get STR stopped, you benefit. You benefit by trying to get what you want. If you're against STR, you're gaining something. Getting rid of something you don't like. Connie Heimann D4- You think your property values are going to be higher. You think your property's gonna sell for more. Shawn- I'd like for everybody to have their way. I will say, the place that Shane bought was a complete dump. It looks so nice, from that shoreline over there it brought up the property value. There are some benefits. We're all adults. Why can't we compromise? I stayed at the Red Cottage when I came home on leave. It's been there. There's no problem. There's been thousands of people that have rented there. Not an issue. This guy right here has a rental next to me. Go ahead, rent it out, it's a free world. There's enough restriction in the world right now. To take money out of someone's pocket like that, it's hard enough to make a livin'.
- m. Alysia Hammel D1- Bought on the Lake 8 years ago. There were no Air BnBs and it was peaceful. From the crowd- Yeah there was. Alysia- Not next to us. Now we have 2 Air BnBs within 5 houses. The Ballentine's have bought up multiple houses so they can't be ran like the Air BnBs. Technically if they decided to do so, because you guys aren't doing anything, I could have 6 Air BnBs within 10 houses of me. The Red Cottage, last summer, after the election, had a Siesta Fiesta going on 'til after 1:00 AM as loud as possible and no one stopped that. This week, up and down my road have been dogs running wild in people's yards, people drunk and fighting, I emailed the Board about the karaoke women during the week, out on the deck after dark karaokeing. We live here. We have to get up and go to work. We've never been against people. We've never been against you. What we're against is, Why do I have to police your house? Why do I have to be the bad guy? I suggest you read your minutes. I took this to the Board in April (holds up signed petition to enforce the 2/2024 Letter). You guy's attorney argued Covenant 5 says the Board shall have the right to have special contacts with Clubs and Hotels, you argued that you didn't fall into that. I presented to the Board this Inn Keeper's Tax. It's an Indiana code. Reads from the Inn Keeper's tax code- is a tax on the rental of accommodations for periods of less than 30 days, is a county tax. Accommodations can include: rooms in hotels, motels, lodges, ranches, villas, apartments, houses ... vacation homes, cabins, cottages ... rented for less than 30 days. **Bernie-** Whats a tax got to do with anything? Alysia- It clarifies our Covenants and Bylaws, that their homes do fall into the category of hotels and motels. The government says they are in the same category. **Bernie-** They're not the same. Check it out. **Pat-** Let's get on with this. Does anyone else have a comment? (the room erupts with conversations)
- n. **Shane-** I want to make sure everybody gets a chance to talk. We just need to calm down. We're not personally trying to attack anybody. We have different views. Let's not make it personal. Let's have a discussion and let people be heard. Let us figure it out. We'll get to the bottom of it.
- o. Joselyn Drake D4- I feel so bad for Alysia. Our Board is here to protect all of us. She's obviously having her home under attack. It's not right. We need to do something. I understand people wanting to make a living, times are hard. We need to come up with rules. We need to come up with a way to protect people that pay their dues every year and are members of the Lake. It's no longer a private Lake when strangers are coming on the Lake. You say it's peaceful and it's fine. We've seen people out in the middle of the Lake, that we knew were from an Air BnB, throwing beer bottles into the Lake and drunk and cussing and yelling and we have small grandchildren at our house. It's not right. I'm asking the Board to please do something because she should not have to be under attack and that's

basically what's happening. **Shane-** I would agree. Nobody should have to be in a position to where they're uncomfortable where they're living. That's a fault, I believe, is on the STR person. She shouldn't have to be stuck in that situation. That's unfortunate. We've had the discussion. I'm totally in support of not putting people in that position.

- p. ???- Who's the owner? Why are we not hearing from this person that has these houses? They need to be fined. Why are they not responsible for monitoring their business? That is so not fair. **Shane-** When I took Presidency last year, I only had 1 complaint until last weekend. 1 complaint filed to me in a year. And that was at the Red Cottage. A resident in D1 heard loud music at 7:16 PM I got a text. And I could hear it. I went down there and it was a renter. It was a surprise engagement party. I said that music's loud. They totally apologized at 7:16. I didn't hear them hootin' and hollarin' and screamin' all that night. I know there have been instances from there going forth, maybe I'm not aware of. They're not bringing it to me. It just shows, it just take a hey, you're getting out of line or you're making the people next door uncomfortable. Literally, it's a simple conversation, the problem with that is, why does that homeowner next door have to go do that? I understand that conversation as well and that's why this thing is so hard to navigate. If I'm making too much noise, and I've done that before, my neighbor will come over and say hey, what are you doing? Maybe multiple times right after I moved in. That's part of being neighborly. We still get along great. That's part of the acceptance or olive branch of saying hey I'm not appreciating what you're doing. I would agree that every STR owner that has one would agree they shouldn't be doing that. ???- But they do. **Shane-** Exactly. That's the hardest thing to navigate. These people on the Board have diligently worked and previous Board members have worked hard. They've all put in a lot of effort. It's very hard to handle that when you're talking about people's private property and their rights. People are super touchy about their rights. It's a hard thing to navigate. We will get through this. My belief is it has to be from the Members.
- q. Kathy Roman D1- We purchased in May 2023. Coming around this area for many years. Papakeechee is unique is 1000% true. Loved it, saw it, didn't think it was possible to buy a house here. I thought it was a scam. Turned out it wasn't. I did read the Covenants and Bylaws prior to purchasing. When we first got here we were welcomed by all of our neighbors. It made me wonder because I don't think we know that many people where we live. At least we know our neighbors, Dan and Amy were there, including our District Rep at the time. I told her what we were going to do. We can't live here full time yet and until we can we're renting out the house. Not a peep. Nobody said I couldn't. Nobody said it was a violation. Their response was at least we know our neighbors. They do because we're here often. We've got great friends now, it's amazing. It pains me to even have to do this. We're not questioning who are the bad people because I don't think that's any of us. I know when I called and they can't deny it, we talked about it. I didn't lie. I'll talk to anybody about it. The timeline. In February 2024 the cease and desist letter came out. We talked to an attorney, had them respond. A legal opinion for me goes much further and holds more water than a nonlegal opinion. Because we all have opinions. He said the current Covenants and Bylaws do not prohibit STR or rentals or if we rent out our property as a short term or a long term it's not opening up, it doesn't make the Lake not private. Kent- Yes it does. Kathy- I respect your opinion but I respect my attorney's opinion more. Therefore we have been and will continue until we can't to do what we do. Until we can move here. I'm not making money. You don't know how many mortgages I pay. ???- That's your problem. Kathy- You're right it is and I pay them and I don't whine because we still come here. I've been to every single meeting since February of 2024 except for 2. I'm investing the time. Not because of my own personal interest I've grown to love the Lake and true friendships here. I care, my husband and I care about the Lake. We care for our house. We help with the road. That's what you do because we are a part of a community. ???- Rent it long term. Kathy- Then we can't come here. ???- You mean you're coming in between your renters. Kathy- Ya. We talk about shared responsibility. We talk about privacy laws. We've known the emails, the texts, the email chains where people are communicating that's going back and forth, the signage, the ???. Someone said, there is hate on this Lake, you know that ends with fiduciary responsibility. Someone, previous Board members, willingly gave those email addresses up. You should have an issue with that. I have an issue with that. Personal contact information's a big deal. We asked way back when, we specifically asked and the Board said no because that violates the privacy law. But 2 people later sent out without blind copying people.
- r. Constance Heimann D4- I am not a big corporation, I have 1 Air BnB, I dispute the fact that I don't know who is coming in, I rent to people who have 5 star recommendations from other people, most of them don't even use the Lake. This summer I had 2 people, 2 different families from Wawasee that needed extra bedrooms for holidays. I provided that. I have people who come from Wawasee for the

nighttime after they're done playing on Wawasee with their friends. Most of the people who I rent to don't use the Lake at all. I rent to people with 5 star reviews because I'm taking the best care of my property that I can. I don't want any trash. We gave our attorney's letter to everybody on the Lake. The Board will not show us their attorney letter. They have a letter from an attorney but they refuse to give it to everybody. They used somebody else's opinion who isn't an attorney at all. We need to see what the attorney letter looks like. We paid for it. We should be able to see it.

- s. Bob Suraci D5A- I get the feeling like if you don't like what one lawyer says you can hire another one and they'll help you out with whatever you want to do. I'm wondering how many people with STR actually live on the Lake full time? Is it possible that you should live on the Lake full time in order to have an str? If you're off in Chicago somewhere you shouldn't be able to have str on this Lake?
- t. Sally Whitehead D6- We were talking about str and they shouldn't be allowed because of the financial gain? What about long term rentals? They have both been around on the Lake for what 100 years? Short term and long term. We live on Hiawatha. We have 6 \*\* properties. They look horrible. We live with that 24/7 everyday. We have 2 short term rentals. They're actually beautiful. They take care of their property. You don't address these long term rentals. These people are here all the time. At least if you have a short term rental next to you they're gone within 3 days. We live with this 24/7. They're getting financial gain too. They are definitely going against the Bylaws. Everything about them but you guys don't ever enforce the long term rentals. If you're gonna do 1 do both. They both have financial gain.
- u. **Shane-** I can see the hard battle on trying to navigate this. We have 2 different positions for what is acceptable for profit and gain. It's very complicated. Navigating this from a legal ... it's not easily handled as you can see.
- v. Joanna D9- to the Gentleman talking about a moratorium, not a bad point to have rental owners have some kind of residence on the Lake but if you're going to do that then you need to do the same for Board members. Not all of our Board members are full time residents. These are the Covenants provided to me when we purchased the house. The same language that is being used to redefine what is and is not allowed in the rentals where it's talking about fishing privileges and that sort of thing is present in this document but also present in this document is, and I apologize because some of it's offensive, I'm sure that's why it was stricken, no person shall be allowed to become a member of this association except he be a member of the caucasian race. No member of this association shall sell, rent or lease a cottage or lot to any person other than a member of the caucasian race. This is what the attorneys will get when everything is, is... if it has to go to that. I really hope that we can find some cooperation. I think a lot of you have expressed a need to have regulations, processes, procedures, ways to contact people. That seems like a reasonable agreement but there is a lot of precedence that this Lake had rentals since it's inception. We know that there's cottages in everyone of our knowledge base that they have been in existence way before these complaints came up. Rather than be haters, rather than be confronters, why can't we, one more time because I've done this several times, I'm going to propose that we put together a group of people that can come to some agreement about policies and procedures that govern rentals, rentals of short term or rentals of long term.
- w. **Dan-** We did. When we had the special meeting it was discussed that the rules and governing documents don't permit it, the Board spoke with certain members of the Board that do own short term rentals who communicated to the short term renters that if the change is to be made we're open. The response was, we don't need to change it. Short term renters had their opportunity and they chose to ignore it. Joanna- I didn't ask for your response but it seems like your actions have been solely one sided and only to try to prohibit. I can't take you as an unbiased answer. I can't take you as a fair minded individual willing to work together. I'm sorry I have to disregard your answer.
- x. Rita Schnedler D7- That phrase about non caucasians has been negated by Federal law. I move that we adjourn this meeting.

**\*\*Motion to Adjourn-** Rita Schnedler

**Second-** Sherry

**Adjourned 12:27 PM**