

## Minutes of Annual Members Meeting of The Horseshoe Lake Corporation Sunday, August 22, 2021

### Draft

**Item I.** The meeting was called to order by President Scott Chisholm in person at Northfield Township Hall at 10:15 AM. (0:00.10) on audio recording)

**Item II. Board of Trustees Roll Call** - The following were present: George Brown, Scott Chisholm, Craig Delap, Mackenzie Jakubowski, Ken Johnson, Mike Laird, Kevin Quinn and Brian Trim. Joe Bennett, Mark Caples, Bruce Larue, Sandra Bodi, were absent.

**Item III. Confirm Quorum** - (0:00:40) 25 members needed for quorum. George confirms that there are more than 25 voters present, so there is quorum.

**Item IV. Minutes of Last Meeting/Request to Dispense with Public Reading of Minutes** - (0:00:50) Scott: Minutes are in packet. Please take a few minutes to read them. Raise your hand if you notice anything that has to be corrected. Scott solicits a motion from the floor to accept the minutes. Dave Patterson from Shady Beach makes a motion to approve the minutes. Bob Collard from Lincoln 2nd. All Ayes. None opposed or abstentions. Motion passed.

**Item V. Member Announcements** - (4:00:00) Carl King from Lincoln wants the board to look into having the asphalt apron improved coming off 6 Mile at the boat launch. Julie Kapnick wants to continue discussion of raft at Shady Beach. Scot says that will be item X.(q). Mike Laird from Leocadia is thankful for the two trail, but they need ongoing maintenance. Scott says that will be XII.e. Mackenzie Jakubowski read the packet announcements about the beautification bbq and the trick or treat on the trail.

**Item VI. Nomination of Trustees** - (0:11:00) **Leocadia** Mike Laird nominates himself. Ken Johnson 2nd. Ken motion to close nominations and have a voice vote. Craig Delap 2nd. Some Ayes, none opposed. Motion passes. **Lincoln** Scott Chisholm nominates Mark Caples. Jack Linehan nominates Carl Kayden. Carl accepts. Scott Chisholm nominates himself. Scott moves to close the nominations. Jack Linehan 2nd. All ayes. Motion carries. **Shady Beach** 2 yr ter.: ??? nominates George Brown. George nominates Makenzie Jakubowski. 1 yr term: Julie 2nd. Brian Trim nominates Sandi Bodi. Julie Kapnick nominates herself. Dave Patterson moves to close nominations. All Ayes. motion passes. **Schrum** Brian Trim nominates Brian Anthony. Brian Trim nominates himself. Jackie Kilburn nominates herself. Brian Trim motion to close nominations. Kevin Quinn 2nd. All ayes, motion passes.

**Item VII. President's Report** - (0:22:50) See written report after agenda in packet. Open Meetings Act requires us to meet in person. Final phase of beautification project completed. There's been no interest in the boat launch committee. Email the clerk if you are interested. No real progress with township-owned property in swampy area of Lincoln. Also, see Beautification Committee report and Announcements.

**Item VIII. Treasurer's Report** - (0:27:00) Scott: See Treasurer's report in packet. Joe not able to be here.

(a,c) Balance of Accounts -Scott: YTD column 1 dues are higher because of Brian's efforts at delinquent dues. First section of expenses are pass through. We want to look at the regular annual expenses. They are pretty similar to last except for an additional \$1K for mailing members on a vote either on the boat ramp or township tax property. Legal and Professional Fees is increased by \$4K to initiate a foreclosure on a delinquent dues property.

Brian: The general budget is conservative, lower revenues projected and increased projected expenses. We've come a long way since years ago. There is more money in checking and reserve accounts.

Scott: Emergency fund comes from the reserve, but allows board to allocate if board declares a disaster. The budget shows a deficit of \$8K, but \$5K is emergency fund, and it is unlikely that there would be a deficit. There are plenty of reserves.

Marty Blank clarifies the total of \$1800 vs \$800 for stamps/office and \$1000 for membership mailing. Also Legal Fees being \$5000 vs \$1000 and \$4000 for foreclosure.

David Linehan asks about weed budget. Scott says it is a calculation in the bylaws and doesn't affect the bottom line.

Julie asks if Aquaweed includes lake quality testing. Scott says that is separate and less than \$750.

Jack Linehan asks about the weed treatment scheduling. It was cancelled last week and postponed 1 week.

Brian Trim made a motion to accept regular portion of the budget with Craig amending to itemize out the additional \$1000 for member mailing and \$4000 for foreclosure. Craig 2nd. Jackie Kilburn asks about a composting toilet vs a port a john. Julie asks where Aquaweed is. Brian clarifies it is on the right column which should be renamed.(0:48:00) All Ayes. Motion passes. This discussion also covered **Item IX. Approval of Items Expected to Exceed \$750.**

Capital Projects/Expenses (0:48:35) Brian explains each item.

1. Lakeshore Dr. Gravel \$3000. Road needs to be raised more in case of high water flooding. Substrata of 4 inch stone with a top layer of crushed limestone. Jack asks if it will be widened? Brian would like to, but tbd by Carl and George. David Linehan asks what section to where? Brian says from A frame to his son's driveway. Brian says we can go as far as we can with \$3,000 and taper.
2. Beautification \$1160. Things as have been done in the past. New flowers, soil, pots, paying a stipend for waterers, 1 picnic table, 1 bench for Lincoln.
3. Nature Trail Footbridge Safety Rails \$300. Need to add side rails.
4. Signage \$2700. Need to update copy and replace signage. Julie K. asks is that park or street signage? Brian says it is park, boat launch, no wake, etc.
5. Sand for beaches \$500. Quote is \$160 for 10 yards to drop all over as needed. Jackie asks about front corner on muck mat coming up. Brian says it needs cleaning each year. Volunteers are welcome to help. Julie says to create sign up genius.
6. Tree Service \$1000. (1:04:45) Ken Johnson says this is low. Discussion of increasing the tree budget or using emergency fund to cover emergency tree work.. Jackie Kilburn mentions a specific tree that may need to be removed. Jack Linehan suggests lowering signage and increasing tree budget. Brian says there is money for both. Ken Collard made a motion to increase tree budget from \$1000 to \$5000. Ken Johnson second. Discussion about trees on common ground. Julie points out that this increases the budget deficit to \$12,000. Brian mentions it would be on an as needed basis. (1:11:00) Craig and Brian clarify regular tree work vs emergency declaration.All Ayes. No Nays. One abstention. Motion passes.
7. Trail Cam at Boat Launch \$250. Scott says there's been some damage to dock, pylon, flower pot, etc. Police recommend getting a camera. Scott says should cost less. Marty brings up discussion at last annual meeting and member objections. Brian clarifies that boat launch was in process of being voted on when meeting adjourned. This camera would be facing lake, so less privacy concerns than a camera on the nature trail. Brian says camera wouldn't be reviewed unless there was an incident. Julie asks if a boat launch camera creates a precedent for cameras at beaches. Scott says this is specific to boat launch. Other locations would be discussed as needed. William Richards from Leocadia says a previous trail cam made noise and made a flash.

Kevin clarifies that we are still in VIII. Treasurer's Report (c) Presentation of 2021-22 Annual Budget. We have already done IX and X as part of this, so we will skip those agenda items after this.

8. Swim Raft at Shady Beach (1:19:00) \$1800. Discussion of cost range of actual raft, but insurance bid/cost will be key. Laura Misco asks what happened to existing raft? Scott says it was in disrepair so it was removed. Julie Kapnick asks if people rally want a raft, and this could be a place to determine that. Brian suggests someone make a motion about pending insurance and survey interest. Faith suggests putting which sub it would be at. John Gura Leocadia asks does insurance cover 1 raft or rafts in general on the lake. He clarifies that that any raft anyone puts on the lake is on public property and do we need to check homeowner policies for insurance on those. Would the corporation be liable for non-corporation rafts? Steve Lyman from Schrum asks about riparian rights and owning the bottom of the lake to the middle. (1:27:00) Steve makes a motion to spend \$1000 to research riparian rights as it relates to rafts anchored to the bottom. Julie 2nd. Marty says it will cost more than \$1000. Brian says our attorney says the title search could answer the question. Discussion about how this hasn't been an issue or would

only come up there was a lawsuit. Also individual homeowner's responsibility to insure their property for liability vs HLC's responsibility for property in public space. Scott: this would give some knowledge. Faith says HLC shouldn't get coverage for private rafts the people put in the lake. (1:38:15) Ayes 16. Nays 12. Abst 2. Motion passes. Line item will be added to budget.

David Patterson brings discussion back to swim raft. Collective motion to add up to \$2500 for swim raft for Shady Beach pending survey results in Shady Beach of 51% in favor and insurance of \$500 or less. Makenzie clarifies that the insurance would be an annual expense, and if it was not approved the raft would have to be removed. Peggy Friscia asks who would be able to use it? Discussion of tabling until next year. Jack Linnehan makes a motion to table the motion. Carl Kayden 2nd. (1:47:15) 16 Ayes. Nays less than 16. Motion tabled until next year.

Julie Kapnick makes a motion to survey all members about swim rafts and accesses. Craig 2nd. John Gura points out that Leocadia residents have no lakeshore property, so they can't put out personal rafts. MArty makes a point that the discussion broke down because of the issue of HLC paying for something that only 1 sub benefits from. Will Ross recommends doing all 4 subs at the same time, so as not to play favorites, and are all accesses/parks open to all residents? Scott says its unclear, and current understanding is that sub residents can use their own accesses. Nature Trail is on a road so anyone can use it. Julie Kapnick asks will the Leocadia signage be clear about this issue? Scott says there is not 100% clarity. Boat Launch is not in the platt map of Lincoln. (2:00:45) All Ayes. motion passes.

Brian Trim makes a motion to approve all capital expenses as modified. Kathy Bartos from Lincoln 2nd. (2:02:00) All Ayes. No Nays. 1 abst. Motion passes. Budget is accepted. This covered agenda **Item X. Approval of Special Project Expenses Expected to Exceed \$750 per Budget.**

(b) Collection of Delinquent Dues Report (2:02:30) George: There was \$56,000 in delinquent dues. Over the past year, Brian Trim put in a lot of effort to knock on doors and follow up. Round of applause. Brian acknowledges help from and Scott. It is now \$34,000. Discussion of privacy of member information related to delinquent dues and if there's a way to get around it. Weed Assessment formula is based on how much delinquent dues there are, and members who are current pay more. It doesn't seem fair. George goes through the different dues amounts for on the lake vs back lot. Our dues are very affordable. George thinks there should be consistent road dues across subs. George suggests a committee to review dues policy and standardize. Split shared road dues up by how many households in each sub. It would require a bylaw change. Faith says consider planning ahead for costs for items that George takes care of. Bless George for all he does.

#### **Item XI. Committee Reports.** (2:20:20)

- a. Lake Committee - There've been two weed treatments. One more next week. Within budget.
- b. Road - Highland is going to be fixed up this week. Brian described George's Schrum proposal to divert water into the accesses.
- c. Beautification - see report in meeting packet.

#### **Item XII. Business Items to Discuss with Membership** (2:22:05)

- a. Township Donation of land it owns to HLC - Scott: If the township decides on a dollar figure for sale of property, we would have to have a mail ballot of members.
- b. Hunting/Trail Camera overlooking the Boat Launch - already discussed
- c. Creation of Boat Launch Committee - If you are interested in participating, please email George at [horseshoelakecorp@yahoo.com](mailto:horseshoelakecorp@yahoo.com). Brian suggests changing to Boat Ramp. Kevin brings up member concern about entrance from Six Mile Rd needing improvement. Discussion of referring to Road Committee. Craig says Road Committee does general maintenance, but this is a special improvement. Scott says we will get the relevant people to work on this.
- d. Red Flag Level Discussion (2:25:06) Brian suggests skipping to e. And then going back to d.

- e. Commit to wood chip maintenance - Mike Laird appreciates Nature Trail, but woodchips will decay over time, and board should commit to maintaining the trail with additional woodchips. Scott: not a monetary commitment, but an action commitment. Mike makes a motion to continue maintaining the woodchip trails and peninsula. Laura Misco 2nd. Julie Kapnick asks if the trail is a road, should the road be maintained by road committee. Brian says not a road committee issue. Craig says shore trail is in Leocadia Park. Craig wants to verify that no more woodchips will be added to peninsula. Brian says goal is to put more one more layer woodchips and raise up and eventually seed grass, but not yet. Motion restated to be committing to woodchips for trail and one more layer of woodchips on the peninsula, and then seed with grass. All Ayes. No Nays. 3 abstains. Motion passes.

(2:35:00) d. back to Red Flag Level. Scott says board has been getting information about this.

Jack Linnehan passes out pictures. Then he complains that the flag is up all the time. He's met with the drain commissioned and Ken Johnson at weir. He showed on the weir the normal legal level. 897.23 ft is the legal limit as determined by a judge twice, and hasn't been changed. Most people have gotten extra property because the level has been lower since 1985. His contention is that the flag is up too much because people are used to a lower level, but since the legal level is higher, there should be no flag. He says this will end up in court because the board is trying to enforce a lower level than is legal.

Scott wants to verify all these numbers with the drain commission.

Discussion about how many boats on lake over past 50 years, boats being closer to shore, speeding through the channel and now it's a no-wake zone.

Brian wants verification and final determination from Evan Pratt, drain commission.

Member question about putting all of this info on the website.

Discussion of putting an additional stake at boat launch, rather than use the one in George's backyard.

Steve asks if we are referring to a maximum or minimum level. Discussion of history and function of the weir.

Jack wants the red flag level to correlate with the legal normal lake level.

Mike wants the info once the numbers are verified because of property issues.

Gail Chapman says George's method worked for 33 years. The flag has been more irregular during the past 2 years. Neighbors have changed property, so more flooding. There are different ways to enjoy the lake without speedboats and wakes. Respect your neighbors' property.

Marty suggests considering a number of non-motorized days.

Caleb asks about the level shown on the website vs the weir.

Lindsey Higgenbottom from Lincoln says the flag should be based only on the level, not other circumstances like how fast it is changing and if it is a holiday weekend.

**Item XIII. Member Questions/Comments/Concerns** () Julie Kapnick thanks the board for their time. Another resident had positive comment on calmness of meeting.

**Item XIV. Trustee Election Results** (3:09:10) Shady Beach 2 year term. George Brown and Makenzie Jakubowski. 1 year term: Sandra Bodi. Leocadia: Mike Laird. Schrum: Brian Anthony and Brian Trim. Lincoln: Mark Caples and Carl Kayden.

**Item XV. Adjournment** (3:10:45) Ken Collard motion to adjourn. Julie Kapnick 2nd. All Ayes. motion passes.