

DRAFT

**Maple Beach Property Holder's Association
General Member Meeting Minutes
October 14, 2023, 9:00 am
Lakehouse Inn**

- 1. Call to Order**
- 2. Roll Call of Officers present**
 - a. Joe Rossi – President
 - b. Brian Leonard – Treasurer
 - c. Bob Garza – Director
 - d. Andrea Belanger – Director
 - e. Alice Van Buskirk – Technology Director
 - f. Marcia Anderson – Secretary
 - g. Jamie Frantz- Director
 - Not present – Rick Richardson – Vice President
- 3. Meeting confirmation notices.**
 - a. Website, Carl's Shell, Newville Mobil, Piggly Wiggly-Edgerton, MBPH Facebook page
- 4. Quorum verification**
 - a. A quorum was met with 53 members present.

***Special vote regarding board terms and elections**

Not on agenda and out of sequence with agenda

Marcia Anderson asked, regarding June 4, 2023, meeting notes as no quorum met, no election what does that mean for members terms that expired June 2023? Joe Rossi responded that nobody ran for seats at the June 2023 as a result the board members in those seats were automatically assigned another term until June 2025. After much discussion, Keith Anderson #39 motioned to schedule a special election to take place in 30-45 days for those board members whose term expired in June 2023 (Bob Garza, Andrea Belanger, Brian Leonard, and Rick Richardson) and Tom Nolfi #23 second the motion. A vote by membership was taken, 24 in favor of special election. Joe called a 2nd vote and asked who wants to have the meeting in June 2024, 29 in favor.

June 2023 Election:

Rick Richardson-(term ended June2023)
Brian Leonard-(term ended June 2023)
Bruce Biedenharn-(term ended 2023)
Bob Garza-(term ended June 2023)

No other candidates presented themselves at the June 2023 meeting, they ran for office un-opposed for a 2-year position.

Andrea Belanger was appointed by the board to fill Bruce Biedenharn position in September.

5. Approval of meeting minutes from June 4, 2022, meeting minutes for June 3, 2023, and Nov 1, 2022.

- b. A motion to approve the above-mentioned minutes was made by Michelle LaPean #19 and seconded by Keith Anderson #39. Motion carried.

6. Treasurer's Report

- a. Brian Leonard made copies of Treasurer's report available.
- b. Balance as Oct 14, 2023, is \$9284.26, outstanding invoices \$137.15 lawn service, \$28.34 food for meeting, \$25.00 gift card, \$600 attorney fees.
- c. When paying dues please include invoice # on your check, mailing address, if different from Maple Beach address, and an email address if not previously given.
- d. Motion to accept treasury report #75 Bob Garza, second #27 Katherine Kindermann, all in favor say aye, no nays, motion carried.

7. Reading of Communications- none

8. Report of Special Committees

- a. Welcoming – Marcia and Keith Anderson volunteered.
Much discussion about the original intent of the committees and new members should be greeted and have a positive experience.
- b. Property & Garden - Bruce Biederharm and Jeanine Mommaerts volunteered.
A clean-up day was proposed by Joe.
- c. Heritage – Michelle LaPean spoke about our history, no volunteer to set it up.
- d. Community Events Planning and Fundraising– Jessica Frantz, Anson (AJ) Jimenez and Lori from Lakehouse volunteered.

9. Unfinished business

a. Survey Park boundaries, rotted post & shoreline riprap in the park.

Joe discussed the need for a survey to verify and understand the park boundaries. Some of the reasons for this survey are for correct replacement and placement of the new bollards/rocks, more parking may be available and knowing where we can rip-rap. Hope to have a better understanding of park boundaries when we work in the park and where we may have encroachment issues. A quote was obtained for approximately \$3000. After much discussion, a motion was made by #52 Paul & Ellen Schindler to vote on a survey for \$3300 max and a second made by #33 Jeff Lowry. A vote was taken, and the motion was passed with 40 members voting yes to obtain a survey of the park.

b. Fee increases for pier slots.

Currently \$100 for pier slot, 16 pier slots total, 1 person on waiting list, 139 properties in MBPH. Joe opened the floor for discussion, some topics discussed were sharing piers, different fees for less accessible pier slots, creating a path to pier slots for less accessible locations, insurance coverage, talk about a playground in park, pier lottery, communal pier and possibility of more pier slots after survey. Brian explained the pier lease, deadlines, protocol and that there is a new lease agreement. The revised pier lease

agreement is on the MBPH website. There was an ask that an estimated increase to lease cost be discussed, up to \$300 for single use and \$200/\$400 for shared piers was discussed. A draft of all dollar recommendations for the increase will be sent to the membership to review before the June 2024 email. Members will vote on pier slot fee increase at the June 2024 meeting.

10. New Business

a. **Discuss opinion from Attorney Andy Frank, hired by BOD to review current pier lease agreement.**

Joe explained that currently, per our pier agreement, a \$2000 pier slot transfer fee is in effect that will allow the lease holder to transfer the rights of the pier lease to the new owner upon sale of the property associated with the lease. We previously requested an opinion of a lawyer on the validity of our pier agreement transfer fee. Joe read that opinion from Attorney Andrew Frank and then opened it up for discussion on the floor. Some points discussed were that our transfer agreement increases property value of the leaseholders while devaluing property of non-leaseholders, others claimed that it doesn't devalue property if you don't have a pier, everyone still has lake access through the pier slot space dedicated to the members. A transfer fee of \$2000 can go to MBPH upon sale of the property. The option to repeal or continue with the transfer of the pier slot lease will be an agenda item for the June 2024 Annual meeting. Joe stated that attorney Frank's opinion will be posted to the website.

b. **Discuss ownership of lakefront property where Hotel Drive meets the lake and to the south.**

Marcia explained that a real estate agent had asked MBPH BOD how many properties are on the lake and Marcia then went to the Rock County Real Property department to review a map and saw the area in question says, "common to owners' ". Marcia asked who the owners are, and they said all Maple Beach property holders. Joe stated the only area deeded to MBPH Inc. is the Maple Beach park. Joe hasn't found any paperwork that says specifically who this "common to owner's" parcel belongs to. Keith Anderson #39 asked that the property holders in this area fill out the pier lease agreement and possibly add more pier slots for members. Keith provided a survey from Combs & Associates, a title company search and a deed from 1929. Joe stated the association was formed in 1952 so the MBPH, Inc couldn't be property holders, and this was a subdivision plat. Debbie Rossi said she had it surveyed in 2018 and the only property that belongs to MBPH is the park. Joe wanted to note that the Combs surveyor said he was hired by the association, but the surveyor did correct himself and said it was requested by members. Around this time Keith Andersons' continued disruptive outbursts, after 3 previous warnings, lead to him being asked to leave the meeting. Keith additionally threatened litigation and would sue. Joe said this is an individual owner's dispute not an MBPH problem and will get handled by the DNR etc. Additionally, Joe noted that when we were looking for an opinion from Attorney Andrew Frank on the transfer fee, Attorney Buck Sweeney from Axley law firm started asking questions that lengthened the time Andrew Frank worked and the membership will not

pay for dialogue with someone else. Discussion continued about the need for fire department and emergency access on N Lakeshore Dr and for Consolidated Koshkonong Sanitary Districts access to their infrastructure. Lori noted that the roads surrounding the Lakehouse Inn are not private and parking is allowed.

- c. **Brian appreciates everyone coming to the meeting and has 2- \$25 gift cards to raffle to members who attended the meeting.**

11. **Adjournment-** Motion to adjourn from #27 Katherine Kinderman and seconded by #66 David Bersing.

12. **Next meeting is tentatively set for June 1, 2024, Location to be determined.**

- a. Next meeting agenda will include the following and any other business the comes before the membership:
 - i. Discuss Survey Park boundaries, rotted posts, & shoreline riprap in the park.
 - ii. Increase pier lease fees.
 - iii. Vote to remove or keep \$2000 transfer fee on pier agreement.
 - iv. June 2024 Election:
 - Joe Rossi - term ends June 2024
 - Marcia Kapa-Anderson - term ends June 2024
 - Alice VanBuskirk - term ends June 2024
 - Jamie Frantz - term ends June 2024