

Maple Beach Property Holder's Association
General Member Meeting Minutes
October 6, 2018 8:30am
Lake House Inn

Meeting Order of Business:

1. Call meeting to order at 8:42 am
2. Roll call of officers present
 - a. Vacant – President
 - b. Tom Nolfi – Vice President – absent
 - c. Debi Rossi – Treasurer
 - d. Elizabeth Luchsinger – Secretary
 - e. Joe Rossi – Director – presiding
 - f. Tommy Colbert – Director
 - g. LaVerne Luschinger Jr. – Director
 - h. Keith Anderson – Director – absent
3. Confirmation of meeting notices
 - a. Elizabeth Luchsinger read the locations that meeting notices were posted via an email from Tom Nolfi. As of September 1, 2018, notices were posted at Carl's Shell, Mobile Gas Station on Hwy 59, Anchor Inn, Countryview, Lakeview and Lakeland Campground.
4. Approval of meeting minutes from June 2, 2018
 - a. Jeff Lowry stated that the minutes were not posted on the MBPH, Inc. website and therefore he would like the minutes to be read prior to approval. Elizabeth Luchsinger read the minutes from the June 2, 2018 MBPH, Inc. General Member Meeting. Jeff Lowry would like to make an amendment to section 8.b.vi. of the June 2, 2018 minutes. Jeff would like to add that the excavating that was done by Tom Nolfi was not approved by the association and has now caused damage to his property. Sarah Wagner made a motion to approve the minutes with the stated amendments. Tommy Colbert seconded the motion. The motion passed. Elizabeth will amend the June 2, 2018 minutes to reflect the changes.
5. Quorum verification
 - a. Prior to moving forward with voting on various topics, we verified that a quorum was present. There were 28 properties represented and there are a total of 132 taxable properties. The bylaws state that a quorum is 20% of the members so we had a quorum.
6. Treasurer's report
 - a. The balance as of October 1st is \$5,631.25. Expenses include: lawn mowing at \$812, taxes at \$194, electric at \$230, attorney fees at \$209, general fees (including safety deposit box and bylaws filing) at \$165 and CPA at \$425. Justin Strupp made a motion to accept the treasurer's report and seconded by Alice Van Buskirk. The motion passed.
7. Reading of communications
 - a. Elizabeth read an email that Allison sent to Brian and Cory thanking them for allowing us to use the Mallwood Clubhouse.
 - b. Elizabeth explained the process for the association piers for 2019. Members who currently have a pier(s) must complete the Pier Slot Agreement form by January 1, 2019 via the MBPH, Inc. website to keep their current pier(s). Pier slots will then be open to the general members beginning January 1, 2019.
8. Report of special committees
 - a. Welcoming Committee – none
 - b. Property Committee
 - i. Vern Luchsinger noted that after the June 2018 meeting some of the members of the Property Committee went to view the easement between Jeff Lowry and Kay

O'Connel's property. Some pictures were taken and some suggestions were made. No agreement was made at that time. Vern did note that the easement does not belong to the association. It is a fire access road.

- ii. Justin Strupp asked what the purpose is of the Property Committee. Vern explained that the purpose of the Property Committee is to provide a property map at each meeting and help mediate property questions/disputes. Vern mentioned that the map is also available on the Internet via the Rock County GIS website.
 - c. Garden Committee – none
 - d. Heritage Committee – none
 - e. Community Events Planning Committee – none
 - f. Joe Rossi indicated that any member of the association is welcome to join any of the committees. Debi Rosi noted that a listing of the committees is on the MBPH, Inc. website with a brief description. Debi will also ask for volunteers when she sends out the email that includes the minutes from this meeting.
9. Unfinished business
- a. Kay O'Connel noted that if the MBPH, Inc. choose to let the park go it will go back to the Schmeling family.
 - b. Update on road by park
 - i. Keith Anderson, Tom Nolfi, Allison Epker and Debi Rossi attended the Milton Town Meeting in June. They asked about who owned the road in front of the park and the easements that are on that road. The town had no proof of who owned the road or easements. So, Debi took the title of the property and had surveyor, Ron Combs, read it. Ron found that the deed is dated back to 1951 and it only records the park property. There is nothing on the deed about the easements or the road. So, Debi took the surveyor's findings to the August Town of Milton meeting and required that the minutes from that meeting reflect that the MBPH, Inc. does not own the road or the easements. Therefore, the disputes regarding the road by the park or the easements are not disputes that should be handled by MBPH, Inc. If there is a concern regarding the easements or the road, the parties involved need to contact the sheriff. The town has no interest in resurfacing the road. MBPH, Inc. are tenants in common with those who live on the road.
 - ii. The Town of Milton is responsible for fixing the road and the county is responsible for plowing the snow on that road. The plowing of that road is not a priority for the county.
 - iii. After the August Town of Milton meeting, Debi spoke with a candidate for Congressman that was also attending the meeting. He brought up the potential of using government funding to resurface the road. Debi will follow up with him if he gets appointed into office. It was noted that in order to blacktop that road, the road will likely need to be widened, which involves moving electric poles/wires and underground cable and gas.
 - iv. Previously Kay O'Connel found information in the Wisconsin Statutes that would allow for the township to collect money/obtain a grant to upgrade the road. Kay gave this information to Mr. Cunningham, the Town Chairman at the time. She will look at the Wisconsin Statutes to see if she can find more information. Justin Strupp noted that all Wisconsin Statutes are available online.
10. New business
- a. Update on the lawsuit
 - i. The information is currently in front of the judge and a ruling should be given within a couple of weeks.
 - b. Insurance

- i. We currently have two insurance policies. One policy covers the Board members and one policy covers the park property/buildings. The current insurance company has chosen to no longer insure us so Keith Anderson and Tom Nolfi have been working on finding a new company to insure the Board and the park property/buildings. They have not be successful in securing an insurance company to date. So, beginning October 7, 2018 at 12:01 am both of the insurance policies will have lapsed. Keith and Tom are meeting with an insurance representative on Monday and hope to find out if they will insure us at that time.
 - ii. Board members will cease to perform MBPH, Inc. related work until a new insurance policy is in place to cover the Board members.
 - iii. Tommy Colbert suggested closing the park until there is insurance coverage since all the members of the MBPH, Inc. are liable for what happens at the park. The members agreed. Vern and Elizabeth Luchsinger volunteered to put up signs at the park stating that it was closed. Kevin Van Buskirk volunteered to take down the swings at the park. Justin Strupp suggested that we look into the Wisconsin Statutes to determine if the park would fall under the recreational use statute.
 - c. Concern regarding a Board member
 - i. Jeff Lowry read a couple of statements from the MBPH, Inc. website including the Maple Beach Association Board Member Expectations. Jeff expressed concern that Tom Nolfi, MBPH, Inc. Vice President, has violated the Board member expectations and would like to make a motion to remove Tom from the Board. The Maple Beach Association Board Member Expectations state that a Board member can be removed from office by a simple majority vote.
 - ii. It was determined that during the incident that Jeff is referencing. Tom Nolfi was acting as an individual, not as a Board member. The Board did not give Tom direction to take any action involving this incident. The members agreed that it would not be appropriate to take action against Tom Nolfi during this meeting when he is not present. It was suggested that Jeff take action outside of the MBPH, Inc. Tom Nolfi's term is over in June so if members would like to have Tom off of the Board then they can take action at that time.

11. Election process for 2019

- a. Elizabeth Luchsinger reported that elections will take place at the June 2019 meeting. There are four Board members who are up for re-election. Those Board member include: Debi Rossi, Elizabeth Luchsinger, Tom Nolfi and Tommy Colbert.
- b. Applicants interested in serving as a board member should first read and understand the expectations of Board Membership, read and understand the By-Laws, and submit a completed application before April 2nd so there is time to notify the membership of all candidates before the summer meeting.
- c. A ballot will be prepared with all the applicants and posted on the MBPH, Inc. website.

12. Kudos

- a. Numerous association members shared how appreciative they are of the current Board and how diligently everyone is working.
- b. Vern Luchsinger suggested that the members share this information with their neighbors and encourage them to get involved.

13. Next meeting is June 1, 2019 at 8:30am at Lake House Inn.

14. Adjournment at 10:00 am

- a. Gary Koeller made a motion to adjourn. Vern Luchsinger seconded the motion. The motion passed.