

## ***Pinnacle Lake Estates Monthly Board Meeting***

Board Meeting Minutes: Saturday June 4, 2022

9:00 a.m. at Pinnacle Lake Pavilion

### **Board Members:**

*Present:* Dan Latham, Barbara Baker, Steve Pogulis, Tim Ryan, Tara Wallace, Rachel Haney,  
Dan Ryan

*Absent:* Dan Collins

### **Proceedings:**

Meeting called to order at 9:04 a.m. by President Dan Latham

May 7, 2022, ***Monthly Board Meeting Minutes*** were read by Recording Secretary Barbara Baker. Motion made by Dan L to approve minutes as read, seconded. Board voted minutes will be recorded as read.

Reminder from President Dan Latham to save questions and comments for Open Forum.

***Administration Report:*** (Tara Wallace) – 3 new gate cards and 5 replacement cards issued. Registrations: 3 boats, 3 motors, 4 campers, 2 ATVs, 1 UTV, 1 replacement ATV sticker. Office will be closed June 20-27 for Cheryl's vacation. Annual assessments were mailed May 31<sup>st</sup> and are due July 1<sup>st</sup>. 5/5 properties submitted will be turned over to PLE

***Treasurer Report:*** (Dan Collins) –

*Current assets:*

*Boat Dock Fund - \$30,223.76*

*Main Bank Account - \$145,729.10*

*Special Assessments - \$102,359.30*

*Wayne Beegle Fund - \$3,533.49*

*Total Assets - \$282,019.71*

***Roads Report:*** (Dan Latham) – Jared is evaluating the Bear Creek washout and clogged culvert. Road grading was done before the open of the season. Keep your culverts cleared out and notify the office if your culvert fails.

***Security Report:*** (Dan Ryan) – We have a new UTV, new blue shirts for Security. We have 6 civilians and 2 police officers as guards. The police officers will be the roamers. Issues: during the Poker Run, lots of people showed up from outside the lake bringing their UTVs in. Next time they will have to prove they are registered vehicles. Abuse of gate cards – lot owner not present, gave her card to her granddaughter and she let in 16 guests, unregistered. Security guards were given trouble when they tried to stop and register them. Security will start looking for underage drinking and will be doing sweeps to see if that's really an issue. There has been theft of things on the beach. The North gate was broken into – we will prosecute as this was caught on video. A lot owner beat a 22-year-old girl and has turned himself in. The police officer who stalked his girlfriend is no longer on our staff and has been arrested. There was a shooting incident from a boat, may have been a BB gun or a pellet gun. Please call Security if you see these kinds of issues occurring.

**Architecture Report:** – (Steve Pogulis) – We have 4 new lot improvement requests, 1 for a wall, 1 for a shed, and 1 for a shed and deck. At the Trails Section, we are looking at options for cameras at the gate that do not need a cell signal as there is no signal at the gate. We are looking at all camera systems and current problems. At the Trails, the post at the entrance has fallen and needs to be addressed. There is a report of a maintenance issue with the tennis court gate – can't be pushed in but can be opened outward.

**Special Projects:** – (Rachel Haney) – Sale of PLE owned properties: We have sold 4 properties: 76 Skyline Drive listed at \$7900, sold at \$7900; 43 Pin Oak listed at \$14,900, sold at \$16,500; 9 Lake Shore Drive listed at \$12,900, sold at \$12,900; 18 Linden listed at \$13,900, sold at \$13,900; so total collected from these properties is \$46,305.52. One other lot was listed but got no traction. One is under contract. 38 Lake Shore Dr N, and easement deed can be prepared for \$175 to allow the wall that is in the easement to stay in the easement, but any new owner cannot make any modifications or additions to that wall. Question to the Board, do we want the easement deed so the wall can stay for \$175, or do we want the portion of the wall within the easement removed? Before we make that decision, we need to see a survey of the property that shows the wall. Rachel will check with Warren County for that survey.

Landscaping and grounds budget has not increased properly – we need funds for brush hogging and maintenance of other grassy areas. We need an additional \$7275 to go into Landscaping and Grounds budget. **Motion** by Rachel Haney to pull those funds from the sale of PLE property into the Landscaping budget. Seconded and unanimously approved.

Our bath house cleaner did not come back this year. We have hired a lot owner who is doing a great job. First toilet in ladies restroom is loose and needs attention. We need a plan for during the week when the cleaner is not available. Should we pay a security person an extra hour to deal with restroom and pavilion trash and refilling restroom products?

Lot owner is willing to rent shed for storage of our UTV but would also consider selling the lot with the shed on it. Jared Brower makes all metal sheds, 10x10, \$4500.00; Jason Gleeson has sheds for sale, \$5-6000 range.

### **Committee Reports:**

Covenants and By-laws Revision – (Chair Jane Alexander) – No report.

Lake Preservation – **Motion** made by Dan Latham to approve Jason Sherwood's Invoice on work that concludes the clean out of the holding pond at Three pipes and hauling of materials for \$9,500. Seconded and unanimously approved.

Recreation Committee – (Dena Cross) – Last weekend's Poker Run was a success. We had 200 people overall. 12 kids under-17 who played for free, received a Place ribbon, a deck of cards, and candy. \$1640 total was received for tally sheets, half going to Wayne Beegle account – half split between the top 3 poker hands.

The Kids Fishing Derby and Rubber Duck Race will be held next weekend, June 11<sup>th</sup>. We need lots of volunteers to help with registration of derby entrants, collect the rubber ducks at the end of race, hand out trophies, and bring food for the potluck lunch. The swim platform will not be available for this event.

The Cardboard Boat Race will be July 2<sup>nd</sup> at the beach, no money is involved. There will be awards for 1<sup>st</sup>-3<sup>rd</sup> places of each category. Rules are available in the office. We need volunteers to inspect the boats so there are no prohibited materials. Boats are to be strictly made of cardboard and duct tape.

### ***Unfinished Business***

- a. Sale of PLE assets – see Special Projects report
- b. Boat Docks /Buoys – ongoing
- c. Past due statements for assessments – Collection lawyer Justin Butler suggests sending out 4 past due letters over the course of a year. Current process to get past due statements out is very time consuming.
- d. Current By-laws concerning assessments – legal actions other than liens – Tara will discuss this with Justin Butler
- e. Lot owner request for Members in Good Standing list – Dan Latham reached out to our HOA attorney about this request. Her response was that we should NOT disclose that information for multiple reasons that could get us in trouble with the FDCPA. We can disclose the number of lot owners delinquent 30, 60, or 90 days or more, however any identifying information would risk a FDCPA violation.

### ***New Business***

- a. Requests for new gate cards – lot owner who co-owns with nephew, requesting 3 gate cards as nephew who owns another property has his own 3 gate cards. **Motion** by Dan Latham to approve 1 card, seconded and approved for 1 card.

Lot owner has 3 cards but lost one. Asking for 1 additional for a total of 4. Replacement for lost card can be issued. **Motion** to approve 1 additional gate by Barbara Baker. No second, no vote.

Lot owner has 4 cards on file, asking for 2 more for daughters. **Motion** by Dan Latham to deny, seconded, 6 votes to deny, 1 vote not to deny as Board has not set policy on numbers.

Rachel Haney will be working on list of all gate cards to determine number in lot owner possession.

Board decides to deny all current gate card requests until Board sets policy on maximum number of gate cards. **Motion** by Steve Pogulis to take down gate card request form from website. Seconded and approved.

- b. Issues/Complaints – one complaint about water standing on upper road, a culvert needing to be cleaned out on lower private road Oriole. Lot owner wants culvert cleaned out again, washout repaired.
- c. Gate card policy – how many per lot? - Tabled
- d. Newsletter – Board members who wish to see certain information included in the newsletter must submit that information written as they want it written to the office. Cheryl will not write the content. Must be finalized at the July meeting.
- e. Grandfather status of Secondary lots – Barbara Baker read the 1994 revision of the PLE By-laws, the 1999 revision of the Covenants and Restrictions which were the last revisions done previous to the 2002 meeting. Then she shared a copy of the Proposed Amendment presented to lot owners

at the 2002 Annual meeting which would replace the previous wording in both documents. Next Barbara read the 2002 By-laws and Covenants and Restrictions that had been recorded in both Warren and Montgomery Counties which contain the amendment language, completely replacing previous wording that allowed two different assessment structures on first-purchased lots (commonly known as Primary) and additionally purchased lots (commonly known as Secondary). A copy of all documents was given to lot owner requesting them.

- f. Lot Owner Appreciation Day – due to the already full calendar of recreation events and the cost of this event, this topic was tabled for further consideration as an event to be put on next year’s calendar of events.
- g. Buying a UTV for Security Roamers – After much deliberation, PLE has purchased a 2022 **Segway Fugleman UT10 X** 3-seater with the extras our Security team needs to serve the PLE lake community.
- h. Solution to overage on security budget plus payroll spent Sep/Oct 2022 – tabled until Treasurer’s return.
- i. Should PLE establish an erosion control and master plan committee – PLE has identified a lot owner that has experience in this area. Tabled until next month.

### ***Open Forum***

Proebsting Subdivision – no access to boat ramp as it has a new owner.

North Gate – can’t call from North Gate to home to open remotely. 2 different phone companies. Steve will look into this.

Trails Section camera – no date for completion yet. Steve will continue to update.

How many boats? There are 1,395 boats and motors registered, so roughly just over 600 boats

When will the Trails fence be repaired? Looking at cost of metal fencing like that at Main gate. May use boulders for temporary fix.

Lot owner shed on PLE property will be moved or purchased by PLE. Rachel will update.

Lot owner request for Members in Good Standing List has been denied. Discussed in Unfinished Business.

Lot owner wants to know when the revisions the Committee has proposed will be voted on. Response: Due to the number of changes the Committee is proposing, it is taking the Board longer to get through it than expected. In order to give the committee’s revision the careful attention it deserves as well as giving the attorney time to make sure it is all legal and compliant the Board does not want to rush through this task. The Board cannot set a date at this point and unfortunately these documents will not be ready for the Annual Meeting. A specially called meeting will need to be held.

Lot owner suggests hiring a second office secretary.

Burn pile at Pinnacle Creek is on list to be dealt with.

Meeting adjourned at 11:55 PM by President Dan Latham.

Minutes submitted by Recording Secretary *Barbara Baker*