

July 11, 2020

(Postponed due to COVID-19 - Wisconsin Governor Evers Safer-at-home Order)

Annual Meeting Minutes

Lakewood POA pavilion

Koppa called the meeting to order at 10:15 a.m.

Board of Directors in attendance: Eric Koppa, President, Steve Hensen, Vice President, Amy Volkmann, Secretary, Stephanie Anderson, Treasurer, Terry Anderson, Director, Kathleen Pugh, Director, Scott Geiger, Interim Director

Adams County Sheriff Brent York spoke about UTV/ATV regulations at the top of the meeting. Provided pamphlets for ATV/UTV laws and outlined some rules. All children 12-15 years of age must be accompanied by an adult to operate an ATV. If under 18 years of age, must wear a DOT approved helmet. All operators are restricted to operate ATV/UTV under the influence of alcohol and drugs. Absolute sobriety is required under 21 years of age. Operators are prohibited to ride in ditches, must use routes and trails. There is no longer a 10 mph speed limit on residential roads. The posted speed limit from the township is the applicable speed. The township enforces the speed limits. As of March 2020, new laws say that ATVs must have a factory installed passenger seat to be legal. Aftermarket '2-UP' seats are prohibited. Golf carts are not legal on Wisconsin roadways. Golf carts are a non-conforming motor vehicle and drivers are subject to citation for operating on roadways in Adams County. Board could discuss the speed limit issue at a future meeting.

Shooting of firearms: The statutes that cover this subject are reckless endangerment of safety and it is against the law to shoot a firearm within 100 yards of a dwelling. Sheriff York stated, "I can't think of a single parcel in Lakewood that is safe to shoot a gun on." BB guns and pellet guns are legal but unsafe in a neighborhood. Geiger stated we have called the DNR and the Adams County Sheriff department and both have stated that his neighbor at 1733 19th Drive, Lot #170 owns a 17 acre parcel adjoining Lakewood and is shooting just beyond 100 yards of neighboring Lakewood homes. Adams County law enforcement can not restrict lawful hunting or shooting on that private property despite its location within Lakewood subdivision. Lakewood property owners were encouraged to report shooting or hunting close to homes within Lakewood. Shooting and hunting within Lakewood is strictly prohibited by current Lakewood POA association rules.

Volkmann declared a quorum with the 38 Lakewood POA property owners in attendance and 61 signed proxies received by USPS (2 unsigned proxies returned), exceeding the 10% attendance requirement to conduct a legal Lakewood POA annual meeting.

Lakewood POA Director Kathleen Pugh resigned prior to the annual meeting. Koppa accepted her resignation. Therefore, both candidates on the Lakewood POA Board of Directors ballot, Scott Geiger and Ginny Palumbo, will have seats on the board. Motion to approve their election

by a voice vote of support by Lakewood POA property owners present was made by Koppa and seconded by Hensen. Aye votes were unanimous, no Nay votes were recorded and the motion carried. Scott Geiger and Ginny Palumbo have been elected to serve 3-year terms on the Lakewood POA Board of Directors.

Motion to approve 2019 annual meeting minutes by Koppa, seconded by Hensen. Motion carried.

Bylaws and Declaration of Covenants and Restrictions, Seventh Amendment Revisions: Ballots were opened the morning of July 11th, 2020 by Lakewood POA member volunteers in good standing and witnessed by Board of Directors Hensen and Volkmann. Additional voting was conducted at the lakefront before the meeting for new Lakewood POA owners and property owners who preferred to hand deliver their ballots. Volkmann read the results for each revision to the Declaration of Covenants and Restrictions, Seventh Amendment and Bylaw revisions, and cited all sections failed for insufficient YES votes and not rising to 75% approval as required by current Lakewood POA Bylaws. (*See addendum A for Bylaw and Declaration of Covenants, Seventh (7th) Amendment revision ballot count)

Staggered terms: Koppa stated that this is his last year and there will be openings as the Director terms are staggered so not all terms are up at once. Koppa thanked property owners for their support over the past six years and wished to see interest by Lakewood POA property owners to bring the 4th of July holiday picnic back, or alternative social events such as the ice cream social or movie night. He hopes future boards will work with property owners to organize neighborhood committees to volunteer to organize these events as they were popular in years past.

Secretary report: Volkmann stated that the Lakewood POA Board of Directors have been working to keep the lakefront maintained. Geiger facilitated the tree cutting around the pavilion to prevent tree overgrowth and further damage to the roof from fallen limbs and branches. Several other trees had emerald ash borer infestation and also were cut down. Additional trees at the lakefront are showing early signs of oak wilt and emerald ash borer infestation and will need to be cut in future years. Bids have been obtained to replace the pavilion roof next year. Hensen replaced all the swim ropes and buoys adding an additional 10 feet of space to the swim area. Thanked Todd Caskey for assisting with the installation of the swim ropes. Thanked Terry and Betty Anderson for painting the picnic tables, planting flowers, installing the bollard and signs. The board is considering dredging the boat launch next year. Lakewood POA has a DNR dredge permit that does not expire and estimates will be drawn up in 2021 to consider the dredging after the pavilion roof is replaced. Stephanie Anderson continues to collect past due liens and keep track of past due amounts. Would like to have a massive email bank for communication. The board is seeking a website administrator.

Treasurer report: Stephanie Anderson stated that between 2014-2019 over \$8,000 in past dues were collected leaving \$6,200 in liens left to collect. Anderson read the details of the 2020

budget which can be found on the website for review. 2019 Expenses were \$ 24,937.91, the 2019 income was \$22,886.74. The balance in the savings currently is \$14,608.56, checking balance is \$7,471.58, and the gate fund balance is \$4,105.72.

Terry Lipchow, 1956 Cypress Drive, Lot #269, made a motion that no board members spend money on attorneys going forward without association approval, seconded by Stanley Sroka, 1762 20th Avenue, Lot #s 351/352/353/354. Koppa responded with a point of order, stating the Lakewood POA Bylaws place the elected Board of Directors in charge of carrying out the business of the association and are required to hire professionals to work in the best interest of Lakewood POA property owners. Lakewood POA bylaws stipulate the Board of Directors are to hire agents and contractors who are licensed and bonded professionals and the motion to restrict the board from hiring professionals conflicts with the bylaws and was rejected as out of order by Koppa. (Refer to Bylaws Article VI, 6.01 (b) AND 6.02 (n))

Communication: Gieger stated that he has been working on the maintenance issues such as the retaining wall, the roof and the driveway. Hensen stated he will be continuing the gate maintenance and will put up additional fencing to keep trespassers out. Koppa stated that there will be a phone number posted for residents to report problems with the gate and at the lakefront. The number is 608-301-5039.

New Business: Need a website administrator. Board increased association dues 10% from \$60.00 to \$66.00. Koppa made a motion to approve the dues increase, seconded by Terry Lipchow. Motion carried. (Refer to Declaration of Covenants and Restrictions Article VI, Covenants for Maintenance Assessments, 6.2 General Assessment (c)(ii))

Open questions/comments: Koppa asked that the previous motion from Lipchow/Sroka be revisited for discussion and explanation. Discussion was had openly regarding the need for the Lakewood POA Board of Directors to hire professionals as required to work on behalf of the board. A previous Lakewood POA Board of Directors retained attorneys Husch and Blackwell in 2018 to review and modernize Lakewood POA Bylaws and Declaration of Covenants and Restrictions. The Seventh Amendment draft was revised after receiving comments, suggestions, and feedback from Lakewood POA property owners who were in attendance for a town hall discussion on September 14th, 2019. Ultimately none of the proposed revisions gained 75% support of Lakewood POA property owners in good standing who mailed back a ballot or hand delivered their ballots prior to the July 11th, 2020 annual member meeting. Koppa recommended future boards revisit the most popular revisions, request suggestions to improve the revisions and conduct another vote after obtaining sufficient support from Lakewood POA property owners in an open and transparent fashion utilizing the Lakewood POA website to publish comments and suggestions on a digital forum. The current Board of Directors has no desire to pursue additional Bylaw Declaration of Covenants and Restrictions revisions, votes, or expenditures for attorneys or legal representation.

Discussion regarding the dues increase. Koppa made a motion to open the discussion, seconded by Terry Anderson. Motion carried. Koppa stated that due to increases in maintenance needs and service contractor increases, an increase in dues was needed. The board is tasked with approving the subsequent year budget and did so during a legal board meeting in 2020.

Nancy Carroll, 1997 S. Cypress Drive, Lot #2, stated that she opposed the increase. Koppa responded that a dues increase is necessary to avoid drawing down Lakewood POA reserves or levying a special assessment to address upcoming Lakewood POA common area preventative maintenance, i.e. pavilion roof replacement, shifting retaining wall repairs, tree disease, beach and boat launch dredging.

Kendra Sylvester, 1728 19th Court, Lot #149, stated that it was not about the raise in the dues, the problem was that there was no discussion allowed about the motion or why a dues increase was needed. Koppa stated there had been discussions during Board of Director meetings throughout the year and Lakewood POA Board of Director meeting minutes recorded discussions regarding the cost associated with the lakefront roof pavilion replacement and other lakefront expenses, such as removing trees and adding gravel to the lakefront driveway. Hensen stated the dues did not increase the previous year. Koppa, Anderson, and Pugh cited increasing costs of contractor labor, goods, and services and the concern to build reserves to pay for preventative maintenance in the future as drivers for the dues increase. The Board of Directors by majority vote retains the right to increase annual dues by a maximum of 10% as required. (Refer to Declaration of Covenants and Restrictions Article VI, Covenants for Maintenance Assessments, 6.2 General Assessment (c)(ii))

Chuck Sylvester, 1728 19th Court, Lot #149, stated that an Adams County Realtor is giving use of the gate card to people to access Lakewood POA lakefront and beach that are not Lakewood POA property owners. The board will research the matter and will communicate with Realtors that the practice is strictly prohibited.

Kristi Thering, 1971 S Cypress Drive, Lot #15, stated that for a future budget focus, she wants the board to consider a metal roof. Koppa stated that they have received a bid for a metal roof as recorded in Board of Director meeting minutes. Also asked that the fescue grass at the beach be removed. Koppa stated that the DNR regulates the natural buffer and we can not change the percentage of natural shoreline.

Terri Bullard, 1740 20th Avenue, Lot #254, stated that she doesn't oppose the dues increase but asked that the rules be followed and allow for comment.

Dale Oberbeck, 1949 Cypress Lane, Lot #380, asked about the dredging issue and would that expense be every year. Geiger stated they are looking into it to see how often it will need to be done. Koppa stated that the association has a DNR permit to move the sand to the beach and

would not be required to remove it off of the lakefront area. The DNR permit to dredge is perpetual for the life of the Lakewood POA.

After further open discussion and asking if any further questions or comments remained, Koppa asked for a voice vote of support on the dues increase. Seconded by Hensen. Motion carried unanimously by Lakewood POA owners in attendance to increase annual dues from \$60.00 to \$66.00 in 2021.

Kristi Thering, 1971 S Cypress Drive, Lot #15, stated the need to take attendance with name and address before a meeting starts. Stated she felt parliamentary procedures are not being followed to her satisfaction. Motion to have a check-in attendance sheet, seconded by Nancy Carroll, 1997 S. Cypress Drive, Lot #2. Motion carried.

Barb Berken, 1972 Cypress Drive, Lot #82, asked that Robert's Rules of Order be followed and if needed get a volunteer to be a sergeant of arms to administer parliamentary procedure for the Lakewood POA annual member meetings and to assist with motions and voice votes. Motion by Barb Berken, seconded by both Koppa and Thering to adopt a sergeant of arms in a volunteer position at future Lakewood POA annual member meetings. Motion carried.

Ginny Palumbo, 1928 Cypress Lane, Lot #306, questioned Board Secretary Volkmann's count for a quorum and a need for a sign-in attendance sheet to prove ownership and lot numbers. Koppa stated that he instructed Volkmann to count the proxies and add the attendance by lot numbers not head-count. Volkmann stated that sign-in sheets had traditionally been used at annual Lakewood meetings, but a decision was made by the board not to take hand-written attendance this year due to COVID-19 concerns. The signed proxy count was 61, there were 38 Lakewood attendees, including multiple family members within households, and 7 Lakewood board members to achieve a quorum.

Terry Anderson resigned from the Lakewood POA Board of Directors citing continued disrespect and harassment from Lakewood POA property owners. Koppa accepted his resignation during the legal meeting and announced his resignation to all in attendance. Koppa thanked Terry for his years of service to Lakewood. Koppa cautioned property owners in attendance that meetings should remain in order, observing professional respect at all times, and that a show of appreciation for the efforts of their Board of Directors was important to keep a functioning Board of Directors working for the benefit of the POA and to keep dues reasonable and low. Outsourcing management of Lakewood POA business would result in major dues increases and the commitment of hours by any Lakewood POA board member is extensive. The resignation of Terry Anderson opens up one vacancy on the board. Koppa will not seek re-election and there will be two board vacancies in 2021.

50/50 Raffle prize and items donated by Adams-Friendship businesses were distributed to Lakewood POA owners present.

Koppa made a motion to adjourn the 2020 Lakewood POA annual member meeting. Seconded by Pugh. Motion carried and the annual meeting ended at 12:15pm.

2020 Lakewood POA Annual Meeting

July 11th, 2020

Addendum A

Addendum A – Lakewood POA Bylaws and Declaration of Covenants and Restrictions, Seventh Amendment Revisions Ballot Tally – Count Witnessed by Lakewood POA Board of Directors, Steve Hensen, Vice-President and Amy Volkmann, Secretary.

Final ballot results Counted and Recorded by Ginny Palumbo, Lakewood POA Board Secretary, August 15th, 2020.

Correctly signed and can be counted				Not signed correctly and cannot be counted			
By laws				By laws			
6.02		8.03		6.02		8.03	
Yes	No	Yes	No	Yes	No	Yes	No
14	35	14	35	44	49	43	47
Declaration				Declaration			
3.1		3.3		3.1		3.3	
Yes	No	Yes	No	Yes	No	Yes	No
6	21	5	21	54	57	56	54
3.4		3.5		3.4		3.5	
Yes	No	Yes	No	Yes	No	Yes	No
7	11	7	18	69	44	57	54
5.1		6.1		5.1		6.1	
Yes	No	Yes	No	Yes	No	Yes	No
8	19	7	19	74	38	53	60
6.3		7.3		6.3		7.3	
Yes	No	Yes	No	Yes	No	Yes	No
6	19	6	20	43	69	37	77