

2015 LEHA ANNUAL MEETING MINUTES

The meeting was called to order by Joe Longtin at 10:09 a.m. It was determined that a quorum had been reached as follows:

Proxies: Mary Lynch(lots 32, 33); Mark and Judy Rovzar(lots 1, 2); RJ and Anne Marie Jenkins(lot 49); Alan Wilson(lot 59); Kevin and Jaew Henry(lot 57); Randy and Sharon Stone(lot 31); Richard and Catherine Paone(lot 40).
Present: Jackie Fournier(lot 4); Gail Rioux(lot 34); Richard Hicks(lot 11); Kathie Jameson(lot 42); Barbara Kinney(lots 18, 19, 55, 54); Linda Bolton and Marianne Erdman(lot 44); Rock and Jenn Eisenheim(lot 27); Carmen Anastase(lot 7); Joe and Monique Longtin(lot 46); Bob Harradon(lot 48); Sue Louis(lots 25, 30).

Joe introduced new LEHA members: Tim and Emily Winter(lot 35) and John and Diedre Richardson(lot 3).

A. Carmen Anatase made a motion to approve and waive the reading of the 2014 minutes and the motioned was seconded by Jackie Fournier. The motion carried.

B. Officers Reports:

- a) President – Joe Longtin. Joe reported that all seemed to be going smoothly with no major issues.
- b) Treasurer's Report – Kathie Jameson. Kathie briefly walked us through LEHA's assets and liabilities as well as category summaries of money in and money out. We currently have \$36,940 in our Key Bank account. Jackie asked what the “gifts” category referred to and it was explained that even though the Morris' camp is not part of LEHA, they donate \$250.00 annually for trash pick up and use of the road. Kathie noted that our fiscal year ends on May 31st. Three lots are not up to date with their dues. Carmen made a motion that the Treasurers Report be approved and the motion was seconded by Moe Longtin. The motion carried.

C. Committee Reports

- a) Road – Joe Longtin: Joe spoke of the good job that Sid Smith did last year on the hill and that it seemed to be holding up well. Joe continues to work on maintaining the road and Sid will be bringing in some material for some low spots and new places that need material. In general, the road is in good shape.
- b) Common Lot – Moe Longtin: Moe feels that the trash situation is better in terms of people bagging all of their trash and that there is much less loose trash that needs to be fished out of the bottom of the barrels. Moe swept out the outhouse and Jackie weed-wacked around the fence and outhouse. Joe replaced five boards and two posts in the fence and needs a volunteer to stain those rails and posts. Joe and Moe have the stain at their house.

D. Election of Officers:

Treasurer: Kathie Jameson said that she would be willing to serve a second term. Carmen nominated Kathie for a second term with Bob Harradon seconding. The membership elected Kathie for a second term as Treasurer. Joe commented on what a good job Kathie has done in this position.

E. Unfinished Business:

- a) Proposed change to by-laws: Joe said that the LEHA Board recently discussed the fact that the wording in the by-laws change as proposed at last year's meeting did not seem to convey the intent of the change as it was discussed at last year's meeting. Therefore, the proposed change to the by-laws was revised to more accurately to reflect the original intent of the change:

Proposed Revision of Article II of the LEHA By-Laws:
(Addition of Section 6 and renumbering of subsequent sections)

Section 5. In the event of default by any member in paying to the Association the Annual Property Maintenance Charge, such charge shall become a lien upon the member's property as provided in each member's deed to his/her property. Each unit owner in default shall be obligated to pay interest compounded at 18% per annum on such common charges from the due date thereof as determined by the Association, together with all expenses, including reasonable attorney's fees, incurred by the Association in any proceedings brought to collect such unpaid common charges. Furthermore,

each unit owner in default shall not be entitled to make any improvements to Lake View Estates property. Unit owners in default who do make improvements to Lake View Estates property shall be subject to legal actions as determined by the Association, together with all expenses, including reasonable attorney's fees, incurred by the Association in any proceedings brought to enforce this requirement. In addition, a unit owner in default shall not be entitled to vote at any meeting of the Association unless the unit owner brings the charges current prior to the meeting.

Section 6. The Lake View Estates Homeowners Association (LEHA) Board, after consideration of the severity of a violation of the LEHA By-Laws/Deeded Restrictions/Policies, may issue a notification of the violation to the offending member and allow the member 30 days to correct the violation. Notification of the violation shall be posted on the offending member's lot and shall be sent by regular and certified mail to the address of the offending member as listed in the tax records of the Town of Fayette, Maine. If, after 30 days, the violation has not been corrected, the monetary penalty, determined by the LEHA Board, ranging from \$5.00 to \$50.00 per day shall be assessed by the LEHA Board and the assessment shall become a lien on the property. All terms and conditions applicable to a lien assessed under Article II, Section 5, with the exception of the interest charges, shall be applicable to this section as well. The lot owner may appeal any penalty at the next LEHA annual meeting. At such annual meeting, the members in attendance, both in person and by proxy, may modify or nullify the assessed penalty by a majority vote. The determination of the appeal by the membership at such annual meeting shall be final.

Richard Hicks made the following motion:

“Last year's proposal for by-law-amendment is to be removed from consideration, and that the current (as stated above) revised amendment being considered at today's meeting is to be considered as a new proposal, with the vote for adoption of this amendment to be scheduled for next year's meeting, according to established LEHA procedures.”

Carmen seconded Richard's motion and the motion passed.

It was mentioned that to be adopted at next year's meeting, By-Laws need a 2/3 majority vote. It will therefore be especially important that proxies are received.

Discussion ensued regarding the potential subjectiveness of enforcement and amount of penalties. Joe made it clear that this proposal was meant to address egregious violations – ones that might affect quality of life, property values, etc. Carmen mentioned that at least 3 Board members would have to agree that a violation was severe enough to warrant the assessment of a penalty and that there would be a notification and appeal process. Kathie mentioned that ideally people should have a dialogue to resolve issues in a “neighborly manner.” In response to questions regarding payment of violations, Joe made it clear that the money would be returned if the membership overturned the penalty. Lot 24 is the only lot currently in violation. A lien was placed on the original owner and will be placed on current owner. Jackie asked if we had any recourse if there is refusal to fix or pay. Carmen explained that we would have to go to court and we might incur large court/legal fees.

Joe called for a vote on the revision of the by-law change. All approved and the motion passed.

F. New Business:

a) LEHA donation to Starling Hall Renovation Project -

Carmen proposed a \$200 donation. Bob Harradon wondered if that amount was too little and Carmen suggested that we could make another donation next year. The motion carried to donate the \$200.

b) LEHA donation to Basin-David-Tilton Pond Association -

Moe Longtin proposed a \$200 donation which Carmen seconded and the motion passed.

c) New Dock -

Joe stated that our current dock has been there since 1988 and is the original dock. It is showing wear on the surface boards and is getting to a point where the entire surface needs replacing. The dock is extremely heavy in terms of put in and take out. Hammond Lumber came out and gave an estimate on a new Shoremaster dock with the composite decking (slip-resistant, maintenance free). There would be 3 permanent sections with posts followed by a ramp linked to a floating section that has a ladder on it. The price is \$8,888 plus tax and 10% installation fee. Joe will see if the tax can be waived since we are a non-profit corporation. Sue Louis said

that she originally brought this up because of potential liability issues with the condition of our current dock/ladder and that a nice dock might help lot/home sales and overall real estate value and general appeal. Kathie Jameson said that we do have the money for this investment. Gail Rioux asked about the raft which would be an additional \$1,400. Joe has done some work on our current raft and plans to repair some of the decking. It was decided to hold off on purchasing a new raft this year and consider it as next year's meeting. The decking for the dock would be somewhat of a brown/grey color. The new dock would be in accordance with all state regulations, as is our current dock.

Questions were raised about the removal/disposal of our current dock. Joe is going to ask Hammond Lumber if they would give us \$1,000 for it since the hardware is valuable and there are some employees who repair and sell docks as a side business. If that does not work out, someone in our Association might be interested? The idea is to keep our current dock for the rest of this summer and the new one would be for the summer of 2016.

Bob Harradon made a motion that the Board move forward with the dock purchase and Kathie Jameson seconded the motion. The motion passed.

d. Road Maintenance -

Joe said that Sid Smith will be bringing in 5-6 loads of new material for road dips and for specific sections. Some places have no crown and in some instances the road bed needs to be raised to create better ditches. Joe reminded us that there have been a lot of construction vehicles on our road and that the frost was very deep this year and that this extended mud season, thus requiring more work this spring Jackie thanked Joe for all of his hard work and all present agreed that Joe does a fantastic job!

Bob Harradon reminded everyone to be mindful of our speed limit. It was mentioned that there are now children permanently living on Shore Road. It was noted that delivery trucks continue to speed.

Joe mentioned that our post office box at end of road/on Sandy River is getting full. Lakeview Estates was originally given our current box, but that an additional one would cost about \$2,000. Some members have given up their mailbox slots to accommodate those who have moved in full time. It was determined that if a new box was needed,, it would not be until next year.

Gary Potter will be plowing for his second year on his 2 year contract.

Richard Hicks mentioned that there have been 2 bear sightings this year and that we should not leave food or trash out and be careful to clean our grills.

Bob Harradon asked about a public boat launch accessible to David Pond. Joe gave us the history of public access to David Pond. Parker Pond Shores Association currently has access via a boat launch they have worked hard on off of Sandy River Road and it is closed to the public. Bob mentioned a launch off of David Pond Road that is potentially semi-accessible? Bottom line is that technically, there is no public David Pond boat launch.

Kathie Jameson said that we have a gift for Joe Longtin to thank him for his tireless efforts on the road and all that he does for LEHA in general.

G. The 2016 LEHA Annual Meeting will be at 10:00 on July 30, 2016 at Starling Hall.

H. Richard Hicks made the motion that we adjourn and Moe Longtin seconded. The meeting adjourned at 11:16 a.m.