

**Lakeview Estates Homeowners Association
Minutes for the SPECIAL Meeting
MARCH 20, 1999**

- A quorum of members of Lakeview Estates Homeowners Association (LEHA) met at 12:00 noon at Howard Johnsons at exit 8 in Portland, ME. Quorum was established with 41 lots represented either in person or by proxy. 54 lots have accounts in good standing, creating a quorum of 28 (5 lots not in good standing are lot 19 (Kaiser), lot 20 (Swinerton), lot 23 (Cavaco), lot 35 (Landry), and lot 57 (Sophy).
- Attending: Kathie Trainor (lot 1), Marsha and Tom Kroll (lot 3), Diane and Keith Krohn (lot 8), Richard Hicks (lot 11), Deena and Chet Day (lot 16), Dianne and David Gleeson (lot 17—arrived late—12:55), Austin Ogden (lot 24), Shirley and Ernest Leonard (lot 29), Ed Libby (lots 31 and 32), Edna and William Winn (lot 34), Bluegreen--voted by Ed Libby (lot 44), Alan Wilson (lot 59).
- Proxies:
- Ed Libby held the following:
 - Strong (lot 47), Luskin (lot 43), Watts (lot 52) Veilleux (lot 26), McLennan (lot 37), Lynch (lot 21), Mooradian (lot 38) and Bolduc (lot 49).
 - Richard Hicks held the following:
 - Rossburg (lots 18 and 54), DeMasi (lot 25), Jenkins (lot 14), Maroon (lot 46), Tracy (lot 30), Smith (lot 13), Carroll (lot 55), Patterson (lot 7), Casaubon (lot 12), Robinson (lot 60), Moyer (lot 41).
 - William Winn held the following:
 - Magner (lot 42).
 - Tom Kroll held the following:
 - Murdock (lot 51), Hunt (lot 9), Haddad (lot 2).
 - Kathie Trainor held the following:
 - Simmons (lot 10), Paone (lot 40), Roach (lot 53), Donlon (lot 22).
- President Tom Kroll called the meeting to order at 12:00.

Reading of Minutes

MOTION PASSED [E. Leonard/E. Winn]: Approve minutes of the 7/25/98 membership meeting as distributed. (No negative votes).

Reports Of Officers

No reports.

Unfinished Business

None.

New Business

Richard Hicks suggested the following two motions:

- **MOTION PASSED** [R.Hicks/E.Libby]: Attendance shall be listed in the minutes by name and lot number with proxies listed for each member present.
- No negative votes.
- **MOTION PASSED** [R.Hicks/D.Day]: All votes shall be called by roll call with yes and no votes listed separately by lot owner.

No negative votes.

- President Tom Kroll turned the floor over to Ed Libby to present the proposal which he sent to members 2/24/99 (copy attached).
- Ed started by clarifying his proposal: he requests an easement to use the road to develop his land.
His proposal will limit the overall development of the land to no more than 4 lots and a permanent conservation easement with pedestrian access granted to members of LEHA. He does not want to add the new lots to LEHA. In fact, in speaking to the DEP last week, Ed learned he cannot put these lots in the LEHA development (he has a letter from the DEP).
- Ed gave a timeline of the lot purchase and additional land parcel purchase and permits. He explained he was here today to get a vote from the Association. He requires a vote of "no" to use of our road to proceed with his alternative road.
- Mr. Libby discussed a letter sent out by Richard and Elizabeth Hicks to some LEHA members (as private lot holders, not board members and at their expense).
Ed requested the letter be added to the record.
Going point-by-point, Ed discussed the items in the memo.

This was followed by a rebuttal by Richard Hicks. He distributed a "Statement Outline" to the members in attendance (copy attached).

This was followed by much general discussion of the issues by those in attendance.

Kathie Trainor gave an historical perspective of lot 32 including the improper logging in the past which necessitated legal fees to the Association.

Keith Krohn asked who would be responsible for the access road to Ed's development.

The general agreement was to list the restrictions which would need to be in place in order to have Ed Libby's proposal addressed.

The following motion was made:

MOTION DEFEATED [C.Day/E.Winn]: That we grant preliminary approval of the following:

1. An easement (right of passage) for four new lots to use LEHA roads.
2. Private driveway on lot 32 and other new lots with deeded right of way.
3. Deed specified maintenance fees paid to LEHA.
4. Legal costs related to LEHA/Libby proposal from today on, borne by Ed Libby.
5. Enforcable deed restrictions as good or better than Lakeview Estate lots.
6. Minimum home size 50% greater than Lakeview Estate lots.
7. Waterfront access for hand-carried boats part of the conservation land.

Work the proposal with attorney, Howard Lake and others for final vote at the annual meeting. The final proposal to be mailed out to members six weeks prior to the membership meeting.

[Voting: 23 against, 18 for]

Against: Lots 1, 2, 3, 7, 9, 10, 11, 12, 13, 14, 18, 22, 25, 30, 40, 41, 46, 51, 53, 54, 55, 59, 60.

For: Lots 8, 16, 17, 21, 24, 26, 29, 31, 32, 34, 37, 38, 42, 43, 44, 47, 49, 52.

Following defeat of the above motion, the following motion was proposed:

MOTION PASSED [D.Gleeson/C. Day]: Direct Ed Libby to revise his proposal to include the stipulations agreed upon today to work with Howard Lake and others to present a final proposal for vote at the annual meeting. Final proposal to be mailed to members six weeks in advance of the annual meeting.

No negative votes.

Other Business

None.

MOTION PASSED: [R/Hicks/T. Kroll]: Adjourn. Meeting was adjourned at 4:00 P.M.

Respectfully submitted,

Deena Day, Secretary, LEHA