

## **Lakeview Estates Homeowners Association Minutes for the Annual Meeting - July 29, 2000**

A quorum of members of Lakeview Estates Homeowners Association (LEHA) met at Starling Hall (Fayette Grange) in Fayette, ME. Quorum was established with 25 lots represented either in person or by proxy.

Present: 1,3,4,9,11,16,17,18,19,34,42,54.

Proxies: For T. Kroll: 2.

For R. Hicks: 15,30,52.

For D. Day: 10,14, 44,55,58.

For C. Day: 32,35,53.

For P. Magner: 40.

President Richard Hicks called the meeting to order at 4:20 P.M.

### **Reading of Minutes**

**MOTION PASSED** [K. Trainor/H.Hunt]: Approve minutes of the 7/31/99 Annual Meeting minutes as distributed.

### **Reports Of Officers**

#### **President's Report:**

Richard Hicks reported that LEHA Treasurer Dianne Gleeson is resigning. He appointed Edna Winn to fill the position. There was discussion as to whether two people from the same family should serve on the Board at the same time, in this case Edna Winn as Treasurer and Bill Winn as Vice President. Bill said he would be willing to step down. Dianne was willing to continue on the Board in another capacity, so Richard accepted Bill's resignation and appointed Dianne Vice President.

Richard also said he has a new LEHA online discussion site, [www.delphi.com/LEHA](http://www.delphi.com/LEHA), with message boards, chat capabilities and links to the regular web site with information such as LEHA properties for sale, etc.

#### **Treasurer's Report:**

Treasurer, Dianne Gleeson, gave a verbal report of receipts and major expenses to date—a copy of the report to be included with the minutes of the meeting. She reported that the Fiscal Year Report is delayed due to software problems and will be filed at a later date. The report was accepted as given.

**MOTION PASSED** (unanimously)[M. Kroll/C. Magner] Accept treasurer's report as reported.

#### **Secretary's Report:**

Deena Day reported that responses to the Annual Meeting notice is poor so that we don't know, until the last possible moment, whether or not we will have a quorum. As many people travel a long distance to the meetings, it is an inconvenience and a continuing problem. She asked for ways to improve this situation. It was suggested that a fax number be added so people can respond more easily.

### **Committee Reports**

#### **Common Lot Report:**

Chet Day read Ed Libby's Common Lot Report. LEHA had appropriated funds at the 7/3/99 meeting for maintenance and repairs to the dock and fencing as well as for an addition to be put on the dock. Items completed within the budget were extensive repair of the existing dock and construction of two new 10' by 5' sections. The repair work made the existing dock safer to use and easier to handle each time it needs to be put in or taken out of the water. The dock was lowered closer to the water to add stabilization. New sections extend the end of the dock out into the lake far enough so that there is ample water at all times of the year to either bring a boat up to the dock or let yourself in to swim. A cleat was added for temporarily tying up a boat. Safety caps are on order to place on the tops of the pipe framing and a large anchor will be added at the end of the float. Fence posts and rails have been located and will be installed within the next few weeks. Ed thanked Richard for helping with the bush hogging and weed whacking of the parking lot, walkway, and picnic areas.

The following items were discussed as possibilities to further enhance and maintain the common area:

- (1) Construction of a larger paper bin in the recycling area as the current one is not adequate.
- (2) Replacement of the swim ladder on the swim float. Hugh Hunt and Richard Hicks expressed concern that the \$450 estimate to replace the ladder may be high.
- (3) Construction of a canoe rack.

Ed suggested LEHA appropriate \$1000 for items 1 and 3 with Item 2 falling under maintenance of existing facilities.

Discussion followed the report adding that picnic tables are starting to deteriorate and will need to be replaced. Also, the driveway down to the common lot needs work. Discussion indicated that safety should be the committee's first priority.

**MOTION PASSED** (unanimously)[C. Day/E. Hicks] To set aside \$1000 to the Common Lot Committee to spend for next year on improvements.

[Common Lot Committee: Ed Libby, Chet Day, Hugh Hunt, and Paul Magner.]

**Caretaker:**

Chet Day reported that snow removal had been good last winter and the road passable. Mowing the sides of the road was suggested, but when Chet met with Wes Bowen (who takes care of the LEHA roads), Wes thought it would be more important to ditch the sides of the LEHA roads. This was generally acceptable to those present who suggested the Board should determine the maintenance amount for the roads and to ditch as much each year as we can afford. Riprap is to be added in certain problem ditch areas.

Chet also reported that the rocks barring illegal vehicle access to the Basin Pond easement area had been moved. Wes indicated he could put in bigger ones. Richard Hicks cautioned we must leave room for snowmobiles. (See addendum)

**Recycling and Waste Removal:**

Deena reported that rubbish and recyclables removal is working well. Only clear plastic bags are to be used for rubbish. Recyclables are to be sorted out and placed in the appropriate bin: No. 2 plastics, Glass, Metals. Paper is divided by: (1) corrugated cardboard and brown paper bags (2) newspaper, catalogs, phone books, magazines and (3) mixed paper. Keep paper dry. Recycling Flyers and Composting Brochures were distributed at the meeting. Contact the secretary for additional copies.

## Unfinished Business

**Fire Safety:**

Richard Hicks has been trying to contact Adrian Polky, Fayette Fire Chief, regarding the possibility of installing a fire hydrant at the Common Lot as discussed under "New Business" at last year's annual meeting. Richard's information is that it costs \$850-900 to put in dry hydrants, perhaps less expensive if you put in more than one.

**MOTION PASSED** [E. Hicks/K.Trainor] To appropriate money, not to exceed \$1500, for fire prevention in case a feasible method can be determined.

Against: W. Winn.

## New Business

**Driveway/Culvert policy proposal:**

Richard discussed a possible Driveway Header Culvert Policy, copies of which were distributed at the meeting. Chet explained that the cost of adding culverts when putting in driveways is nominal (around \$200) but lack of culverts, where needed, can potentially cause a lot of damage to the road and can be very costly to LEHA membership.

General discussion followed with the following points made: LEHA is vulnerable to costly road repairs when proper driveway construction is not adhered to. LEHA owns 18' of common land adjacent to the roads. Article #5 in the Declaration of Restrictions (Patten Book) outlines restrictions for new building or re-grading and natural drainage of surface water.

[Declaration of Restrictions Affecting Property of Patten Corporation of Maine, Lake View Estates, in the Town of Fayette, County of Kennebec, and State of Maine. " 5: EXTERIOR APPEARANCE:

...A lot owner shall not build or re-grade so as to interfere with the natural drainage of surface water, if any, without installing suitable culverts or other drainage facilities, adequate to handle seasonal water run-off, and so designed as to discharge surface water from the lot in the same area and direction as would have naturally occurred before such improvements."

**MOTION PASSED** [E. Hicks/D. Gleeson (unanimously)]: In the interests of reducing erosion and damage to LEHA roadways, driveway headers will be inspected and the owner notified if a problem or potential problems exist during the on-going ditching of LEHA roads. If a culvert is necessary, it must be installed to comply with Article 5 in the Declaration of Restrictions (Patten Book). Road damage resulting from lack of attention to the Board of Directors' request will be repaired, and all costs will be borne by the lot owner.

[LEHA rules and regulations are in the Patten Book, distributed to LEHA land owners, and are also on the LEHA web site.](See addendum)

**.Basin Conservation Easement:**

Richard reported that there have been violations of proper usage of the Basin Pond area. He requested LEHA members cooperate with enforcement of rules, and discussed posting signs with rules for use of the area.

**Eurasion Variable Milfoil:**

Deena Day attended a meeting sponsored by Volunteer Lake Monitoring Program regarding invasive aquatic plants. Eurasion Variable Milfoil, an extremely dangerous aquatic plant, is present in all states but Maine. There is no known way to eradicate these aquatic plants once they have been established and the plant could ruin fishing, boating and swimming in lakes. Under Maine law it is illegal to transport any aquatic plant on the outside of a vehicle. Violations can result in fines up to \$500. Prevention is the key. Clean all vegetation from your boat, motor, anchor, and trailer before launching your boat or leaving a lake. Dispose of plants on high, dry land away from the lake. Avoid driving your boat through any vegetation. If you think you have seen an invasive aquatic plant in the lake, contact the Maine Volunteer Lake Monitoring Program at (207) 225-2070. Do not attempt to remove the plant because if water milfoil is fragmented it may establish itself in another area on the lake.

Brochures on invasive aquatic plants were distributed to members at the meeting. Anyone else requiring a brochure contact Deena.

**Other new business:**

**Annual Meeting Time:**

**MOTION PASSED [M. Kroll/E. Hicks]:**(Unanimously) Moved that LEHA Annual Meetings in July start at 3 PM. **[The Saturday, July 28, 2001 Annual Meeting will be held at 3 PM at Tom and Marsha Kroll's house (Lot #3) to be preceded by a picnic at 1 PM.]**

**Liens:**

Ron Masure suggested LEHA contact a real estate lawyer (he suggested Linda Gifford) to determine the LEHA liens situation. LEHA may be able to recoup monies lost when Fayette sells properties for back taxes.

**Trailers:**

Ed Libby will move his trailer(s) which are in violation of LEHA restrictions.

**Proxies:**

Ed Libby asked (by way of his proxy note) that proper proxy procedure be discussed at the Annual Meeting—that proxies be disallowed if dues were paid by other than lot owner. Ed also questioned LEHA policy on non-member participation at meetings.

After much discussion, the following motion was introduced:

**MOTION DEFEATED[C.Day/D.Gleeson]:** Any member of LEHA may invite a guest to speak to the group in a matter of interest to LEHA.

For: 16, 17, 32, 35, 53.

Against: 1,2,3,9,11,15,18,19,30,34,40,42,52,54,

Abstaining: 10,14,44, 55,58.

**Nominations for next year's election:**

President: Richard Hicks

Vice President: Dianne Gleeson

Treasurer: Edna Winn

Secretary: (to be nominated later)

**MOTION PASSED (unanimously)[C. Magner/C. Day]:** Adjourn. Meeting was adjourned at 7:10 PM.

Respectfully submitted,

Deena Day, Secretary, LEHA

**Addenda:**

**1. LEHA URL for restrictions:**

<http://www.geocities.com:80/Heartland/Shores/1753/leha/restrictions.html>

**2. Update:** Richard Hicks appeared before the Fayette Board of Selectmen during the week of August 7, to ask permission to post signs which make the restrictions clear in the Basin Conservation Easement Area.

Richard distributed copies of the Warranty Deed (Fayette holds title to the area) and the Conservation Easement (the latter is online at:

[http://www.geocities.com:80/Heartland/Shores/1753/leha/conservation\\_easement.html](http://www.geocities.com:80/Heartland/Shores/1753/leha/conservation_easement.html)

Both documents were included near the end of the "White Patten Binder", but some new owners do not have that binder.} The Board of Selectmen then passed a motion granting LEHA permission to post signs containing the following text:

**WELCOME TO THE BASIN CONSERVATION EASEMENT AREA**

Enjoy hiking, snowmobiling, fishing, and hunting on this unique parcel of land.

To preserve the pristine quality of Basin Pond, please observe the following restrictions:

No fires, No camping, No motor vehicles, No live bait

Please carry out all trash.

Thank you.

**TOWN OF FAYETTE  
BOARD OF SELECTMEN**

In addition, the Board of Selectmen requested that LEHA not place large boulders at the Basin Rd. motor vehicle access area, until they determine if a locked gate would be a better alternative, for fire safety reasons.

For additional information, contact Richard Hicks (203)634-7787, [richardh1@home.com](mailto:richardh1@home.com) or <http://members.home.com/richardh1/home.html>