

OJIBWA PROPERTY OWNERS ASSOCIATION

ANNUAL MEETING MINUTES

Date: May 25, 2013

Present: Board Members
Steve Dietz
Chuck Whitfield
Bruce Eldridge
Dave Washburn
Phil Schrock

OPOA Members in attendance represented
68 different properties.

- Meeting was called to order by Dave Washburn, seconded by Steve Dietz. Motion carried.
- Dave Washburn introduced Tim Lapham, the engineer whose firm was hired to draw the engineering plans and send out the bid packages to construction companies for the actual construction of the Windoga Lake Dam. Tim stated that 24 bid packages were sent to various construction companies and 3 proposals were returned. Mr. Lapham went on to say that he will personally be inspecting the construction as it progresses and will respond as needed if any changes are required to the engineering plans while the construction is underway.

Questions were taken from the audience:

Q - Does this affect only Windoga Lake Dam? Any special certifications required? Any inspections required by DRQ as the construction progresses?

A – Yes, this contract is only concerning Windoga Lake Dam. Only the plans are required to be inspected by the state. There are no organizations in charge of inspecting the construction itself.

Q – How long should the dam last?

A – It should last at least 50 years.

Q – Will you (Tim Lapham) inspect the foundation after it is complete, or just the entire structure once it is finished?

A – An inspection will be done at each stage of the construction, including the foundation.

Q – Who will test the concrete to make sure it is up to standards?

A – The material comes from the concrete company with the certification.

Q – Is it a requirement to have a dam?

A - No

Q – Will the tube be set in cement or just set on the lake bottom?

A – It will be set in cement.

Q – How long will the project take?

A – The dam should be complete approximately mid-August.

Several audience members raised the concern that Tim Lapham would not be inspecting the work every day and wanted to know how often he would be reviewing the construction. He stated that he would be inspecting the Windoga Lake Dam project at least once a week unless the construction company has questions and then he would be there more often.

We thank our guest, Tim Lapham for taking time out of his schedule to come to our annual meeting and answer questions from our members.

Treasurer's Report

- Steve Dietz read the Treasurer's Report

Checking Account Balance = \$45,735.00
 Dam Fund = \$65,644.50
 Savings Account Balance = \$ 7,158.44

2013 Budget – General Fund:

It was agreed to use the same budget as 2012, with the exception of treating the lakes since only one will be treated.

Expenses

Property Taxes	\$ 1,000	Subcontractor – Labor	\$15,000
Electric	1,100	Maintenance – Gravel and Sand	8,000
Gas and Oil	4,500	Maintenance – Equipment	1,000
Insurance	2,000	Maintenance – Lakes	6,605
Office Expenses	2,000	Maintenance – Airport	2,000
Officers Pay	1,300	Miscellaneous and Fees	200
Legal Fees	3,000	Professional Fees (accounting)	1,500
Vehicle	300		

Note: Only one lake was treated in 2012. Sand, gravel, equipment and legal were all put on hold due to the Windoga Lake Dam emergency.

2013 Budget – Dam Fund:

Expenses

Engineering	\$ 17,000
Grant Preparation	1,700
State Dam Permit	700

Losses

Special Assessments Outstanding	\$ 39,492
Past Due Regular Assessments	25,192
Losses on foreclosures of unpaid lot assessments	1,250
(These losses do not include the 2013 \$50 Special Assessments)	

- The Board of Directors decided that any member who had paid their regular assessment would be considered "in good standing" and allowed to vote.

Motion to accept the Treasurer's Report as read was made by Doug Tilmann and seconded by Jessica Manley. Motion carried.

Secretary's Report

- Linda Eastman read the minutes from the Annual Meeting held 5/27/12.
 - No corrections were asked to be made.

Robert Barker motioned to accept the Secretary's Report as read. Jill Rinke seconded the motion. Motion carried.

Legal Committee

- The OPOA Bylaws allows the Board of Directors to place a lien on any property in an attempt to collect outstanding regular assessments. 19 liens were recently issued to property owners for past due accounts of regular assessments.
- Steve Dietz proposed that liens also be added to properties that members have not paid their special assessments. The vote was held during the new business discussion of this meeting and the majority voted yes. Motion carried.
- Professional fees including surveys and legal fees are projected to increase substantially in 2013 in order to pursue blight cases, file liens, and the like.
- Blight Issues Update:
 - The Association won two court cases for blight
 - The property owner must clean the property, pay the lawyer's fees and any other court cost accrued for this matter.
 - If the clean-up is not done, a third party will be called in to clean the property, which the property owner will be responsible to pay for.
 - The Association has the right to seize property (vehicles, etc.) if the fees are not paid.

Doug Tilmann motioned to accept the Legal Report as read Steve Dietz seconded the motion. Motion carried.

President's Report

- Dave Washburn read the President's Report which included the following proposals:
 - Add annual fees for weed control in the lakes to the each member's property taxes
 - Public Act 188 allows such services that are consistent in the budget to be included as part of the property taxes.

- Those services that are not part of the annual budget, but are desired by the Association members, such as dust control on the roads, can be added to the property taxes in the form of a bond.
 - A bond may be stretched over multiple years.
 - The township would collect the bond monies and pass it on to OPOA.
 - There would be approximately \$3,500 to \$4,500 in legal fees to start this process. The township fees would be about \$2,500, for a total of \$7,000 approximately.
 - The bond could cover the repair of the dam(s).
 - Any monies already paid for the special assessment to repair the dam would be credited to member's account and not charged again on their property taxes.
 - These options would require a majority vote by the membership on signed ballots before they could be passed.

Doug Tilmann motioned to allow Dave Washburn to spend legal fees to investigate these options. Tamera McKenzie seconded the motion. Motion carried.

- Changes to the By-Laws
 - Dave Washburn proposed to add 3 additional members to the Board of Directors.
 - The three new positions on the Board would allow for three Trustee positions.
 - Since this is a new proposal, Dave suggested that the three new Board members be the three candidates that ran for the Board, but did not get positions.
 - The candidate that received the third highest votes would be on the Board for three years.
 - The candidate that received the fourth highest votes would be on the Board for two years.
 - The candidate that received the least amount of votes would be on the Board for one year.

Doug Tilmann motioned to add the three Board members positions as proposed. Jessica Manley seconded the motion. Motion carried.

- The By-Laws state that an audit should be performed every year.
 - The accountant wants to charge \$3,000 to \$4,000 to perform a formal audit annually.
 - The first audit would be about \$7,000.
 - We receive a financial statement from the accountant today and quarterly statements from the bank.
 - The proposal is to have the Trustees be in charge of reviewing the statements for errors and creating a report of their findings.

Steve Sprague motioned to have the three Trustees review the financial statements in lieu of a formal audit. Robert Barker seconded the motion. Motion carried.

- There are currently three paid positions on the Board:
 - President is paid \$500 annually
 - Treasurer is paid \$500 annually
 - Secretary is paid \$300 annually
- The proposal is to add a Webmaster as a paid position at the rate of \$500 annually, and to increase the wage of the Secretary to \$500 a year.

Jessica Manley motioned to increase the stipends of the Secretary position and add a webmaster as a paid position. Patricia Martin seconded the motion. Motion carried.

- Add Article VI Section 7
 - Any Special Assessment not paid in full within one year after the due date shall be subject to a lien placed on said property including all expenses to process said lien.

Steve Sprague motioned to add Article VI Section 7 to the By-Laws. Doug Tilmann seconded the motion. Motion carried.

Building and Use Restrictions

- The Building and Use Restrictions have been challenged by a OPOA member, charging that they are not legal as they were registered 18 years ago without the 51% written consent of the membership.
- The current Building and Use Restrictions were written in 2010 and those are the ones the Association operates by currently.

- It is widely agreed that the Building and Use Restrictions need to be corrected and a committee was formed to make the suggested corrections.
 - Is OPOA set up as Plats or can it be treated as a single unit?
 - Several spelling or misused words in the document.
- The proposal made by Dave Washburn is to hire an attorney that specializes in Government/Cities/Municipalities and Real Estate, Mr. Clifford Bloom from Grand Rapids, MI and have Mr. Bloom rewrite the Building and Use Restrictions to make sure they are legal and correct.
- The membership at OPOA will vote on the final draft, and depending on the results of that vote, the updated Building and Use Restrictions will be filed.

Steve Sprague motioned to hire Clifford Bloom to rewrite the Building and Use Restrictions for OPOA. Tamara McKenzie seconded the motion. Motion carried.

Architectural Committee

- The only update to the Architectural Committee's report is that there were two name changes to roads inside of Ojibwa.
 - One renovated road changed from Windoga Lake Road to Tillman Road.

Election Results

- The election for two seats on the Board of Directors was held. 386 Ballots were submitted. The two candidates that received the majority of votes are:
 - Steve Dietz
 - Dave Washburn

Congratulations to Steve and Dave. We thank them for their continued service to The OPOA.

There were also three other candidates running and they are listed in the order of greatest votes to least:

- Janet Hanner (three year term)
- David VandenBussche (two year term)
- Robert Barker (one year term)

The following positions will be held by the Board of Directors for 2013:

Steve Dietz	President
Dave Washburn	Vice-President
Bruce Eldridge	Vice-President
Chuck Whitfield	Vice-President
Janet Hanner	Treasurer
Robert Barker	Secretary
David Koehler	Trustee
Phil Schrock	Trustee
Dave VandenBussche	Trustee

Old Business

- At the Annual Meeting in 2012, the proposal to reduce the Association dues for vacant lots was tabled.

Bill Southorn motioned to take the issue off the table. Doug Tilmann seconded the motion. Motion carried.

- Doug Tilmann stated that there would be a substantial reduction in monies collected for the Association and the dues structure should be left as it is since the Association still needs to operate under the same budget.

Dave Washburn called for a vote on adopting the reduced dues for vacant properties. The proposal was defeated.

- There has been a proposal to pursue setting up an account to allow members to pay their dues electronically.
 - The thought was that such payments could be made from a link on the website.

Motion to investigate this option further was made by Betty Tilmann and seconded by Bill Southorn. Motion passed.

- Nominations for new Board members for 2014 were made.
 - Betty Tilmann nominated Doug Tilmann
 - Doug Tilmann nominated Steve Sprague

New Business

- Rose Jackson motioned to have only one vote per member, instead of the current structure, which is one vote per lot. Seconded by Dave Ostipow. After much debate, the motion was declined.
- A proposal was made by Earl Grabel to reduce the speed limit within Ojibwa to 15 MPH in an effort to make people slow down when driving within OPOA. Seconded by Debby Miller. The proposal was turned down in a vote.
- The new website has been created.
 - The address is MYOPOA.com
 - The website is partially populated, but is not complete.
 - As soon as it is complete, more information will be added.
- A motion was made by Fred Hartway to request “the Board take the necessary steps to remove the wording (from the By-Laws) that specifies that voting proxies can be held for three years and make them good for one year only as it is neither fair nor equal to the second and third year candidates.” Motion was seconded by Steve Sprague. Motion carried.

Dave Washburn made a motion to adjourn the meeting. Steve Sprague seconded the motion. Motion carried.

- The next All Members Meeting will be held on the Saturday of Memorial Day Weekend, 2014, unless a special meeting is required before that.