

Thursday, November 16, 2023

Lake Hauto Club Annual Meeting: 7:00 PM Community Center

Agenda:

1. Maria Matsago, President

- a. Calling the meeting to order.
- b. **Note:** Meeting is being recorded.
- c. Pledge of Allegiance
- d. Welcome & Updates.
 - Thank you to all our volunteers at the lake. If anyone would like to volunteer to help, please call the office or reach out to maintenance.
- e. President's Remarks

Email was sent out with the offices holiday hours.

2. Amy York, Secretary

- a. Reading of the October 19, 2023 minutes. (This can be by-passed by a motion).

MOTION: AY

SECOND: CT

ALL IN FAVOR: AYE

- b. **2023-16-11:** Motion to approve the October minutes

MOTION: AY

SECOND: RB

ALL IN FAVOR: AYE

3. Craig Tiano, Treasurer:

- a. Treasurer's report
- b. Motion to approve Treasurer's Report
 - MOTION: RB
 - SECOND: AY
 - ALL IN FAVOR: AYE
- c. Motion to approve all bills received up to 11-16-23
 - MOTION: CT
 - SECOND: RB
 - ALL IN FAVOR: AYE
- d. Approval of revised budget.

MOTION: CT

SECOND: RB

ALL IN FAVOR: AYE

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Committee Updates:

4. Maintenance (Docks/Dam/Water Safety/Beaches/Building & Grounds/Beautification):
Ryan Barwis and Dave DeMelfi
Oil burners were serviced
Eastwood and Oakwood bathrooms winterized
Leaves cleaned up at Crescent and Oakwood
The rec center roof and gutters were cleaned
Motion light installed at rec center entrance
Tennis and bb courts have been blown off numerous times to prevent staining
Most trash cans have been emptied and taken out of service until spring
The plow trucks have been serviced and inspected
In the process of hooking up the attachments of trucks and equipment and testing them
Pushed the mulch area a couple of times
Replaced a faulty lock at mulch area
We have been seeing a problem with East exit gate staying up
We are in the process of diagnosing what component is failing so we can make the repair

5. Sub-Committee:
 - a. Docks: Rick Harms

Received 70 new floats for replacement and also dock brackets

lumber to be order this week

dock repairs planned during winter months in order to be ready for spring

 - b. Building, Grounds, & Roads: Ryan Barwis

Covered under Maintenance, nothing new to report

 - c. Beautification Committee: Amy Yorke (Liaison)

The committee would like to thank all the members support and help

throughout the year and let them know it is very appreciated!

 - d. Security: (Gates/Cameras/Other): Chair: Joan Demetriades

Members have noticed that the East gates have remained in the open position

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more frequently than usual over the last month. Maintenance has been able to reset them. However, the system will be checked in the next week or two to improve reliability.

e. Permits: Chair: Craig Tiano

No new permits, all that were received were completed.

g. Recreation: (LH Events/Summer Entertainment/Lifeguards/Fish):

Chair: Jen Barwis, Co-Chair: Maria Matsago

Paint and sip was a success, kids christmas party is on Dec 9th from 12 to 3 carriage rides, santa, crafts, and food and drinks.

Email was sent out with all the information

The home christmas decorating contest will be judged on Sunday the 17th between 6-9

Email went out from office with details

h. Fishing Club: Rick Harms (Liaison)

Fall stocking complete including 200 trout into Crescent launch (Nov 1) along with minnows released the week prior, thanks to all the donors for support.

One homeowner reached out for suggestions on spreading out dispersion minnow forwarded comment to fish club who will have it for consideration

Fish club meeting held and Feb 24th is confirmed for the chili/boilo contest.

New Business:

Please wait until the Open discussion part of the meeting for any questions or comments.

In 2019, Ken Snyder, our club President at the time, announced that Lake Hauto Club was not a Homeowners Association. Tom Nanovic, our club attorney at the time, stated that Lake Hauto Club was, in fact, a Homeowners Association. It turns out that both of them were correct, depending upon what section your lot is located..

As a result of a recent lawsuit, we were forced to research this issue further. James Brando, our current attorney, has determined that lots in Eastwood and Oakwood are not mandated by deed to be members of Lake Hauto Club. For Eastwood and Oakwood, Lake Hauto Club is considered the successor to the developer, the owner of the roads, and a recreational club. For Eastwood and Oakwood, Lake Hauto Club still issues permits and enforces rules on community property in our role as successor to the

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developer. The big change that this discovery has generated is that we must offer lot owners in Eastwood and Oakwood the opportunity to pay a road maintenance fee instead of full dues. If the owner chooses to pay the road maintenance fee instead of full dues, they will be considered NOT in Good Standing by the club, and will be prohibited from voting and using all club facilities.

The road maintenance fee is calculated by allocating the cost of road maintenance and repair, including road shoulders and drainage systems that are part of the road system, by the total number of lots. For 2024, the road maintenance fee will be \$550.94, versus the full dues of \$730.14. For people joining the Club, the Capital Improvement Fee still applies. The Capital Improvement fund, traditionally used for road and drainage work, will be restricted to those activities going forward.

Rule Changes:

Add Rule J9:

J9: "Development" shall mean any one of the Eastwood, Oakwood, Lake Hauto Woods, Tall Oaks, Birch Pools or Westwood real estate subdivisions within the Lake Hauto Community.

Members of the Club are licensed to access the real property of the Club only pursuant to the bylaws and these rules and regulations. A member must be in good standing in order to access any recreational areas and use any amenities owned by the Club. A member shall only be permitted to access such recreational areas and use such amenities as are provided within the Development in which the lot for which the member pays recreational dues upon is situated. Any member who owns a lot in a Development where the recreational dues are not paid for such lot may not access or use the recreational areas and amenities in that Development. Any member who owns a lot in a Development where recreational dues are paid for the lot in that Development and who also owns a lot in another Development where the recreational dues are not paid for in that Development may only use such amenities and access such recreational areas as exist within the Development for which recreational dues are paid. The Club shall permit a member in good standing in any one Development to access its recreational facilities and use its amenities in all other Developments so long as such member has paid recreational dues for all lots that such member owns in any and all Developments. The members may assign their rights to use of Club amenities and access to Club facilities and recreational areas to their invitees, guests and lessees, but only to the same extent that the members themselves have the right to use and access Club property pursuant to these rules and regulations. In addition to this rule, all members, their invitees, lessees and guests, shall have the right to access the recreational areas and use the amenities of the Club only in accordance with such rules and regulations as to time, place and manner of use as the Club may promulgate from time to time.

Motion : CT : 1 NAY , 1 Abstain DD 6 in favor changed passed

Current Rule S1: Full Fees must be paid on all improved properties (i.e., 3 lots with 3 homes pays full fee on all 3 lots; 3 lots, only 1 lot with home, pays 1 full fee).

Proposed Rule S1: The full annual dues, calculated per lot, must be paid on each property in Lake Hauto Woods, Westwood, Tall Oaks, and/or Birch Pools.

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a. Owners who only own properties in Oakwood and/or Eastwood, and who do not own properties in Lake Hauto Woods, Westwood, Tall Oaks, and/or Birch Pools, may choose to pay full annual dues per lot, or a road maintenance fee calculated annually per lot. Owners with multiple properties in Oakwood and/or Eastwood are required to pay the same rate on all properties in Oakwood and/or Eastwood, and may not split their choices by lot. e.g., a Member with two properties may not choose to pay full annual dues on one lot and the road maintenance fee on the other.

b. Owners owning property in Oakwood and/or Eastwood and property in Lake Hauto Woods, Westwood, Tall Oaks, and/or Birch Pools are not eligible to choose to pay the road maintenance fee on their Oakwood and/or Eastwood properties.

Motion:CT

Second: RB

All in Favor:AYE

Add Rule S3:

S3: Members eligible under rule S1 who elect to pay only a road maintenance fee, shall be considered NOT in Good Standing, and shall be prohibited from voting in elections and referendums, registering recreational equipment and boats, using recreational facilities, renting community beaches, renting the community center, renting boat slips, using the boat ramps, fishing, and being on any club property except for the roads. Owners choosing to pay only the road maintenance fee shall be required to sign a statement which acknowledges their loss of standing.

Motion:RB

Second: CT

All in Favor:AYE

Add Rule S4:

S4: Members eligible under rule S1 who elect to pay only a road maintenance fee and later choose to become full Members in Good Standing shall be required to pay the Capital Improvement Fee to re-join the club plus any special assessments made during the period they were paying only the road maintenance fee. Re-titling the property to avoid paying the special assessments shall not be permitted.

Motion:RB

Second: CT

All in Favor:AYE

Section T deals with invoices and payments.

Current rule T1:Annual dues shall be payable by the first day in March. The dues may either be postmarked or in the office by said date. Members paying with checks that are returned incur the same penalty as members not paying on time.

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Proposed rule T1 Annual dues or road maintenance fees shall be payable by the first day in March. The payment may either be postmarked or in the office by said date. Members paying with checks that are returned incur the same penalty as members not paying on time.

Motion:CT

Second: AY All in Favor:AYE

Current rule T2: Dues paid between March 2 and April 1 shall incur a 5% penalty.

Proposed rule T2: Dues or road maintenance fees paid between March 2 and April 1 shall incur a 5% penalty.

Motion:AY

Second: RH All in Favor:AYE

Current rule T3: Dues paid after the first day in April shall incur an additional 10% penalty. That is, a total penalty of 15% of the original dues amount.

Proposed rule T3: Dues or road maintenance fees paid after the first day in April shall incur an additional 10% penalty. That is, a total penalty of 15% of the original dues amount.

Motion:AY

Second: CT All in Favor:AYE

Current rule T4: Dues notices shall be mailed by the seventh day of December or as soon as possible after that date.

Proposed rule T4: Invoices for Dues and road maintenance fees shall be mailed by the seventh day of December or as soon as possible after that date.

Motion:CT

Second: RB All in Favor:AYE

Welcoming New Members:

None

Open Discussion

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Marcia Evans states most members recognize that the board works hard. Marcia asked how much is the cap improvement fee, Craig T states the same as last year. Marcia also asks how we can govern a club and homeowners association at the same time.

CT states were learning as we go and taking advice from our attorney.

Steve Lucash asked how many citations were collected by security this summer?

Craig states it was not many but will get the info from the office on how many citations given and amount collected.

Regarding the rule changes and additions members had questions, the board stated this has all come about because of litigation from a member last month, and due to litigation we spent \$5000 on the investigation, attorney says these rule changes must be done before invoices go out to the membership. Our attorney did extensive research on this litigation.

Lenny Cizak, also asking about citations, again CT stated he was aware of a lot of warnings, but not sure of the amount of citations, Lenny states then why have security?

Ray Doyle states everyone wanted security in the past, and suggest maybe the violators break the rules he suggests posting it in an email.

Ray in regards to the rule changes states the board has the members best interest at heart and we would of never know these changes had to made until a member sued the lake

John Markovitch asked what we will do with the security vehicle? Board states not known at this time.

Sue Nelson asked if the board would consider leave collection as a possibility., Board suggest her calling rush township and ask to be included when they do rush's leave collection.

Sue also asked what is going to happen to Great Oaks Rd and dogwood, can it be chipped and tarred? Ryan states that doing it is very cheap that is why it is bad because it is only a temporary fix and costly.

Motion to Adjourn RB Second:MM All in favor: aye