

02/06/2019 – EFAC Board Meeting Minutes – 6pm ET

In attendance;

Randy Plew

Sharon Anson

Jim Lease

Tom Earhart

Gerry Powell

Matt Shipman

Matt joined us to discuss the conference call with the Judge and K/G's attorney Helms this morning 02/06/2019 in regard to Court document (CASE NO. 43C01-1710-PL-105).

Matt's take on the comments made at the conference indicate that if we have no additional findings to present the outcome is pretty well settled that we will not have a favorable judgement for our case at trial. With no further documents to support that the Conference and/or K/G granted us this space for the Community Pier other than the location being used with the Conference's permission all these previous years the comments seem to indicate they are the owners of the property and not the Conference it is their right to claim a pier location on the shoreline.

Matt & Helms talked about a possible settlements where we remove the sockets that were installed for the Community Pier and an acknowledgement that they were considered a lakefront owner with rights to claim their 24ft of frontage usage at their location and allowing room for one off-shore assignment as indicated in Exhibit "E" of the Court documents.

Tom asked how does this affect any off-shore assignments – at these locations? With the conditions sent forth in the Judgements, Matt and the Board feel that the existing assignment of the off-shore pier 64A at K/G would not be in jeopardy.

Matt will work with Helm's and K/G to determine the 24ft of frontage to be used which Helm's believes will be the East most 24ft of shoreline.

Huntington/Trinity has continuously supported the Community Pier option. After review of the preliminary documents & conference notes that Matt provided the Board a Community Pier option at this location is a direction we do not want to take. The cost of new sockets installed – new pier arrangement and then not having a permanent agreement that the Pier can remain at this location for the future does not seem to be a wise financial decision.

At this time, we feel we need to make contact with Huntington/Trinity indicating their need to choose the location of their Pier 65 but also allow for the assignment on one off-shore location on their lakefront.

The existing Community Pier being stored by Josh Handyman Service will be disposed of by;

1. Offering the pier & support's to Josh as partial payment for the storage of pier in 2018
2. Offer some supports to Hunting/Trinity for placement of their pier at a nominal cost
3. Dispose of the remaining material as needed

Randy will contact a Pier Company for an estimate to remove the sockets used by the Community Pier. He is also going to go through the Finance records to determine the remaining money associated with the Community Pier to cover this removal cost. Quick-books is presently off-line at the Accounts office for tax audit/filing. A final tally of legal costs & above-mentioned bills associated with the Community Pier will be tabulated so these costs can also be account for and payed with the Community Pier funds.

Matt & Randy will also work together on the billing received by EFAC for the Community Pier services from Shipman's law firm to verify the correct billing of services.

Matt left the conference call at 5:36pm

Tom provided a draft letter on the Pier 35 issue to Matt concerning his usage of over 24ft & the blocking of Pier 35a from being installed. Matt has since sent this letter under his law firms name to Mr. Roberts detailing the need corrections. No response has been received from Mr. Roberts' as of this date.

The budget was discussed and fees for the upcoming 2019 year.

Jim initially proposed a \$35.00 fee based on his analysis of the 2018 budget and expenditures and his projection of required funding needed for 2019.

Gerry agreed that a reduction could be done but felt that it should only be rolled back to the 2017 level of \$100.00. Issues coming in 2019 associated with Pier 35 & and a pier removed by the prior Board which might come under litigation this year, might require additional funding.

After some additional conversations between all Board members, a compromise fee of \$65.00 was agreed upon for 2019. Randy will create a mock-up invoice for all to review with the additional notes we had discussed concerning piers being numbered on the stringers and that it would be nice to see these number on the end of the pier also.

A note indicating the post mark date payment is due. With an increase to \$85.00 for being one month late - \$105.00 for a second month from post mark date. The third month will be legal action for a lien on lakefront property up to \$500 per month and the loss of the pier space for off-shore assignee's and that space being transferred to someone on the off-shore wait list.

A possible off-shore pier location was identified near pier 63 and on the West side of the K/G lot 64 which is an easement for a roadway which is on the Epworth Forest Plat, this will need review after the piers are added for the 2019 year.

We need to get the website issue resolved ASAP since we need it moved to a new host site after R. Presser's notification that his site will no longer be available. Gerry is contacting the Webster Lake Conservation Group to inquire about the company hosting their site and our possible use of the company for the epier.org site.

Jim left meeting at 6pm

There have been some changes in ownership of some 2nd trail property that Randy mentioned (Jill Piper – Betty Harde) and then a “Henry” Sharon seemed to know some of the people mentioned – more investigation will be needed to get records corrected.

Meeting closed at 6:12pm

EFAC Secretary – G.Powell