

05/14/2019 – EFAC Board Meeting Minutes – 6pm ET

In attendance;

Randy Plew

Sharon Anson

Jim Lease

Tom Earhart

Gerry Powell

2<sup>nd</sup> draft of Board minutes from 04/16/2019 were reviewed

Motion to approve by Jim – 2<sup>nd</sup> by Sharon – all approved

**Matthew R. Shipman wrote in email of 05/13/2019 at 10:23am**

Also, assuming that we get the KGUMC case wrapped up shortly, I need formal direction on what to do about the group pier application that is pending with the DNR. From our previous conversations, I was under the impression that you did not want to pursue this anymore but I was not sure if you officially voted on that. Let me know so that I can let the other attorney know.

Thanks

**Matthew R. Shipman**

**Jim Lease wrote in email of 05/13/2019 at 1:48pm**

Let's rescind the application to DNR and let Matt take care of official paper work

That is my vote Sharon.

Jim Lease

**Randy Plew wrote in email of 05/13/2019 at 2:31pm**

I vote no and think we should contact the DNR about canceling the permit

Randy's vote and comments will be excluded as part of the Boards Vote since he is part of the existing litigation on the 2<sup>nd</sup> trails issue, This will eliminate any conflict of interest in this matter.

**Gerry Powell & Sharon Anson in Board Meeting of 05/14/2019**

Both agreed that Matt should take care of any official paperwork needed to close the DNR request for a Community Pier at the 2<sup>nd</sup> Trail in Epworth Forest.

Sharon asked about a possible Community Newsletter. Could be an option, but we need Website updated and moved off of its present host site. The Website is still up & running on the old site that was hosted by R, Presser's company. Gerry will contact IT Company in Warsaw about making these changes, updating the site and providing services to maintain the Website. We will need to get the Admin passwords and codes from R. Presser to proceed. Randy has not been able to contact Richard or his son for any further information.

Gerry will email costs from this company for all to review and vote on using this company. If all is agreeable on pricing all past documents will be forwarded to this company for upload.

Randy provided financial P&L spreadsheet and updated pier list in email to the Board.

New pier list shows pier 64A is Willig, 91C & 65A are open, Board will review options on assignments to these slots and will bring the matter to the floor in the next meeting.

Balance in account is +24K as of this date and one bill needs paid to the 5<sup>th</sup> Board member T. Earhart for \$240.00, Sharon made motion to approve payment – 2<sup>nd</sup> by Jim – all approved.

Open invoices total \$715.00 yet in pier fees that are due.

Randy is meeting Nick Yard on 05/15/2019 to clarify that pier assignments are not on Conference property.

Ramsey will be paying for his 2<sup>nd</sup> pier – but has worked out an agreement with Kennedy on using his 2<sup>nd</sup> pier location for year 2019. This arrangement is between these two parties and EFAC is not involved in the situation.

James Broadbent has been sent two invoices; both have been returned. Randy will make a face to face connection with James at his location at 8847 Wesley to address the invoice issue.

Randy will email all those individuals with open invoices again by the end of this week requesting payment with the associated late fee added.

Randy has been approached via email and by contact asking about Pier Transfer forms on properties being sold. Transfer form are not needed for on-shore sales, only off-shore sales that have a pier associated with the property need this form. It can be found on the Website and downloaded. This form needs to be filled out by the new property owners at the time of purchase. The transfer form is then to be emailed to [efpier@gmail.com](mailto:efpier@gmail.com) so it can be recorded on the pier list. Off-shore piers stay with the property they have been assigned to, unless there are EFAC rule violations or non-payment of pier fees.

Insurance policies and liability coverage has been questioned for off-shore assignees. More analysis is needed to determine if liability coverage will cover the off-shore pier. Jim made a motion and Sharon 2<sup>nd</sup> for Tom to work with Matt to determine if possible, what the insurance companies will cover or not cover in the policies that are issued for liability.

Sharon asked Randy about the End of Year report from Link Accounting. They have completed out taxes but the report has not been issued. Sharon asked Randy to contact Link to expedite the report for our next meeting, Randy indicated he will contact Link this week.

An issue with Pier 9A was brought up by Jim and his concern about its placement and usage in an area that he indicates has limited depth for boat usage. This location will be reviewed by Gerry, Jim and if possible the assignee to pier 9A over Memorial Day weekend. Previous Board member Kara Lusby has looked at this location & Gerry will try to contact her for any knowledge of this situation.

Jim indicated that not all piers being added have the pier number affixed to the pier. We all need to review the pier assignment list and contact those not numbering their piers as we walk the lakefront.

In regard to the letters from Mr. Roberts and physical review of the shoreline by an on-shore & off-shore Board member, it has been determined to meet the Court Rulings of 1994, 2014 and subsequent findings in Court cases in 2016, Pier 35A can be installed on the far east 16ft of Lot 35 as shown in Exhibit "E" of the court documents. It was further agreed that this notification should be sent by our legal consul, Matt Shipmen to both Mr. Roberts and to the Dingedines who will be installing pier 35A.

In regard to shoreline blockage by both the Smith's at Lot 33 and the Miller's at Lot 34, Jim has agreed to contact both parties along with Randy and ask for removal of the blockage so at least 3ft of space exists for passage at both locations. Randy indicated that the Court rulings indicate that nothing is to be stored in the easement along the shoreline. Further review of the Court Documents will be needed to verify the location of this directive.

Next meeting set for 06/18/2019 at 6pm ET

Meeting closed at 7:04pm ET

G.Powell – Secretary