

02/13/2018 – EFAC Board Meeting - 6PM ET

In attendance;
Richard Presser
Kara Lusby
Randy Plew
Tom Earhart
Gerry Powell

11/20/2017 meeting notes were approved & adopted with just one correction a spelling Kursh to Kirsh

Kara working with our attorney Matt shipman asked the court about including the assignees to the community pier on the court proceedings. The Judge indicated no that would not be done. The court proceeding was to establish if the community pier would remain at its location in accordance with the 2014 Exhibit "E" or if Kokomo-Grace should be assigned 24ft of space. However - the Judge would allow assignees to be interveners if they choose to join the lawsuit.

An email vote was taken prior to this board meeting with Kara, Richard & Gerry agreeing – Randy dissenting – that Matt will send notification to community pier assignees informing them of the lawsuit. This will let each person determine what if any actions they would like to take concerning this lawsuit involving the community pier and its location at Kokomo-Grace and their future availability of an assignment on this pier. Letters are or will be in the mail by week's end, being sent by Matt Shipman on behalf of the EFAC Board.

No response has yet been received from an earlier email sent by Kara asking for input on the community pier issue from the assignees

Kara will be with Matt in early March at Helms' office for a deposition dealing with the Kokomo-Grace community pier issue. More will be reported after that meeting.

With the above-mentioned deposition & letters to the assignees for their possible action, resolution for this season will be in question. The Judge will need to intervene with a stay allowing the pier to remain or may require its removal until resolution of the issue. Decision could go either way.

Richard will look for email from Hartman requesting an assignment on the community pier for 2018. Our response is we can provide no commitment at this time due to ongoing legal issues.

PIF# 170 / PIF#179 / email 10/30/17 Jim Lease

A letter will be written to Jim Lease concerning the above referenced items. Pier 10A will be placed at its assigned location for 2018. The EFAC Board will review pier placement when it is installed for 2018 to insure it meets requirements & concerns of Lease's email. Kara will draft this letter of response and send to both Lease & Krugh. A copy will be sent to the EFAC Board to be filed in our records.

PIF# 166 – 167 – 168 – 172

Richard will respond to R. Turner concerning his PIF forms. We all agreed that these issues being brought forth are not addressable by EFAC & would need to be taken to Court for resolution.

PIF# 175

Question from Joe Cesaretti concerning the lake front footage for this property he is interested in buying. While the property holds 17ft of lake frontage. Placement of a pier is an issue at this site. With recent court rulings the established pier locations will not allow a new pier to be added. Randy will notify Mr. Cesaretti with this information.

PIF#153 & email Attorney Snyder 07/24/2017 - Issue of Julie Kirsh & pier location 23A

We are still reviewing the issues and actions that led to the loss of this pier location. The Board agreed that letters will be sent asking each party involved for any documents, notes or actions that they remember being taken and by what parties that resulted in the removal of pier 23A so we can review these and hopefully resolve placement of this pier. Gerry will draft letters for both parties to answer & submit this to the Board along with the responses from both parties.

Liability insurance for Board in effect until end of March 2018.

A new application has been filled out by Richard for a new policy with Broker Chris Koher (574-457-3722) in Syracuse. More information to follow.

Randy still working through banking issues with the files he inherited trying to match income to deposits & invoices to bills paid. Financial paperwork has not yet been submitted to Link Accounting for the 2017 review.

Our statements from Mutual Bank do not contain images which is an issue for matching up payments to invoices. Randy is going to the bank tomorrow to inquire about having e-statements for the account. Randy has been using Quickbooks to record all his actions since taking office and will move in remaining accounting info shortly. If a resolution on getting images for our account cannot be resolved we are all in agreement that we may need to change banks.

The 2018 budget will stand as is at the present time until we can get final accounting information from Randy by our next meeting and finalize the 2018 budget.

We will try to call our next meeting within the next couple of weeks

Future reviews;

PIF# 177 – Pier # 35A Dingleline placing pier #35A per Exhibit “E”

PIF#178 / 180 – Donald Mathis Huntington-Trinity ½ pier – buy pier

PIF# 181 – Linda Neal wants pier to sell property

Meeting adjourned 7:23pm ET

Gerry Powell
EFAC Board Secretary