

**Epworth Forest Pier Committee (EFAC)**  
**Meeting Minutes**  
5/30/2015

**Attendees:** Kara Lusby, Dick Presser, Sharon Anson, Sue Montovani, Lindsey Grossnickle

**Time:** 10am – 1:45pm

**Location:** North Webster United Methodist Church

***Agenda***

***Old Business:***

- 1) *Compliance Points to be sent to members*
- 2) *Update on pier spacing inquiry to DNR*
- 3) *Discussion / Determination of “single Enforcement Administrator”*
- 4) *Financial*

***New Business:***

- 1) *Approve minutes*
- 2) *Financial reporting process*
- 3) *New Community Pier*
- 4) *Address Transfer Requests*
- 5) *Determine Process and Address Pier Disputes*
- 6) *Director Elections*

**Topics Discussed:**

**Pier “Compliance Points”**

Dick Presser has requested that the recently discussed pier compliance points be sent to EFAC members. All directors were in agreement to communicate this information to all members.

Lindsey Grossnickle completed her action item from the previous Board meeting to follow up with the clarification of DNR’s pier spacing regulations affecting Epworth Forest. It was found that there are not DNR regulations that apply to the piers (other than the Community pier which is considered a “group pier”). In light of this information, the directors discussed several aspects and examples of proposed wording around spacing/footage to be enforced. The directors expressed their varying viewpoints on the necessary spacing between pier assignments. Safety, as well as the displacement of offshore assignments, was considered in the discussion.

The Board took a short break prior to a motion and vote on this compliance point.

Kara Lusby motioned that a vote be made on the following wording, “Piers must be placed at the maximum distance available on a lot owner’s shoreline, with a

minimum of 2 feet distance between assignments, and shall be reasonably safe for the mooring of a boat.” The vote was passed 3 (2 offshore directors + 1 neutral director) to 2 (onshore directors).

After the vote, Dick Presser stated he will be emailing every onshore owner in EF asking that they submit a safety complaint about the pier spacing on their lot. Sharon Anson stated Dick should copy in offshore owners as well to provide visibility to his actions.

#### Enforcement Administrator

The directors discussed the court’s instruction to identify an Enforcement Administrator for EFAC. Questions arose as to whether the individual should be someone living in EF or not, and whether this would be a paid position. The directors have not identified any candidates for this position, therefore until an individual is identified, the EFAC board will act as the compliance enforcement for 2015. All directors agreed.

#### Violation Enforcement

All directors stated that violation notifications for 2015 need to begin immediately. For 2015, violations to be enforced include unpaid EFAC fees (onshore and offshore), missing liability information (offshore), multiple watercrafts on a pier assignment (offshore), subleasing a pier assignment to another individual (offshore). Enforcement actions will follow the processes stated by the court. This includes property liens (onshore), fines (onshore and offshore); and loss of pier assignment (offshore).

Sharon Anson and Suzi Montovani will meet this week and review outstanding fees not paid by members and they will notify those individuals of the enforcement steps that will be taken. For annual fees, late payment fines will also be in increments of \$50.

Violation notifications (of any kind) will allow 7 days to be addressed (per the court). For offshore owners, failure to respond to a 3rd violation notice will result in the loss of pier assignment. For onshore owners, failure to respond to a 3<sup>rd</sup> violation notice will result in a lien on that individual’s property.

#### Financial Reporting

EFAC current balance: \$21,451.00 with an additional \$500.00 to be deposited this week. Suzi Montovani stated that she was not depositing the offshore checks that were sent in until their liability policy was submitted. The directors said that we should have communicated that process out to the members because several individuals questions why their checks had not been cashed.

Outstanding Invoices to be paid:

- Davidsen Pier - installation of the Community Pier - \$798.00
- Able Printing - stamp reimbursement - \$32.32

- USPS - PO box - \$54.00
- Able Printing - Printing/Copying - \$7.14

Dick Presser offered to export the full list of EFAC members from the gmail contact list to confirm/crosscheck the list of unpaid members.

The directors discussed the frequency of financial reporting. They agreed on twice a year (End of June and end of December). The End of June report will be provided in the Annual End of Summer (Aug/Sept) meeting. An end of year report will be issued each year in December.

#### Meeting Minutes Approval

- Minutes for April 22, 2015 were approved unanimously; Note: Lindsey abstained since she was not present for the April 22 meeting
- Minutes for May 9, 2015 were modified and approved unanimously

#### New Community Pier

The directors revisited the idea of adding an additional Community Pier to Epworth Forest. No decisions were made but questions to be answered include: How do we fund the purchase of the pier? Who are the likely candidates that would want an assignment on it? Where would it be located?

The directors discussed alternatives such as 2<sup>nd</sup> trail (100ft+ of shoreline), the circle at Eagle Point (110 ft of shoreline), and 11<sup>th</sup> trail (50ft of shoreline). Suzi will locate the appropriate DNR forms to submit requests/inquiries for those locations to understand whether these are feasible from the DNR's perspective. Dick will gather additional information about the process as well. Kara will follow up with the local pier companies to obtain graphics on proposed pier layouts.

#### Transfer Forms

Previous transfer forms were already reviewed in the prior EFAC meeting and the new property owners' information for those transfers was recorded. No new transfer forms were submitted to review in today's meeting.

#### Disputes

David O'Connor: Suzi notified David (via written letter) that he had until Wednesday to remove his uninstalled pier structure out of Brian Schlagenauf's yard. If he did not move it himself, others will move it back on his property.

Directors discussed some of the pier assignment numbering errors that currently exist. An example is Gerry Powell. Once the shoreline walk/assessment is complete, the EFAC will inform those who need to label their piers correctly. Pier numbering is supposed to align with the lot where a pier is placed/in front of.

Over the last several years, the Roberts/Nelson onshore owners have refused to allow the placement of an assigned offshore pier in front of their property. This conduct is in violation of the court order and EFAC policies. A final confirmation of the situation will occur and upon confirmation, the EFAC will send a notification that they are out of compliance and enforcement proceedings will be followed as outlined in the court documents.

The Rogers offshore owners have placed their pier in an incorrect assignment and also have multiple watercrafts on their pier. The EFAC will send a first notification that they are out of compliance.

The directors discussed the process for pier disputes. They agreed that they must first physically look at the situation. The dispute will then be discussed in the following EFAC meeting to make a decision and inform those owners impacted by the decision. If any of the owners involved want to appeal the EFAC decision around their specific circumstances, then the EFAC Board will meet with all individuals involved.

The directors discussed potential assignment vacancies at the end of 2<sup>nd</sup> trail for offshore individuals that have recently been displaced. It was noted that this may also be the future site of a community pier therefore EFAC should be cautious in assigning individual piers there at this time.

#### June 2015 EFAC Directors Election

Per the court, an EFAC Directors election must take place in June 2015 (current Directors were elected as the interim committee). Current directors can run for re-election and other EF residents can be nominated and run as well. There will be two onshore directors (1 will serve 2 years and the other will serve 3 years) and two offshore directors (1 will serve 2 years and the other will serve 3 years).

Dick Presser will send an email to inform EFAC members of the upcoming election. Dick will include information on who to send candidate nominations to. For offshore, nominations should be submitted to Jerry Titsworth, Secretary of the EFNLOA (Offshore) association. Dick and Suzi will identify the individual coordinating elections for offshore directors.

Once candidates have been identified, ballots will be sent out via email. Jerry Titsworth will coordinate the offshore elections. The onshore election coordinator is currently TBD.

#### Other

Suzi discussed the EFAC with Bev Ganshorn of Pier 13 Realty, who is involved in a local real estate board/group. Suzi offered to continue to keep in communication with this group to educate them on the EFAC policies, fees, etc.