

EFAC BoD Meeting

10-03-2016

6:00-8:00pm

Attendees: Sharon Anson, Kara Lusby, Dick Presser, Suzi Montivoni, Tom Earhart, Matt Shipman

Location: Teleconference

Topics:

Welcome

In September, all EFAC board members interviewed Tom Earhart, a potential candidate for the EFAC's 5th (neutral) board member. Tom is a retired attorney residing in Warsaw, IN with no ties to Epworth Forest. The Board unanimously determined that Tom should be elected the 5th member of EFAC. EFAC welcomed Tom Earhart to his first EFAC meeting today.

Legal Update: Powell/Miller

Matt Shipman (EFAC legal representation) informed us that we have 30 days to notify the court if we are going to: 1) appeal or 2) file a motion to correct error on the recent EFAC/Miller/Powell ruling that stated Powells can remain in their current pier assignment location. Monday, Oct. 10th, 2016 is our deadline. At this time, Matt stated that Millers' lawyer doesn't know if Miller's are going to file an appeal with the court. The appeal process takes 3-4 months for the court (of appeal) will look at it. The court of appeals either affirms the decision made by the Kosciusko County court, or they decide it is wrong and order it to either 1) go back to trial court OR 2) a judge issues a new judgment.

A motion was then made to appeal the Kosciusko county judgment on the EFAC/Miller/Powell ruling. Dick, Suzi, and Tom voted in favor of appealing the judgment made by the Kosciusko County court. Sharon and Kara voted against appealing the ruling.

Suzi will contact Matt Shipman to let him know the decision to proceed with an appeal.

Minutes

- 8/4/16 minutes approved
- 9/12/16 minutes sent for review
- Annual Meeting minutes sent for review

Financials

Approved: \$2,835 Matt Shipman (EFAC attorney) fees

Approved: Lindsey's final invoice \$570

Approved: Refund Watkins \$90 and return insurance forms (no pier assignment)

Shoreline Assignments

101A – This assignment was assigned to Tyler Ritter off the Pier Assignment waitlist. We would like to provide Tyler with a copy of the letter from Riggins allowing him to access his assignment through the specified area of their onshore property. Sharon will also inform Tyler of the appropriate use of his assignment.

51A - Holly Dunn asked if she needed permission to swap her pier structure location with her boat location. EFAC all agreed that as long as she stays within her 16 foot assignment, EFAC doesn't need to approve the change. Holly's pontoon door/entrance was on opposite side of the pier.

36 & 36A – The current location of these two assignments does not allow for a 2 ft buffer in between the assignments; Assignment 36 would like to use their full 24ft. No decisions made as to what to do at this time, but Sharon and Suzi will look at the situation again and measure.

Community Pier

EFAC discussed and agreed to apply for a group pier permit in front of the Huntington Trinity Church property as a 3rd option to the two other locations submitted to DNR. Huntington Trinity Church supports this request. Due to the limited width of the shoreline, a pier in this location would not be able to be the same size and configuration as it currently is today. We anticipate around half the spaces available at this site with the pier slips on only the west side of the “main” pier structure.

Document Management

EFAC Board members should review the documents on EFAC's Google Drive account to ensure all pertinent documents are accessible to current and future Board members. Emails will remain in the EFAC email account.

Administrative

The EFAC Officer election was held. All Board members were re-elected in their positions:

- President: Sharon Anson
- Vice President: Dick Presser
- Treasurer: Sue Montovani
- Secretary: Kara Lusby

A request was made to look at the Pier Assignment and Policy Enforcement processes.

Next Meeting

The next EFAC meeting will be Monday, October, 17th at 6pm.