

EFAC BoD Meeting

10-17-2016

6:00-8:00pm

Attendees: Sharon Anson, Kara Lusby, Dick Presser, Suzi Montovani, Tom Earhart

Location: Teleconference

Topics:

Minutes

10-3-16 minutes have been sent out for review: Deadline for Board response by 10/24/16

9-12-16 minutes approved

9-17-16 EFAC Annual Meeting Notes approved

Shoreline

101A: Tyler Ritter – Tyler Ritter, on the EFAC pier waiting list, accepted the 101A pier assignment. EFAC should provide an email to Tyler containing policies and other EFAC information for his reference.

54: Turner – Continued concerns were debated over this location and the usage of over 24 feet. Suzi also asked if there were policies around an offshore pier assignment straddling two onshore properties, but none were known and that particular topic was not addressed in the judgment. Sharon told Suzi she could look into any additional information or legalities she could find on the topics.

36A: Dingedine – There is limited room in this particular area and a change in the width of use by Dingedine has created a spacing issue. This assignment does not allow for a full 16 ft, however the judgment states that an offshore pier assignment is “up to 16 feet”. A solution needs to be identified. Sharon and Suzi will look at the physical space together to determine next steps.

Legal Update: Powell/Miller

Matt Shipman (EFAC legal representation) informed EFAC that we have 30 days to notify the court if we are going to appeal the court’s ruling that stated Powells can remain in their current pier assignment location in front of Miller’s property. Monday, Oct. 10th, 2016 is our deadline to submit an appeal. 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) to look at it. The court of appeals either affirms the decision made by the Kosciusko County court, or they decide it is wrong. If they determine the decision was wrong, the case will either: 1) go back to trial court OR 2) a judge issues a new judgment.

A motion was 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 Kosciusko County court's ruling regarding this matter.

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

Finance

The board drafted a 2017 Budget for the General Fund based on 2016 budget and expenses to date. The budget will be further reviewed and finalized in a future board meeting.

Next Meeting

EFAC does not expect to meet in the next months/over the holidays unless legal proceedings made it necessary. Communication could be conducted via email if any were required.