

# Lake Oakland Heights Park Association

## Meeting Rules of Order

March 18, 2021

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### Call to Order

Amy Holmes called the meeting to order at 7:35 PM on March 18, 2021 via Zoom and in person at LOHPA Beach.

### Attendees

#### Zoom In Person Both

##### Board Members:

President –	Amy Holmes –	3631 Mariner
Vice President –	Don Swanson –	3886 Breaker
Treasurer –	Cheryl Baker –	3755 Breaker
Secretary –	Jessica Baker –	3755 Breaker – Abstained from Vote
Boating Director –	Shawn Knedgen –	3980 Aquarina
Expeditor –	Keith Bowing –	3817 Embarcadero
Legal Director –	Lee Howell –	3580 Embarcadero
Promotional Director –	Mary Lou Osborne –	3936 Aquarina
Social Director –	Christina Wells –	3511 Aquarina
Safety Director –	Michelle Martin –	3879 Embarcadero

##### Association Members:

Peciak – 3715 Aquarina	Hodge – 3792 Breaker	Sutherland – 3490 Levee
Rice – 3758 Aquarina	Hollingsworth – 3691 Embarcadero	Collins – 3511 Levee
Sereno – 3773 Aquarina	Tiernan – 3660 Embarcadero	May – 3360 Main
Binegar – 3790 Aquarina	Grames – 3696 Embarcadero	Sanger – 3646 Mariner
Morris – 3791 Aquarina	Lapinski – 3870 Embarcadero	Farnam – 3701 Mariner
Pope – 3935 Aquarina	Martin – 3890 Embarcadero	Mooney – 3709 Mariner
Ball-Green – 3983 Aquarina	Martin/Slazinski – 3895	Warholak – 3716 Mariner
Copithorne – 4100 Aquarina	Embarcadero	Plewa – 3726 Mariner
Matheis – 4190 Aquarina	Lengers – 3942 Embarcadero	Leonard – 3766 Mariner
Murray – 3634 Breaker	Setla/Haack – 3943 Embarcadero	Loftin – 3791 Mariner
King – 3650 Breaker	Silvis – 3959 Embarcadero	Shea – 3825 Mariner
Breckenridge/Pointer – 3653 Breaker	Williams – 3970 Embarcadero	Pietrzak – 3856 Mariner
Brumm – 3672 Breaker	Green – 3971 Embarcadero	Mabe – 3616 Shoals
Bree/Moore – 3718 Breaker	Koenigbauer – 3432 Levee	Horton – 3794 Shoals
Gallardo – 3750 Breaker	Gwin – 3469 Levee	Steele – 3404 West Walton

### Members not in attendance

All board members present

144 association members not in attendance

### Reason for Special Meeting

The Board of Directors called this special meeting of the General Membership to vote on increasing membership dues and boat slip fees above the 5% limit that is in the Bylaws and to amend Article IV Sections 1 & 7 and Article VIII Section 2 & 3. The Board of Directors posted an announcement of the upcoming meeting on the website and on Facebook on March 2, 2021. There were flyers distributed announcing the meeting on March 6, 2021. And the Board of Directors delivered detailed packets of the information to membership on March 10, 2021.

# Presentation on Association Finances

Clarification of Accounts the Association uses and how they are used:

**Checking Account** – Also called the General Fund, it is used for everyday expenses

**Savings Account** – Also called the Special Fund. Using any funds from this account requires a 2/3 majority vote by General Membership at a Special General Membership Meeting.

**Boating Account** – Also called the Boat Fund. Usage of up to \$1,500.00 per year can only be used for upkeep to the boat docks, boat launch ramp, and walkway surrounding the docks and ramp. All costs more than \$1,500.00 must be approved by 2/3 majority vote of boat club members at a meeting called by the Boating Director.

**Other Savings** – Currently the Playground Fund. This was an empty account at Chase Bank that was not closed when the Board of Directors moved the Boat Fund from Chase to Flagstar. During the summer of 2020 it was determined that the Playground subcommittee could use the account to hold the funds they raised for the playground. Currently there is \$220.01 in the account which is from bottle returns over the winter and one cent of interest that was earned in November 2020.

**Investment Account** – High interest account that money is set aside into. Currently it is not being utilized as the interest rates have been very low. There is \$4,000.00 in the Savings/Special Account that should be moved into investment as soon as a decent return is found.

Reasons that the Board is making these proposals to increase dues, fees, and amend the Bylaws.

- Currently our expenses are increasing at a rate that is faster than our income.
- Our lawn service charge over the past few years was \$135.00 every two weeks, the lowest prices we were able to find while researching last summer was \$125.00 per week. This will cause our lawn service to go from approximately \$1800.00 a year to \$3250.00 per year. An increase of 81%. (August 18, 2020 Board Meeting) This item is still being researched for a less costly alternative.
- Until 2016 the board would receive around \$2000 in interest from the \$72,000 that was in the investment account, this investment money was pulled from investment in 2016 to do the partial seawall replacement that was needed. (March 22, 2016 Special Meeting)
- In 2019 the rate of pay for both Beach Attendant and Waterfowl Cleanup was raised from \$8.00 per hour to \$10.00 per hour to comply with State of Michigan Minimum Wage Laws (which currently is \$9.65 per hour). (December 4, 2018 General Meeting)
- There had to be major cuts to budget items for the 2020-2021 fiscal year such as Beach Attendant and Waterfowl Cleanup to cover much needed maintenance costs for the property, such as a buoy that needs replacing as it is a safety hazard not to do so and the electrical system in the pavilion needs to be redone. These two items alone are going to cost almost \$1000.00. (October 20, 2020 Board Meeting, November 17, 2020 Board Meeting and December 1, 2020 General Meeting)
- Due to budgetary issues, in 2018 it was approved by General Membership to take half of the Boat Dock Fees to be used towards the General Fund. (April 24, 2018 Special Meeting)
- In 2009 the dues were lowered from \$93.00 to \$68.00 due to the recession. The dues have never recovered from this drop, as there was a span of time (2010-2016) that the dues were never increased.
- Our insurance cost is going up tremendously Per the following Chart:

Category	2019-2020 Amount	2020-2021 Amount	Change
Officer & Director Policy	\$558.00	\$558.00	NO CHANGE
Liability Policy			

<i>Clubs/Social</i>	\$333.00	\$788.00	Increase of \$455.00
<i>Bathing Beaches</i>	\$29.00	\$500.00	Increase of \$471.00
<i>Lakes/Reservoirs</i>	\$417.00	\$652.00	Increase of \$235.00
<i>Boat Docks</i>	\$503.00	\$50.00	Decrease of \$453.00
<i>Playground</i>	\$230.00	\$100.00	Decrease of \$130.00
<i>Restaurant</i>	\$1.00	\$2.00	Increase of \$1.00
<b>Property Policy</b>			
<i>Building – Shack</i>	\$21.00	\$90.00	Increase of \$69.00
<i>Building – Pavilion</i>	\$22.00	\$75.00	Increase of \$53.00
<i>Property in Open – Cage</i>	\$9.00	\$17.00	Increase of \$8.00
<i>Rafts – Boat Docks</i>	\$544.00	\$345.00	Decrease of \$199.00
<i>Playground</i>	\$0.00	\$552.00	Increase of \$552.00
<b>Additional Fees</b>	\$0.00	\$582.28	Increase of \$582.28
<b>TOTALS</b>	<b>\$2,720.00</b>	<b>\$4,311.28</b>	<b>Increase of \$1,591.28</b>

### **History of the Membership Dues**

The Membership Dues in 2007 were \$85.00, in 2008 they were \$89.00. In 2009 they were going to be \$93.00 then the board decided due to the recession to lower them to \$68.00. They raised to \$69.00 in 2010 and stayed there until 2017 where they have gone up 5% each year (2017, 2018, 2019). In 2020 the Board of Directors decided to not raise the dues due to concerns with how the pandemic was affecting members of the community.

If the Board of Directors would have raised the dues the 5% each year allotted by the Bylaws, in 2021 the Membership Dues would be \$123.00.

### **History of the Boat Dock Fee**

The Boat Dock Fee in 2007 & 2008 was \$300.00. In 2009 they were raised to \$354.00. In 2010 they were dropped to \$200.00 and remained there until 2017, when the Board of directors started raising them the 6% allowed by the By-Laws. If the Board of Directors would have raised the fees the 6% each year allotted by the Bylaws, in 2021 the Boat Dock Fees would have been \$379.00.

### **Motions Presented for Voting:**

Motion 1 – To raise the membership dues to \$100.00 and to reduce the Senior Discount Rate to 10%.

Motion 2 – To raise the Boat Slip Fee to \$350.00.

Motion 3 – To amend the Bylaws Article IV Section 1a to change the amount of the dues listed in the Bylaw to say Membership Dues. To amend the Bylaws Section 1g to remove the \$75.00 reinstatement fee. To amend the Bylaws Article IV Section 7 to change the Inflation Adjustment to +10%. To amend the Bylaws Article VIII Section 2 to remove the amount listed as the annual fee for Boat Slips. To amend the Bylaws Article VIII Section 3 to change the Inflation Adjustment to +10%.

## Questions and Motions from Membership

### Can the Motions be split up?

If there is a consensus among all members present that would be for splitting the motions, we can proceed with that.

Jim Williams made a motion to separate motions into multiple parts. Pam Pope seconded. **Vote occurred. Motion passed by a majority – exact count not recorded.**

Motions now are:

Motion 1a – To raise the membership dues to \$100.00

Motion 1b – To reduce the Senior Discount Rate to 10%.

Motion 2 – To raise the Boat Slip Fee to \$350.00.

Motion 3a – To amend the Bylaws Article IV Section 1a to change the amount of the dues listed in the Bylaw to say Membership Dues.

Motion 3b – To amend the Bylaws Section 1g to remove the \$75.00 reinstatement fee.

Motion 3c – To amend the Bylaws Article IV Section 7 to change the Inflation Adjustment to +10%.

Motion 4 – To amend the Bylaws Article VIII Section 2 to remove the amount listed as the annual fee for Boat Slips and to amend the Bylaws Article VIII Section 3 to change the Inflation Adjustment to +10%.

### Can these motions be tabled for the April 27, 2021 General Meeting so that members can do more research regarding these items?

Greg Warholak made a motion to table the motions to the April 27, 2021 General Meeting for members to have more time for research. Kim Gallardo seconded. **Vote Occurred. 18 voted to table, 33 voted to hold the vote tonight. Motion failed. Vote to be held tonight.**

Amy Holmes made a motion to conduct the in-person votes first then the zoom votes, to allow for the in-person members to leave the beach earlier and get home since the beach property was extremely cold. Carolyn Bree seconded the motion. **Vote Occurred. Motion Passed by a majority – exact count not recorded.**

Jessica Baker coordinated the zoom vote so Amy Holmes could conduct the In-person voting. This allowed the zoom vote to move along at roughly the same pace as the in-person voting.

## Motions

**\*\*Please note for Votes, we had some members who attended at the beginning leave the meeting, so total votes decreased as the night progressed. \*\***

### Motion 1 A – Increase Membership Dues for the 2021 Season to \$100.00.

#### Vote

*Zoom: 33 voted Yes to increase the dues, 0 voted against the increase.*

*In Person: 13 voted Yes to increase the dues, 5 voted against the increase.*

#### Motion 1A – Passed 46-5.

**Membership Dues for 2021 will be \$100.00**

### Motion 1 B – Change Senior Discount Rate from 20% to 10%

#### Vote

*Zoom: 11 voted Yes to decrease the Senior Rate, 19 voted against the decrease.*

*In Person: 8 voted Yes to decrease the Senior Rate, 10 voted against the decrease.*

**Motion 1B – Failed 19-29.**

**Senior Discount will remain at 20%. Senior Rate for Membership Dues for 2021 Season are \$80.00. (Aged 65+)**

**Motion 2 – Increase Boat Dock Fee to \$350.00**

**Vote**

*Zoom: 13 voted Yes to increase the Dock Fee, 15 voted against the increase.*

*In Person: 7 voted Yes to increase the dues, 7 voted against the increase, 4 abstained from the vote.*

**Motion 2 – Failed 20-22.**

**Dock Fees for the 2021 Season will be \$268.00**

**Motion 3A – Amend Article IV Section 1a – Remove Verbiage that stated the old fees price. Replace with Dues.**

**Vote**

*Zoom: 21 voted Yes to the amendment, 1 voted against the amendment.*

*In Person: 16 voted Yes to the amendment, 0 voted against the amendment.*

**Motion 3A – Passed 37-1.**

**New wording for Article IV Section 1a is shown below:**

- a. Membership Dues are to be paid by May 31st of the year to be considered **on time**. \*(See Article IV, Section 7). Late fees will be assessed and defined in writing with the yearly notification of dues sent to residences within the subdivision.

**Motion 3B – Amend Article IV Section 1g – Remove the \$75.00 reinstatement fee.**

*Zoom: 17 voted Yes to the amendment, 5 voted against the amendment.*

*In Person: 7 voted Yes to the amendment, 10 voted against the amendment.*

**Motion 3B – Failed 24-15.**

**Per Article XIV Amendments: “By-Laws may be amended by an affirmative vote of Two-Thirds (2/3) of members present and voting at any Regular Meeting or Special Meeting”**

**This motion Passed with a 61.54% majority, not meeting the 66.67% threshold.**

**Motion 3C – Amend Article IV Section 7 – Change Inflation rate from -10%/+5% to +10%.**

**Vote**

*Zoom: 4 voted Yes to the amendment, 18 voted against the amendment.*

*In Person: 11 voted Yes to the amendment, 5 voted against the amendment.*

**Motion 3C – Failed 15-23.**

**Motion 4 – Amend Article VIII Sections 2 & 3 – Remove Verbiage that stated old fees price and change Inflation rate from -10%/+5% to +10%.**

**Vote**

*Zoom: 8 voted Yes to the amendment, 13 voted against the amendment.*

*In Person: 12 voted Yes to the amendment, 3 voted against the amendment.*

**Motion 4 – Failed 20-16.**

**Per Article XIV Amendments: “By-Laws may be amended by an affirmative vote of Two-Thirds (2/3) of members present and voting at any Regular Meeting or Special Meeting”**

**This motion Passed with a 55.56% majority, not meeting the 66.67% threshold.**

Amy Holmes made motion to adjourn the meeting, Lee Howell seconds motion. Meeting Adjourned at 9:39 PM.

### Next Meetings

The next monthly board meeting will be held on April 20, 2021 at 7:00 PM via Zoom.

The next General Membership Meeting will be held on April 27, 2021 at 7:30 PM at TBD.

**Jessica Baker**

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**Secretary**

**03/18/2021**

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**Date Submitted**