

RAINTREE LAKE PROPERTY OWNERS ASSOCIATION
BOARD OF DIRECTORS MEETINGS
APRIL 13, 2010
7:00 p.m.

A Board meeting of the Raintree Lake Property Owners Association was held on April 13, 2010. Members in attendance were David Mitchell, Brian West, Bruce Kusgen, Jeanne Smith, Tim Nydegger, Judy Schmoeger, Bob Christian and Tom Tucek. Tim Kirkpatrick arrived at 7:10 p.m. General Manager, Rachelle Vandiver, and Assistant General Manager, Rhonda Clark, were also present.

Tim Nydegger called the meeting to order at 7:00 p.m. and announced a quorum.

OPEN FORUM:

Shirley Thomas advised that the Siltation Committee would like to turn on the aerators as soon as possible because the green stuff is already growing. Trees will be planted on Wednesday at Raintree Circle without berms, but there will be berms later.

Tom Tucek asked about tree plantings on common areas. Rachelle Vandiver advised that Raintree Circle is first and Cobblestone within a week and a half.

CONSENT AGENDA:

Tom Tucek made a motion to approve the March minutes and payment of bills. Brian West seconded the motion. The motion passed 7 to 0.

TREASURER'S FINANCIAL REPORT:

Brian West read the March Treasurer's report.

INCOME:

Dues	\$108,782.70
Other Income Total	\$35,041.70
Subtotal	\$143,824.40
Transfers from Reserves:	\$0.00
Total Revenue March	\$143,824.40
Expenses for March	\$49,775.78
Bank Account Balances as of March 31, 2010	
Cash Subtotal Bank of Lee's Summit	\$380,967.11
Reserves 2010:	
Operations	\$80,000
Dock Self Insurance	\$30,000
Dam & Valve	\$30,000
Raintree View	\$55,000
Regatta Island	\$6,600

Siltation Loan		(\$45,000)
2009 Roll Over \$		\$31,561

Outstanding Dues/Fines a/o 3/31/10:	\$63,365.19	Total Amount
Balance Due Liens Filed:	\$47,790.86	
1st Letter	\$4,969.71	
2nd Letter	\$6,621.15	
3rd Letter	\$3,983.47	

The Treasurer's report was filed for audit.

BOARD ANNOUNCEMENTS:

Tim Nydegger made the following announcements:

- Spring Fling is May 1, 2010 starting at 6:00 p.m. Spring Fling will be inside this year, and the deck will be covered by a tent.
- Tim Nydegger thanked Tony Jose, Brenda Miller and Robert Dye for their service on the Board this past year. Tim Nydegger then welcomed Jeanne Smith, Bob Christian and Bruce Kusgen to the Board.
- The Association will begin treating the coontail soon while the water is still fairly cool.

Rachelle Vandiver introduced the new Assistant General Manager, Rhonda Clark, to the audience.

OLD BUSINESS:

Legal:

Joe Willerth attended the April 7 and April 10 boat safety meetings to make presentations relating to residents legal responsibilities on the lake. Scott Webber's presentation with respect to the rules were excellent. There are still three suits pending in Jackson County and one in Cass County.

NEIGHBORHOOD CRIME REPORT:

Tim Nydegger told the audience about an attempted home burglary that was stopped by the district officer on Gull Point Dr. the previous week. David Mitchell went over the March crime statistics including the first quarter statistics. Safety tips relating to the warmer weather were discussed.

TURBIDITY TESTING BUDGET INCREASE:

Rachelle Vandiver advised that turbidity testing will occur at five spots; NE Corner of Ward Road, Ward Road Silt Basin, Brooks Farm East, Fire Station and Hidden Cove. Rachelle is estimating approximately twenty rain events at a cost of \$100 per day of testing. The Siltation Committee will be doing additional soundings at several sites for future reference. Tom Tucek noted that MODOT has silt fencing on the uphill side of where they are working, but not so much on the downhill side toward Raintree. Brian West updated everyone on the latest with MODOT. MODOT did not make any promises or sign paperwork but agreed to help pay for siltation removal that is above

and beyond what is normally expected in a year after the work is completed. Judy Schmoeger made a motion to take \$2,000 from the 2009 roll over for the increase in turbidity testing. Bruce Kusgen seconded the motion. The motion passed 8 to 0.

NEW BUSINESS:

JOHN & RUTH MEUNIER APPEAL OF ARB FENCE DISAPPROVAL:

Ruth Meunier appeared in person and provided the Board with her reasons for wanting a zero spaced fence. Ruth Meunier also told the Board that four families behind her home had zero spaced fences. Approximately four years ago the Board changed the rule for fence spacing to open up the view to the lake. Jeanne Smith told Ruth Meunier to call the city to have the critters removed for free. There was discussion regarding making a rules committee to review and possibly change Association rules. After several minutes of discussion Tom Tucek made a motion to deny the appeal for a solid fence. Bob Christian seconded the motion. The motion passed 8 to 0.

PAUL & NANCY NUNES APPEAL OF BOAT SLIP FORFEITURE:

Both Paul and Nancy Nunes appeared in person and spoke on their behalves regarding their boat slip appeal. Paul Nunes stated that it was an honest mistake and that they do not recall ever getting a lease. Nancy Nunes tried to pay on March 16, but the office would not accept the payment because it was one day late. The Nunes were told that they would have to go through an appeals process. There was a question and answer period between Board members, audience members and the Nunes. Paul Nunes stated that he saw the reminder for boat slips on the front page of the March Shoreline, but not on the RLPOA website. Tom Tucek made a motion to deny the appeal of the Nunes. There was not a second so the motion failed. A long discussion ensued regarding automatic deposits, certified mail, exceptions to the rule, etc. Brian West made a motion to deny the Nunes boat slip appeal. Tom Tucek seconded the motion. The motion passed 5 to 3. Judy Schmoeger, Bruce Kusgen and Tim Kirkpatrick voted against the motion.

RON WILLIAMS APPEAL OF BOAT SLIP FORFEITURE:

Ron Williams appeared in person and spoke on his behalf regarding his boat slip appeal. Ron Williams also said that it was human error and he actually believed that the payment was due on March 16. Bob Christian made a motion to deny the boat slip appeal of Ron Williams. Tom Tucek seconded the motion. The motion passed 5 to 3. Bruce Kusgen, Tim Kirkpatrick and Judy Schmoeger voted against the motion.

BRUCE ELLIS APPEAL OF BOAT SLIP FORFEITURE:

Bruce Ellis appeared in person and spoke to the Board regarding his boat slip appeal. Bruce Ellis stated that he has leased a boat slip for over twenty years and fully realized that boat slips must be renewed by a date specific or lose the right to lease such slip. Bruce Ellis also stated that he was aware that the boat slip in question was not renewed by the date required. Because of health problems Mr. Ellis has been leasing his slip to another man and this year that gentleman did not make the payment. After many phone calls to the gentleman, Mr Ellis was assured that the payment would be made but

the payment was never made to the office. After a couple of minutes of questions, Tom Tucek made a motion to uphold the appeal of Mr. Ellis. Bob Christian seconded the motion. Tom Tucek amended his motion to continue to uphold the appeal, but not allow the transfer with the sale of the house. The amended motion failed because there was no second. After several more minutes of discussion, the motion failed 2 to 6. Bob Christian and Tom Tucek voted for the motion.

GREG SCHUH APPEAL OF BOAT SLIP FORFEITURE:

Greg Schuh appeared in person and spoke to the Board regarding his boat slip appeal. Mr Schuh thought he was on auto draft for his boat slip. Mr Schuh did not argue that he was late but wanted to discuss new ways to alert residents before being late and losing slips. Bob Christian made a motion to deny the appeal of Greg Schuh. Tom Tucek seconded the motion. The motion passed 6 to 1. Bruce Kusgen was opposed to the motion and Jeanne Smith abstained.

INSURANCE PROPOSALS:

Rachelle Vandiver explained that every three years the Finance Committee shops for new insurance. Two insurance agents made presentation to the Finance Committee. One company reduced the coverage and the coverage was not packaged the way the Association wanted it. The General Liability with no deductible offered by one company was \$24,669.75, but if a \$5,000 deductible is included the price goes down to \$21,741.30. The budgeted amount for insurance is \$67,100. With a \$5,000 deductible there is an additional savings of \$3,000. Tom Tucek suggested putting the \$3,000 into a reserve account to be used to defray any deductible that the Association has on the insurance. The Finance Committee recommended taking \$2,000 and placing it into the Dock Self Insurance reserve account in place of what the Association would be paying for insurance on docks. The account would continue to grow through the years. Both insurance agents asked about spectator insurance at swim meets. The swim team does not have spectator coverage on their policy. The concern now is that both agents have notified the Association of this gap in coverage and any future injury without the proper coverage would not be covered under general liability. The Board agreed to have Rachelle Vandiver direct the swim team to shop and carry spectator insurance. Bob Christian made a motion to accept the insurance coverage for 2010 as stated on Rachelle's spreadsheet with the highlighted numbers and coverage with the exception of general liability with Scottsdale insurance. To include a \$5,000 deductible with a premium of \$21,741.30. Total amount being \$46,369. Tim Kirkpatrick seconded the motion. Bob Christian amended the previous motion to read up to but not to exceed \$47,000. Tim Kirkpatrick seconded the amended motion. The amended motion passed 7 to 0. Jeanne Smith abstained. The main motion passed 7 to 0. Jeanne Smith abstained. Tom Tucek made a motion to approve \$3,000 to be in a reserve account for insurance deductible, and an additional \$2,000 to be moved into the dock reserve fund to be taken from the money saved on our insurance this year. Brian West seconded the motion. The motion passed 7 to 0. Jeanne Smith abstained.

BOAT IN DRIVEWAY RULE:

The rule was passed by the membership at the annual meeting. The rule was not fine tuned because the Board wanted to see if would pass. The Board agreed to table this to the work session. The rule goes into effect on May 1. There was a question regarding boats/trailers blocking sidewalks. Bob Christian will talk to the city and get an answer.

SUB-COMMITTEE FOR ELECTRONIC VOTING:

Judy Schmoeger volunteered to be on the committee. Anybody interested in volunteering can contact Rachelle Vandiver.

ELECTION OF OFFICERS:

Judy Schmoeger nominated Brian West for President. Bob Christian was nominated by Tom Tucek but declined due to his busy schedule. Brian West is President by consensus.

Brian West nominated Judy Schmoeger for Vice-President. Tim Kirkpatrick nominated Tim Nydegger for Vice-President. After a secret ballot, Judy Schmoeger was elected Vice-President.

Bob Christian nominated Bruce Kusgen for Secretary. Both David Mitchell and Tim Nydegger declined. Bruce Kusgen is Secretary by consensus.

Judy Schmoeger nominated David Mitchell for Treasurer. Tim Kirkpatrick nominated Tim Nydegger for Treasurer. After a secret ballot, David Mitchell was elected Treasurer.

Tom Tucek made a motion to move to executive session. Brian West seconded the motion. The motion passed 8 to 0.

Tim Nydegger reconvened the regular Board meeting from executive session. Bob Christian made a motion to adjourn from the Board meeting. Judy Schmoeger seconded the motion. The motion passed 8 to 0. The Board meeting was adjourned at 10:28 p.m.