

**BOARD OF DIRECTORS MEETING  
JANUARY 9, 2001**

The Board of Directors meeting of the Raintree Lake Property Owners Association was held on January 9, 2001, at 7 PM at the Raintree Lake Clubhouse. A quorum was determined and Don Archer called the meeting to order. Directors present were: Nancy Ohmes, Teresa Bury, Don Archer, Brian West, Sheila Schertz, Tony Jose (arrived late) and Ira Roberts. Arvil Minor and Donnie Brouhard was absent.

**APPROVAL OF MINUTES**

The Board accepted the minutes of December 12, 2000 as submitted.

**TREASURERS REPORT**

Brian read the Treasurer's report

Bank Account Balances as of December 31, 2000

Checking	\$ 1,604.11
MM General Fund	\$210,838.87
Siltation Account	\$ 96,198.76
Boat/Lake Account	\$ 33,643.70
Builder's Account	\$ 47,660.75
Activity Committee	\$ 1,133.14
MoDot Settlement	\$ 49,278.64

Income during December:

Dues	\$32,683.51	Other Income	\$ 3,676.87
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Brian announced that he had done some investigation for different bank accounts. Currently the amount at Bannister is insured for \$100,000.00 collectively. He would like the associations money to earn more than what it currently is. He would like to move the Money Market account into a platinum account which would earn more interest. He would like to open CD accounts for Raintree and has checked the interest from BC National. He would like to keep Raintree money in a local bank. He suggested moving the Siltation Account into a one year CD at BC National, the MoDot account into a six month CD. Discussion opened between Brian and Ira as to the distribution of the money. Ira suggested to space the CDs in order to have the maturity date different. The interest would be rolled back into the CD. Brian made a motion to move the Money Market account to a Platinum Account, the Siltation Account into a 12 month CD to BC National Bank, open a 6 month CD for \$50,000 at another bank, in three months open another CD at \$50,000 for a six month term and leave the MODot settlement account alone. Sheila seconded and the motion carried.

**BOARD ANNOUNCEMENTS**

*Teresa Bury*

Teresa apologize to any one who was present at the last meeting. Tempers and feelings got out of hand. Teresa stated that people should be treated with respect. The Board, Committees or anyone else should be free to agree or disagree but

treated equally. She had planned on resigning from the Board but would fulfill her term on the Board.

### *Special Meeting*

Geri presented the Board with a rough draft of an agenda for the special meeting. The Board made some changes to the agenda. It was agreed that there would be a half hour question and answer session. Changes to the new By-Laws would not be allowed. The vote would be to accept or deny the entire submittal. Geri asked the Board as to the number of people needed to count ballots at the special meeting. The Board instructed Geri to have three people present at the meeting to count votes at the meeting. Joe Willerth, David Elliott and Dave Wasson would be available to answer any questions.

## **NEW BUSINESS**

### *Gayle Communication*

David Gayle and Kurt Lutz were present. They displayed conceptual plans for the land purchased on the northwest corner of 150 and Ward Road. David also presented a map of the City's long term goal. He plans to have retail, office, church, residential, apartments, and parks in the area. David answered questions from the Board and audience.

## **COMMITTEE REPORTS**

### *Activities Committee*

Carrie Cooper was present. Carrie encouraged the Board and audience to attend the next Las Vegas night. Las Vegas night will be held on February 24, 2001 at the Holy Spirit church. Carrie asked the Board to approve \$2000 into their account for expenses for the Las Vegas night. Teresa made the motion to approve \$2000 for the Activities Committee, Brian seconded and the motion carried.

### *Architectural Review Board*

Erma was present. Erma reported that there had only been one new home since the last meeting.

### *Common Ground*

Machelle was present. Machelle requested that the flags on the dam be replaced. The Committee would like to replace the four flags on the dam and install three new flags on the causeway. The flags on the dam would be 25' and the poles on the causeway would be 20'. Machelle does not expect the poles with installation to exceed \$7500, using the same company which installed last years poles. Brian made a motion to approve the installation of the seven flag poles, not to exceed \$7500. Ira seconded and the motion carried.

Machelle also asked the Board to approve the expansion of the sprinkler system at the clubhouse. The Committee would like to install the sprinkler system to the two large island in the parking lot. York Contractors would be doing the work and the

cost should not exceed \$4000.00. Brian made a motion to approve the sprinkler system at the clubhouse, not to exceed \$4000. Sheila seconded and the motion carried.

#### *Facilities Committee*

Ross was present. Ross asked the Board to approve the funds for painting the beams and ceilings in the clubhouse. The Committee had received several bids but needed to modify the area to be painted. The Committee would like to have the beams and ceiling in the upstairs clubhouse, including the old office. The highest bid was for \$4400. Ira made a motion to approve the painting of the beams and ceilings for a cost not to exceed \$4400. Brian seconded and the motion carried.

#### *Lake Committee*

San was present. San informed the Board that the blue prints for lighting on the boat docks had been given to the electrician contractors. There were no bids received and he would update the Board with information as available.

#### *Conservation Committee*

San was present. The Committee has not been active and hopes to add more fish habitat in the upcoming year.

#### *Siltation Committee*

Shirley was present. Shirley told the Board the Committee had not been active.

#### *Raintree Vision Committee*

Phil was present. He informed the Board that they had discussed a maintenance building on the lots at 163rd. He also had a copy of the minutes regarding the neighbors having input to the plans for the lots on 163rd. The Board asked Phil that it had been mentioned to have a building for maintenance designed so that it looked like a house. He was planning to contact Warren Obilinger to discuss his original plans for the lots along Raintree Parkway.

### **OLD BUSINESS**

#### *Joe Willerth*

Joe indicated that the MoDot settlement has been forwarded to the State but has not received any word back from MoDot.

Ira asked if the case between the Association and the Developer been dismissed. Ira believed that the dismissal had been given when the money was released. Joe answered that it was his understanding that it had not been released at this time.

Joe was asked about the wording of the proxy regarding making changes to the new by-laws at the meeting on January 23rd. The understanding and agreement was made not to make any change to the by-laws at the meeting.

#### **OPEN FORUM**

*Dave Wasson*

Dave told the Board that the filter system at the pool was in need of replacement sand and a new valve. The new valve would be a 10" valve and the cost would be \$500. The valve needs to be replaced because the water can not be shut off. The new sand would cost \$2500. A service company would be doing the work.

#### **APPROVAL OF BILLS**

Brian made a motion to approve the bills as submitted. Sheila seconded and the motion carried.

#### **ADJOURNMENT**

Don adjourned the meeting.

**BOARD OF DIRECTORS MEETING  
FEBRUARY 13, 2001**

The Board of Directors meeting of the Raintree Lake Property Owners Association was held on February 13, 2001 at 7 PM at the Raintree Lake Clubhouse. A quorum was determined and Teresa Bury called the meeting to order. Directors present were: Nancy Ohmes, Teresa Bury, Brian West, Sheila Schertz, Tony Jose, Donnie Brouhard, and Ira Roberts. Arvil Minor and Don Archer was absent.

**APPROVAL OF MINUTES**

The Board accepted the minutes of January 9, 2001 as submitted.  
The Board accepted the minutes of December 21, 2000 as submitted.

**TREASURERS REPORT**

Brian read the Treasurer's report

Bank Account Balances as of January 31, 2001

Checking	\$ 1,625.79
MM General Fund	\$214,332.41
Siltation CD	\$ 96,815.39
Boat/Lake Account	\$ 48,135.85
Builder's Account	\$ 47,816.87
Activity Committee	\$ 1,993.62
MoDot Settlement	\$ 49,442.67

Income during January

Dues	\$46,649.95
Other Income	\$19,354.70
Boat slips	\$16,400.00
Clubhouse rental	\$930.45
Shore Lines Ads	\$5.00
Interest	\$1529.67
Mowing	\$50.00
Federal Refund	\$439.58

(This does not include sales tax and clubhouse deposits)

Brian announced the following:

CD opened at BC National Bank: Siltation Fund account,  
12 month for 96,815.39 @ 6.22 % (January 22, 2001)

Money Market changed to a Platinum Account

CD opened at Community Bank:

6 month CD for \$50,000 @ 5.6% (5.72 annual %) (February 6th)

**BOARD ANNOUNCEMENTS**

No announcements were made.

## **NEW BUSINESS**

### *Insurance Renewal*

Tim Seiler was present for Twin Lake Insurance. Tim handed out, to the Board, a summary of the insurance renewal. The insurance will increase \$1,500 for the following year. The current carrier, American States, will carry the policy. However, they will not insure the boats that Raintree uses. Tim told the Board that he would be able to find another company to cover the boats and the Jet Ski that Raintree uses. Tim explained to the Board that it was difficult to find a carrier for Raintree. Geri told the Board that she had been talking to another insurance company but they did not want to carry coverage for the entire operation. Brian made a motion to renew the insurance policy for coverage for Raintree. Donnie seconded and the motion carried.

### *New By Laws*

Geri explained that Joe Willerth, attorney, had papers for the Board to sign regarding the newly passed By Laws. Ira stated that the wording was incorrect in the paperwork because the membership did not pass the new by laws. Ira stated that the paperwork did not match what had happened. Ira wants the records to show the actual count in the statement of the by law change. Joe explained that the papers would not be filed and it was customary to have the Board sign the changes and keep them with the other legal papers. Ira made a motion to table the signing to the next Board meeting in order to make corrections. Nancy seconded. Voting in favor: Ira and Nancy. Voting against: Donnie, Brian and Sheila. Motion failed.

Donnie made a motion to pass the by laws as submitted by Joe. Brian seconded. Voting in favor: Donnie, Brian, Sheila and Tony. Voting against: Ira and Nancy. Motion carried.

Mr. Tucek asked the Board regarding the calculation of the annual assessment. He would like to amend the by laws to changed the wording of the manner the Association is computing the annual assessment. There was discussion regarding simplifying the wording and having the wording changed at the next annual meeting. Tony made a motion to place of the agenda to vote on changing the wording of the by laws at the annual meeting. The wording would change Article XII, Section 4a to add the word annual, strike the word for, add the word "in". Change Article XII, Section 5, strike all and replace with The US Department of Labor's Bureau of Labor Statistics publishes various Consumer Price Index (CPI) increases monthly. These monthly increases are often seasonably adjusted in the following months. The association uses the Consumer Price Index for All Urban Consumers (CPI-U). The maximum annual assessment increase for the association will be the increase in the CPI-U for the 12-month period ending in July as seasonably adjusted and recorded in the month of August. To determine the maximum annual assessment increase, multiply the current annual assessment by the increase in the CPI-U, as stated above.

Sheila seconded and the motion passed.

### *Fence Letter*

Geri told the Board the letter had been sent to the membership and the letter indicated that the item would be on the agenda at the February Board meeting. There was a letter sent in by Frank Carol indicating his concern for the legality of the fence letter. Donnie stated that he would speak to Frank and the issue was tabled.

### *Builder's Contract*

Donnie opened the discussion of additions to the builder's contract. He gave general ideas regarding siltation. Donnie had spoken to Buddy Spurck who would agree to pay money up front and have Raintree personnel take care of siltation barriers. Donnie had spoken to Ben Sharp who indicated that Raintree should give the City a chance with their new ordinance and rules. Donnie told the Board that Steve Messmer, Lake Winnebago, has trouble with builders and siltation. They now ask \$500 but would like to see that increased to \$1000. They clean up the street, put up and maintain the siltation barrier when the builders don't. They use fines and liens. Sheila indicated that she likes Donnie's ideas. Ira said that it is not in the by laws that builders sign a contract. The prices and costs of the barriers were not realist. Teresa asked Ira to submit more realist prices with regards to siltation barriers. The issue was tabled for further review.

### *Pool Contract*

Dave Wasson explained that Olympic Pool had submitted a contract to manage the swimming pool during the 2001 summer season. They would be in control of hiring and managing the personnel, water chemicals and all operation of the swimming pool. The cost is less than the cost of Raintree managing the pool last year. Olympic would use 'Raintree kids' when possible. Joe had looked over the contract and had a few opinions, which were discussed with Olympic, himself and Geri. Donnie made a motion to secure a contract with Olympic Pool to manage the swimming pool for an amount not to exceed \$40,000. Tony seconded and the motion carried.

### *Charlie Mallett*

Charlie asked the Board for approval to purchase a tractor and a gator for the Association. Sheila made a motion to approve \$20,000 for a John Deere tractor and gator. Donnie seconded and the motion carried.

## **COMMITTEE REPORTS**

### *Activities Committee*

There was no report from the Activities Committee. Teresa announced that Las Vegas night is to be held on February 24, 2001.

### *ARB*

Erma was present. She gave an update to the Board indicating the number of new homes and improvements they approved since the last Board meeting.

Erma announced that Greg Andrews had resigned. The Architectural Review Board is working on guidelines on metal roofing.

### *Common Ground*

Shirley was present. Shirley indicated that the planting of trees was on going.

### *Facilities Committee*

Jim Metzger was present. Jim explained that Ms. Cook would be hired by the Committee to assist in the redecorating of the clubhouse. Geri asked the Board as to the type of chair they would prefer to use in the clubhouse; a padded chair or a steel chair. Donnie made a motion to use a padded chair in the clubhouse, Sheila seconded and the motion carried.

### *Lake Committee*

Dick Greiner was present. Dick explained that he did not have information regarding the lighting of the docks because that was still in process. He hopes to have a complete package at the next Board meeting.

Dick explained the Early Bird Special regarding the rental of the pontoon boat. The special would be on Monday, Tuesday, Wednesday, and Thursday, excluding holidays. The rental would be from 8 AM to 2 PM for \$50. Donnie made a motion to approve the early bird special. Tony seconded and the motion carried.

Dick explained that the Committee would like to have a more realist survey as to the exact location for the Association's usage of the boat ramp. Dick would like the attorney to look at the agreement and have a survey of the area. Discussion was opened regarding of the boat ramp and the issue would be discussed by Joe.

### *Conservation Committee*

#### *Siltation Committee*

Shirley announced that the Committee would not meet until the following day.

### *Raintree Vision Committee*

Phil Skeed was present. He explained to the Board that he would contact Warren Oblinger to review the plan that he had designed. The swimming pool location on the six lots was discussed among the crowd. Phil explained that the Committee spoke about the need for additional chairs at the present swimming pool. Phil explained that the Facilities Committee should oversee the swimming pool. Phil also explained that the Committee had discussed installing a maintenance barn on 163rd street. A company will attend the next meeting to speak to the Committee regarding design of the building. Phil spoke to the Board regarding the walking trail on the southside. The Committee is looking into the feasibility of the ideas and exploring the options. The Committee would like to hand ideas to a task force who would oversee the southside walking trail. He asked the Board to name a new committee, a sub-committee, to oversee the southside walking trail. The community wants the walking trail and they ask for the walking trail on a consistent basis.. He explained that the new committee would be disbanded once the walking trail was completed.

The idea would be that the committee would focus on the walking trail only and be focus from beginning to the end of the project.

Phil talked about the Common Ground planning. He would have Geri or someone invite the developer to present future plans to identify future Common Ground.

Phil also explained to the Board that a computer program could be installed to keep a more accurate count of the pool usage. The cost of the program would be \$5,000 - \$6,000. The program would be bar coded, with the residents information included. Teresa asked Phil for more detail regarding the cost.

## **OLD BUSINESS**

Joe Willerth

Joe announced that he had been served with a law suit from Raintree Lake Corporation. Joe explained the law suit to the Board and the audience: 1. the 93 meeting was invalid, 2. repay the annual assessment to the developer, 3. remain exempt, 4. strike down the By-laws because of annual assessment wording, 5. injunction for annual meeting-By Law not approved by Class B, 6 injunction for annual meeting-By laws amendment changes in future, 7. injunction for annual meeting-prohibit any amended By-laws, 8. breech of contractor assessment. There are three counts which have an injunction to stop the annual meeting on March 29th. Joe explained that he would try to have a court hearing as soon as possible regarding these counts in order to hold the annual meeting.

Joe stated that Jerry Emerick has challenged the Builder's Contract by not signing the contract.

Joe explained the current boat ramp is non-exclusive easement and undetermined by time. He would like to talk to the developer, needs to be reviewed with the Developer, to reword the easement agreement, regarding the boat ramp, as to make the agreement more workable.

## **OPEN FORUM**

Charlie Mallett

Charlie asked about the re-zoning of the Spurck's duplex on Harbor. Teresa explained that the re-zoning may be the fact that the duplex is for sale. It was suggested that Charlie call the City if he wanted more additional information.

## **APPROVAL OF BILLS**

Brian made a motion to approve the bills as submitted. Donnie seconded and the motion carried.

Donnie moved to have an executive session after the meeting. Tony seconded and the motion carried.

## **ADJOURNMENT**

Teresa adjourned the meeting.

## RAINTREE LAKE BOARD OF DIRECTORS MEETING

MARCH 13, 2001

The Board of Directors meeting of the Raintree Lake Property Owners Association was held on March 13, 2001 at 7 PM at the Raintree Lake Clubhouse. A quorum was determined and Don Archer called the meeting to order. Directors present were: Nancy Ohmes, Teresa Bury, Brian West, Sheila Schertz, Tony Jose, Donnie Brouhard, Don Archer and Ira Roberts. Arvil Minor was absent.

### APPROVAL OF MINUTES

The Board accepted the minutes of February 13, 2001 as submitted.

The Board accepted the minutes of the Special Meeting on January 23, 2001 as submitted.

### TREASURERS REPORT

Brian read the Treasurer's report

Bank Account Balances as of February 28, 2001

Checking	\$ 3,816.06
MM General Fund	\$211,712.55
Siltation CD	\$ 96,815.39
Boat/Lake Account	\$ 50,070.60
Builder's Account	\$ 50,080.40
Activity Committee	\$ 1,993.62
MoDot Settlement	\$ 49,607.70
CD-Community Bank	\$ 50,000.00

Income during February

Dues	\$60,463.33
Other Income	\$ 5,985.79

### BOARD ANNOUNCEMENTS

Don announced the March 29, 2001 of the annual meeting at Grace Baptist Church at 7:00 PM. To date there is only one candidate for the Board of Directors, Tom Tucek.

### NEW BUSINESS

*Brittendall*

No one was present

*Brian Duffey - Fine Appeal*

Did not appear

