

**Sylvan Shores Property Owners Association
Board Meeting Minutes
March 14, 2015**

President Rich Nagel called the meeting to order at 10:00 am.

Members Present: Arlene Grover, Lance Holthusen, Kathy Jefferson, Lincoln Messner, Rich Nagel. **Members not present:** Bruce Dibb, Peggy Forstner.

Review of Minutes: Minutes of the December 6, 2014 meeting were reviewed. Arlene Grover mentioned that the minutes should include the maturity date of our CD's in the treasurers report. The Athena annuity matures 12/31/17; the 3 State Farm CD's mature Oct. 2019 and the new State Farm CD will mature March 2020. Rich mentioned that in the Other: section, all but the 1st and last sentence in that paragraph should be stricken. Kathy Jefferson makes a motion to accept the minutes as amended. Lincoln Messner seconds the motion. The motion passed with all yes votes.

The Agenda for the meeting was reviewed. Rich Nagel asked to switch items a & b in new business. Arlene Grover wants to add a procedure change. Lincoln Messner would like to speak under new business. Arlene Grover made a motion to accept the agenda with changes, seconded by Kathy Jefferson. The motion passed with all yes votes.

* **Treasures Report** was read by ~~Arlene Grover~~ Lincoln Messner:

Assessments received	\$ 25,835.67
Springer collections	\$1,070.57
Camping income	\$ 175.00
Capital Reserve Account	
5 year Annuity, Athena-12/31/17	\$13,338.92
3 X State Farm CD's 60 mo.-10/19	\$75,663.78
1 State Farm CD's 60 mo. 3/20	\$25,000.00

Funds Available:

Petty cash	\$50.00
Checking-includes (Land savings \$1461.61 This amount is still in the checkbook)	\$24,238.80
Operating Expense Account	\$123,256.50
TOTAL	\$147,545.30

A motion was made by Kathy Jefferson and seconded by Lance Holthusen to accept the Treasures Report as read. The motion passed with all yes votes.

REPORTS:

Manager's Report: See attached Manager's Report. Sharon Kadlec also reported that assessment income is slightly greater than last year at this time.

Advisory Committee: No report

Architectural Report: No written report. Sharon Kadlec commented that Joe Marte verbally resigned on February 7, 2015 and Roger Eilers turned in a written resignation effective February 16, 2015. There are not enough members to have a committee. The duties will fall to the Board members until more members are appointed.

Entertainment Committee: There was no written report submitted. The Road Side Clean Up is scheduled for April 18, 2015 if weather cooperates. The Garage Sales will be May 23rd, and we already have one sale included.

OLD BUSINESS:

- a. Work Group Report and Recommendations on Garage/Reinterpretation of Covenants will be given to the Board of Directors.

NEW BUSINESS:

a. New Attorney: After the recommendation from the work group, a letter was drafted by the Board of Directors in early February. 10 letters were sent out to attorneys in St. Cloud area, Fargo, Brainerd area. 5 responses were received. Because of the time constraints with the meeting on March 14, the Board decided to hire the attorney that responded first, Hughes Mathews Greer, P.A. A letter was drafted with concerns and questions requesting a response by March 3rd. An email response was received March 4th with hard copy coming in the mail. Thomas Matthews' rendered his legal interpretation that he would defend in court.

Rich Nagel made a motion for Sylvan Shores Property Owners Association to use Thomas Mathews of Hughes Mathews Greer, P.A. as legal council. Kathy Jefferson seconded the motion. Motion passed with all yes votes.

b. Bexell permit: Bexell's applied for a permit for a garage across the road from their dwelling. We have been advised by our attorney to not discuss this at an open meeting.

Lincoln Messner makes a motion to request a legal interpretation from our attorney defining residence vs. residential in regards to building and use limitations and to have him attend our annual meeting on May 2nd to inform property owners. Kathy Jefferson seconded the motion. The motion passed with all yes votes.

Sharon explained that allowing a garage across the road from a persons dwelling is not a bad idea, it is just not legal with our Covenants. The next step could be to amend our Covenants to allow a garage on contiguous lots minus any roadway. Would this be legal?

Mary Linker would like to see a change in the Covenant to allow this. This could be a long process and require a vote.

Steve Koepcke mentioned the covenants need to be revised and we should discuss how the make the changes.

Ann Dibb would like to see the group nail down what the recommended amendment would be.

Lincoln Messner made a motion to build a list of things we would like in regards to garages – what we expect and want in a Covenant amendment by polling those present. Kathy Jefferson seconded the motion. The motion passed with all yes votes.

Discussion: Would this list of changes be considered “material” and would then need a vote of all owner? Do we need to have a dwelling in order to build a garage? It was suggested that all questions be put in writing for the attorney visit at the annual meeting. If lots were combined on a deed would it be enforceable at the County level. Lots need to be contiguous minus road ways and must be conveyed (sold) together.

c. Other: Arlene Grover has a procedural issue. Arlene Grover moves that whoever is transcribing the minutes has to have them into the office within 14 days after the meeting. Lance Holthusen seconded the motion. Motion passed with all yes votes.

**Lincoln Messner formally resigned from the Board of Directors and the Treasurer position effective May 3, 2015.

Arlene Grover made a motion to adjourn at 11:30 am. Seconded by Lincoln Messner. Motion passed with all yes votes.

Open Floor: Lance Holthusen commended the community for being civil during the proceedings.

Submitted by:
Sharon Kadlec
Manager

Revisions as noted from 6/13/15 board meeting submitted by Ann Dibb, Secretary

** Lincoln Messner read the treasury report.*

***Notation only: There was a failed motion to amend the minutes to read: ‘Lincoln Messner resigned effective immediately, the board asked him to stay to the end of the annual meeting’.*