

**Lake Forest Estates
Board of Directors Meeting
December 12th, 2019**

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January 9th, 2020 Next Board Meeting

Call to order 7:00 pm

Jim Donze, Harry Davis, Bob Palmer, Mark Wiegert, Dave Evelsizer, Greg Stephenson and Mark Basler were in attendance.

Announcements:

Lake Susan will be lowered starting 12/13/19 so a resident may complete some shoreline work and will be maintained as such until project is complete.

Also note that any person seeking information about the water/sewer project or Lake Forest business, please email the office and your questions will be directed to the appropriate party or you may attend the monthly meetings and be recognized.

Mark Basler announced the following:

As everyone knows, the Lake Forest Estates Clean Water District was officially established by order of the Ste. Genevieve County Circuit Court on November 12th of this year. The District was formed to finance and construct improvements to the existing sewer system, and to operate the updated system, to be in compliance with the clean water requirements of the Missouri Department of Natural Resources. Given that development, there are a few matters that the District's Attorney is asking the Association's board to address.

Continuing Services - Obviously the District's work is ongoing, and the district won't be in a position, for at least a couple of years, to take over service delivery. The district has already voted that the Association should continue sewer and water operations until the facility improvements are completed and the District is ready to take over operations. So the attorney is suggesting that the Association acknowledge this by motion.

Mark Basler made the following motion: I accordingly move that the Association continue providing sewer and water service to Lake Forest Estates—to maintain the status quo—until the

facility improvements are completed and the District is able to assume operations. Motion was seconded by Harry Davis. Motion approved by all in favor.

Association Records - The District is a “public governmental body” under Missouri’s Sunshine Law, and it has a legal obligation to keep and maintain records. But the District just started on November 12th, and it really has no claim to the records that the Association has developed while investigating and preparing for the sewer district improvements. Still, those records are necessary for the District to perform the responsibilities for which it was created.

The Sewer District Attorney accordingly is suggesting that the Association formally transfer its records to the District for compliance with the Sunshine Law. If the Association does so, we will set up a separate filing system located in the Association office to keep the records accessible to both the District, the LFE community, and the general public.

Greg Stephenson made the following motion: I move that the Association transfer all of its records on the sewer facility to the District for use and retention by the District in accordance with Missouri’s Sunshine Law. Motion was seconded by Dave Evelsizer. Motion was approved by all in favor.

Waiver of Conflict - The District’s Attorney is Paul Martin, and Paul is the same lawyer that the Association hired to get the District established. As we move forward, the Association and the District will have to agree to different things, including asset transfers and shared space and employee arrangements. Because Paul once represented the Association, he has the appearance of a conflict of interest in now representing the District.

The rules of ethics for Missouri lawyers requires that Paul ask the association for a waiver of any conflict of interest regarding the dual representation. Since the goal of each organization is the same—getting the sewer improvements to comply with the DNR requirements, and since the Association has its own lawyer for any further transactions between the two organizations—Paul does not believe there is a problem with him now representing the District, and he’s asking for the Association’s blessing to do that. The District has already approved its own waiver.

Mark Weigert made the following motion: I move that the Association waive any conflict, and any appearance of a conflict, that may arise out of Paul Martin’s past representation of the Association and his current representation of the District. Motion was seconded by Harry Davis. Motion was approved by all in favor.

Dissolution of Sewer Committee - The Association’s Sewer Committee was established to look into and address the clean water violation notices that DNR has delivered to the Association. Now that the LFE Clean Water District has been established, that responsibility has been assumed by the District, which

should now be responsible for investigating and implementing the required facility improvements. The District's attorney believes that to avoid the possibility of misinformation, future public communications on the sewer improvements should take place primarily, if not exclusively, with the District's Board of Trustees, and he's accordingly recommending that the Association's Sewer Committee be dissolved.

Harry Davis made the following motion: I move that the Sewer Committee be dissolved, effective immediately. Motion was seconded by Bob Palmer. Motion passed with all in favor.

Mark Basler explained that the Attorney would like to make everyone aware of an obvious situation that needs to be discussed publicly.

Everyone's aware that until the District's financing is approved, it has no cash on hand by which to conduct business. While the attorneys and the design engineer are deferring any payment until financing is approved, the District will likely be required to incur other costs from time to time to get pursue the project improvements. These costs could include application fees, copying fees, publication fees, survey fees, etc. It's impossible to say now, at the beginning of this process, what expenses the District may have to confront.

The District wants everyone to be aware that from time to time it will be asking the Association to advance certain costs needed to move forward with the sewer improvement project. The Association's board will have to approve any such request. The Association will receive documentation of such expenses, and those expense advancements will be reimbursed by the District once financing is approved.

One such item was the cost to hold the vote on the sewer district creation. That cost was unknown at the time because the Ste. Genevieve County had never held such an election. However, the cost is in and will be voted on during Board approvals under the Community Managers report.

Mark Basler made it clear that residents wishing to ask question regarding the Sewer Plant will need to attend one of the monthly Sewer District Board meetings held on the 1st Thursday of every month at Community Center. There will be some occasions when the Lake Forest Community Association Board will need to respond to request from the Sewer Board as the upgrade moves forward. Things such as the survey which will be worked on soon or as previously mentioned advancement of funds to cover certain expenses. However, residents should be aware that there is a clear delineation between the Lake Forest Community Association and the Lake Forest Community Clean Water District. The Lake Forest Community Association cannot speak for, nor answer for the Lake Forest Community Clean Water

District and vice versa. The Lake Forest Community Clean Water District will provide residents a means to contact them soon.

Open Forum:

Nothing

Business session

Approval of Minutes:

Motion to approve the November minutes made by Harry Davis. Second by mark W. Motion passed with all in favor.

Treasurers Report: Bob Palmer

As of November 30, 2019, we had \$124,472 in our checking accounts and \$339,436 in certificates of deposit. Loan balance was \$172,828.

Income for fiscal year-to-date is \$414,225 while expenses for the period were \$273,483, resulting in net income of \$140,742.

Motion to approve the Treasures report by Dave Evelsizer. Second by Greg Stephenson. Motion passed with all in favor.

Community Managers Report: Tom Duro

Water Usage – Well #1 pumped 625,000 gallons and Well #2 pumped 633,000 gallons for a total of 1,253,500 gallons.

Lagoons – All running good

Maintenance – Installed chlorinator pump in well house #2 along with a new degassing device for the chlorine. Repaired pump tubing in well #2 due to a pinhole. John cleaned up the two big parks. We also burned leaves in ditches. Just a reminder –Don't blow leaves into road or drainage ditches unless you intend to burn them at that time. Don't leave them for me or you will be sent a bill to burn them or remove them. Purchased extensions for snowplow and installed. Once again had to have Winkler route out a sewer line which has been a problem every couple of years. I will be speakin to the board about having a part of that line replaced. The cost to have the line cleaned out was \$342.50.

The following bills were voted on to be paid:

Ste. Genevieve County Clerk (Sewer District Election) - \$2086.92

Motion to approve by Bob Palmer. Seconded by Harry Davis. Motion passed with all in favor.

Sidener Environmental – (Snow Plow) \$592.99

Motion to approve by Harry Davis. Seconded by Jim Donze. Motion passed with all in favor.

MWR CPA - (Audit) \$6384.00

Motion to approve by Bob Palmer. Seconded by Dave Evelsizer. Motion passed with all in favor.

MFA Propane – (Shop) \$510.03

Motion to approve by Harry Davis. Seconded by Greg Stephenson. Motion passed with all in favor.

Committees:

Public Works: Don Kuehn

Don showed everyone the drawings he had just received on the lighting for the entrance to Lake Forest. More discussion will take place on the various options that are available going forward after the first of the year.

Planning and Finance: Bob Palmer

Budget for 2020 will be underway soon. All committees who have budgets should send any updates to Bob.

ACC: Todd Donze

A new home construction is coming up for approval.

Lakes: Duane Harley

John Summers read the Lake report for Duane.

As I have mentioned a number of months ago, I am stepping down as the head of the Lakes Committee at the end of this year. It has been an honor to serve on this committee for the past 6 years but I need to re-direct my efforts and serve on the newly formed Lake Forest Estates Clean Water District and have committed myself to serve for the next 5 years. This decision was not an easy one but one that I felt was necessary. Lake Forest Estates has a long history of servant-minded volunteers stepping forward. This community has accomplished a lot before we came here 7 years ago and we have seen it continue to improve on the back of those volunteers, so it is now my turn to offer what talents I have and to freely give back to the community we have come to love. We are all blessed to live here, and we cannot say enough good things about the many neighbors my wife and I have gotten to know.

As has been previously communicated John Summers who has assisted on the Lakes Committee for quite some time has volunteered to take the committee over. This month I am passing on all the information I have to date and he will carry this committee forward. John will do a great job with his first order of business would be to submit the budget request for 2020. I am sure John will bring new ideas forward and continue to help protect these wonderful resources we all appreciate. Good luck John. I suspect John may be seeking additional volunteers to serve on this committee.

Also, I was requested by The Board to review a project request by Bud Cavanaugh at 12208 Cedar Circle. The scope of this proposed work is to re-grade and contour the front of the lake property adjacent to Lake Susan. The current property contains a number of changing grades creating I am sure numerous wet areas and basically makes it difficult to adequately and safely enjoy this space. Based on the work scope communicated to me the grading work will not encroach into the lake boundary causing any excessive soil erosion into the lake. Basically they are improving the overall contour similar to the other lake properties on Lake Susan. The property owner also agrees to add some meshing or matting to further control and soil movement as the grass re-grows in this area. I also saw that the sewer line does not interfere with this work as it is located on the right side of the property facing the lake and exits to the right into a drainage creek area. With all of this in mind "I recommend approval" of this modification.

Harry made a motion to approve the work mentioned above. Motion was seconded by Dave Evelsizer. Motion passed with all in favor.

John asked about getting a service boat for the lakes so that residents would not have to use their own boats to put out buoys and other lake work.

Lastly, remember the security lock codes will change effective January 1, 2020. Like previous years the new code will be issued along with your annual boat sticker.

The Board thanked Duane Harley for his years of volunteer service as the Lakes Committee Chairman. The residents of Lake Forest have benefited greatly from Duane's service and we sincerely appreciate everything he has done.

Security: Dave Evelsizer

The Ste. Genevieve Sheriff's Department was notified about a car following a FedEx delivery truck in Gray Hawk. Deputies were waiting in Lake Forest when the delivery truck made its way and made contact with the individual. Residents are encouraged to watch for their deliveries and get them inside as soon as possible.

A few mailboxes have been noticed open. Make sure your mailbox closes and doesn't bounce back open.

Joanne has asked that everyone check your mail daily and get your parcels out of the lockers. This is a busy time of year and mail stacks up.

Hall: Tom Duro

No report

Entertainment: Sue Alexander

Keep up to date on entertainment updates by following the Lake Forest Facebook page or the Lake Forest website.

Curb Appeal: Linda Summers

No report

Boatsheds: Bruce Giesler

Jim Donze answered a question received from Joe Heitkamp in an email about the Skid Steer that was being used by Tom Duro. The Skid Steer was paid for by the residents who purchased new boat sheds that were built last winter. Included in the excavation cost was the rental cost of the Skid Steer (\$2500) to be used around the boat sheds for dress up work. Since it was available Tom did use it in several other places around Lake Forest.

There was discussion about junk accumulating at the boat sheds. There are a lot of trailers, boats, vehicles that have not moved in years. The Board encourages residents to use the boat shed area for storage, however seemingly abandoned items prevent other residents a place to park their trailers, boats, etc. All items stored at the boat shed area should have a sticker or markings that identifies the owner.

The Board will be working on updating the rule book on abandoned vehicles and trailers to present to the residents at the Annual Meeting.

Pool: Tom Duro

No report

ATV: John Summer

The trails are in great condition. If we start to get heavy rains, use caution because the wet weather will quickly affect the quality of the trails.

We are looking for a volunteer to take over Chairmanship of the ATV/CART Committee. If you would like to help Lake Forest out and get involved please contact a Board Member.

Any violations of Lake Forest Rules and safety concerns will be handled in a progressive discipline manner, as with any other Lake Forest benefit. Let someone know if you see dangerous behavior. Or better yet, call the Sheriff and file a complaint.

Webmaster: Beth Meier

The website is in great shape thanks to Beth! Please use the Website there is a lot of information there. Beth asked for residents to please send her photos of the happenings around Lake Forest. She would like to include them in the gallery on the website.

Old Business:

Harry Davis brought up that there is no hunting on Lake Forest property. Two tree stands were found on Lake Forest property. One tree stand was confiscated and the other was taken down by the owner.

New Business:

A resident mentioned the possibility of a controlled hunt on Lake Forest like some other communities have had to control deer population. Those communities are situated within city limits and deer populations are an issue. Lake Forest being rural has a lot of hunting around the perimeter of our property which helps control the population.

A resident asked about when Lake Anne would be lowered for the Sewer project. The Board has no idea when the work would begin. As mentioned previously, questions related to the Sewer project should be address to the Lake Forest Sewer District.

Motion to Adjourn

Motion to adjourn by Bob Palmer at 8:25 pm. Seconded by Greg Stephenson. Motion passed with all in favor.