

Ess Lake Association Board of Directors Meeting

Minutes August 23, 2022

Call to Order: The meeting was called to order at 6:38 pm at Sharon Quist's house. Board members present: Mark Pollard, Sharon Quist, Cheryl Leach(Zoom), Aimee Smith, Jim Badour(Zoom), and Geoff Denstaedt(Zoom) Rick Koger – not present due to short notice and a schedule conflict.

Additions to the Agenda: None

Public Comment: None

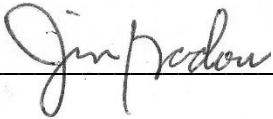
New Business:

- **Evaluate Letter from Attorney Jim Mazrum:** The board had reviewed the letter from attorney Jim Mazrum(attached) dated 8/15/22 prior to the meeting.
- **Establish Board approach to paying off the attorney fees associated with defense of Declaration of Restrictions, Ess Lake Estates:** Items brought up to pay off the remainder if the attorney fees are:
 - Assess all members a one-time assessment, based only on membership not on number of lots.
 - Assess all members a one-time assessment based on number of lots such as the dues are assessed.
 - The board previously approved the opening of a credit card account with a limit of \$2000 with stipulations for payment. Re-visit that approval to increase the card amount to cover the balance owed (\$9000?) Yes, there would be interest charged but moves the liability owed back to the association (we owe ourselves) rather than to the attorney.
 - Seek information for an HOA loan. Liability to us etc. See above.
 - Renegotiate with Mr. Mazrum. Liability to attorney, interest may be lower.
 - In this year's budget (budget year 2022-23) we have \$1400 set aside for security, \$2000 left to pay on the attorney line and \$900 of dues now collected late not placed on a budget line. This totals \$4300 to pay attorney for this year. In moving forward to a year from now (July 1, 2023, budget year 2023-24) we would have \$2400 placed on the attorney line, \$1400 placed on the security line, and \$518 placed on the port a john line. This totals \$4318. This totals \$8618. Sharon figures our current balance owed is \$9005.00 as of September 1, 2022. We could offer Mr. Mazrum a two-payment plan of \$4300 for September 2022 and \$4318 as of July 2023. This would leave us a balance due of \$387 that we would have to find in other budget lines. The downside is this means no security of the winters of 2022 and 2023 and no port a john for the summer of 2023. The upside is that our debt would be paid by July 2023.
 - Send out a letter to the Ess Lake Association membership to ask for donations to set up a legal fund to help defend our Bylaws and Restrictions for our association, since dues will never be able to support any legal defense of our bylaws.
 - continue with our current budgeted payment of \$200 per month until paid in full

It was decided to draft a letter to send to association members for donations to defend our bylaws by a vote of 4 members for (Mark Pollard, Jim Badour, Cheryl Leach, and Geoff Denstaedt) and two members against (Sharon Quist and Aimee Smith).

The meeting was adjourned at 7:08pm.

Written and submitted by Jim Badour

Signed  _____

GILLARD, BAUER, MAZRUM, FLORIP, SMIGELSKI, & GULDEN

ROGER C. BAUER
JAMES L. MAZRUM
TIMOTHY M. GULDEN
JOEL E. BAUER
DANIEL J. FLORIP
JAMES D. FLORIP, OF COUNSEL
WILLIAM S. SMIGELSKI, OF COUNSEL

ATTORNEYS AT LAW
109 E. CHISHOLM STREET
ALPENA, MICHIGAN 49707

(989) 356-3444
FAX: (989) 354-2821

JOEL W. GILLARD
(1944-1997)

August 15, 2022

Ess Lake Board of Directors
Mark Pollard, President
P.O. Box 388
Hillman, MI 49746

**Re: ESS Lake Owners Association Incorporated and Mark Pollard
vs. James Staton**


Dear Mr. Pollard:

In reviewing my accounts receivable, I note that you have been paying my bill at the rate of \$200.00 per month. At that rate it will take over four years to repay without interest. Our agreement was that you would pay invoices as billed. I have let this slide because you asked me to wait for 2022 bills to homeowners. Surely that has been done. I would appreciate payment in full soon. Otherwise, please call me to discuss acceptable arrangements which would include higher payments and interest.

I appreciate your attention to this matter.

Very truly yours,

GILLARD, BAUER, MAZRUM, FLORIP, SMIGELSKI & GULDEN



James L. Mazrum

JLM/tsm
Enclosures