

Ess Lake Association Board of Directors Meeting

Minutes January 16, 2021

Call to Order: The meeting was called to order at 10:00 am at Mark Pollard's house. Board members present: Mark Pollard, Sharon Quist, Cheryl Leach, Aimee Smith, Jim Badour, and Geoff Denstaedt by phone. Shirley Daugherty was absent.

Meeting Minutes Review: The minutes of the board meeting of October 24, 2020 were reviewed, with a first motion for approval being made by Sharon Quist with a second motion from Aimee Smith, all were in favor.

Treasurer's Report: The treasurer's report of December 31, 2020 was submitted by Sharon Quist. A first motion for approval of the report was made by Jim Badour with a second motion by Cheryl Leach, all were in favor.

Bills for Approval: No bills to approve.

Additions to the Agenda: None

Public Comment: None

Old Business:

- **Review Board Goals:** The board goals were presented to board members by Cheryl Leach. These goal will be presented in the Annual Newsletter.
- **Website:** The new website look has been reviewed by all board members with approval. It was asked that the Ess Lake Association PO Box number be put on the website. Sharon completed the update to the member directory and it will be posted under the member area on the website. It was also discussed that the budget be posted as well under the member area.
- **Tennis Courts:** Aimee will order the sign for the tennis court before spring. Mark has the bar to finish up so that it can be completed in the spring. The tennis practice board will be removed in the spring before it falls due to it rotting.
- **Lot #115 Legal Issue:** The deposition has not happened yet, so this matter will go into the spring before it moves on any further. Mark has a letter put together, but will be tabled at this time.
- **Canal Update:**
 - **Mouth of Canal:** Mark has talked to the DEQ about the modification to the permit. Mark will get this drawn up showing the sea wall so that the permit can be approved with this revision.
 - **Duckweed:** Cheryl Leach sent out a letter to the board members for review to set up a fund for the control of weeds in the canal, which will spread to Ess Lake if it is not controlled. Geoff investigated to see if there were any tax revenue implications for this fund, which there are not. Geoff did say that a "Special Revenue Fund" are used by government agencies. Since Ess Lake is private, ours would just be a fund raiser or Water Management Fund. A 1st motion was made to set up a Water Management Committee, with a second motion by Sharon Quist, all approved. Another 1st motion was made to establish a Lake & Canal Management Fund for the purpose of preserving the lake and canal against invasive weeds by Sharon Quist, with a 2nd motion by Jim Badour, all approved. The water management committee will consist of Sharon Quist, Cheryl Leach, and Mark Pollard. A motion was made to setup a contract with Aquatic Nuisance Plant Control to control and eradicate the Duckweed, and other invasive plants by Sharon Quist, with a 2nd motion by Geoff Denstaedt, all approved.
- **Status of building projects:**

- Lot # 94: Complete
- Lot# 131: The block and foundation are in, but it has been listed for sale
- Lot # 67: The garage is up & just needs the siding finished. This will be finished in the spring.
- **Letter to Governor:** No Response.
- **Letter on Shed Color:** A formal complaint(attached) was made by a board member as to the color of the shed on lot #42. The board has reviewed what was submitted by the owner and has sided with the owner that the color of the shed is ok.
- **Variance on trailer parked and stored on property(4cases):** Letters to the property owners were sent out. Comments by board members were made that this restriction needs to be looked at for a change or to grandfather some changes in. This may have to wait until the next time that the board can change the restrictions so that all Ess lake Owners have a say in changing this restriction.
- **Fence on Lot #61 and 62:** A plan needs to be submitted for this fence for approval. This is for a dog run. The board still has not received a letter back on this for approval.
- **Letters for sheds on lot #78 & Lot #22:** Mark will send letters or talk with these lot owners. A complaint was received about these due to enforcement of the current bylaws. These sheds have been in this position for at least 20yrs or more and there are no records that this was approved due to poor record keeping from previous boards. Mark will have the owners submit a site plan to see if a variance can be approved.
- **Basket Ball Court – Establish a separate Area:** Sharon had some approximate cost for the court. Concrete is \$186/yd. This would be about a 9x9 slab. Mark asked that the committee find a location for the court and bring costs to the board for approval.
- **Committees:**
 - **Ess Lake Garage Sale:** Garage Sale Weekend will be May 21, 22, and 23.
 - **4th of July Activities:** Geoff needs some help with this. It was suggested that he may get in touch with Joy Langton. She puts on the movie on the lake for the past few years.

New Business:

- **Request for relief from liens, lot 209:** The total owed in back dues and fees is \$280.00. The current owner did not have a title search completed, as this would have shown the liens. The owner is requesting that the liens be the responsibility of the previous owners or a reduction in the fees be considered. A motion was made to reject the request to transfer the lien to Mr. Bays(former Owner) by Cheryl Leach, with a second by Aimee Smith, all approved. A motion was made to enforce the lien and keep the total at \$280.00 for the current land owners by Aimee Smith, with a second motion by Cheryl Leach, all approved.
- **Dead End Sign:** Mark will talk with the road commission on putting up the dead end sign.
- **Request to add a member from Long Lake:** Mark Pollard has requested that a guest pass be written up and approved by the board that frees Ess Lake Association of any liabilities that could occur from a non-association member. Geoff will come up with some wording for doing this. We will take this up at the next meeting to see if we can approve of the Barkey's joining and paying dues to increase our revenue.

The meeting was adjourned at 12:00 pm. The next meeting is on 4/24/21.

Written and submitted by Jim Badour

Signed _____

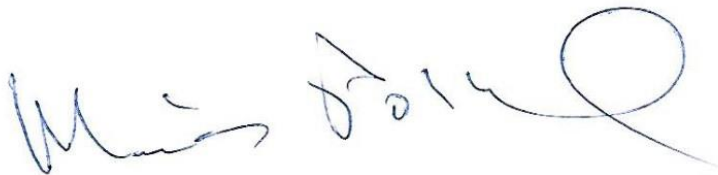
Response to Exterior Color of Shed

On May 25, 2020, a property owner submitted a plan for placing a shed on her property. At the June 20, 2020 Board meeting the plan was approved. In July of 2020, the shed was placed on the owner's property in accordance with the plan apart from the approved color scheme. The plan states, "The color scheme will be as similar as possible to the colors of the house." Article IV Character and Size of Buildings states, "Outbuildings and garages shall conform generally in architectural design and exterior material and finish to the main dwelling." The house is a dark gray while the new outbuilding is bright white.

The Board has been asked to revise the original plan by authorizing bright white as the color. Not only does this violate our Restrictions but it also violates the spirit of the rules. I have been a Board member off and on for over 40 years. Back when I purchased my property in 1975 the Restrictions were in place. Over the years the Boards have enforced the letter as well as the spirit of the restrictions. The reason the Restrictions require the owner state the color of the building is so that it is in keeping with the over all plan of the community. Ess Lake Estates is a recreational community as well as a year-round residential community. The Restrictions were developed to help keep the community a desirable place to live. The restrictions set standards above and beyond the local and State zoning and building requirement. For instance, the township set back from lake and streams, etc. is 45 feet. The Ess Lake Restrictions requires a 75-foot set back except for two lots. Why the difference? The developer of Ess Lake Estates wanted the natural shoreline to remain as pristine as possible allowing for the buildings to blend in with the up-north environment. Why approve the color schemes, so they will blend in with the natural environment.

One can argue how well the past Boards have done in this endeavor, but overall, the sub-division is in good shape. Past Boards did not approve white as an acceptable color. Two garages in Ess Lake Estates are sided in part or in totality with white siding. Neither structure color was approved by the Board and both structures are not in keeping with Article IV, Character and Size of Buildings states, "Outbuildings and garages shall conform generally in architectural design and exterior material and finish to the main dwelling."

If the Board chooses not to enforce this provision of the Restrictions by approving the change in color, than future Boards will be obligated to approve outbuilding not conforming with same or similar colors of the main structure, well as, not be able to restrict white as an unacceptable color because it does no blend in with the up-north, woodland environment.

A handwritten signature in blue ink, appearing to read "Miss [unclear]". The signature is fluid and cursive, with a large loop at the end.