

Lake Lorman Board of Directors Meeting Minutes January 19, 2009

All Directors attended except for Woody Nance who was necessarily and unavoidably absent on a previously scheduled business assignment. Twenty-one Lot Owners were in attendance.

President Jim Watts called the meeting to order and welcomed the lot owners, thanking them for their interest and attendance.

Old Business:

Appreciation was expressed for the faithful and excellent service of Tom Johnson, President of the Board in 2007 and 2008.

The Minutes of the Meeting of December 2008 were approved.

Officer and Committee Reports

OFFICE OF TREASURER: President Watts reported on the Treasurer issue, advising that the Board having studied the issues of how best to handle the office and duties of Treasurer this year voted for Jim Watts to be Treasurer and for the Board to retain Margie Abel, former Treasurer, for the fee of \$25 per month. Margie, having done such an excellent job the past two years, would thus serve the Lake and continue handling computerizing of records, billing, collections, finances and reports, with a Treasurers Bond, the premium of which will be paid by the Board. This matter was unanimously adopted after motion, second and discussion. Margie was present and agreed to this service.

ROADS AND STREETS Director Woody Nance was absent, so there was no report, but several lot owners reported potholes, failed paving, bad asphalt, and what appeared to be asphalt laid in "cold" on Lorman Lane. Westline Drive was also reported as being in "bad shape," and another Lot Owner pointed out that Cedar Ridge Drive has deep holes perhaps with a water main line failure within them. Mention was also made of 4" metal covers on Lorman Lane being continually knocked off by vehicles. The Committee will study these matters, coordinate with Larry Foote, last year's road and street chairman, confer with the Contractor and report further as to any necessary steps to enforce our rights as to sub standard or unreasonable level of paving work.

LAKE COMMITTEE: President Watts reported that liming and fertilizing of the Big Lake and fertilizing of the Little Lake were ready to go forward. However, the liming of the Little Lake must be delayed because the launching ramp on the Little Lake needs to be repaired to accommodate the Contractor's barge. The launching ramp goes into the water at an angle which intersects the bottom of the lake which is shallow and flat to the end that launching of the Contractor's barge is not possible without damage to the barge. Launching last year damaged the barge, and the Contractor refuses to use the ramp as is. Several residents of the Little Lake discussed the idea of spreading lime by hand out of a small boat using lime in sacks, use of a pontoon boat already in the Little Lake, use of the access from Asper Antoon's lot, and other possible solutions. Another suggestion was to call a special meeting to additional \$100 let the Lot Owners vote on a special assessment dedicated strictly to repair cost of the ramp on Little Lake. A motion on this was tabled to await the arrival of board member Craig Lang who has best knowledge of this on the Board.

Upon his arrival, Craig announced that the original bid for the liming and fertilizing of the Big Lake and the Little Lake of \$27,258.06 included the cost of repair of this launching ramp. Thus, the total cost of the fertilizing and liming of both Lakes and the full repairing of the Little Lake's launching ramp area so as to accommodate the Contractor's barge was announced and clarified by Craig Lang as \$27,258.06 for all such expense and cost of all materials and labor. Issues of when to repair the ramp, whether to lower the level of the Little Lake by pump, to wait for normal summer dry weather with a normally lower level, or to launch the Contractor's barge from a lot [with the lot owner to agree in advance not to make any claims against anyone for the dumping, trucking or equipment damage, if any, to his land] were all fully discussed. Ultimately, it was agreed that Craig Lang, Lake Chairman, would quickly convene a meeting of the Contractor with himself, Fred Sanders, Asper Antoon and Eddie Zigglar, plus any other interested lot owners. These persons will confer and report back their written conclusions to the full Board at the next meeting [March 9 at 6 pm] for possible further action. It was further specified that all invoices for all such work would be produced to the Treasurer and the Board so that a full accounting of the cost and best use of funds be memorialized and preserved. The timing of this is not critical, but the sooner the liming can be done, the better.

CLUBHOUSE: Bill Cox announced that Shirley Grace had volunteered to be co- chairman of the Clubhouse Committee with Bill Cox as Director to have final authority and responsibility. Reporting to and conferring with Bill as needed, Shirley would handle all matters relating to the Clubhouse, including scheduling and collection of any fees or security deposits, monitoring use and cleanup and making decisions about refund of all or part of the security deposits. The Board expressed thanks to Shirley for her service, recognizing her long time involvement with and interest the Clubhouse for many years.

There was a discussion of whether some groups should have the use fee waived, the amount of any use fee, the amount of any security deposit, the use by Church groups and non church groups and the availability and use of the Clubhouse in general. It was pointed out that the different Church groups and Bible Study groups have used the Clubhouse free of any monetary charge, but these groups have been most diligent and faithful in cleanup and donating cleanup materials and paper products and, in general, being good stewards of the Clubhouse. Following a full discussion by the Board with excellent input from the Lot Owners in attendance, the following Resolution was unanimously adopted:

"Resolved that the Clubhouse of Lake Lorman for a one time test, maximum of a one [1] year period of time, the Lake will waive and not collect the customary \$75 use charge for any and all uses of the Clubhouse. The Lake will, however, impose a security deposit of \$175 [it was \$100 in the past], the security deposit to be for cleanup, sweeping and mopping and repairs and replacements if needed. Provided further that only a Lake Lorman lot owner can be the reserving and responsible party for the Clubhouse, who will personally sign a Contract for the use of the Clubhouse with Shirley Grace signing such legally enforceable Contract on behalf of Lake Lorman. This Lot Owner will be present during all the use of the Clubhouse. Provided further that if the \$175 security deposit does not cover all cleanup and damages, the responsible Lot Owner who signed the Contract and the Lot of the Lot Owner who signed the Contract will be assessed the unpaid balance of repair and cleanup, if any, to be secured by a Real Estate Lien to be placed of record on the official land records of Madison County, Mississippi, until paid, with all attorney fees and costs, all as according to Mississippi law in such cases. It is further resolved that no alcohol will be served or consumed or permitted in or around the Clubhouse during or on any such use. It was further resolved that the Board would closely monitor the use of the Clubhouse under this new arrangement and, after 3-6 months, the Board

would review this issue and make further Resolution to react to any problems encountered. Official Lake Lorman parties customarily held in July and December would be exempt from this Resolution, these being official functions of the Lake.

COMMUNICATIONS AND SOCIAL: Barbara McDonald reported that because all lot owners do not have email, in order to increase participation and interest in our Lake business, she would begin to print out the Minutes to be kept for free distribution in a small black mailbox to be attached on the outside porch of the Clubhouse, on the east or water side of the Clubhouse to be available to all Lake Lorman Lot Owners who do not or cannot get their Minutes by email. Barbara donated the mailbox to the Lake.

Barbara has instituted a procedure to personally post signs at the Gates announcing Board Meetings in the hope that most if not all our Lot Owners will attend and participate at the Board Meetings and make their ideas heard as the Board studies issues. Several of those in attendance had come due to these signs. In this connection the Board will have a Sign-In sheet at each meeting to better monitor those attending, and the Board asks that anyone with business for the Board, give a reasonable summary in writing to at least one Board Member no later than two [2] days prior to any Meeting so the Board can study and discuss and be ready to conduct investigation of the matter at any Meeting. At any time, lot owners with concerns are encouraged to alert a Board member. This is your Lake, we are just your representatives and we seek to do only what is best for the lake.

Barbara announced the July 4 and Christmas parties and asked for volunteers for the **Social Committee** to work with her.

LAKE RIGHTS COMMITTEE OF 2008: A Resolution related to lake rights of Lot 1, Part A, owned currently by Mr. and Mrs. Gerry McGuire was summarized and explained by Bill Cox, a member of the Lake Rights Committee from last year. The Resolution was approved unanimously and is by reference, attached to, incorporated herein, and made a part of these Minutes.

New Business:

GENERAL LAKE RIGHTS: Lot Owner Asper Antoon reported that he believes from his study of the deeds on Lake Lorman there may be some ambiguity or lack of clarity in Lake Right use of the two lakes. A sample deed was given by Asper to the Board for study and comment. It was pointed out that the Board could not legally change provisions in land deeds and that lake rights and easements came from the original grants of easements by Piedmont, the original owner, but the Board will study the matter and report back to the lot owners as to its interpretation of Asper's question of lake use.

DREDGING: A discussion ensued about dredging the Lake for a boathouse or a seawall. Craig Lang reported that no dredging is allowed in order to add lawn area to any lot out into Lake Lorman, little or big lakes, and no increase of such lawn by dredging is allowed. Moreover, the DEQ does not permit dredging of an excess of 9.4 cubic yards per day of wet material and the transport of such over County and State roads under and by virtue of the Mississippi Environmental Rules. This relates to possible spreading of harmful substances to other lakes, including substances from other lakes into Lake Lorman for sure. Dredging is allowed with prior Board approval if the lot owner wishes to construct a seawall or dredge out a boathouse, not going beyond permitted survey limits, provided the lake bottom material thus dredged out is placed on the lot owner's property and used to fill in behind that seawall, or if such lake bottom

dredged out is first spread and dried on the lawn of the lot owner's own property, then taken away fully dry in trucks later.

LORMAN LANE TURNAROUND: Asper Antoon presented to the Board the matter of the land at the northerly end of Lorman Lane and the issue of a right of way to the Utility Board and matters of easements, contiguous ownerships and a turnaround area. The Board thanked Asper and took this and a map he presented for information in the future.

PRIOR LAWSUIT: Eddie Ziglar brought before the Board the issue of a lawsuit in years past and an obnoxious, offensive, dangerous and polluting chicken house on that property which drains dangerous and polluting chicken droppings and disease down into the Lake, and in high water is polluting the lake. Issues relating to a prior lawsuit were discussed. The Board thanked him for this and will study and report. Lot owners were encouraged by Bill Cox to take photos and get evidence to give to the Board that could be used to prove facts in an Injunction lawsuit. However, as litigation is reasonably anticipated, the Board will not be able to have any further on the record discussion of strategy, plans or anything that could be used in Court to the detriment of the Lake Lorman interests, the Board asking the Lot Owners to understand such reasons for confidential communications allowed and encouraged by Mississippi Rules of Court.

PAST DUE FEES: Another issue that may be litigated related to land of Jim Mingee and claim of non payment of the annual lot owners charge for maintenance or "dues." This matter will be likewise reviewed by the Board.

The next official Board meeting is scheduled to be March 9, 2009, a Monday, at the Clubhouse at 6 pm. The Board communicates and discusses lake business on an almost daily basis by phone, mail and email, in order to serve the Lake Community and to keep current on issues. If it becomes necessary to have a meeting prior to that date, email and signs will give the announcement.

Bill Cox, Secretary
January 20, 2009