

## **ANNUAL MEETING OF LAKE SOCORRO HOMEOWNERS ASSOCIATION**

**May 25, 2019**

**4:00 p.m.**

The meeting was held at the Schuyler City Library and called to order by Al Smiley. Roll call of board members showed that Al Smiley, Lance Johnson, Terry Bloom, Rebekah Sidzyik, Chad Keckler and Patty Buresh were present. Todd Heavican was absent.

\*37 homeowners attended

**Message from HOA Board** Al Smiley - Thank you to our lake community.

Our Lake Socorro community wants the lake to be returned to the original state and repairs done correctly for long term lake security.

### **Treasure Report**

Balance in the account is \$100,042.99.

Lake maintenance was one-time expense. Broken concrete was placed along North shoreline for erosion control. Septic pumping expense occurs once every 2 years and included in our yearly budget. Lake general liability insurance provider was changed 1/25/19 new premium \$586.00 old premium \$3,842.93. Association was reimbursed \$2,401.96 from previous provider. Separate insurance policy for lake board of directors 3 year term \$2,478.00 paid and coverage term 8/4/18 to 8/4/21.

2018 actual expenses \$32,728.18

2019 income lots paying dues \$33,300.00

Today's balance (2 lots not paid) \$100,042.99

\*Lake water test came back clear - \$33.00. We will have this done every year.

Motion was made to approve treasures report and a second. Motion carried.

### **Breach Analysis**

Al Smiley referred to aerial pictures and described the flood breaches from minor to major. The board is working on assessing the damage, gathering information and estimates and putting a plan into place to repair the banks and secure the lake. We currently have a very amicable relationship with the farmer who owns the land to the West and are working toward a compromise of repairing our banks. The HOA will be respectful and supportive of the farmer wanting to regain his farmland and repair the damage to his land as well.

### **Return to Ski Lake**

Repair the 2 breaches, remove all lifts, docks etc. from bottom of lake. Determine lake depths throughout the lake and once we are confident possibly place buoy to alert boats of shallow water and/or protect fragile banks. Shore up breaches on the West side and improve depth going into 1st addition.

## Commons Update

Mike Arps has held on to the title of the Lake and commons area. Every lot owner still has rights to use the lake based on the bylaws of LSHOA. Over the years the HOA has tried to seek the title transfer and Mike has refused for various reasons some was around the use and development of 7.5 acres of land he owns including the concrete shop with the last discussion was a quit claim deed vs warranty deed. The HOA has been advised not to accept. Post flood Mike is willing to discuss a title transfer and the 7.5 acres of land he held he recognizes is not worth what he thought and less developable since it is in the flood zone. We are being advised by legal counsel that Mike Arps is responsible for making repairs to the lake.

Homeowners had many questions and the board and other community members did their best to answer each question and share any information that could be helpful in the discussion. Pros and cons of working with our legal team to pursue the lake, roads, and the entire commons area including the shop was discussed at length.

How much would the repair cost us? **We have received some bids and waiting on others and determining the best approach to repair. Just filling in the breaches could be over \$250,000 but that would be a very high estimate based on some other options we are pursuing**

How are we working with the farmer to the West? **The board is working closely with the farmer and discussing viable options to gain access to the banks for repair as well as supporting the farmer in repairing his farm ground.**

If we repair the lake isn't it wasting money on land we don't own? **We would prefer to repair the breaches to ensure they are done correctly with long term benefits.**

Have we taken him the paperwork and asked him to sign? **We believe this has been attempted in the past.**

Was the 4th addition ever formally approved and plated. **Yes - but they gave him a 1 lot minor addition.**

Did we consult an attorney? **-Yes we are in constant contact with our attorney.**

**Weighing cost benefit - how much for lawyer vs land/lake repair? Consider the cost IF Mike Arps will not turn it over to the HOA.**

We have funds now but how much should we spend and is an assessment the right thing? **We currently have \$100,000.00 and it is anticipated we will need more.**

Could we get the first 2 breaches fixed and then go from there on how to proceed. **Yes - it is an option. We want to proceed cautiously and have it done right.**

Don't we have to see what the farmer thinks before we move forward? **We will continue to partner and communicate with the farmer so we are good neighbors.**

We have a board you have elected to negotiate - we are asking for authority to spend some money to get it fixed and back to its original or better state. **Goal is to come up with a common solution.**

What if this legal action takes years - we want the lake back to a ski lake. **Once estimates have been received and all options have been explored we will proceed with the plan to fix the breaches.**

Will the board ensure our rights be preserved to collect more down the road? **Yes**  
Is your attorney a good one? **Yes**

Looking at dredging in the future and possibly buying one to save on cost.  
In the future look into assessing the fish population.

#### Motion to vote

**\*\*Pursue legal course with Mike Arps to transfer his lots and/or pay for lake repairs.**  
motion to approve and second - passed

**\*\*Allow board to proceed fixing the West and North bank using the current funds.**  
motion to approve and second - passed

**\*\*Special assessment of \$1,000 due Sept. 1, 2019.**  
motion to approve and a second - passed

**Assessment of \$1,000.00 to Terry Bloom 1072 Lake Socorro Rd. Schuyler NE. 68661.**  
Please send payment by Sept. 1<sup>st</sup>, 2019. Homeowners have the option to pay \$500.00 July 1 and \$500.00 Sept 1.

**\*\*Pryor's Wake request - thankful for the hospitality and formally requests to vote on allowing wake on North side.**

#### Motion to vote

motion denied

#### **Elections of directors**

4 - up for reelection - Al Smiley, Chad Keckler, Terry Bloom and Todd Heavican  
Nominations accepted - Dave Johnson, Luke Flowerday and Dale Jedlicka  
Congratulations to Al Smiley, Terry Bloom, Todd Heavican and Dave Johnson as our newly elected board members.

It's important that each lot owner continues to clean their beach throughout the summer months so our lake water continues to improve.

**\*\*\* Fireworks will be held on Friday, July 5th with a rain date of Saturday, July 6th.**

The next Board of Directors meeting will be held on June 23, 2019 at 11:00A.M. at Todd Heavican's home.

A motion to adjourn the meeting was made and a second.

Motion carried.

Socorro Strong  
Respectfully Submitted,  
Patty Buresh