

**Lake View Estates Homeowners Association
Minutes for Annual Meeting
July 31, 2004**

Meeting was called to order by Mark Lourie at 2:10 PM

Present: Anastase (7), Cole (56), Cowan (26), Day (16), Hicks (11), Johnson (29), Kinney (18, 19, 54) Lourie (13), Lynch (32), Magner (42), Palm (52), Pavlovic (35), Rovzar (1, 2, 33), and Winn (34)

Present by Proxy: Bristol (15), Casaboun (12), Hunt (9), Jensen (31), Kelloway (57), Kroll (3), Marujo (58), Paone (40), Pollis (30), Roach (53), and Simmons (10)

Of 48 lots in good standing 29 were represented in person or by proxy. A quorum was present.

The meeting began with a presentation with questions and answers featuring The Town of Fayette's code enforcement officer, Dave Gireaux. Mr. Gireaux began by stating that the Board of Selectmen will determine the extent to which the town will involve itself in our enforcement issues. He noted that the town is most interested in enforcing land use ordinances, and less interested in our covenants relative to aesthetics.

We discussed ways in which the town and The Association might work cooperatively to get information to new and prospective land owners. It was suggested that a sign be put up near the "Lake View Estates" sign informing those who enter Lake View Estates of the protected nature of the development, with the LEHA Internet URL prominently displayed. Liz and Richard Hicks offered to prepare packets which will be made available to local realtors and to the town office. They referred again to the LEHA web site <http://geocities.com/lehaweb> which has all of the information on covenants, restrictions, and related documents.

Regular Meeting

Reports of Officers and Committees:

Motion: (Hicks, E / Winn E) To waive reading of minutes and accept as distributed. Passed.

Treasurer's Report:

Edna Winn's report is posted on the LEHA web site. It was distributed to members present and will be sent to others upon request.

Motion: (Hicks, R/Day, C) To accept report as distributed. Passed.

President's Report:

Mark Lourie thanked Edna Winn for her diligent work with keeping the books and working on past due collections. He also thanked Paul Magner for his work on the road and with the common lot, Liz Hicks for stepping in when Pam Heatherly resigned and Richard Hicks for his work on the web site.

It was noted that LEHA has greatly increased the number of houses and doubled the number of year-round residents. This creates issues of run-off, trash increases and road use.

Mark encouraged the membership to volunteer.

Common Lot Committee, Paul Magner

As a result of two highly successful clean-up days, the committee is planning to make them annual events.

The committee looked into larger rubbish facilities.

Still needing to be addressed are cleaning or power-washing the decking, chipping debris, educating people about rubbish and recycling practices, and new signage.

Future plans may include a couple of boat racks, and winter trash removal from above the common lot.

Members with comments or suggestions about trash should talk to Paul Magner.

Motion (Hicks,R/Magner, P) To designate Sat Oct 9, 2004 to be cleanup day on the common lot from 9:00AM to noon. Passed.

It was suggested that the ladder on the dock be shortened and that a "No Diving" sign be placed on the dock. Suggestions referred to common lot committee.

Road Committee:

Bill and Edna Winn attended a seminar on new equipment available for the maintenance of gravel roads. Bill distributed information from the seminar (see the LEHA web site, or visit <http://www.ruralhometech.com/fr/ditch.php?Page=9>). Mr. Sylvester regraded the road and redid the big hill at no charge because it rained. Bill advised us all to slow down to save the road. Mark added that we can take down the ID numbers of commercial trucks which abuse the road and call the companies.

Motion: (Hicks, E/Winn, E) That the road committee seek a proposal for long term repair and maintenance with priorities and costs. Passed.

Report on Collections:

Our expenses to date in collecting accounts more than 2 years in arrears have been \$106. The process is slow because we have been unable to serve documents to the delinquent landowners. We continue to pursue them through summary judgments (see update below).

New Business:

Elections:

Bill Winn was nominated to be treasurer and with the proviso that Edna Winn serve as special assistant for law suits; he accepted and was unanimously elected.

Ed Cowan was unanimously elected Vice President to fill the vacancy left by Liz Hicks who took over as secretary when Pam Heatherly resigned.

The matter of a nominee for president is unresolved. Mark Lourie has another year to his term.

Mailboxes:

Ed Cowan has spoken with the postmaster. She has approved 3 sites for our mailboxes, behind the Lakeview sign, the common lot, and the intersection of Basin and Shore Roads. The intersection of Basin and Shore was the consensus location. She also agreed to use our house numbers as our box numbers.

Motion: (Magner/Winn,B) To follow up on mailboxes by Oct 10 and to seek agreement of the owner of the lot on which the mailboxes would reside. Passed.

E911 lot numbers

The new GPS 911 numbers are granted only after a driveway permit has been secured. If anyone wishes to know his/her 911 lot designation call Dave Gireaux at Town Hall. See updates on the LEHA website as they develop. Here is the current official list.

LOT NUMBER	E-911 NUMBER	LOT NUMBER	E-911 NUMBER
1	243	30	201
3	253	34	244
4	261	35	204
7	287	42	180
9	315	44	172
11	329	48	340
13	343	49	158
14	373	52	127
16	395	59	78
26	83	63	273

LEHA members are reminded to remove old lot numbers to avoid confusion for emergency responders. Since this is a safety issue for all members, **any old lot numbers not taken down by 10/9/04 cleanup day will be removed by the board** in order to comply with the town's request.

Motion: (Winn, E/Lourie) To establish a committee to review By-Laws to make them more relevant. Proposed changes shall be distributed before the next meeting. Passed.

Chair Richard Hicks, also Barbara Kinney, Paul Magner, Edna Winn Liz Hicks suggested that a discussion board be placed on the web site so that anyone might contribute to the discussion. (See LEHA website for Message Forum.)

Boat Moorings:

Motion: (Anastase,N/Winn,E) That LEHA establish a policy prohibiting members from mooring boats off the common lot. Passed.

Plowing proposals:

Two proposals for plowing contracts were distributed, one from Scott Couture, the other from Cushing Construction.

Motion (Day,C/ Winn,B) To accept Scott Couture's low bid for plowing conditional upon his unlimited access to a sander and with his consultation with year-round residents. Passed.

Motion (Hicks,R/Winn,B) Adjourn. Passed

Meeting Adjourned at 5:35PM

update:

Since our meeting on July 31, 2004, we have learned that our counsel hopes to get a filing in for judgment by September 2004. If LEHA wins the judgment, the lot owners in default will be given a set time to pay off their debts, after which the court will grant us the power to sell the lots to recover the lien.

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Lake View Estates Homeowners Association
Treasurer's Report
Fiscal Year 06/01/03 – 05/31/04

During the Fiscal Year ending May 31, 2004, Lake View Estates Homeowners Association collected \$11,541.12 in dues (annual maintenance fees) as follows:

\$ 9,015.45	Fiscal Year 2004 dues paid
<u>2,525.67</u>	Fiscal Year 2003 dues paid in Fiscal Year 2004
<u>\$11,541.12</u>	Total dues paid in Fiscal Year 2004

Accounts Receivable, as of May 31, 2004, totaled \$25,795.35 as follows:

\$24,740.64	Amount owed by seven lot owners with liens filed on their property
<u>1,054.71</u>	Amount owed by four lot owners whose dues are unpaid
<u>\$25,795.35</u>	Total Accounts Receivable as of 05/31/04

We were able to address several important issues and resolve a few long-standing problems during the past year. Significant improvements were made in the Common Lot, at a cost of \$312.58; legal action was taken against delinquent lot owners, at a cost of \$106.80; our \$25.00 non-profit fee was paid to the State of Maine; and trash-and-recycling fees, totaling \$400.00, were paid. We had not paid these fees since November 2000; but the company forgave the charges for December 2000 through November 2003, and our \$400.00 payment was for services rendered, and to be rendered, from December 2003 through November 2004.

As of May 31, 2004, our checking account balance was \$16,608.83.

Attached are the following reports for Fiscal Year 2004:

- Balance Sheet as of 05/31/04
- Detail of Accounts Receivable as of 05/31/04
- Income and Expense Comparison for FY 2000 — FY 2004
- Detail of certain Expenses: Common Lot, Legal, and Trash & Recycling pickup
- Fleet Bank statement dated 05/28/04

Members are asked to review the information on the current Membership List (name and address information is on the front and e-mail addresses are on the back), and make any necessary changes on the sheet that is being circulated for that purpose. Also, we would like to be provided with both home address and LEHA address.

Respectfully submitted,

Edna M. Winn, Treasurer

Lake View Estates Homeowners Association

July 31, 2004

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Lake View Estates Homeowners Association
Accounts Receivable
as of 05/31/04

Updated on 05/15/04	Lot	Name	Resident of	Current Balance	Status
1	20	Bradley Swinnerton	Massachusetts	6,552.96	Lien
2	23	Richard Cavaco	Rhode Island	12,762.86	Lien
3	39	Anthony Cerrato	Massachusetts	377.35	Lien
4	41	Alan Moyer	New Hampshire	1,509.11	Lien
5	47	Mike Strong	Maine	2,006.05	Lien
6	59	Alan Wilson	Maine	264.38	Lien
7	60	John Robinson	Massachusetts	1,267.93	Lien
				\$24,740.64	Total

8	24	Joseph Mann	Maine	203.00	Past due
9	28	Marisol Marotto	Florida	445.71	Past due
10	44	Scott Labrecque	Maine	203.00	Past due
11	48	Kevin Oakley	Massachusetts	203.00	Past due
				\$1,054.71	Total

\$25,795.35	Grand Total as of 5/31/04
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Edna M. Winn, Treasurer
76 Meridian St.
Melrose, MA 02176

ednawinn@comcast.net
781-662-9343 (MA)
207-293-2975 (ME)

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Lake View Estates Homeowners Association
Balance Sheet
As of 05/31/04

ASSETS	
Checking	16,247.83
TOTAL	<u>16,247.83</u>
Other Assets	
Outhouse	1,091.96
Common Lot	3,900.00
Accounts Receivable	25,795.35
TOTAL Other Assets	<u>30,787.31</u>
TOTAL ASSETS	<u><u>47,035.14</u></u>
LIABILITIES & EQUITY	
LIABILITIES	
Other Liabilities	0.00
Liability	0.00
TOTAL LIABILITIES	<u>0.00</u>
EQUITY	47,035.14
TOTAL LIABILITIES & EQUITY	<u><u>47,035.14</u></u>

Edna M. Winn, Treasurer
76 Meridian St.
Melrose, MA 02176

ednawinn@comcast.net
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Lake View Estates Homeowners Association
Balance Sheet
As of 05/31/04

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Lake View Estates Homeowners Association
Detail of certain FY 2004 Expenses

Common Lot

<u>Date</u>	<u>Payee</u>	<u>Amount</u>
09/04/03	Mark Rovzar	100.00
09/24/03	Pat Jackson	135.00
10/13/03	Paul Magner	137.36
10/18/03	Paul Magner	50.00
10/18/03	Rick Mitchell	50.00
05/01/04	Paul Magner	75.22
		<u>\$547.58</u>

Legal

<u>Date</u>	<u>Payee</u>	<u>Amount</u>
01/24/04	Pretti, Flaherty, Beliveau, Pachios & Haley, LLC	6.60
		57.00
		43.20
		<u>\$106.80</u>
05/24/04	Hufnagel, Lake & Condon, LLP	125.00
		11.00
		<u>\$136.00</u>
		<u>\$242.80</u>

Trash & Recycling Pickup

<u>Date</u>	<u>Payee</u>	<u>Amount</u>
		20.00
		20.00
		20.00
		20.00
		20.00
		20.00
		300.00
05/03/04	Tri-Town Sanitation	<u>\$400.00</u>

Lake View Estates Homeowners Association
Detail of certain FY 2004 Expenses

Reason

Reimburse payment to Jeff Atwood for "junk" removal
Pump septic tank
Supplies for 10/11/03 "work party"
Chipper rental
Hours worked with the chipper
Supplies for 05/01/04 "work party"
Total Common Lot Expenses as of May 31, 2004

Reason

Photocopies
Evidence Kennebec County Registry of Deeds copies of documents
Travel on 12/04/03 to Augusta
Total paid for professional services of Prettie Flaherty

Telephone conference with Edna Winn regarding liens
Recording of Lot 60 lien at Kennebec Registry of Deeds
Total paid for professional services of Howard Lake

Total Legal Expenses as of May 31, 2004

Reason

Dec. 2003 pickups
Jan. 2004 pickups
Feb. 2004 pickups
Mar. 2004 pickups
Apr. 2004 pickups
May 2004 – Nov. 2004 pickups (\$10.00 per week)
Total Trash & Recycling Expenses as of 05/31/04

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Lake View Estates Homeowners Association

Income and Expense Comparison

06/01/99 - 05/31/04

	F.Y. 2000 (Jun.99 - May 00)	F.Y. 2001 (Jun.00 - May 01)	F.Y. 2002 (Jun.01 - May 02)	F.Y. 2003 (Jun.03 - May 03)	F.Y. 2004 (Jun.03 - May 04)	Overall Total (Jun.99 - May 04)
INCOME						
Legal Fees Reimbursement	1,100.00	0.00	0.00	0.00	0.00	1,100.00
Maintenance Fees	8,287.63	13,537.42	11,435.59	11,131.07	11,541.12	55,932.83
TOTAL INCOME	9,387.63	13,537.42	11,435.59	11,131.07	11,541.12	57,032.83
EXPENSE						
Bank Charges	0.00	0.00	0.00	0.00	5.00	5.00
Caretaker Expense	0.00	0.00	0.00	0.00	50.00	50.00
Collection	(125.65)	0.00	0.00	0.00	0.00	(125.65)
Common Lot						
Dock & Fence Repairs	0.00	2,427.00	785.10	260.28	0.00	3,472.38
Dock In & Out	160.00	210.00	210.00	645.00	450.00	1,675.00
General Maintenance	21.00	60.00	226.00	0.00	547.58	854.58
						0.00
TOTAL Common Lot	181.00	2,697.00	1,221.10	905.28	997.58	6,001.96
Contribution - Fayette Fire Department	0.00	0.00	100.00	100.00	100.00	300.00
Contribution - Walter Morris	0.00	0.00	0.00	(150.00)	0.00	(150.00)
Insurance	300.00	625.00	87.00	750.00	750.00	2,512.00
Legal Expense	1,277.00	133.00	227.00	111.00	242.80	1,990.80
Meeting Expense	50.00	25.00	25.00	25.00	25.00	150.00
Non-Profit Fees	25.00	20.00	0.00	0.00	25.00	70.00
Road						
Repairs	1,698.00	1,409.00	1,678.00	2,246.00	2,185.70	9,216.70
Plowing & Sanding	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	37,500.00
TOTAL Road	9,198.00	8,909.00	9,178.00	9,746.00	9,685.70	46,716.70
Supplies	282.15	438.01	352.91	427.97	308.61	1,809.65
Taxes	76.05	77.33	77.03	79.95	78.00	388.36
Trash & Recycling Pickup	360.00	280.00	0.00	0.00	400.00	1,040.00
TOTAL EXPENSE	11,623.55	13,204.34	11,268.04	11,995.20	12,667.69	60,758.82
NET GAIN/LOSS	(2,235.92)	333.08	167.55	(864.13)	(1,126.57)	(3,725.99)

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**Rachel Stevenson & Scott Couture
36 Morrill Road Readfield, ME 04355
207-685-7900**

Beginning on November 1st, 2004 and ending on November 1st, 2005 we will provide the following:

Snow plowing, sanding, and pushing back of snow banks when required, on Shore Road and Basin Road, Fayette, Maine.

Plowing:

Plowing will be determined upon the individual snowstorm. If the storm is large enough to require more than one plowing we will provide that service. Depending on the amount forecasted for the storm will determine when the roads will be plowed. If the storm is under 4" inches of snow the roads will be plowed out once at the end of the storm. If the storm is predicted to be over 5 inches we will make sure the roads is passable half way through the storm. Final clean up of the roads and final push back of the snow banks will be done at the end of storm and before sanding.

Sanding:

Version A:

Sanding will be performed at our discretion when we feel a 2-wheel drive vehicle cannot pass safely through the roads.

Version B:

The sanding of the road will be under the discretion of one of the association members, preferably one that lives on the road during the winter months. He or she will contact us when he or she feels the roads are in need of sanding.

Version C:

We will sand the roads at the end of each snowstorm over 1" inches.

Our purposed bids for plowing and sanding are as follows:

Version A plus plowing paragraph: \$8,000.00

Version B plus plowing paragraph: \$9,500.00

Version C plus plowing paragraph: \$12,500.00

Agreement for individual lot owners

We will snow plow the driveways of lot owners at Lakeview Estates for a fee of \$25.00 once per storm, up to 12" inches. If a clean up after the storm is necessary one clean up is included, per storm. 12" or more, in one storm the homeowner will be charged for 2 plowings. One follow up clean up is still included. The driveway sanding fee will be \$25.00 per sanding, per driveway. Any driveway sanding requires a verbal request from the homeowner, each storm. We will bill each lot owner on January 1st, March 1st, and May 1st. Payments that are not received within 30 days will be subject to a 2% interest. After 30 day delinquent bill the homeowner will not receive plowing or sanding for their driveway until payment is received.

Comments:

There should be sand barrels on the big hill for emergency use and will provide sand in the barrels.

Two rocks need to be removed from the road; location is the telephone pole with the lot 8 sign on it, right hand side.

Remember we are experienced on the Lakeview Estates roads, insured, and willing to appease the association.

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