

LAKE COMO BEACH PROPERTY OWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING MINUTES
JULY 16, 2020

WELCOME: John Winters

PLEDGE OF ALLEGIANCE

ATTENDANCE: John Winters, Stephanie Nicewarner, Judy Decker, Mike Spread, Debbie Bromeland, Tina Invergo, George Krause, Bill Legge, Bill Finkel, Doug Adams, Bernadette Moran, Ruby Chambers, Allen Searles, Pat Scanlan. ABSENT: Rich Kieszkowski. On phone for meeting was our lawyers representative, Ashley Renz.

APPROVAL OF AGENDA: Motion to approve agenda made by Allen Searles, seconded by Ruby Chambers. ALL IN FAVOR, SO CARRIED.

OFFICER REPORTS

SECRETARY MINUTES: Transcribed by Judy Decker – 6/18/20. Motion to approved minutes made by Ruby Chambers, seconded by Bernadette Moran. ALL IN FAVOR, SO CARRIED. Minutes to be posted on the webpage.

TREASURER'S REPORT: Mike Spread. \$151,366.33 in the bank; \$195.00 petty cash. H. Basso/C&D morgate/foreclosure on property. Will send information to lawyer and have answer next month. Financial and audit reports not finished by John Chamberlain (accountant) yet.

PUBLIC STATEMENT BY DR. TIM KELLY AT THE JULY 16, 2020, LCBPOA BOARD MEETING (FOR INCLUSION IN MEETING MINUTES)

“First, in violation of the LCBPOA Bylaws and Wisconsin State Law, as was publicly made known to the Membership by me during the rescheduled Spring LCBPOA Members’ Meeting held on June 7, 2020, no financial statements have been provided to Association members since 2018 fiscal year end reporting was disclosed at last year’s spring annual meeting. Let me highlight, slightly over one year ago, members were given a summary of a CPA’s report on 2018 year end data – data that was already a year old. This corporation collects, spends and manages nearly \$200,000 annually of member and third party monies. Two years have past and no financial records have been properly provided to the Membership as required by law and our Bylaws.

Second, several times during the June 7th meeting the acting Association Treasurer, Mr. Gene Decker, is on record of clearly stating that I hired the CPA firm that has failed to provide our required financial Review and Reconciliation audit as required by law and our Bylaws. He has made similar statements to others as I have come to learn saying that I am responsible for hiring the CPA that is failing to provide our financial audit.

Third, I have just provided to the Association’s Secretary, Judy Decker, a copy of the Board’s approved Minutes from the August 16, 2019 Board Meeting and a copy of a handout provided to the Board at the August 10, 2019 workshop which she should already have on record. I was one of three members at that time of the Association’s Finance Committee. As shown in these documents, the Finance Committee, per the Bylaws, solicited bids and interviewed possible CPA firms for the required annual financial statement Review and Reconciliation. It is clear in those documents, that the Finance Committee recommended two CPAs for the required auditing work: neither recommendation was for the CPA that the Board retained to do the 2019 audit work. In fact, the CPA that the Board hired was

specifically not recommended by the Finance committee since the firm had failed to file proper Tax Filings with the IRA and the Association had a penalty at the time of approximately \$3,500 pending. The Board voted to retain the current CPA firm although I and my Finance Committee members recommended otherwise. Let me make clear, I was never a member of this Board and have never undertaken to hire anyone for Association work as I have never had the authority to do so.

Finally, Mr. Decker is hereby put on notice that his statements accusing me of retaining the current CPA firm are patently untrue falsehoods. They are lies. Further, they are malicious attacks to my reputation, that have been communicated to many people. As such they are slanderous and defamatory. I am publicly demanding that Mr. Decker cease making any similar or other false statements about me. In the event he makes any further false statements concerning me, I will promptly file a civil suit against him for defamation.

I would ask this Board to please provide the required financial reporting as is required, and do more to protect members like me from malicious falsehoods by those associated with this Board. Thank you." Dr. Timothy Kelly

John Winters suggests looking for another accountant. Stephanie Nicewarner – audit done last year; audit done when Candy Coffey on board; fiscal year runs June 1 – May 31; fiscal audits would be available at fall membership meeting, not spring. Mike Spread will look into pricing with Spectrum to upgrade our internet service for next month. Motion to approve treasurer's report made by Pat Scanlan, seconded by Bill Finkel. ALL IN FAVOR, SO CARRIED.

CLERK'S REPORT: Debbie Bromeland. Deposits \$3,744.98. Processed 8 HOA requests. No longer receiving foreclosure/bankruptcy statements from Walworth County; need to be notified to have them sent to us. John Winters will call County for this.

PRESIDENT'S REPORT: John Winters

Beach advisory signs/rules - New signs for 3 beaches; \$77/3, \$154/6; child age '10 and under'. Motion to approve signs made by Bill Finkel, seconded by Bill Legge. ALL IN FAVOR, SO CARRIED. Order 6 when financials come in.

Committee nomination – Motion made by Bill Finkel, seconded by Ruby Chambers to have Richard Klein join the bylaw committee. ALL IN FAVOR, SO CARRIED. Richard Klein sworn in to bylaw committee. Bylaw 4.01 late fees – Bylaw states 1.75% late fee; we are charging \$30. No late fees charged until after October 1 this year, so can bring change to fall membership meeting. Mike Spread will check with quickbooks to see about remedying late fee processing, for next month.

Tim Kelly bylaw request – Bylaw committee has.

Lawyer usage – Lawyer charges for all calls; President should be one to call.

Sgt. McNutt – golf carts. Couldn't be here. Rules on webpage.

STANDING COMMITTEES

FINANCE COMMITTEE: Motion made by Pat Scanlan, seconded by Bernadette Moran to table pay raises for Pat Bromeland and Debbie Bromeland to next month. ALL IN FAVOR, SO CARRIED.

PIER COMMITTEE: Marla Walsh. 2 unsafe piers; 1 paid late. Motion made by Allen Searles, seconded by Bill Finkel to send warning letters to these 3 pier owners. ALL IN FAVOR, SO CARRIED. George Krause putting in pier; has a buoy. Paid \$100 for buoy; needs to pay \$200 for pier spot. Motion made by Bill Legge, seconded by Allen Searles to apply \$100 from buoy fee to \$200 pier fee. ALL IN FAVOR, SO CARRIED.

CLUBHOUSE COMMITTEE: Ruby Chambers.

Dust Fairies new cleaning service - cleaned this month. How often should they come in to clean? Motion made by Judy Decker, seconded by Pat Scanlan to have Dust Fairies clean once a month after the 15th of the month. ALL IN FAVOR, SO CARRIED.

Bill Legge has information/bids for clubhouse work to discuss at next month's workshop.

LAKEFRONT COMMITTEE: Marla Walsh. Paid County for permits for tree removal. Given 3-year plan to replace. Plant starting in October. Will have bids next meeting. Remove mulch by September. Replace with native seeds and straw. Go ahead and order. According to County, can't pull/remove anything 35ft from lakeshore.

ACTIVITIES COMMITTEE: Ruby Chambers. New Year's Eve party cancelled. Community garage sale 8/1-8/2. Ruby will put ad in The Shopper.

BYLAW COMMITTEE: Need new chairperson. Judy Zebrowski nominated Richard Klein. Bill Legge nominated Pat Scanlan, seconded by Doug Adams. Hand count – Pat Scanlan is new bylaw chairman.

FUNDRAISING COMMITTEE: Nothing.

OTHER COMMITTEES

COMMUNICATION – Nothing

SECURITY: Debbie Bromeland. July report for main beach – 1,011 members; 50 non-members; 136 guests; miscellaneous other.

Cameras/alarm system – Ruby Chambers. 2 bids; 1 diy from Best Buy. Rep from Southern Lakes Alarm here before meeting answering questions. Mike Spread and Allen Searles will meet with Southern Lakes Alarm and go over system/prices, etc. Discuss at next workshop. Discussion on security/privacy in clubhouse and beach front. Table to next workshop.

NEW BUSINESS

End of year party/Labor Day – Ruby Chambers and Tina Invergo will plan.

Closed session per Wis. Statute 19.85(1)(b) – Pat Scanlan has the floor. Stephanie Nicewarner, Debbie Bromeland, Laura Ruswick, and Karen Bradley and Como Community Cares, Inc., in violation of Wisconsin State Statute Chapter 181 Section 181.0129(1) and Chapter 943 Section 943.203(2)(a) and LCBPOA bylaws Article VII Section 7.01 and Article VIII Section 8.02 related to the unlawful incorporation of Como Community Cares, Inc. Karen Bradley is contacted by phone. Violations presented in open session. By using the address to incorporate CCC, in affect they entered into an illegal contract with the Association and they put the Association and its members in financial jeopardy should they incur any kind of liabilities under CCC. These are basically the violations that we are looking at that these people were involved in. The ladies present apologized for their mistake; made address change. Under Wisc. Statute 19.85(1)(b) the Board goes into closed session to deliberate.

Back to open session approximately half hour later. Pat Scanlan gave sanctions to Stephanie, Debbie, Laura and Karen – they cannot vote on any matters that affect the Association, they cannot run for any office, they cannot sit on any committee for one year 7/16/20-7/15/21. Anyone can request a hearing to the Board to have their privileges reinstated.

OLD BUSINESS

Scouts: Debbie Bromeland. Bill Legge will call Rich Kieszkowski to discuss what type of project we can come up with for a scout.

OPEN

Richard Bulava – County rules on trailers/campers/tents.

ADJOURNMENT

Motion made by Bill Legge, seconded by Bernadette Moran to adjourn. NO = Motion made by Pat Scanlan, seconded by Bernadette Moran to reopen. ALL IN FAVOR. Motion made by Pat Scanlan, seconded by Ruby Chambers to place disclaimer of CCC on webpage; notify State of Wisc. Financial Institutions we have no connection with CCC; take out ad in LG Regional News with this same information; contact Walworth County D.A. to see if CCC violated any laws. ALL IN FAVOR; 1 OPPOSED. Motion to adjourn made by Bill Legge, seconded by Doug Adams. ALL IN FAVOR; SO CARRIED.

This meeting complies with Wisconsin Open Meeting Laws and is accessible to those individuals with disabilities.