

**Meeting of the Morningstar Lake Association**  
**May 26, 2008**  
**10:00 AM at Lot 7 (Deb McCarty)**

Minutes

- 1) Call to Order / Introductions / Attendance – 26 of the 37 lots were represented.
- 2) Approval of Minutes of May 28, 2007 meeting – Motion to approve Loschen, second J. Crawford, approved unanimously.
- 3) Treasurer's Report - \$7,969.12 on hand as of May 19, 2008. A copy of the report is attached to these minutes. In 2007, we paid \$350.00 per lot for annual dues / fees. \$200.00 of this went to the Summerwood Association for common area fees, \$10.00 went to the Independence Day activities and \$140.00 was used for Morningstar annual expenses. Motion to accept and approve Treasurer's report was made by Robinson Rutz, seconded by James and approved unanimously by the lot representatives present.
- 4) Summerwood Lake Association Meeting – Minutes of the Fall 2007 and Spring 2008 Summerwood Board meetings were sent to all residents by Summerwood. The following topics were discussed by Darroll Loschen and Russ Bayer:
  - a. Review of Summerwood Rules:
    - i. Discussion surrounded the Sundance Rules which were adopted by the Sundance Board. The goal of Summerwood is to have these rules applied to all the lakes for the safety and well being of all residents, and allows for consistent enforcement. After a review of the rules Bayer moved approval of adoption of the rules for Morningstar, Loschen seconded. The motioned was approved unanimously. The rules approved are attached to these minutes.
    - ii. The Summerwood Marshall concept was discussed. The Summerwood Marshall, which was approved by the Summerwood Board, will help enforce the Rules, deliver notices of violation, etc. for the Summerwood Commons Area. The Polk County Sheriff may help patrol the roads, but the board may also hire (part time) a firm to assist.
  - b. Permission for Summerwood Marshall to patrol Morningstar Road and Common area was introduced. The conversation centered on topics such as:
    1. Cost
    2. Personal rights and freedoms
    3. Interfering with general positive atmosphere
    4. Stopping violations of Morningstar and Summerwood Rules
    5. Reporting of violations to the Summerwood Board
    6. Delivery of notice of violation

A motion was made by Bayer and seconded by Rutz to allow the Summerwood Marshall to patrol Morningstar Road and Morningstar Common Areas. The motioned carried 16 to 8. The general discussion after this was to make sure that the Marshall concept is monitored closely to make sure the concerns discussed do not become reality.

- c. Front gate Security Cameras - The Summerwood Board has approved the installation of Security Cameras to monitor the front gate.
- d. Lake quality assessments and reports (Scheduled for Mid-May with reports by late June) – These assessments and subsequent reports are being conducted on all five lakes and are being funded by Summerwood Association
- e. Dues Increase to \$250.00 per lot. Funds used for the following:
  - i. Front Gate Security, Front gate maintenance
  - ii. Lake quality assessment and reports
  - iii. Reserve for Summerwood Roads

A discussion about asphaltting the Summerwood Road to the Sundance sign was held. General discussion about the need and the cost was held. Loschen and Bayer asked Morningstar to pass a motion to allow the Morningstar representatives to the Summerwood Board to vote to put the question to a vote of all residents of Summerwood. The motion was made by Scott Carlson and seconded by Rutz, approved unanimously.

- f. Independence Day Fireworks Celebration - July 5<sup>th</sup>, Rain Date July 6<sup>th</sup>. The members were concerned about the fireworks taking place on Morningstar property and liability issues. J Crawford moved and Loschen seconded to allow the show to take place on Morningstar property as long as there is no liability to Morningstar, passed unanimously
- g. Clarks Telecommunications upgrade – conversion of copper systems to fiber optic
  - i. Customer Sub-survey conducted by RVW (with each customer) to determine location of back-up battery, electronic placement, underground objects, answer questions, etc.
  - ii. Tentatively scheduled for late summer or fall 2008
- h. Summerwood Board Representative – Bayer reelected to serve another term as one of the two representatives from Morningstar Lake Association to the Summerwood Board.

- i. Though no formal action was taken the members of Morningstar Lake Association wanted the representatives to Summerwood to express the general concerns about access to the Summerwood area.

#### 5) Morningstar Business:

- a. Boat Ramp Concerns – The boat ramp is in need of repairs. It is very narrow and the side pieces have pulled away to expose metal that pops tires. A few have already been reported. We are going to look to have the ramp repaired. Proposals will be gathered for approval by the board. [Since the meeting Overland has indicated they are not able to do so, but a lead for someone else was provided.]
- b. The Independence Day Celebration chaired by Evelyn Herbig (with great assistance from Linda McCabe and many others) in 2007 was another huge success. Evelyn is heading up the project again this year and volunteers have been recruited. Please contact Evelyn if you wish to help. A letter will be coming out detailing the activities, contacts and times.

\$10.00 of the assessment is going to this activity. However, this does not cover the true costs. We are asking everyone who joins in the lunch to toss in a free will donation to help recoup some of the costs. Thank you to everyone who makes this a great event.

The theme for this year's boat parade has to do with Fairy Tales (I think). Linda McCabe will be sending out a letter with details on the entire day (July 5). Please read carefully as there will be requests for prizes and head counts.

- c. Lake Rules were reviewed. The Sundance rules, approved earlier in the meeting, will be referenced in our rules. There was discussion about motorcycles – the following clarifications were made:
  - 1) Unlicensed motorcycles, dirt bikes, etc. are not allowed.
  - 2) Licensed Motorcycles are allowed for purposes of normal ingress and egress

A motion by Rutz and seconded by Carlson to adopt the rules for 2008 was made. The motion carried unanimously.

Remember all State Boating rules apply to our lake including age of operators.

All guests must follow the lake rules – lot owners are responsible. There was a request to provide a laminated copy of the lake rules to each cabin. We will attempt to get that accomplished this year.

- d. Please complete the registration form for your boat (if you have not already done so) and send in with your dues. (Copy attached to these minutes)
- e. Annual Morningstar Dues Assessment – Summerwood set the dues per lot at \$250.00 for 2008. It was decided that Morningstar dues would remain the same (\$150.00 per lot). Therefore, the assessment per lot for 2008 is **\$400.00**. (A motion was made by McCarty and seconded by James to set this amount). Please make payable to Morningstar Lake Association and mail to:

Jim McCabe  
P.O. Box 39  
Exeter, NE 68351

or deliver to Cabin 17.

- f. Annual Golf outing – please put on your calendar August 2, 2007 for the annual outing. Linda Robinson Rutz and others are organizing - More information to follow. The date is August 2, 2008 at Ryan Hill CC in Osceola.

#### 6) Election of Directors

Eldon James and Darroll Loschen terms are up this year. Linda Robinson Rutz and Jim Leuthje were elected to replace them. Their terms will expire at the annual meeting in 2011.

Thank you to Eldon and Darroll for Serving as Directors, and to Deb and Dan for serving as President and Vice-President.

The directors are:

Bob Herbig	-	2009	Deb McCarty	-	2009
Clarke Woodruff	-	2010	Dan Pleasant	-	2010
Linda Robinson Rutz	-	2011	Jim Leuthje	-	2011

The new officers for the 2008 – 2009 term are Dan Pleasant – President, Linda Robinson Rutz – Vice President. Jim McCabe and Russ Bayer remain the Treasurer and Secretary respectively.

Meeting was adjourned at 11:30 AM on a motion by Crawford and second by James, approved unanimously by all those in attendance.

Respectfully submitted,

Russ Bayer  
Secretary

**Morning Star Lake Association  
Treasurer's Report**

2008

May 19, 2007 to May 19, 2008

**Checking Account**

Beginning Balance \$2,557.02

Receipts:

Annual Dues - 37 lots @ \$350 per lot \$12,950.00  
 (\$200.00 per lot for Summerwood Assessment)  
 (\$150.00 per lot for Morningstar Assessment)  
**Subtotal \$15,507.02**

Expenses:

Fourth of July - Expenses \$370.00  
 So. Pwr Dist. - Lights \$178.83  
 Summerwood Lake Assoc. - Dues \$7,400.00  
 D & O. Liability Ins. \$909.00  
 General Liability Ins. \$1,715.98  
 Merrick County - Real Estate Tax \$160.28  
 Secretary of State - Corporate Fee \$10.00  
 Nebraska Lake Association - Dues \$100.00  
 Gravel for Road \$165.00  
 Clean-out of Drain Lake Drain Pipe \$250.00  
**Total Expenses \$11,259.09**

Transfer to Savings Account \$3,000.00

**Ending Balance of Checking Account \$1,247.93**

**Savings Account**

Beginning Balance \$3,674.40

Transfer from Checking Account \$3,000.00

Interest Earned \$46.79

**Ending Balance of Savings Account \$6,721.19**

**Total Balance on Hand  
of Checking and Savings Accts \$7,969.12**

**General Liability Insurance**

Scottsdale Insurance Company  
 \$2,000,000 Aggregate  
 \$1,000,000 Personal Injury  
 \$1,000,000 Each Occurance  
 \$50,000 Fire  
 \$1,000 Medical

**Directors & Officers Insurance**

Travelers Casualty & Surety Co. of Am.  
 \$1,000,000 total  
 \$1,000 deductible

**Fourth of July - Expenses**

Hot Dogs	90.00
Chips & Buns	65.88
Postage, Envelopes, Cop	50.56
Prizes	51.00
Savings Bond	25.00
Ice Cream	<u>87.56</u>
<b>Total</b>	<b><u>370.00</u></b>

# Summerwood Lake Assoc. Rules

## 1. ROADS USAGE

All Summerwood roads will be used solely for ingress, egress or maintenance purposes. Only motorized vehicles that are registered under the laws of the State of Nebraska or any other State or the United States and operated by a licensed driver shall be allowed to use Summerwood roads. Except that golf carts or other small motorized utility vehicles, that cannot exceed 20 mph may be operated on Summerwood roads for other than egress or maintenance purposes by either a licensed driver or unlicensed driver if accompanied by a licensed driver. The lot number and lake letter at least 2" in size, shall be located on both sides of the vehicle. The lot owner shall have liability insurance; proof of, upon request.

## 2. GOLF CARTS OR OTHER QUALIFYING UTILITY VEHICLES

Golf carts or other qualifying utility vehicles cannot be operated on Summerwood roads between dusk and dawn unless equipped with both headlights and taillights.

## 3. ATV'S, MINI BIKES AND SNOWMOBILES

At no time are ATV's as defined by Nebraska Revised Statute 860-305 or as modified; mini bikes as defined by Nebraska Revised Statute 860-337 or as modified, or snowmobiles as defined by Nebraska Revised Statute 860-350 or as modified to be operated on Summerwood roads under any circumstances. A copy of the State Statutes are attached.

## 4. DOG RESTRAINTS

Dogs shall be allowed on Summerwood roads or in the commons areas only if accompanied by an owner or caretaker and kept on a leash or lead at all times.

## 5. STORAGE OF EQUIPMENT OR MATERIALS

No personal or private property including but not limited to, vehicles, building materials or landscaping materials, may be kept, stored and or maintained on Summerwood common areas or roads for longer than 7 days. Each 48 hour period, after the initial days, shall constitute a separate violation of the rules for penalty purposes.

## 6. COLLECTION AREA FOR GRASS, LEAVES AND TREE LIMBS

The rules are in effect as posted on the signs located in the collection area.

## 7. ENFORCEMENT PENALTIES

Violators shall first be given a written warning. A second violation of the same rule or regulation by the same violator in any 12 month period shall be assessed \$ 200.00. A third or subsequent violation by the same violator of the same rule or regulation in any 12 month period shall be assessed \$ 500.00. For the purposes of this section, violator shall mean a lot owner. If the violation is committed by a guest, spouse, or minor child of a lot owner, the penalty shall be ascribed against the lot owner.

## 8. LIENS

All fines and / or general penalties assessed against a lot owner shall constitute a lien against the property owned by the lot owner.

## 9. APPEALS PROCESS

The lot owner may request a hearing before the Summerwood Board of Directors.

NEBRASKA REVISED STATUTES OF 1943  
CHAPTER 60. MOTOR VEHICLES  
ARTICLE 3. MOTOR VEHICLE REGISTRATION  
§ 60-350. Snowmobile, defined.

Snowmobile means a self-propelled vehicle designed to travel on snow or ice or a natural terrain steered by wheels, skis, or runners and propelled by a belt-driven track with or without steel cleats.

Source: Laws 2005, LB 274, § 50.

<General Materials (GM) - References, Annotations, or Tables>  
Neb. Rev. St. § 60-350, NE ST § 60-350

The Statutes and Constitution are current through the Second Regular Session of the 99th Legislature (2006).

The text of the Nebraska Statutes and Constitution 2006 was provided by the Executive Board of the Legislative Council through the Revisor of Statutes and is subject to a claim of copyright by the State of Nebraska.

END OF DOCUMENT

NEBRASKA REVISED STATUTES OF 1943  
CHAPTER 60. MOTOR VEHICLES  
ARTICLE 3. MOTOR VEHICLE REGISTRATION  
§ 60-337. Minibike, defined.

Minibike means a two-wheel motor vehicle which has a total wheel and tire diameter of less than fourteen inches or an engine-rated capacity of less than forty-five cubic centimeters displacement or any other two-wheel motor vehicle primarily designed by the manufacturer for off-road use only. Minibike shall not include an electric personal assistive mobility device.

Source: Laws 2005, LB 274, § 37.

<General Materials (GM) - References, Annotations, or Tables>  
Neb. Rev. St. § 60-337, NE ST § 60-337

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NEBRASKA REVISED STATUTES OF 1943  
CHAPTER 60. MOTOR VEHICLES  
ARTICLE 3. MOTOR VEHICLE REGISTRATION  
§ 60-305. All-terrain vehicle, defined.

All-terrain vehicle means any motorized off-highway vehicle which (1) is fifty inches or less in width, (2) has a dry weight of nine hundred pounds or less, (3) travels on three or more low-pressure tires, (4) is designed for operator use only with no passengers or is specifically designed by the original manufacturer for the operator and one passenger, (5) has a seat or saddle designed to be straddled by the operator, and (6) has handlebars or any other steering assembly for steering control.

Source: Laws 2005, LB 274, § 5.

<General Materials (GM) - References, Annotations, or Tables>  
Neb. Rev. St. § 60-305, NE ST § 60-305

The Statutes and Constitution are current through the Second Regular Session of the 99th Legislature (2006).

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END OF DOCUMENT



# Morningstar Boat Registration:

Please fill in & return to a board of director.

Name of cabin/boat owner: \_\_\_\_\_

Cabin (lot) number: \_\_\_\_\_

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Color: \_\_\_\_\_

NE registration number: \_\_\_\_\_

Boat VIN number: \_\_\_\_\_

Length of boat: \_\_\_\_\_

Inboard \_\_\_\_\_ Outboard \_\_\_\_\_ Jet \_\_\_\_\_

Horsepower Rating: \_\_\_\_\_

Owner signature(s): \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_