

**Meeting of the Morningstar Lake Association
May 30, 2011
10:00 AM at Lot 4 (Linda Robinson-Rutz)**

Minutes

- 1) Call to Order / Introductions /Attendance – 26 of the 37 lots were represented.
- 2) Approval of Minutes of May 31, 2011 meeting – Motion to approve Loschen, second McCarty, approved unanimously.
- 3) Treasurer's Report - \$12790.27 on hand as of May 25, 2011. A copy of the report is attached to these minutes. In 2010, we paid \$400.00 per lot for annual dues / fees. \$250.00 of this went to the Summerwood Association for common area fees, and \$150.00 was used for Morningstar annual expenses. In 2010 we spent over \$268.00 per lot. We received a rebate of \$130.00 per lot from the Summerwood Association. This money became available when Summerwood determined to pass road maintenance back to the individual lakes. Motion to accept and approve Treasurer's report was made by Pirnie, seconded by Woodruff and approved unanimously by the lot representatives present.
- 4) Summerwood Lake Association Meeting – Minutes of the Fall 2009 and Spring 2010 Summerwood Board meetings were sent to all residents by Summerwood. The following topics were discussed by Darroll Loschen, the President of the Summerwood Lake Association:
 - a. Gate Update: The gate has nearly all new parts, but does not seem to be working. Service on the gate will be next week. [Postscript – gate was fixed on Tuesday – the electronic eyes were out of alignment]
 - b. Additional Items discussed:
 1. The Annual Summerwood Assessment is lowered to \$200.00
 2. Road grading / maintenance is being sent back to individual lakes
 3. Independence Day Fireworks are set for July 2, 2011 with a rain date of July 3.
 4. The idea of stopping the Fireworks Display to save some money was brought up – though no formal action was taken the Morningstar attendees voiced support for continuing the fireworks. However, a few members expressed concern over the fireworks being shot off outside of the Independence Day time frame – Darroll will take this concern back to the board
 5. Concern was raised by Morningstar residents over the extra golf carts brought up by someone on Sundance. Darroll will address this with the board.
 6. Summerwood Board is looking at standardizing the Mailboxes up front – the Morningstar attendees seem to be in support – there was a

- suggestion made to move the mailboxes closer to the information kiosk, and leave that kiosk open for others to post information.
7. A front area tree replacement plan is in place lead by Doug Springer (Bucktail)
 8. Money has been set aside for asphalt maintenance
 9. It appears the NPPD power line will be placed outside of our gate area.
 10. Speaking of gates – If you leave the North Gate open to allow guests to come through for a large event, please close it. Summerwood Board members will be locking the gate when it is seen open for extended periods of time.
 11. The Summerwood Directories were handed out to those in attendance

5) Morningstar Business:

- a. Boat Ramp – The boat ramp seems to be repaired. Please keep the board informed if you see issues.
- b. The Independence Day Celebration on July 2 will be chaired by Evelyn Herbig / Deb McCarty this year. The theme will be “What Happens at Morningstar will stay at Morningstar”. Events and more detailed information will be coming out soon. The major change this year involves replacing the lunch with a dinner on the Tennis Courts with a Frank Sinatra impersonator. Main dishes will be provided but side dishes will be needed for the buffet. Day events will include volleyball, scavenger hunt and children’s games. Looking for prizes for giveaways.

SPECIAL THANKS to Linda McCabe, Evelyn Herbig, and all those who helped last year – America the Beautiful was a resounding success.

Special thanks to the Ricenbaws for heading up lunch again.

- c. Lake Rules were reviewed.
 1. The rule regarding the types and power of boats was discussed. It was determined that jet boats and jet skis, which must meet the same standards as ski boats on our lake, have a loss of approximately 30% in efficiency as a result of the intake of the water to create the propulsion. This means, for example, a jet boat with 170 HP is equivalent to a 119 HP prop propelled ski boat.

Additional discussion surrounding the availability of 140 hp IOs and 115 outboards for ski boats was held. As a lake we need to be aware our size limits may make it difficult (or impossible) to find replacement boats in the future.

2. “No Wake” boating is governed by the water level in the lake. Last year Walkers, Herbig, Luethjes and others took out the old drain pipe and replaced it with a new 8” pipe. Some modifications have been made to prevent weeds from clogging the new pipe. All in all it seems to be working well. However, because the old rule regarding “No Wake” was based on the old pipe a new rule is necessary: The “No Wake” rule will go into effect when the water is at or above the top of the drain pipe. A Motion to approve this rule was made by Bayer and seconded by McCarty. After good discussion the motion was approved (23 yes – 3 no). As an additional point of reference a stake with cross bar has been set near the drain pipe – if the water is below the top of the crossbar, wake boating is allowed.

One of the key discussion points was that though we are concerned about shoreline destruction with high water and wakes, most of us have a home on the lake so we can enjoy boating activities. The members asked the Board to look at ways to insure water flow out of the lake is adequate to allow the water to drop below the No Wake mark.

3. Remember the lake speed limit is 30 MPH – please observe.
 4. All guests must follow the lake rules – lot owners are responsible.
 5. The minimum age for boat operators is 16.
- d. Please complete the registration form for your boat (if you have not already done so) and send in with your dues. Only one form is needed per boat, and you only need to redo if you have a new boat. (Copy attached to these minutes)
 - e. In 2010 Article 4 Section 3 of the By-laws was amended to allow meeting notices to be emailed. This year both the By-Laws and Covenants were amended to more broadly allow email for all notices. In addition, the By-Laws were changed to allow the time period covered by the dues, and the dues notice to fit the time table actually used. Attached to these minutes are the By-Law and Covenant changes. A motion was made by McCabe to approve the changes and seconded by Clarke. This motion passed unanimously.
 - f. Lake Water Quality – a brief update was provided on Lake Water Quality issues. The Zebra Mussel was discussed as well as ways to insure it is not introduced into the lake (no foreign boats in the lake, all boats should be completely dry before being placed in lake, etc) no formal action was taken regarding this, but the board will continue to discuss and provide recommendations for new rules.

Spraying for water weeds was discussed and additional spraying is available for any lot requesting. Darroll Loschen is coordinating this.

- g. Golf Outing – I really am sorry, I know there was discussion regarding a golf outing and dinner and a couple of Lot owners are organizing, but I do not remember who. The discussion did focus on the fun of the dinner even if there was no golf.
- h. Road Maintenance – Since the road grading and maintenance is now the responsibility of the individual lakes, there was some discussion on how to handle this. The board will discuss in their meeting and take action to insure the roads are graded. [After the general meeting the board met - Bob H and Tom M will visit with the individual who is doing Sundance Lake grading to see if he will add our road to his list. In addition, Darroll L will find out if the free gravel is still available from the county].
- i. Annual Morningstar Dues Assessment – Summerwood set the dues per lot at \$200.00 for 2011. After the meeting the Board of Directors decided that Morningstar dues would increase to \$200.00 per lot, to cover the unknown costs of grading and water quality issues. Therefore, the total assessment per lot for 2011 is **\$400.00** which is the same as last year. Please make payable to Morningstar Lake Association and mail to:

Jim McCabe
3303 Gettysburg Drive
Lincoln, NE 68516

or deliver to Cabin 17.

6) Election of Directors

Tom Manning was elected as Director and Linda Robinson Rutz was reelected. Their terms will expire at the annual meeting in 2014.

The directors are:

Bob Herbig	-	2012	Deb McCarty	-	2012
Clarke Woodruff	-	2013	Dan Pleasant	-	2013
Linda Robinson-Rutz	-	2014	Tom Manning	-	2014

Meeting was adjourned at 11:30 AM on a motion by Clarke and a Second by Herbig.

After the meeting the officers for the next year were elected:

President - Dan Pleasant
Vice President – Deb McCarty
Treasurer - Jim McCabe
Secretary - Russ Bayer

Respectfully submitted,

Russ Bayer

Russ Bayer
Secretary

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

2011

May 25, 2010 to May 25, 2011

Checking Account

Beginning Balance	\$5,283.17
Receipts:	
Annual Dues - 37 lots @ \$400 per lot (\$250.00 per lot for Summerwood Assessment) (\$150.00 per lot for Morningstar Assessment)	\$14,550.00
July 4th - Lunch Contributions	\$554.00
Summerwood Lakes Assoc.- Refund 2010 Dues (\$130/Lot)	\$4,810.00

Total Receipts

\$19,914.00

Expenses:

Fourth of July - Expenses	\$525.00
So. Pwr Dist. - Lights	\$228.84
Summerwood Lake Assoc. - Dues	\$9,250.00
D & O. Liability Ins.	\$1,050.00
General Liability Ins.	\$1,715.98
Merrick County - Real Estate Tax	\$156.54
Nebraska Lake Association - Dues	\$100.00
Gravel for Road	
Manstedt K-Lawn - Mosquito Spray	\$225.00
Installation of new lake overflow drain pipe	
Kroy Industry - Purchase overflow drain pipe	-\$840.00
	-
Denny Walker - Overflow pipe installation	\$1,840.00
Jim Luethje - Sold old overflow pipe	<u>\$1,120.00</u>
	\$1,560.00
Jay Wemhoff - Road signs	\$191.57
Nebr.Lake Management - Spray phragmites	\$2,850.00
Secretary of State - Non-Profit report fee	\$23.00
Denny Walker - Boat Ramp Repair	\$1,309.21

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

Total Expenses	<u>\$19,185.14</u>
Ending Balance of Checking Account	<u>\$6,012.03</u>
<hr/>	
Savings Account	
Beginning Balance	\$6,764.91
Transfer from Checking Account	
Interest Earned	<u>\$13.33</u>
Ending Balance of Savings Account	<u>\$6,778.24</u>
<hr/>	
Total Balance on Hand of Checking and Savings Accts	<u><u>\$12,790.27</u></u>

By-Laws of Morningstar Lake Association

This change is made to more accurately reflect when the annual assessment is made and collected.

Article VIII, Section 2, (c) CURRENTLY READS AS FOLLOWS:

As more fully provided in the Declaration, to:

- (1) Fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of March 1st, being the annual assessment date;
- (2) Send written notice of each annual assessment to every Owner subject thereto within 30 days after it is fixed.
- (3) Foreclose the lien against any property for which assessments are not paid by August 1st or to bring an action at law against the Owner personally obligated to pay the same; and

CHANGE TO READ AS FOLLOWS:

As more fully provided in the Declaration, to:

- (1) Fix the amount of the annual assessment against each Lot ~~at least thirty (30) days in advance of March 1st, being the annual assessment date;~~ **on or before May 31st of each year with the assessment due June 1st and delinquent July 1st of that year and for the purposes of prorating the annual assessment, the assessment year shall be June 1st through May 31st;**
- (2) Send ~~written notice of each annual assessment to every Owner subject thereto within 30 days after it is fixed.~~ **by U.S. mail or email a notice of each annual assessment by June 30th after assessment.**
- (3) ~~Foreclose the lien against any property for which assessments are not paid by August 1st or to bring an action at law against the Owner personally obligated to pay the same~~ **Take whatever legal action is available for collection of delinquent assessments including certification to the County Treasurer for collection on the real estate tax rolls;** and

This change is made to allow email as a recognized form of sending notices.

Amend Article IV MEETING OF MEMBERS to add Section 6:

Form of Notice Any notice required by these by-laws may be delivered via email, to an email address provided by the member.

Declaration and Establishment of Covenants, Conditions, Reservations, Restrictions and Easements for Morningstar Lake Subdivision

This change is made to allow email as a recognized form of sending notices.

Section 11 (e) CURRENTLY READS AS FOLLOWS:

Any notices required to be sent to any Owner pursuant to this Declaration shall be deemed to have been properly sent when mailed, postage prepaid, to the person who appears as Owner on the records of the Association at the time of such mailing.

CHANGE TO READ AS FOLLOWS:

Any notices required to be sent to any Owner pursuant to this Declaration shall be deemed to have been properly sent when mailed, postage prepaid, or **emailed** to the person who appears as Owner on the records of the Association at the time of such mailing.

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: _____