

**Meeting of the Morningstar Lake Association
May 31, 2010
10:00 AM at Lot 4 (Linda Robinson-Rutz)**

Minutes

- 1) Call to Order / Introductions /Attendance – 27 of the 37 lots were represented.
- 2) Approval of Minutes of May 25, 2009 meeting – Motion to approve Loschen, second J. Crawford, approved unanimously.
- 3) Treasurer’s Report - \$12,048.08 on hand as of May 25, 2010. A copy of the report is attached to these minutes. In 2009, we paid \$400.00 per lot for annual dues / fees. \$250.00 of this went to the Summerwood Association for common area fees, and \$140.00 was used for Morningstar annual expenses. A question was asked about D & O coverage – it was reported that we have \$1,000,000 in Director and Officers Coverage, and \$2,000,000 in General Liability coverage. Motion to accept and approve Treasurer’s report was made by Loschen , 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 and Russ Bayer:
 - a. Gate Update: The gate no has a new operator, nearly all new wiring and we are waiting on the nylon rollers. It is operational, and is working well.
 - b. There was some discussion from the spring board meeting:
 1. The Annual Summerwood Assessment remains at \$250.00
 2. Summerwood is building a reserve that will be satisfactory for any projects that may come along, as well as maintaining funds to cover a year’s worth of expenses
 3. Independence Day Fireworks are set for July 3, 2010 with a rain date of July 4.
 4. The Summerwood Directories were handed out to those in attendance
 - c. The Summerwood Rules came up with a reminder that Morningstar Lake adopted the Summerwood Rules as part of our own lake rules.
 - d. Summerwood Board Representative – Darroll Loschen was reelected to serve another term as one of the two representatives from Morningstar Lake Association to the Summerwood Board.
 - e. The allotment of gravel to Summerwood from Merrick County was discussed. Denny Walker, Curt Carlson and Jim Crawford will work to insure we receive our

share and that it is graded appropriately. Additionally, Curt Carlson, expressed his willingness to help keep the Morningstar Road graded. This effort will be in addition to that provided by Summerwood.

5) Morningstar Business:

- a. Boat Ramp Concerns – The boat ramp repair is in progress. Denny Walker explained the steps that have been taken as well as the additional steps including metal plates to fasten the next two slabs to those already in the water. Other residents reported the ramp is useable.
- b. The Independence Day Celebration chaired by Evelyn Herbig / Linda McCabe (with great assistance of many others) in 2009 was another huge success. Linda reported this is her last year, so anyone looking to help Evelyn next year step up now. A letter will be coming out detailing the activities, contacts and times. The theme this year is America the Beautiful. Remember to bring a baby picture to the McCabe's for inclusion in the beautiful baby contest of lot owners.

Special thanks to the Ricenbaws for heading up lunch again. We are asking everyone who joins in the lunch to toss in a free will donation to help recoup some (or all) of the costs. Thank you to everyone who makes this a great event.

- c. Lake Rules were reviewed.

As mentioned above – Morningstar is obligated to follow the Summerwood Rules not only on Summerwood Property but also on Morningstar property since those rules were adopted by Morningstar in 2008.

A new rule was approved unanimously after a motion by Tom Pirnie and a second by Tom Manning:

“As a general rule, when boating, pass to the left, and when picking up fallen skiers, tube riders, etc turn to the right. Be in control of your watercraft and use common sense to protect the safety of all involved.”

All guests must follow the lake rules – lot owners are responsible.

- 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. A motion was made by Russ Bayer and seconded by Linda McCabe to amend Article 4, Section 3 of the By-Laws of Morningstar Lake Association to allow email as an alternative form of meeting notification and other notices. Approved unanimously.

- f. Lake Water Quality – A committee was formed by President Rutz to look at steps to insure / improve lake water quality. The committee (Darroll Loschen, Tom Pirnie, Denny Walker and Russ Bayer) will look at aeration, dredging, chemical use, etc and report back to the board and the residents.
- g. Annual Morningstar Dues Assessment – Summerwood set the dues per lot at \$250.00 for 2010. After the meeting the Board of Directors decided that Morningstar dues would remain the same (\$150.00 per lot) . Therefore, the assessment per lot for 2010 is **\$400.00**. Please make payable to Morningstar Lake Association and mail to:

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

or deliver to Cabin 17.

- h. Annual Golf outing – Cathy Houle and Tom Manning are going to plan the Annual Golf outing which may simply become the Morningstar Pot Luck – more information to follow

6) Election of Directors

Clarke Woodruff and Dan Pleasant were reelected as directors. Their terms will expire at the annual meeting in 2013.

The directors are:

Linda Robinson Rutz-	2011	Jim Leuthje	-	2011
Bob Herbig	- 2012	Deb McCarty	-	2012
Clarke Woodruff	- 2013	Dan Pleasant	-	2013

Meeting was adjourned at 11:30 AM.

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

President - Linda Robinson-Rutz
Vice President - Dan Pleasant
Treasurer - Jim McCabe
Secretary - Russ Bayer

In addition, after the meeting, the Board of Directors decided to place three speed bumps along the Morningstar Road to help maintain speed at the 15 MPH limit.

Respectfully submitted,

Russ Bayer
Secretary

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

May 19, 2009 to May 25, 2010

Checking Account

Beginning Balance \$2,879.84

Receipts:

Annual Dues - 37 lots @ \$400 per lot \$14,805.00
(\$250.00 per lot for Summerwood Assessment)
(\$150.00 per lot for Morningstar Assessment)

July 4th - Lunch Contributions \$333.00

July 4th - Donation \$100.00

2010 Dues - Prepaid \$250.00

Fiber Optics - Reimbursement for Road \$150.00

Total Receipts \$15,638.00

Expenses:

Fourth of July - Expenses \$673.85

So. Pwr Dist. - Lights \$216.32

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 \$158.52

Nebraska Lake Association - Dues \$100.00

Gravel for Road \$70.00

Total Expenses \$13,234.67

Ending Balance of Checking Account \$5,283.17

Savings Account

Beginning Balance \$6,748.02

Transfer from Checking Account

Interest Earned \$16.89

Ending Balance of Savings Account \$6,764.91

Total Balance on Hand
of Checking and Savings Accts \$12,048.08

**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	<u>\$12,950.00</u>
(\$200.00 per lot for Summerwood Assessment)	
(\$150.00 per lot for Morningstar Assessment)	
Subtotal	<u>\$15,507.02</u>

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	<u>\$250.00</u>
Total Expenses	<u>\$11,259.09</u>

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, Coj	50.56
Prizes	51.00
Savings Bond	25.00
Ice Cream	<u>87.56</u>
Total	<u>370.00</u>

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

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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: _____