

WPOA Board of Trustees Saturday Meeting – 1/13/24

***Any updates from the Friday email are indicated in **italics** of the summary of each report.*

***The deadline for submission of information for the monthly newsletter and other media releases is the Tuesday following the WPOA meeting at 4pm. The Office staff appreciates the cooperation of all of the clubs to share the events and activities held at Lake Waynoka.*

President Ellis called the meeting to order at 10:02am.

President Ellis led the attendees in the Lord's Prayer followed by the Pledge of Allegiance.

Roll Call: Present: Barton, Bynum, Crank, Eads, Ellis, Marck, Moore, Raleigh, Taylor, Mgr. Cahall

Minutes: Crank made a motion and Raleigh seconded to approve the 12/9/23 WPOA Monthly minutes as printed in the newsletter. A yea/nay vote was taken and the motion passed unanimously.

President's Report (Ellis): Happy New Year. May you be blessed and prosperous.

Treasurer's Report (Barton):

Operating Funds

- December total operating income was \$50,000.
- December total operating expenses were \$206,000.00 with no unexpected expenses.
- Operating fund balance at the end of December was \$488,721.95.
- Operating income for the year at the end of December was \$2,655,000.00. That is 99% of the plan for 2023. Expected income at the end of December was 100% so 1% under budget.
- Operating expense for the year at the end of December was \$2,617,000.00. That is 100% of the plan for 2023. Expected expense at the end of December was 100% so right on budget.

Allocated Assessment Funds

- Income for allocated operating assessments in December was \$5,000.00.
- Assessment account expenditures in December totaled \$3,000.00 for lumber for dock work.
- Balance of all allocated assessment accounts at the end of December was \$1,029,343.01.

Invested Funds

- Invested Reserves at the end of December totaled \$517,682.19.

Total cash on hand at the end of December was \$2,193,952.28.

We will be voting on the 2024 Capital budget this morning. We are pleased to report that we were \$3,000 to the good with the 2023 budget.

Manager's Report (Paul Cahall):

- The weather has been cooperative for the first part of the winter allowing us to lower the lake enough to work on the replacement docks at the marina. This project has been in the plan for the last 3 winters. The new concrete fueling docks have been put in place and the post set for the wooden docks. This project will be completed this winter.
- Maintenance continues to work on the docks at Red Cloud and they will be ready for use this spring. Maintenance has also managed to remove over 2,000 cubic yards of silt from the east end of the lake where Straight Creek empties into the lake. They will continue to work silt removal as long as the weather will allow.
- We finished 2023 within 1% of budget predictions. With the size, scope and moving parts of our operating budget this is a great achievement and I would like to thank the Finance Committee, the board members and my staff in making that possible.
- At the recent Sherriff's sale, the association was able to purchase a lake front property at the east end of the lake at very low price. This property will give us better access to the lake for dredging projects in the future.
- *I would like to commend my staff for coming within \$3,000 of the 2023 budget. This is a huge accomplishment considering we are dealing with a multi-million-dollar budget.*

- *There were 77 lots for sale at the Sherriff's auction. Mgr. Cahall explained that the driving force for not forgiving dues is to prevent contractors from buying the lots below market value. This gives the WPOA more control and allows us to sell any acquired lots at market value which benefits everyone. The lots with high taxes and dues/fees owed were not sold. Treasurer Barton gave an update of the sale. The WPOA purchased 5 lots. Two of the lots were bought for future silt prevention projects at Straight Creek and Kiddie Corral and one was a lakefront lot to help us with our dredging program. President Ellis noted that Lake Lorelei does not forgive past dues either. Sherriff Gordon Ellis addressed members to explain the process of foreclosures and public land auctions. The Sheriff's sale is at the end of a, sometimes long and complex, legal process. Properties owing real estate taxes and/or foreclosures must go through probate, collections and the Common Pleas Court. Some properties go through the process quickly while others may take longer. The Brown County Sheriff nor Lake Waynoka has input on which properties are placed in the auction or when that auction is scheduled. The Ohio Revised Code mandates the process. After a property has gone through the court system, the County has a Sherriff's auction of those properties for taxes owed and, in our case, any outstanding dues/fees. Two weeks later, another Sherriff sale is scheduled for any of those properties that were not sold. After this auction, any unsold properties are placed in the Brown County Auditor sale. The next Sheriff's sale is scheduled for January 22, 2024.*

Lake Waynoka Police & Security Report for December 2023 (Chief Callahan):

Calls for Service	24	Animal Complaints	6
Arrests	0	Livewell Checks	0
Reports	15	Campground Calls	0
Citations	3	Grinder Pumps	12
Warnings	8	Squad Calls	9
Security Checks	69	Fire Runs	0

Vehicle Information

Vehicle	Fuel (gallons)	Miles Driven
1391	29.2	939
1591	15.5	88
2091	94	1,376
RFID Front – 13,832		Front Guest Lane – 7,727
RFID Rear Entry – 17,515		RFID Rear Exits – 18,567

Additional Department Information

- The Lake Waynoka Police Department has hired Officer Cody Powell to fill the vacant full-time police officer position. Officer Powell will begin training in January 2024. Once training has been completed, the police department will be able to resume normal coverage and increase police presence, as we will be back operating at full staff.
- The burn ban, issued by the State of Ohio, was lifted on December 1, 2023. Pursuant to ORC 1503.18, the state mandated burn ban will resume again on March 1, 2024.

Other Committee Reports:

Building (Pete Levermore/Sean Moore):

Permit	December	Year to Date
Residence	4	27
Dock/Boat Lift	2	27
Additions	0	6
Repair/Replace	0	36

Pool	0	3
Deck	1	15
Garage	0	16
Storage	0	16
Boat Cover	0	0
Carport	0	0
Fence	0	17
Misc	0	13
Totals:	7	176

- *Committee Chair P. Levermore presented several variances and regulation updates to be considered by the Board. Please see New Business and Motions & Regulations.*

Election Inspectors/Nominating (Margi Borgman/Nan McHugh, Dawn McNeese, Nominating Chairperson): As announced in December, the 4th place candidate in this year’s Board of Trustees election requested a recount of the votes, as allowed in our Rules and Regulations. The recount was performed on December 28, and the results have been released. The recount mirrors the results of the original count and the candidates elected to the board are Charles Miller, Nancee Klein and Chris Lane. It is reassuring to the Election Inspectors, Nominating Chair and all the volunteers who assist us, as well as to the Board and the community, that the process we use for ballot counting is validated and produces reliable, reproducible results. There have been questions concerning write-in votes on ballots. Allowing write-in votes has been common practice in Lake Waynoka elections although neither providing an option for write-in votes nor reporting them is specifically mandated by our Rules and Regulations. In the absence of required reporting and with a goal of focusing on the candidates who won the election, the write-in votes were reported only as a total number when the initial results from the ballot count of December 5 were released. We responded to the request to release the names of the write-in votes when the results of the recount of December 28 were released. To review the voting instructions, when voters fill out their ballots, they have the option to include a write-in as long as the total votes on any ballot does not exceed three. This write-in option gives voters the option to write-in a vote for, as examples, themselves, their neighbor, Santa Claus, the Three Musketeers or the local high school football team. Each or any of these would be counted as one vote. As always, direct any questions concerning our election process to Margi Borgman or Nan McHugh. *President Ellis thanked everyone involved in the election process for their time on the count and recounting of ballots.*

Lake Advisory (T. Redick/Jim Marck): Report January 13, 2023: Current Ohio boating law requires that all persons operating watercraft in Ohio born after January 1, 1982, complete an approved NASBLA-approved boater education course. In addition to this, The Lake Advisory Committee has recommended that anyone operating a watercraft on Lake Waynoka should have completed an Ohio-approved boater education course. There are a variety of options available in taking and passing an approved boating education course (classroom, online, or home study), or by taking and passing a proficiency exam. The options range in price (starting at free) and the amount of time required to complete. Information for each of these methods is provided below. **Classroom:** In 2024, certified instructors will offer classroom training at the Lake Waynoka Lodge building on Saturday, March 16 and Saturday, April 20, beginning at 8am. Classroom courses are scheduled for 8 hours, and registration is required. Boating education specific to Lake Waynoka is also discussed in these sessions. There is no cost for this class. You may register by calling the WPOA office. Other NASBLA-approved classroom courses are available in Ohio. They are developed by ODNR and other volunteer organizations. Some are scheduled all in one day (typically Saturdays); some are stretched out over several sessions (usually in the evenings). Most classes are listed on the ODNR website at: <https://ohiodnr.gov/discover-and-learn/education-training/boater-education-skills> **Online:** Ohio will accept any certificate or card (including those from

another state or U.S. territory) if it shows your name, address, date of birth and the NASBLA logo with language that indicates the course was approved by National Association of State Boating Law Administrators and the U.S. Coast Guard. Upon successful completion of an approved on-line boater education course, the course provider will issue a certificate and/or card. A temporary or permanent certificate is available immediately to download or print upon completion of an on-line course. If the provider also mails a plastic card, expect the card to arrive within 3-5 weeks. If you primarily boat in Ohio, we recommend that you take a course that contains laws and rules specific to Ohio. Approved Ohio on-line course providers include: AceBoater.com, Boat-Ed.com, BoaterExam.com, BoatSmartExam.com. BoatUS.org (free with printable certificate, customer pays small fee for plastic card), www.ilearntoboat.com (an interactive on-line course). On-line courses for other states or U.S. territories can be found at www.nasbla.com or by calling 1-800-830-2268. Telephone support is available 9am to 9pm Central Standard time. **Home Study:** A home study packet includes a coursebook, an Ohio Boater's Operator's Guide, a workbook, and a student test. You study, fill out the workbook, and take the test at your own pace. Then you mail in (or bring in) the completed workbook and test. Your work is checked, and the test graded. If you pass, you'll get your education card in the mail within 3-5 weeks. If you fail, we'll let you know not to expect a card. The Home Study course uses the same coursebook as the Ohio Boating Education Course (classroom). Home study packets may be ordered at: <https://ohiodnr.gov/discover-and-learn/education-training/boater-education-skills/1-meeting-boater-ed-requirements>. **Proficiency Exam:** This option is recommended for knowledgeable boaters. The proficiency exam is available by appointment from any Watercraft Office and takes about an hour. There is no fee to take the proficiency exam. The test is like the test taken at the end of a classroom boating course. No reference materials are permitted, and you must pass the test with a score of 70%. If you are not familiar with laws like the Mandatory Boater Education law in Ohio, you may not have the level of knowledge required to pass this test. Contact the Watercraft Office nearest you to schedule your exam appointment. *President Ellis stated that there will be two boater safety courses offered this spring. The Board continues to discuss wake surfing, maximum boat length and maximum motor hp. Please send your suggestions for us to consider.*

Long Range Planning Committee (Terry Borgman/Pat Raleigh): The Long Range Planning Committee(LRPC) and General Manager have presented recommendations for the 2024 Capital Assessment project work (33 projects) to the WPOA Board for consideration. A motion to approve these projects is being voted on in the January 2024 Monthly meeting. These projects have been under consideration since June 2023 to January 2024. **Improvements capital assessment account:** 15 projects are scheduled for 2024. 5 projects were delayed to 2024: lodge truss repair, plumbing, foundation investigation/repair, lodge roof and exterior wall repair. 3 additional projects were added: new pool cover, zero-turn mower and a 20-year-old floor cleaner replacement. A new project was advanced to 2024 to 2029: the tennis court lights will be repaired. Tennis court resurfacing is scheduled for 2029. Annual maintenance/repair work: includes Rec Center interior upgrades, exercise equipment, pool pavilion repairs, pool filter cartridge replacements and a replacement for a 2000 model year maintenance truck. **Lake capital assessment account:** main channel dredging will continue for 3 months only. Dry dredging is in progress as of December 2023 to February 2024, weather permitting. Docks; red Cloud dock repairs were advanced to 2024 from 2029 and are nearly complete. Replacement of 3 wood Marina docks with concrete is nearly completed and 6 wood docks are scheduled to be replaced in 2024. Pontiac docks are scheduled for demolition. Kiddie Corral pavilions will be replaced. Sediment control projects: design and construction and land purchases at Kiddie Corral is scheduled in 2024. Straight Creek project design is scheduled for 2024. The purpose of these projects is to minimize the sediment flowing into the lake from the farmland watershed. Annual lake maintenance: stocking fish, WPOA owned property shoreline protection, minor dock repairs, and Aqua Doc algae treatments are scheduled in 2024. **Road capital assessment account:** 3 projects are scheduled for 2024. Road paving and repair

work: about 2 miles of 50 total miles is scheduled for asphalt or chip/seal work in 2024. Culvert and crack repair work is also scheduled for 2024. Funds continue to be saved for the 10 mile Lake Waynoka Drive paving project scheduled for 2029-2032. The LRPC and GM are continuing to develop the 5-year plan (2024-2028) and it will be presented to the WPOA Board in April, 2024. Next month, the LRPC will present to the Board, for their consideration, a process for the community to submit ideas and projects to the Board for consideration in future budgets with the 5-year plan. *Terry Borgman asked the Board to review the 2017 Risk Assessment survey and determine if the emergency fund of \$500,000 is adequate or if it needs to be increased. He asked everyone to read the 2024 capital budget report. It outlines 33 projects for the year. Treasurer Barton gave a huge shout out to the Maintenance crew for removing over 2,000 cu. yds. of sediment from the east end during their dry dredging project. Secretary Crank thanked the LRPC for their hard work information gathering and making recommendations to the Board to help us when we are budgeting.*

Rules and Regulations (John Buskey/Pat Raleigh): None

Campground Committee (Carrie Paul/Sue Eads): Ground prepping for the new playground will begin soon. We hope to have installation start in February.

Unfinished Business:

New Business:

- Zoning/Building Chair, Pete Levermore, presented 5 variance requests for consideration.
 - Lot #0688 Dig out Double boat slips requires a 4' x 12' dig out for each. Rebuild of an existing dock. Dig outs not previously granted.
 - Lot #0455 Dig out Double boat slips but only one is greater than 20' deep. The single requires a 3' x 12' dig out. (actually previously dug out but no variance was granted previously)
 - Lot #1693 Dig out Single boat slip requires a 4' x 12' dig out.
 - Lot #0336 Dig out Single boat slip requires a 6' x 12' dig out. Wood or concrete shoreline protection will be required.
 - Lot #2304 Dig out single boat slip requires a 1' x 12' dig out.
 - *See Motions & Resolutions below.*
- Zoning/Building Chair, Pete Levermore, presented proposed additional language for WPOA Rules and Regulations Volume 2: Zoning/Building Requirements and discussed the rationale. A maximum 30' x 50' detached garage was requested with no footings. There was nothing in the regulations speaking to this and the committee asked for amended language moving forward *See Motions & Resolutions below.*
- Mgr. Cahall stated that the reason for Motion #375 is that it was thought to be in Rules & Regulations but could not be found. President Ellis said that the Mad Scientist document is under reports on the Lake Waynoka website detailing the issues leaves can cause to the lake's ecosystem.
- A motion regarding watercraft/trailer storage on vacant lots was discussed with members. This motion is an attempt to prevent more boats from being abandoned. Trustee Eads explained that it is a very long and expensive process to have these abandoned boats removed as they are on private property. There are spots for rent in the Campground area but space is limited. Nancee Klein suggested using 2-3 adjoining lake-owned properties and create a boat storage lot. Mgr. Cahall agreed that this is a good suggestion, and he will look to see if this would be doable plus we would be able to remove abandoned boats if they are on WPOA owned property. Dawn McNees and Steve Meese asked what owners are supposed to do if they cannot put their trailer or boat on their vacant lot just because it is not adjacent to their home. The Board agreed to

table the motion so they may further review and discuss the motion language, suggestions and particulars as presented by property owners.

Motions & Resolutions:

- A motion was made by Taylor and seconded by Eads to approve the dig out variances as presented in New Business. A yea/nay vote was taken and the motion passed unanimously.
- Motion #369 was made by Raleigh and seconded by Marck to approve proposed additional language for WPOA Rules and Regulations Volume 2 as follows: Zoning/Building Requirements: Sections IV. Detached Garages: Add new item 11 to read as follows, "11. The structure must have concrete footings (either poured in place concrete or concrete 'puck' type) which go below the frost line (32" minimum depth) for each post. Driven stakes connecting the wall/roof support system to the ground are not acceptable in lieu of footings." A roll call vote was taken and the motion passed unanimously.
- Motion #370 was made by Barton and seconded by Moore to approve proposed additional language for WPOA Rules and Regulations Volume 2 as follows: Zoning/Building Requirements: Sections V. Storage Buildings - Add new item 10 to read as follows, "10. If the storage shed is not a pre-built, delivered to site, skid type structure, and is greater than 240 sf, then the structure must have concrete footings (either poured in place concrete or concrete 'puck' type) which go below the frost line (32" minimum depth) for each post. Driven stakes connecting the wall/roof support system to the ground are not acceptable in lieu of footings. "A roll call vote was taken and the motion passed unanimously.
- Motion #371 was made by Raleigh and seconded by Marck to increase the Lake and Dam assessment to \$130 effective membership year 2024 and continuing indefinitely without further action of the board. A roll call vote was taken and the motion passed unanimously.
- Motion #372 was made by Raleigh and seconded by Moore to increase the Lake Waynoka Improvement assessment from \$115 to \$130 effective membership year 2024 and continuing indefinitely unless further board action takes place. A roll call vote was taken and the motion passed unanimously.
- Motion #373 was made by Raleigh and seconded by Eads to accept attached 2024 Capital Budget with \$854,675.00 in income \$882,920.00 in expenses. The Capital budget includes the following expenses:
 - Roads Improvement \$169,600.00.
 - Campground Improvement \$50,000.00.
 - Improvement Assessment \$350,020.00.
 - Lake and Dam Improvement \$303,300.00.A roll call vote was taken and the motion passed unanimously.
- Motion #374 was made by Raleigh and seconded by Moore to adopt the following regulation: Boater Education Effective April 1, 2025, all boat owners shall present evidence of having successfully completed an Ohio State-approved Boater Education course when registering watercraft to be operated on Lake Waynoka. A roll call vote was taken and the motion passed unanimously.
- Motion #375 was made by Raleigh and seconded by Marck to adopt the following regulation effective upon approval by the WPOA Board of Trustees: Dumping, blowing, or otherwise moving leaves, cut grasses or any similar organic materials, either directly or indirectly, into any water in the Lake Waynoka Subdivision, into ditches that drain to a lake, or onto adjacent property not owned by them unless written permission is obtained from the owner of the adjacent lot is prohibited. [Class 1 Violation]. A roll call vote was taken and the motion passed unanimously.
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Community Organizations:

- Civic Club – Bingo tonight at Lodge 7pm.
- Shawnee Women’s Club – Easter Egg Hunt for children 0-12 on March 23rd beginning at 1pm in Little Turtle. Registration is at 12:30. It is not an open gate event. Rain date March 24th. There is a special prize egg. We are asking for small wrapped, non-chocolate candy donations. They can be dropped off at the WPOA office. If anyone has a special needs child that would like to participate, please let us know by March 9th so we can make accommodations.

Board Comments and Concerns: None**Membership Compliments and Concerns:**

- Paul Geiger has been a long-time member at the lake. He feels wake surfing is unsafe and easily swamps out pontoons.
- Greg Stover – asked that the Board consider alternatives to leaf disposal. Not everyone has a place to put them and there is a burn ban during the fall months. He suggested having a company to come in and vacuum the leaves from the side of the road or create a compost lot.
- Craig & Emily Hertzman – would like to see Pontiac docks rebuilt after demolition since there is a shortage of dock rentals. President Ellis and Treasurer Barton stated that there is no money in the capital budget for the project in 2024 so it will be up to future Boards to consider.
- Mike & Gina Platt – asked when dredging will be done in other coves? Terry Borgman said that it takes 5 years to dredge the coves around the entire lake and it is usually rotated each year but we had to address the “hump” issue in the east end the past few years. Treasurer Barton said the Board is happy with the dry dredging project in the east end and hopes it is something that can be continued to other coves in the future.
- Mark Popovitz – thanked the Board for addressing safety issues on the water. He would like to see a scheduled public forum for members to discuss alternate solutions besides banning wake surfing and boat regulations. He is able to provide numerous outside resources and information for the Board’s consideration.
- Nancee Klein – thanked Paul for the lot sale update. She would like to see the Board more upfront with the reasoning about decisions they make so everyone can understand why a particular decision is being made. She presented the idea of providing a list of capital projects to the membership so they can vote for how they’d like to see their money spent? Perhaps a one-time assessment for those larger projects?
- Kris Luckhaupt – agreed with a public forum to discuss boating safety and asked that the Board reach out to other lake communities and entities for information. President Ellis stated that the Lake Advisory committee has done this and presented their recommendations to the Board. The Board is currently discussing recommendations and solutions.
- Heidi Severson – said that the Board has been discussing wake surfing and water safety for a number of years now. Our lake is too narrow for this activity and it is destructive to the shoreline. The state of Tennessee has banned wake surfing in any of its waterways. She advocated for more water patrol presence.
- Don Hudak – asked if the boater safety course is yearly or a lifetime certificate? It is lifetime. He also agrees with a public forum to discuss boating regulations.
- Todd Holt – supports a public forum as well. He asked about using trees for fish habitats. Mgr. Cahall said the lake is able to create those but not members.
- Troy McAndrew – was told there were no boat restrictions when he moved here. The dredging inconsistencies make the lake dangerous. He feels the lake is not safe for watersports. Treasurer Barton stated that the Board can make changes to the Rules & Regulations at any time.
- Ken Rinehart – would like a public forum to discuss wake surfing and boat restrictions. He would like more water patrol and enforcement of the existing rules. He asked who determines the

material for shoreline protection? Mgr. Cahall said that he inspects shorelines each year and lets owners know what type of rock to use based on their location on the lake.

- Anna Spence – asked that the Board consider alternatives to wake surfing instead of a complete ban. Perhaps certain times and/or raising the cost of a sticker and put those monies towards water patrol or dredging.
- Scott Mercalde – disagrees with a wake surfing ban and asked that the Board consider everyone's water activities.
- Mike Bisbe – would like to see a public forum on wake surfing and try to find compromises.
- Dan Federico – is part of the LRPC and said that nearly twenty million is scheduled to be spent on the lake over the next few decades.

Adjournment: The motion to adjourn was made by Raleigh and seconded by Crank. A yea/nay vote was taken. All were in favor and the meeting was adjourned at 12:09pm.

Rhonda J. Maybriar, WPOA Assistant Recording Secretary