

## **COBMOOSA SHORES ASSOCIATION**

**Annual Meeting**

**Date: July 7, 2012**

**Location: Benona Township Hall**

**Meeting Called to Order** - The meeting was called to order by the president at 10:00 a.m.

Following the Pledge of Allegiance, the agenda was adopted subject to a motion by Paul Jordan to limit the meeting to a two hour maximum and to move the new business ahead of the unfinished business on the agenda. The motion was supported by Tom Liszewski and passed.

**Minutes of Last Meeting** - The president indicated that since the minutes from last year's annual meeting were posted on the website and at the board by the South beach entrance, that there was no need to read last year's annual minutes at the meeting.

**Communications** - The president noted that there was communication to the Board by Mr. Kane and Mr. Mulder that would be discussed under the unfinished business section since both communications deal with parking at the South beach access.

### **Reports**

**Treasurer's Report** - Sara Collins presented the treasurer's report and made a copy of the treasurer's report available to the members at the meeting. The treasurer's report was accepted and a copy is attached to these minutes.

**Adoption of Budget** –Sara Collins also presented the proposed budget for 2012-2013. The budget was adopted unanimously by ballot by the membership.

### **Committee Reports -**

- **Road Report** - Don Laven presented the annual road committee report, a copy of which is attached to these minutes. He noted that three signs were stolen along Chippewa and the new No Fireworks sign was also stolen on July 3. Don Laven again emphasized the need for everyone to abide by the 15 mph speed limit to reduce dust and to keep the roads safe for pedestrians.

- **Building Report** - Rich Campbell noted that Lots 155 and 156 on Chippewa were recently purchased and that he understood from the Township that building plans were underway. Rich noted that he had not yet received plans for approval (plans were submitted to Rich by the new owner at the end of the meeting).

- **Beach Report** – Rich Campbell noted that the North beach access project was finished within budget largely due to a volunteer crew helping to tear out the old stairs. Rich also encouraged people not to use the fire rings for trash disposal. He thanked all of the people who have volunteered to clean up the beach, sweeping the intersection and undertaking other

tasks on behalf of the Association. He specifically wanted to thank Ed Dedic for the work he has done on the roads.

**Election of Trustees** – The president asked if there are any nominations from the floor. Since there were no nominations from the floor, ballots were submitted by the members present and proxies were also mailed in prior to the meeting. Three members of the Board up for re-election (Rich Campbell, Mike Maloney, and Neil Kimball) were all unanimously re-elected.

### **Unfinished Business**

**Website** - Rich Campbell noted that everyone should view the [www.cobmoosashores.com](http://www.cobmoosashores.com) website where we have important information posted including minutes and corporate documents.

**Parking at South Access** – The president invited Mr. Kane and Mr. Mulder to speak regarding their concerns about the South beach access. Mr. Kane objected to the Board actions to enhance parking near the South beach access within the road right-of-way across the roadway from his property. Mr. Kane asserted that the covenants prohibit parking on the road surfaces and claimed that the Board violated the covenants by allowing parking in the area adjacent to the road. Mr. Kane asserted that the intention of the original developers was that the members throughout the Association’s property walk to the beach except for the parking that is available on the Association’s access property. He indicated it is unfair that this parking affect only a few parcels adversely.

There was much discussion by different members about it being unreasonable to expect 88% of the members of the Association to walk to the beach and limit parking so dramatically. Rich Campbell pointed out that the angle parking did pose a problem, and the Board changed the signage to provide for parallel parking so as to not interfere with the actual roadway. Neil Kimball pointed out that although the members and the Board have used the terms “road surfaces” and road “right-of-way,” there is no legal right-of-way. The Association owns the entire 66 foot wide land between the lots (wider in some areas in the Association) and under the 1929 Act, the Board is in charge of the use of that property for the benefit of the members.

Mr. Mulder also objected to the parking in front of his Lot 36 because there are times when he cannot access his property. Several members suggested that people would not park there if he would put in a driveway. Mr. Mulder indicated that in order for him to put in a driveway, he has to submit plans for the development of his lot to the DEQ and that is not practical for him at this point.

After much additional discussion from various members on the parking issue, Paul Jordan commended the Board for struggling with this issue and attempting to work out solutions. He proposed amending the covenants to be more specific regarding parking near the accesses. Mr. Kane objected to that suggestion indicating that he believed that all members must approve any change and that approval must be unanimous. Neil Kimball pointed out that the covenants were not part of the original deeds to the Association, but rather were a product of the authority of the Board under the Summer Resort Act of 1929. The covenants do provide for amendment by both

the Board and the members and that unanimous consent is not required. Another member proposed forming a committee to come up with possible proposals regarding the parking issues.

**Adjournment** – The president noted that the Board of Directors would be meeting immediately following the annual meeting of the members to select officers. The annual meeting was adjourned at 11:30 a.m.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read 'N. Kimball', with a stylized flourish at the end.

Neil L. Kimball