

**Ericson Lake Corporation 42nd Annual Meeting
Saturday, July 3, 2021 10:00 am**

Meeting called to Order by President Joe Wadas

Pledge of Allegiance

Mission Statement

Prayer by Pastor Jerry

Roll Call

Present: Joe Wadas, Tom Haase, Amy Gizinski, Ashley Kaiser, Jerry Schoenenberger, Norm Mieth,
Paul Claus Jr., Donna Uhrenholdt, Chris Levander, Nick Merriman

Absent: Mike Knake, Kevin Hlavac

Introduction of all board members and families in attendance

Questions submitted before board meeting.

Any Plans to expand the swim beach area? Yes, Ben Edwards and Chris Levander have increase the area and are waiting for the tiller for the bobcat to expand further. Chris Nietfeld harrowed the beach area yesterday.

Any plans for fundraising this year. There is no auction this year. We have the paddle poker un at 1:00 Pm today, Nick Merriman's family is hosting the bake sale again this year after the meeting and Ben & Cindy Edwards had a pancake feed this morning for play ground equipment.

Secretary's Report: Minutes from the last annual meeting and last regular board meeting are posted on the lake's website and a copy available to read at meeting. Linda Thelen made a motion to accept the minutes as posted, Second by Chris, Motion Carried.

Treasurers Report: As of June 30th

General Fund.....	\$34,073.98
Events Committee.....	\$10,298.92
PayPal camping.....	\$5,595.39
Extra Account.....	\$50.24

Amy had a detailed breakdown of all accounts and summary for last year and this year.

Text to Give, Amy explained that we now have the text to give option setup through our accounting software Aplos. People can now text GIVE to 855-437-0208 with a dollar amount and what you would like it designated for ex Fireworks, Tornado Shelter, Dam Repairs, Legal Fees and it will be designated for that purpose.

Update about new accounting software Aplos. We can now track and budget more thoroughly, issue tax receipts for donations and generate reports for our own tax purposes. We can also use it for event registrations.

Motion by Paul Claus Jr to approve treasurer's report. Second by Donna. Motion Carried.

Old Business

The endowment has \$98,969.50 in there currently. There will be about \$2,500 - \$3,000 of interest to spend this year. We have a 2 year window to spend the interest or it gets applied to the principal and untouchable then. In the past we have used it to purchase lawn mower and pay for repairs.

Update on Storm Shelter – Events committee has been raising funds for a storm shelter at the lake. The quotes we have received before the increased cost of materials would be between \$30,000 - \$40,000. Some time back a lake member who has connections at the wind farm let us know they have similar storm shelters that they would be willing to sell at a reasonable cost when they were done. Since then they have started other jobs near by moving those to the new sites and it is unclear when they may become available. Events committee will continue to raise funds.

Update on Bridge - The bridge is still on hold and will continue to remain parked at the old golf course unless somebody would like to donate towards it.

Litigation Summary – Norm gave an update on the status of the litigation issue the lake association is currently involved in. (Copy of Summary Attached)

Questions regarding litigation...

What is the time frame for settling this matter. At this time it is unclear, we would hope quickly, but we could still be in litigation a year from now.

New Business

Reminder to everyone to please slow down. There are a lot of children around the lake. Also please talk with your kids on golf carts and ATV's to be caution and watch out there have been some close calls.

Bake sale will be held. Right after the meeting. Thanks Merriman Family

Paddle Poker Run will be at 1:00 PM Today.

Golf Cart Parade will be today at 5:00 PM conducted by Mary Ann Hagedorn and her family. Line up at the ELC Building shortly before 5:00

There will be no auction this year, please do not bring any items to the ELC buildings. It is not cost effective, the cost to have items removed that did not sell, was almost as much as what the sale totaled.

The fall cleanup will be the 3rd Saturday in September after the meeting.

If anybody going to or by a recycling business, please take the aluminum cans and give check to Paul.

Election: Joe Wadas, Amy Gizinski, Donna Uhrenholdt and Chris Levander's terms are up this year. Chris and Donna have decided to step down this year. We would like to thank them for heir years of service. Joe and Amy are rerunning for the board and Cyndi Schure is running for election.

It has been discussed lowering the number of board members. If nobody else would like to run for the board we will lower the number. Roger Helgoth would like to run. With no other members running Linda Thelen made a motion to accept new board members without vote, second by John Schure. Motion carried.

Update on Dam Repairs – We are getting close to having the Kokes bill paid off. Once that is paid off we can then submit all invoices, receipts and cashed checks to the NRD to review and issues us a percentage of the cost back. It has normally been roughly 20% that we receive back.

It was brought up that the camping questions sign has been taken down at the campsite. Who would camping questions and calls be directed to. Let everybody know that camping questions can be directed to Joe's office.

It was asked that we reminded people about tree dump and grass clippings. Both are for dues paying members. The tree dump is located on the back side of the lake on the SW side. Please make sure that if you are dumping trees or branches that you put them in the big pile and not out away from it. It takes a lot of additional work to get them piled up to burn. This is for trees and branches only furniture or trash. The Grass clippings dump is located at the old golf course on the East side of the lake across the county road, this dump is for grass clippings only – nothing else.

Announcement – Tommy Miller will be hosting a Donnie Dahlstein memorial horseshoe tournament tomorrow at 1:00 PM at the horseshoe pits at the lake. All are welcome. Anyone entering will receive drink voucher to the Hungry Horse.

Cyndi Schure would like to make a \$500 donation to the Kokes dam repair bill to get that paid off so it can be submitted to the NRD. If anybody else would like to match her donation. Let one of the board members know. Thank you Cyndi.

Paul made a motion to adjourn, Second by Ashley. Meeting adjourned at 11:03 AM

Next Annual Meeting will be on July 2, 2022

**Respectfully submitted by
Ashley Kaiser, Secretary**

Norm's Litigation Summary

On July 9th of 2020, less than a week after the conclusion of the 2020 annual meeting of Ericson Lake Incorporated, the board was made aware of petitions of had been filed by a lake property owner in District Court. The purpose of these petitions was to Quiet Title (in effect establish ownership) to half of all streets abutting their properties. The claim was that these roads were established and controlled by the Ericson Lake Company in 1916 and have subsequently been abounded with the demise of the Ericson Lake Company in 1921. Therefore the title to these roads should revert to the adjoining property owners. The property owner is making a claim of ownership through Adverse Possession.

The Ericson Lake Incorporated was not named as a defendant in these filings, but after discussion within the board, we determined that our charge in Article III, Paragraph a, of the Ericson Lake Articles of Incorporation ad expressed verbatim in our Mission Statement is "Preserving, Maintaining and Improving Lake Ericson, together with its wildlife, natural resources and ecosystem", required us to address this action and petition the court to grant Ericson Lake Incorporated standing in these cases so we could intervene to protect the interests in and access to the roads and streets for the benefit of all property owners in the Ericson Lake Subdivision.

At the July 18, 2020 board meeting, the board voted to retain the law firm of Croker, Huck, Kasher, DeWitt, Anderson & Gondinger, LLC, specialists in real estate law, to represent our interests. On August 24, 2020 our attorney submitted our motion to be granted standing to the District Court Judge and on August 18th our motion was approved by the judge. Ericson Lake Incorporated was made a party to the cases before the court as of that date.

During the next 6 months, the board, through our attorney, made multiple attempts to reach at negotiated settlement with the property owner which would be beneficial to both parties and avoid the expense of litigation. Our focus is to maintain control of he traveled and maintained roads and streets and drainages with Ericson Lake Incorporated and its associated members for the benefit of all property owners. To this date, we have not been successful in the effort.

On March 15, 2021 our attorney participated in a scheduling conference with the District Judge and the property owner's attorney to set a hearing date and calendar for this matter. At this conference, the judge ordered the parties to participate in a mediation process with the goal of reaching a resolution before a trial would be scheduled. The board agreed to this and our attorney began trying to get mediation scheduled. We were finally able to get the property owner to agree to a mediation date of June, 24th, 2021. On June 24th, Joe Wadas, Tom Haase and I traveled to Grand Island to participate in the mediation process with our attorney, a mediator agreed to by both parties, the property owner's attorney and the property owner via telephone conference. After 4 hours of mediation, we appeared to have reached an acceptable resolution of the issue. A memorandum of understanding was drafted outlining the agreed points and was signed by President Joe Wadas as the Ericson Lake representative. At this point the opposing party withdrew from the mediation and refused to sign the memorandum. In spite of this, our attorney has drawn up the appropriate papers to finalize this settlement (as negotiated on the 24th) and is forwarding them to the property owner's attorney in hopes that this can still be settled without going to court.

If settlement cannot be reached, there will be another scheduling conference between the attorneys and judge on July 26, 2021, to schedule a calendar for proceeding with the legal process.

The board is in unanimous agreement that the interest of the property owners of the Ericson Lake Subdivision can be best served and protected if control of the roads, streets and drainages is held by Ericson Lake Incorporated in consort with the associated property owners and members of the corporation. In order to fulfill our charge in the articles of incorporation and our mission statement "To Preserve, Maintain and Improve Lake Ericson", we need to avoid a checkerboard ownership and control by individuals of property utilized by all property owners such as roads, streets and drainages. Such a haphazard arrangement is detrimental to improvements in Public Utilities such as electrical service and telecommunications services as well as restriction options for improving other infrastructure such as the dam and as a result, Lake Ericson as it exists today.

List of Paid Members for 2021

Anderson, Aaron
Angel, Frank & Roxane Smith
Armstrong, Tom
Becker, Jason & Amber
Belz, Larry & LoAnn
Boilesen, Wayne & Pat
Buhl, Verne & Nancy
Claus, Paul III
Claus, Paul Jr. & Theresa
Claus, Tammy
Conner, Brad & Connie
Dahlgren, John & Sherri
Dahlsten, Broc & Jan
Damman, Cork & Sandra
Day, Jim & Karen Hickman
Edwards, Ben & Cindy
Edwards, Paul & Mindy
Endacott, Kent & Dorothy
Erickson, Mitchel
Gilliland, Nancy & Ray Kawaguchi
Gizinski, Marty & Amy
Gompert, Josh & Jenny
Haase/Young
Hagedorn, Mary Ann & Phil
Heald, Ben & Leslie
Helgoth/Formation
Henn, Gerald & Mary
Hlavac, Kevin & Lori x 2
Johnson, Ron
Kaiser, Don & Georgia
Kantor, Dave & Jill
Kleine, Jerry & Sandi
Knake, Mike
Knake, Willis
Knott, Ed & Colleen
Knott, Kevin & Trice
Kozol, Dennis & Ginny
Krohn, Charlie & Cheryl
Leifield, Ken & Angela
Levander, Ron & Mary
Levander, Tony & Nicole
Massoth, Bob
McKay, James & Marilyn

Melia, Tim & Teeas Schomaker
Mettenbrink, Carl & Jeanne
Meysenburg, Jim & Karmen
Mieth, Norm & Judy
Myers, Stu & Pat
Oseka, Ginny & John Anderson
Peterson, Keith & Jane
Pickrel, Al & Deb
Roumph, Scott
Schmit, John & Judy
Schure, John & Cindy
Schoenenberger, Jerry & Milrae
Smith, Jim & Debbie
Thelen, Larry & Linda
Uhrenhold, Rich & Donna
Wadas, Joe & Chris
Wadas, Sarah
Watson, Derald & Christine
Wenz, Steve & Becky
Whitt, Sue
Wunderlich, Al
Wunderlich, Bill & Karen
Wunderlich, Steve & Jacque