



# The Lake of the Oaks

## Property Owners Association

#1 Apache Trail  
Canton MO 63435  
www.lakeoftheoaks.net

### March, 2015 Newsletter

Welcome to spring...one of the best seasons of the year to enjoy the beauty and nature of the lake!

Several questions/misunderstandings have surfaced recently regarding the passage of the dues amendments. To be sure that all property owners have the correct information, we will address the issues/questions that have cropped up:

**Question #1:** The dues amendments have been approved by the ballots but can't they still be changed or modified by the property owners at the Annual Meeting of the Association (Corporation)?

**Answer #1:** NO. The amendments are fully approved and will take effect in 2016; the balloting by property owners is the sole approval process for amending our legal documents. The CCERs and By-Laws are very specific that changes in these documents lies solely with the voice and vote of property owners. Neither the Board nor action at the Annual Meeting of the Corporation has the legal authority to change/alter either of these operating documents. The only action relative to these amendments to take place at the Annual Meeting will be to formally note their passage into the official minutes of the corporation and to direct the Secretary of the Corporation to file a "Resolution of Amendment" (a legal notification requirement) to that effect with the Clark Co. Recorder of Deeds.

**Question #2:** I received my 2015 dues notice on Feb. 1<sup>st</sup>. Why were the new, approved dues amounts not reflected in the 2015 billing statements we received? Did someone make a mistake?

**Answer #2:** NO, NO. The new dues amounts could not be assessed this (2015) year for two reasons: The amendments that were approved were very specific that the proposed dues amounts would go in to effect in 2016. Additionally, both the By-Laws & Covenants stipulate that dues amounts must be announced at the Annual Meeting the year prior to their being assessed. Thus, the 2016 dues will have to be formally announced at the upcoming 2015 Annual Meeting.

**Question #3:** Does the passage of these amendments means that our dues are going to go up in 2016 to the new levels...and then continue to go up every year thereafter 10%?

**Answer #3:** NO, NO, NO! The new dues amounts will go in effect in 2016 but thereafter the Board will have to set the dues amounts based upon their projections for what revenue is needed to meet expenses. It is NOT automatic that the dues will increase 10% each year after 2016. The Board, however, will have the authority to increase dues as needed up to 10% a year without having to go through the time-consuming effort and expense of seeking by-law and covenant amendments each time the need arises. The best thing members can do is to elect responsible Board members who will be good stewards of our yearly dues and seek to hold down expenses and assess only dues amounts needed for proper Association maintenance and expenses.

**Question #4:** Next year (2016), when the approved dues amounts go into effect, the Association will be in great financial condition and we will be able to carry out all kinds of improvements. Right?

**Answer #4:** NO, NO, NO, NO!. The "crisis" that prompted the proposal of the dues amendments was that we had seen our expenses rise significantly over the past 2-3 years and **far outstrip** our annual dues revenue. In 2014 the Association had to dip into its savings to the tune of almost \$6000 to meet expenses. The same will probably be true in 2015. The increased dues to be levied in 2016 will not make the Association "flush with money" but will instead allow us to have revenue that should meet projected 2016 expenses. This mean, hopefully - starting in 2016 we should not have to dip into our Bridge/Spillway Savings Account just to meet our daily operational expenses.

### Important Dates to Remember:

**April 1st** — 2015 dues assessments must be paid or they are considered delinquent.

**April 11<sup>th</sup>** — Ballots for the election of Board members due. (Please allow plenty of mail time)

The **Annual Meeting of the Lake of the Oaks Property Owners Association Corporation** will be held at the clubhouse beginning at 1:00 PM. The 2014 year will be reviewed, the election of two Board members will be finalized and a social hour with fellow-property owners will follow. Please bring a simple finger-food snack to share with your friends & neighbors. Drinks will be provided. A fundraiser raffle will be held.

**May 24<sup>th</sup>** — The Sunday of Memorial Day weekend: Last year Tom & Maria Hornstein celebrated the beach renovation project with an "Opening Day Wiener Roast" for property owners and their guests. It was such a success and so much fun that Tom & Maria have decided to kick off the 2015 "beach season" by hosting another complimentary **Wiener Roast** for the entire Lake of the Oaks community. The weather will surely be perfect and the beach will be beckoning swimmers and sun-hungry loungers...so stop by the **beach picnic area anytime between 1 PM and 5 PM** that day to say hello. **No program, no costs, bring nothing**...just stop by for a few minutes, grab your first grilled hot dog of the season, a cold drink and chat with your Lake friends and acquaintances (ones you know and ones you don't know - yet)!

## **Update on the Lake Spillway**

As property owners are aware, for a number of years there has been a growing concern about the stability/sustainability of the spillway over our dam. Without a solid spillway system to usher overflow/excess water out of our lake down into Buck Run Creek, the dam - that creates our lake - would be in serious jeopardy. In 2006 an engineer's recommendation was that we post a three ton load limit on the bridge over the spillway. Three years ago volunteers filled and sealed surface cracks on the spillway surface; two years ago the Board hired a firm to have specialty concrete "pumped in" to fill voids under the concrete of the largest part of the spillway (these voids had been created by years of rushing water being carried down the exit). This winter a generous couple (property owners) hired & funded a welding crew to add two additional reinforcing steel beams across the spillway to help keep the sides from collapse/further inward movement.

All of these measures are somewhat "band-aid" in nature in the hopes that each will extend the life of the spillway a few more years....before we reach the point that we have to do a major replacement of the spillway (which would also involve adding a new bridge structure). This is why it is imperative that the Association keep and "grow" their Spillway/Bridge Savings Account — because **sooner or later** property owners are going to have to face a very costly project; if we don't have the funds saved & set aside at that point we will be faced with a significant special assessment of all property owners. We must continue to be pro-active on this issue!

**Building permits are required for construction or relocation of any structure (cabins, outbuilding/storage buildings, garages) as well as docks. Additionally, whenever an existing structure or dock is being modified in size or expanded (including the addition of decks or porches), a permit is required. Plan ahead ... plan ahead...plan ahead...to get your permit submitted & approved by the Building Committee and the Board in plenty of time BEFORE you order building materials and start up the power tools!**

The Association's Building Committee consists of:

**Bill Weckbach (217-885-3335), Carson Noble (660-341-2677) & Bill Davis (573-288-0324)**

Contact any of these volunteers to discuss preliminary plans...or to submit drawings and permit information.

Far too often we forget to say "thanks" to those who help make our world a better place. So we'd like to say...

**THANK YOU** to the many volunteers who often work behind the scenes to help make & keep the Lake of the Oaks the great place that it is. Particular appreciation is extended to those who....

- Serve on our Board of Directors
- Keep our trash and vegetation piles burned and cleaned up
- Serve on the Association's Building Committee
- Pick up trash on the roadways and where ever they see it lying around
- Recover runaway boats & remove floating debris from the lake
- Rake and keep our beach area neat and attractive
- Keep our roads in good condition
- Plan & help implement the Association's social events
- Organize and help run our 4<sup>th</sup> of July Fishing Derby
- Plant & maintain flowers and plants at public spots around the lake
- Grab their tools to repair Association equipment/clubhouse/items needing attention
- Schedule the use of our clubhouse and keep it clean and stocked
- Collect & process our aluminum can collections to help fund our social events
- Trim/spray for weeds in the public areas around the development in summer
- Remove dead trees/limbs from Lake of the Oaks public areas
- Provide security at the lake; check out problem behaviors/issues
- Set up/take down the beach /swimming equipment at the start/end of beach season
- Put up/take down the snow fencing along the "back" entrance road each winter

**Many have volunteered in the past. Many do so currently.**

**Who will volunteer in the future? You?**

But being a positive, productive property owners isn't limited to helping out with all of the physical activities listed above. A giant **THANK YOU** also needs to go to those property owners who help make the Lake of the Oaks a friendly, attractive, peaceful corner of Northeast Missouri by ....

- Being a positive person with constructive suggestions – instead of a whiner
- Keeping their property neat, and clean
- Going out of their way to meet and greet their neighbors...and especially folks new to the lake
- Updating their cabins, outbuildings and docks so they are attractive additions to the lake
- Removing unused items and equipment on their property from public sight
- Being a respectful and responsible fisherman
- Following the Covenants' simple regulations and expectations of property owners
- Participating in ballot issues and Association social events
- Donating to/supporting our fundraiser raffles at social events; saving aluminum cans for our Can Fund
- Being good (and safe) boaters, rafters, swimmers, kayakers, pedal-boaters and beach users
- Insisting that their guests – young & old alike – respect the rules & expectations of the lake
- Donating funds, materials or use of their equipment for Association use
- Enjoying your time at the lake – and allowing fellow property owners to do the same!

### **Property Owner News/Update**

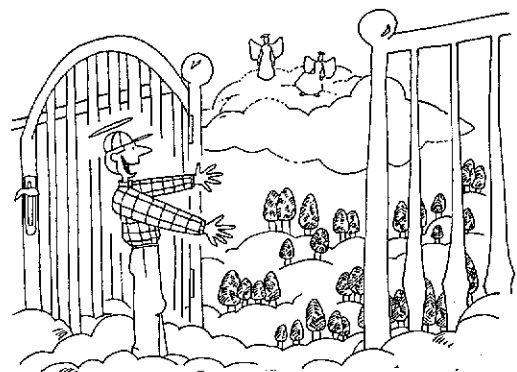
Correction from the last newsletter: **Marge Knapp** has transferred ownership of her home on lots 177, 178 & 179 (at the corner of Lake Shore Drive & East Arapaho Ave.) to **Ralph & Linda Knapp**. We wish Marge the best as she ends her thirty year association with the Lake of the Oaks! (Due to a legal/courthouse complication we had reported in the last newsletter that Marge transferred just lot #179 to a different third party; that was incorrect information).

**A few annual reminders ...to owners new to Lake ...and to those “oldies” who might tend to forget!**

- Have you paid your 2015 Wayland Volunteer Fire Protection Association dues? This \$40 annual fee paid to the Fire District covers you for fire protection should you ever need it for your lake property. Please inquire if you did not receive a mailed renewal form from the WVFPA.
- Please remember (and remind all of your invited guests): Our lake has a 10 horsepower maximum on all boat motors being used on the lake. No Exceptions.
- Our bridge has a 3 ton load limit posted. Please be sure any delivery trucks you have bringing materials to the lake are aware of this BEFORE they head out on their delivery.
- “Quiet time” at the lake begins each evening at 10 PM. Please respect your neighbors!
- Our Covenants limit to four years the amount of time that a lot may be used for temporary campers, motor homes and pull-behind units. By the time four years have elapsed owners have had ample time to get approval and to be underway with a permanent structure.
- Fishing on the lake is limited to pole/rod and reel fishing only; (no trout lines/jug fishing).
- Owners & their invited guests are reminded that their use/travel on the private roadways of the Lake of the Oaks and the use of our lake is at your/their own risk. **The Property Owners Association is not responsible for accidents or damages to persons or vehicles that use our facilities.**
- Golf carts, ATVs, four-wheelers, etc. that travel on our roadways are to have a plainly visible orange/colored flag attached that extends into the air above the vehicle.
- Our roads have a 20 MPH speed limit....**for all vehicles**, including four-wheelers, motorbikes, etc.
- **Owners** are responsible for their invited guest knowing and following “the rules & regs” of the lake.
- **And....most importantly...the Lake of the Oaks is designed to be a fun, relaxing, friendly place. Please do everything you can to help it be and to stay that way!**

Did you know...that our clubhouse is available for use by property owners for family gatherings that are too large for their cabin. Reservations are on a first-come, first-serve basis by scheduling with Malinda Poulter. The use of the clubhouse is free of charge to owners but donations for its use are always welcome. For the past several years generous users of the clubhouse have donated almost enough money to cover the costs of utilities to operate the facility for the year! The only obligation of users of the clubhouse is to leave it in better/cleaner condition than when you found it!

**The Lake of the Oaks:  
Building....  
Growing...  
Going Strong!**



“This is exactly how I pictured it!”