

# Lake Conway Home Owners' Association

## LCHOA

Membership Meeting, Mayflower City Hall  
1/12/2010

The meeting was called to order at 7pm by President Hayden Baldwin. There were approximately 48 people in attendance plus the Board.

VP/Treasurer Bill Miller led the group in a Pledge of Allegiance to the Flag.

### Secretary's Report

Given by VP/Secretary Tom Eans. This report was primarily about events and communication occurring since the 11/12/09 meeting. Prior events are documented in prior minutes.

### Membership Growth

Our shoreline solicitation project for membership was just completed by sending mailers to non members in Zone 4 and some missed in the prior Zone 3 mailing. We need to have Zone Leaders or others to call these addresses in follow up. We also need someone to complete our follow up calling of Zones 7, 11 and 12 that were mailed in Sept-Nov. We have names and phone numbers for most of those addresses. Calling or direct contact helps convince people to join.

Our efforts resulted in 136 Class A members as of end of 2009 + 1 Friend of the Lake category, which will not be an official one until voted on today. There are no Class B (Commercial) members. We had 3 prepaid for 2010.

So far in 2010 we have received 7 new members for 2010 @ \$12 dues plus one donation. We have 51 nonshoreline residences mapped in Zone 3 along with names and phone numbers for most of them that could be mailed and called. That leaves 1500-2000 nonshoreline area residents in the immediate lake vicinity that could be mapped and mailed a solicitation. We have no definite plans for solicitations in 2010.

### Flooding

We had floods in 9/08, 5/09, 9/09 and 12/09 that damaged property, an extraordinary frequency. The latest was the worst in decades. Lake Conway Watershed Advisory Group (LCWAG) continues to meet and work in the Grassy Lake Rd extension project to allow Rogers Estate a way out when that road is flooded from lake water release or from Ark River back up. AGFC says this would allow lake management to open the gates earlier to reduce lake flooding.

Authorities want the project to be in two parts, first an expensive study about drainage into the lake causing flooding and the effect of the gates on reducing it, then the actual road construction. Our Board has met with lake management and strongly recommended opening the dam gates earlier in a predicted heavy rain now without further studies, and we thought we had an agreement with Tom Bly, District 10 Fishery Supervisor, to do this, but he did not follow this plan.

The Director of the Arkansas Highway Department has a design for a road above the 10 year flood plain that would cost \$753,000 or above a 25 year flood plain for \$847,000. Faulkner County Judge Scoggins reported that the county could pay \$200,000 toward the project.

The Governor reported that he may be able to give \$100,000 from his funds. AGFC may be able to pay \$100,000 for the project, which would come from the Marine Fuel Tax. Many other fund sources have been discussed and are being investigated by the LCWAG in which we have participating members. It is noted that part of the road would be in Pulaski County.

The Faulkner County Judge declared part of the county a disaster area after the last flood, but he was not optimistic the Office of Emergency Management/FEMA would actually be able to pay anything.

We found new information about the EPA instituting new regulations phasing in over 4 years, starting in Feb 2010 that would more heavily regulate water runoff from construction sites.

We communicated this fact to the Faulkner County Judge since he has promised to monitor this Lake Conway problem closely.

We found that Faulkner County does not issue building permits, and this is a cause of concern. Conway, Mayflower and Vilonia though do require them.

### **Lake Conway Fishery**

We investigated Tilapia for the feasibility of stocking the lake with them if it would improve fishing. We decided to not recommend this to lake management since there is some legitimate concern that this foreign fish could cause ecological problems for other fish.

The AGFC has announced that Christmas trees can be brought to Lawrence Landing and they will tie them together and place them in spots to attract fish. (Lack of cover is said to be the main problem impeding catching fish here).

### **Lake Conway Citizens' Advisory Committee**

Our Board has communicated with LCCAC and the AGFC representatives about abolishing it and bringing them into our organization, especially with the proposed Friends of the Lake membership class, or having representatives from the LCHOA Board in their group (there are already 2 of our members in LCCAC). AGFC prefers the latter. LCCAC refused all offers. We have learned that LCCAC actually doesn't have authority to decide on their membership—they are simply appointed by AGFC and do not have any clear representation arrangement for the lake area. They are not "chartered" like advisory groups for other wildlife areas or lake areas around the state. Nevertheless, AGFC hasn't abolished the committee and prefers to deal with them over LCHOA. Instead AGFC has directed that a charter be written for LCCAC and has invited LCHOA to help write it.

### **Amendments to Bylaws (to be voted on later in meeting)**

The proposed Article II Paragraph 3 amendment creating a Class C Membership called Friends of the Lake was explained. They would not have to live locally and would not be voting members.

The proposed Article VI Paragraph 6 amendment creating a standing committee called Internal Audit Committee of just our own members was explained. This would allow a review of all our financial information and comparison to our membership list and membership applications yearly without a charge.

### **Budget for 2010**

We estimated 130 Class A dues paying members, no Class B and 3 Class C dues paying members during 2010 at \$12 each plus \$100 of web site ads and no donations bringing in \$1696 income. Our estimated expenses would total \$2495.67. Getting Directors and Officers

Liability Insurance at about \$700 per year is planned for 2010, having been deferred from 2009 due to concern over funds. This is desirable even though we have some protection in Arkansas law from liability as a non profit corporation. Getting a Legal Review and Opinion of our documents and status is deferred again to 2011 due to its expense. (Note this would not be for ongoing legal advice.) Repaying \$618.27 of the loans from our present officers is planned, and paying the remaining \$316.47 will be deferred to 2011. (All officer expenses now are being reimbursed immediately). This would result in an operating deficit of \$799.67 for the year. Due to the cash on hand on 1/1/10, we would still have a \$518.60 cash surplus at the end of the year.

### **Secretary Position**

Dr Eans announced he would not be a candidate for Secretary again or a position on the Board due to intensive efforts at organizing the association and recruiting members only gaining about 6% of the possible members around the lake and only gaining about 17% of the residents who live directly on the shoreline. Also we had only about 10 members who helped in any way in spite of the Board's pleas. He believed this showed rejection of our association and poor consideration of our efforts on their behalf and that a large number of members was necessary to give us power and gain the respect of AGFC. He thanked the members for the opportunity to serve and urged them to support the Board as he would and to volunteer to help the association.

### **Treasurer's Report**

**Given by VP/Treasurer Bill Miller.**

Our checking account balance after all bills were paid and deposits made on 12/31/09 was \$1318.27. To date (1/12/10) after making the liability partial payment described above and depositing some new members dues and a donation, we have \$749.00 checking account balance. He stated renewal dues for 2010 were needed now since some other expenses were to be paid soon. With deficit spending planned for 2010, a dues rise should be considered.

### **President's Report & Conduction of Business**

**Given by President Hayden Baldwin.**

#### **Income Problem**

The president led an extensive discussion on income and dues. He stated we needed more income. We had poor response to our web site space for businesses ads although they are cheap. We had no Class B, Commercial members either. Members were urged to speak to local businesses about this. One member advised we should have a request on the new member applications for donations. Some advised a substantial rise in dues would be appropriate. There was personal testimony that those on fixed incomes could still afford to pay \$12 or more in dues. There was debate on a recommendation to prorate the dues and quarterly versus monthly. The Board pointed out that we had difficulty getting numbers at \$12, but it unanimously recommended a compromise would be a dues increase to \$20 prorated quarterly. This was voted on and approved. This will be for Class A & C. (As reported members renewing or new members joining before this vote were promised \$12 would be accepted as their dues for 2010).

Class B will remain \$25.

### **Inspection of Shoreline**

Inspection of AGFC right of way around the lake will soon occur. Enforcement of their policies which are described on our web site can be expected.

### **Amendments**

A discussion was held and a vote was taken on the above two amendments and each was approved unanimously as written.

### **Election of Officers and Board**

Nominations were requested for officers and Board. Hayden requested the Board be expanded by adding Larry Robert Hill on Deer Run, Mayflower. There were no nominations or volunteers for Secretary. All other existing board members and Larry Hill were nominated and elected unanimously.

**President–Hayden Baldwin**

**1<sup>st</sup> VP/Treasurer–Bill Miller**

**2<sup>nd</sup> VP/Secretary–Vacant**

**Board Member–Bill Benz**

**Board Member–Larry Robert Hill**

Volunteers for vacant Zone Leader positions was also requested.

### **Flood Issues**

Members were referred to the recent AGFC Flood Report on our web site. It reports that only 2 homes were damaged and they had only 2 phone calls about it. It reports the gates opening was increased from 5 to the full 15 only on 12/24 am.

By 12/24 am the northern end of the lake was already flooding. Heavy rain had been predicted on 12/22 for the next 48 hours. The lake management refuses to deviate from the 2003 Lake Management Plan in spite of increased construction in Conway causing more rain runoff and the freak increase in precipitation in 2008-9. It appears that a 1 inch rain could raise the lake level 1 foot, so a 4 inch rain could raise it 4 feet. It rained more than 4 inches. AGFC claims opening all 12 gates would lower the lake only 12 inches in 24 hours which is too little to help much. But they say there is a risk of over compensation and lowering the lake too much, making it too shallow especially in its northern end. But it is already too shallow there now to get a boat out during the Nov-March draw down.

There was extensive discussion of the effects of the flood. News media were present to report on it, but they were not interested in the causes of the flooding, just a quick report on the effects of it on the public. It was reported that a lot of sand / silt came in from the creeks during this flood. There are no AGFC plans to stop this. One member pointed out that changing the gates to a simple spillway would improve lake level management. But this would be very expensive and AGFC doesn't want to pay for it. In spite of the damage done by a prior flood when the gates malfunctioned, there is still no good maintenance plan for the gates. There was discussion of individuals taking the flooding complaint to higher positions such as state representatives or the Governor. It was emphasized that an organization such as ours would be much better able to get the attention of such people. We need more membership to

give us more respect with elected officials and with the AGFC. Also the LCWAG has committees to help fix the multiple problems with the lake. Buddy Wilcox on our Water Quality Committee and Jim Fugatt on our Lake Level Committee, will attend their next meeting, although its focus will not be on flooding. Buddy will make a report there. Perhaps there are other entities whose actions affect lake flooding; eg the city of Mayflower cut a hole last year in the levee along Jackson Ave that let the rain water in the wooded area previously held behind the levee empty into the lake quicker. There is difficulty reaching anyone at AGFC offices particularly on Fridays or weekends. 1-800-482-9262 is their radio dispatch which can get a message to whoever is on duty at that time to call you.

The President emphasized that we need good reports of the financial effects of the flood on each property to help prove need for financial assistance for the area and to show evidence of AGFC mismanagement. Many people have logs washed up onto their property. Hayden recommended some of our younger members be available to help older people who can't handle these things. The county can help too—328-4156 reaches Todd Shock of the Sheriff Dept who can help clear flood debris off your lot. The proposed new watershed study will focus on water coming into the lake causing lake flooding whereas the old study focused on the outflow through the gates causing flooding downstream on Palarm Creek.

We signed up 3 new members and took renewals 12 members at this meeting.  
The meeting adjourned at 9pm

Respectfully Submitted

Tom Eans MD, VP/ Secretary 2009.  
1/14/2010

**From the President.**

As President of LCHOA I would like to take this time to thank Dr. Tom Eans for his service to LCHOA and being one of the forefathers that created LCHOA. Without his drive we would not be where we are at today. Tom has spent many long hours in conducting LCHOA business on the computer, creating the documents and many long hours on the phone providing personal contact with prospective members. While he may be stepping down from his Secretary and Board position Tom will always be in full support of LCHOA and working in the background.

Thanks Tom!