

SPECIAL MEETING

SEPT. 22, 2012

9:00 A.M. IN/MI TIME

- I. CALL TO ORDER/ROLL CALL**
- II. PROOF OF NOTICE**
- III. READING OF FALL MEETING MINUTES (APPROVAL/WAIVE)**
- IV. TREASURER'S REPORT**
- V. UNFINISHED BUSINESS**
 - A. REPORT OF MEETING WITH ONTWA TOWNSHIP ZONING ADMINISTRATOR**
 - B. DISCUSSION OF ABOVE AND THE TWO COMMITTEE REPORTS**
 - C. REVIEW OF THE MAY 5, 2012 MINUTES THAT PERTAIN TO THIS TOPIC.**
 - D. DECISION FOR NEXT STEP**
- VI. ADJOURMENT**

IF YOU PLAN TO PARTICIPATE IN THE POT LUCK (PITCH-IN) DINNER LET LEE KNOW BY SEPT. 15, 2012. ALSO THE NUMBER WHO WILL PARTICIPATE. AS USUAL THERE WILL BE A CHARGE FOR OUTSIDE GUEST.

ALSO DON'T FORGET THE TWO WORK DETAILS OF REMOVING THE PIERS AND SPREADING THE DIRT BY THE SEA WALL.

Millianigan Special Meeting
September 22, 2012

Bill Francis, our President opened the meeting at 9 AM. Bill stated that a proof of notice was sent for this meeting. Bill did a role call, absent were the following members, Ewing's, Lub's and Noveroske's.

Standing Committee Reports:

Bill Francis asked to have the minutes for the Fall Meeting of September 1, 2012 approved as set to all previously. A Motion was made, seconded and approved to accept the minutes for the Fall Meeting of September 1, 2012. Dick Bruno stated there was no Treasurer report. Dick stated that all except one member were paid to date.

Unfinished Business:

Bill Francis stated in the minutes of the meeting of May 5th 2012 meeting with Attorney Mike Bell, the first step to proceed with the individual ownership with in corporation was for Millianigan committee to meet Ontwa Township Zoning administer Wayne Hardin. On September 8th 2012 Dave Denler, Dick Bruno and Bill Francis met with Wayne Hardin. They discussed the intent of collective concept of individual home ownership with in the corporation. Dave's assessment of the meeting was that Wayne had no knowledge of this and no immediate response. The zoning requirements (non-conforming) needs will not meet the existing ones. Wayne did not have much to give or take. The group met for 45-60 minutes. Wayne was adversarial but did not give a negative or positive position. The next step will be making a presentation of concept in front of the Ontwa Township Planning Commission Board in a non-formal meeting. Dick Bruno stated that this way there will not be a cost to us. Dick stated that he could not make a decision at this meeting as he is a member and must step out. Dick stated that informal meetings are not common, but in the September meeting there was a request to build a reception hall in an agricultural area. The Board voted to proceed with rezoning to build the hall. By going informally in front of the Board it is none binding on both sides? Dave stated that our type of ownership has not been done in the county. It is unique. If able to convince the township board to trade a share for a deed, is this less conforming? X or Y, PUD or no PUD, how can it be less conforming? The present survey (map) was disregarded because of zoning set backs and alike. Garages, changes of structures will not conform. Mike Bell stated in his meeting with us, that ownership will not conform. Bill Francis stated that this is the most important step we (the corporation) can take. Mike Bell stated that homestead (hesitant), partition is absolute. The only exception to partition is homestead? If denied all the way up, Partition is important. Suggest the Corporation needs approval of all. Occupancy agreement let us use the property. Warranty deed for corporation, act as lease property. Rational for presentation all would have to bare the cost in a Partition. If all had a homestead, you could not Partition. This is a legal opinion. A tax credit is a tax credit, 40% for a homestead. Current homesteads are given on the house (personal property) not the property itself. Dick stated this is not the issue now. What is the township importance for deed? Arlene Bruno stated they have been here over 35 years, what are the benefits to this change? She and Dick are not opposed to ownership under the house. Dave Denler stated that Partition is not band-aid it is

absolute, we will be pro-active to do in a planned manner at cost of \$15,000 to \$16,000 each member. It will not change taxes but takes the ability away for others to Partition us. Common Ground, 35 years the corporation was set-up by Attorneys, what is the danger now? Dave stated that because something has not happened, does not mean that it will not happen. The Delano property that was sold for development, these structures are more valuable than any others now on this lake. Visionaries will view this lake as having increased values. Guests look at the undeveloped land and the lack of residents as a plus. When Smith came here, they have the money to build what they wanted. His guests will want to do something the same? When development starts it is too late at this time to react. Delano was first twig when all of the low hanging fruits are gone what is next. The Real Estate market is in a recession currently, but it will turn around. Dave is painting a picture; it is not an emergency at this time. The legal option is out there. The value of the surrounding properties will go up. There are only 5 original members left, 10 have already sold for financial gain, Mark McCullough stated. More discussion occurred. Dick stated that the tax basis now on the property is Lake Front. Dave stated that a Partition all could be sold, divided, Judge will divide us? Island or lake, fill in the channel or not, no idea? The Judge after 35 year could do this, the question would be will the Judge do so and how? Bill Francis stated the main point would be to get the township in favor. The rational would be to exchange a share for a deed. How to do this with not meeting the variances? Read the Zoning code 184, ways to zone R1 and R1A, the various feet are not there. We met 9 of 10 reasons to grant the variances, if we can convince the Board, no safety issues and no problems to the township. Reason to support why to make presentation is vision. Mary Sabodor stated that there are many different stages of life here. They just want to retire and life here peacefully. They have been coming here for 35 year, not all of this time did they own here. They worked on projects that have increased the property value for all. They want to build on to their house and do not want things to change. They want to live on the property as it is. We have no children to leave our property to. This way is fine. Dave Denler stated the Partition would be to stop an Act of Partition in the future. It will take this option away. Dave stated that if all we get is negative feed back then we can stop or drop the concept. Dick Bruno stated that we need to go to the township Board to inform them. The next step is to get our ducks in a row to present how to get lot to sub-divide. This is important procedure to have a positive inform meeting with the board. Dot asked if each property would need to put in a new well. She stated that not all have the monies needed for this and other expenses? This could be another road block. Dick stated that we need information of the questions of what to go after, well, formal variances and other options. We could bypass but could spend a lot of money instead of \$450 for the first step if formal meeting. An inform meeting would have no cost to us. This would possible address how to go on? Do we do formal variance for site condominium? Additional discussion occurred. Dick Bruno made a motion to appoint a committee to investigate, gather information for next May 2013 informal presentation to the township Board. Ontwa Planning Commission Board meets the 1st Wednesday of each month. Discussion occurred. The informal meeting should occur before an Attorney gets involved. Dick amended the motion; Dave Denler is to make an inform presentation the 1st Wednesday of the month of May or June 2013 to the Ontwa Planning Commission Board. Dave is to report the boards reply back to the membership at the Millianigan. Motion was seconded and approved. Dave will need to set-up this

meeting 30 days in advance with the Board. Bill Francis will set up new committees. Email Bill if you want on a committee. Motion was made to close the meeting, 2nd and approved.

Respectfully,
Millianigan Secretary
June A Stroud