

Tishomingo News

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2009 Lake Tishomingo Calendar

Nov	10	Tue	7 pm	LTPOA Board Meeting
Nov	14	Sat	6:30 pm	LTIA Dinner, Turkey
Dec	8	Tue	7 pm	LTPOA Board Meeting
Dec	12	Sat	5 pm	Christmas Caroling
Dec	12	Sat	6:30 pm	LTIA Dinner, Chili Cookoff!
Dec	13	Sun	1 pm	Children's Christmas Party

Lakeview

LTIA Autumn Activities

by Mary Leiweke, LTIA President

There are a lot of activities going on with the LTIA at the Lake this fall. We hope that you have or will be able to enjoy some of the planned events.

The **Golf Tournament** was a huge success thanks to the hard work of Barb McGlynn, Barb Rohm, Dixie Bryant and their hardworking staff. Everyone that attended this event had GREAT TIME!

The **Anglers Fish Fry** was wonderful. The fish and all of the side dishes were FANTASTIC. This event was a great example of how we can all work together harmoniously. The Parents Club ran a Washer Tournament; the Anglers hosted the dinner and the LTIA & Anglers did a Bucket Full of Booze Raffle and all three groups enjoyed a terrific afternoon. Thank you Anglers for putting on such a pleasant event!. See article on page 4.

The **Halloween Dance and Bonfire** was a great deal of fun for all that attended. The costumes were everything from cute, scary and sexy to just plane street clothes but no matter what you wore, everyone had a good time. There was an abundance of food and fun for all that attended this dance.

The **Children's Halloween Party**

was a huge success. Their costumes were adorable, their energy endless and a good time was had by the children and the parents who attended this event. See photos on page 3.

November 14 we will have our annual **Turkey Dinner** at the clubhouse. This dinner will have turkey, stuffing and all of the trimmings as well as pumpkin pie, so please mark your calendars and plan on a marvelous dinner with friends and neighbors.

Elections for the 2010 LTIA Officers takes place at the November Meeting. Please consider running for an office with the LTIA. It is a great way to meet people and bring fresh, new ideas to the Lake. We have many open positions this year so think about how much fun it can be when you are involved and trying to keep Lake Tish a great place to live. The office of President, Vice President, Treasurer and two of the four Director positions are going to be open, so please consider running for office this year. The LTIA provides all of the social events at the Lake and organizes fundraisers for fireworks each year. The LTIA also sponsors the monthly dinners, dances and parties so we really do have fun.

Please think about running for the LTIA Board.

Christmas Caroling will be the 12th of December with the proceeds going to the Hillsboro Food Pantry. We will have two wagons with the North Side vs. the South Side; each side trying to collect the most money and canned goods for the Food Pantry. Please leave your porch light on so that the wagon will stop and sing for your donations.

Chili Cook Off will be December 12th after the Christmas Caroling. Bring your favorite pot of chili to share and to try for the title of BEST CHILI 2009.

Children's Christmas Party The children's party will be Sunday December 13th at 1:00 PM. Look for more information on the bulletin board in December.

This will be my last LTIA article because after five years, I will be retiring as an officer. Over the past years I have held many jobs, Committee Person, VP & President and I want to say a big "Thank You" to all of the wonderful, supportive neighbors that I have had the privilege to work with over the years. I am really looking forward to being just a member and participating in all of the new and exciting events the innovative 2010 board will be planning for all of us in the next year.

6:30 pm Nov 14 Turkey Dinner

Come early and shop at the Melchior Christmas Boutique

These unique statuettes make great Christmas gifts and stocking stuffers



Lake Tishomingo Property Owners Association

LTPOA

President	Chris Townsend	274-2305	chtownse@cbgundaker.com
VP/Communications	Janet Hirsch	285-0813	jhirsch@catenary.com
Secretary	Ann Schatzman	236-9852	bitsy_girl2@yahoo.com
Treasurer	Marilyn Meyer	274-1812	marilynlmeyer@charter.net
Community Coordinator	Renee Kittel	285-0436	reneemorison1976@yahoo.com
Grounds/Bldgs	Matt Schweiss	274-0584	tishproperties@yahoo.com
Maintenance	Joe Hejnal	274-9192	
Building Permits	John Hindrichs*	285-9057	jhindrichssr@charter.net
Security Coordinator	Rick Hannick*	274-1385	trickyricky@wildblue.net

Committees

Building Permits	John Hindrichs	285-9057	jhindrichssr@charter.net
Dam	Rich Hirsch	285-0813	rhirsch@catenary.com
Finance	Janet Hirsch	285-0813	jhirsch@catenary.com
Gate Cards	Fred Steinmetz	274-2853	steinm@charter.net
Gate Operation	Russ Wilner	285-7919	russ.wilner@gmail.com
Real Estate	Chris Townsend	274-2305	chtownse@cbgundaker.com
Stickers	Rick Hannick	274-1385	trickyricky@wildblue.net
Volunteer Corps	Renee Kittel	285-0436	reneemorison1976@yahoo.com
Water Quality Test	Clarue Holland		mholland01@charter.net
Website/Newsletter	Janet Hirsch	285-0813	jhirsch@catenary.com

*Non-board member

Security

Security Guard	Stryker Security	(314) 686-9432
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Lake Tishomingo Improvement Association

LTIA

President	Mary Leiweke	274-9002	mbleiweke@aol.com
VP/Treasurer	Bev Jost	274-0453	kbkjos@aol.com
Maintenance	Ron Sansone	271-4844	ron@ronsansone.com
Newsletter	Janet Hirsch	285-0813	jhirsch@catenary.com
Director	Kathy Hindrichs	285-9057	khindrichs@aol.com
Director	Sharon Lauer	285-9558	lesllau6@gmail.com
CoDirector	Barb Rohm	274-1971	laketbaby@charter.net
CoDirector	Barb McGlynn	274-9020	barb.mcglynn@emerson.com

Other Lake Tishomingo Organizations

Lakeside Gardeners	Rich Hirsch	285-0813	rhirsch@catenary.com
Parents Club	Janet Hensel	274-2909	kevinjanet@charter.net
PWSD#13 (Sewer Dist)	Marilyn Meyer	274-1812	marilynlmeyer@charter.net
Tishomingo Anglers	John Johnston	274-1486	jrjston@charter.net

Classified Advertising Rates

LTIA members, non-commercial listing	no charge
non-LTIA members, each listing	\$ 5

Display Advertising Rates

Business card	\$ 10 per issue	\$ 60 per year
1/4 page	15	120
1/2 page	25	150
Full page	50	300

Next Newsletter Deadline: December 20, 2009

Website: www.laketishomingo.com

The color version of this newsletter is available at the website, laketishomingo.com.

Email

Receive weekly "This week at Lake Tish" email announcements contact Janet Hirsch, jhirsch@catenary.com.

Newsletter

Submit photos, articles, and ads to jhirsch@catenary.com.

Classified Ads

- **Lakefront Lot.** O-8. 50 x 150 ft dock and shed. \$20,000. Jim & Lucille Clatto (314) 843-7391. cell: (314) 565-4274.
- **Lakefront Lot.** A-19. \$3,500. Cheryl Blacksher (636) 586-8786
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LTIA

2009 Golf Tournament

by Dixie Bryant

We had a break in the rain just in time for a great tournament. After the 9 hole tournament, everyone met back at the community house for appetizers, BBQ, fried chicken with all the side dishes and desserts.

Individual trophies were awarded for best score, longest drive (both men and women), closest to the hole, and the famous Horse's Butt trophy was awarded to the team with the highest score. It was a great time spent outdoors and in, visiting with other lake residents, and just catching up on happenings. Everyone had a great time and commitments were made to run the tournament next year as long as we get more teams. This year we had 8 teams - 35 people.

Winning team - Matt and Nick Holloran's team (including Glen and Kevin)

Longest Drive - Men's - Nick Holloran

Longest Drive - Women's - Cathy Winkel

Closest to the hole - Henry Dempsy

And the Horse's Butt trophies were awarded to...
Maggie Holloran's team (which included Patti, Aric and Steven)



Parents Club

Children's Halloween Party

Photos by Gail Lippitt



*Lakeside Gardeners***Mini Park Restoration**

by Valarie Silhavy and Chyree deRoode

Armed with lopping shears, weed trimmers, and insect repellent, four Lake residents (Jacque Marschuetz, Valarie Silhavy, Sheila Frauenfelder and Chyree deRoode) met on September 8, 2009 to begin cutting a trail through the Minipark. After a couple of hours of slashing brush and trying to avoid poison ivy, spider webs, and snakes, the group had hacked its way through about 75 feet of tangled undergrowth. Fortunately, at that point, LTPOA board member Matt Schweiss appeared and offered to help us complete the trail using the Lake Bobcat. What a relief! He also helped us with placing mulch on the trail. Thank you Matt -- you did in 2 hours what we thought would take the group at least a month if not longer to do!

Thanks also to Matt Holloran for the mulch. We appreciate it. The mulch will stop weeds from growing on the trail.

Several ideas have been suggested to have our Lake children involved in the development and use of the Mini Park. Scavenger hunts, Easter egg hunts, and spook walks for Halloween are only a few. The first activity will be to set out spring-flowering bulbs, which have been donated. Watch for signs at the Mini Park area for this event which will be mid-October.

We have made a good start in our efforts, but we have only scratched the surface of this project. Much more work is left to do in the Mini Park. Now we see what we have to work with and where we are going. Our next effort includes completely spreading the mulch, planting the bulbs for spring, placing handmade benches donated by Sheila Frauenfelder (thanks!) and getting rid of the invasive honeysuckle and other species.

We appreciate all those who donate their time, energy, and talents to making the Minipark something we can all enjoy!

*Tishomingo Anglers***2009 TAA Fish Fry**

by Dixie Bryant

October 10th was a fabulous day for the fish fry! 67 people attended. Among the cooks were Rick Harnick, John Johnston, Gary Ryan, Kevin Scheirick, Matt Schweiss and many other helpers. The guys fried up fish, hush puppies, onion rings,



to say goodbye to summer.

The fish club appreciates everyone's donations of cans and cash to help us keep the lake stocked. Have a great winter and we'll see you on the lake!



and french fries. There were tubs of cole slaw, potato salad, pasta, baked beans and desserts. Yummy!

Mike Leiweke was the winner of the "Tub of Booze" raffle. The Parents Club set up a Washers Tournament. A live band - Bag Lunch Blues Band - started playing around 3 p.m., on and a bonfire was enjoyed by all. It was the perfect day and perfect way



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Retaining Walls

*Lake Tishomingo Property Owners Association**LTPOA Meeting Minutes September 8, 2009*

The meeting opened at 7:00 p.m. with the following board members present: Janet Hirsch, Ann Schatzman, Chris Townsend, Marilyn Meyer, and Matt Schweiss.

President's Report

President Townsend started off the meeting by making a change to the July minutes asking that #5 under "Building" be changed to the Board not allowing the boat lift in A-cove. Motion to accept minutes as corrected was made by Marilyn Meyer and seconded by Janet Hirsch. Motion passed.

Treasurer's Report

Marilyn Meyer, Treasurer, reported for August. The Financial Report for August is listed separately. Motion to approve the Financial Report was made by Janet Hirsch and seconded by Ann Schatzman. Motion passed.

Marilyn presented the following bills for payment:

Gas for patrol boat	\$43.43
Portable Toilet	\$90
Citation Order Book	\$119.12
Clip Board for Security	\$15.23
Grass Cutting Fuel Reimbursement	\$120
Sewer Mailing	\$120.60
(will be reimbursed)	
Work Comp Insurance	\$927
Commercial Package Insurance	\$574
Truck Insurance	\$219.50

Motion to approve bills was made by Janet Hirsch and seconded by Ann Schatzman. Motion passed.

Building

John Hindrichs reported that Mr. Hejnal will be submitting plans for a new dock and Mr. Richards will be submitting plans for a boat lift.

Maintenance

Nothing to report.

Security

Rick Hannick reported for August. His security report is on page 7.

Gate

Russ Wilner reported that there was only one minor incident with the gate in the last month. The UPS (Uninterruptable Power Supply) circuit breaker blew and had to be reset to restore gate operation.

LTIA REPORT

Mary Leiweke reported on the upcoming community events:
 September 12 - Tailgate/Garage Sale
 October 17 - Arts & Crafts Sale
 Parents Club Sponsored Bake Sale
 Fish Fry on LTIA Dinner Night (\$10/person)

Finance Committee

Janet Hirsch stated that the fiscal year end report and budget were available at the meeting for anyone that would like a copy.

Website & Newsletter

Janet Hirsch reported that the newsletter has been mailed and delivered and is available on the website and October 20 is the deadline to submit anything you would like to include in the next newsletter. Also, the PWSD#13 minutes are posted on the website.

Community Coordinator

Nothing to report.

Fishing Club

October 10 is the fish fry. There will be drinks available, a blues band and a washer tournament.

Sewer Committee

Janet Hirsch reported that the sewer design plans have been submitted and we are waiting for final approval from MO DNR and USDA-RD. MO DNR has indicated that they would like to make changes to the plans that are based on format and not construction related. PWSD#13 has not yet received a response from USDA. As soon as we receive approval from the two agencies, the project will go out for bid.

Old Business (Board)

President Townsend reported on the issue of the cell tower upon the request of several individuals. In December of last year, Matt Schweiss approached the board about a cell tower proposal in a private meeting.

President Townsend further explained that Matt Schweiss brought to the board the proposal and survey from a company called Collective Solutions that works for US Cellular. They have 354 site locations for US Cellular and had a contract that was an agreement for usage of our lake roads going to Matt Schweiss' L-30 lot and to his property behind the subdivision. There was also in the agreement that the lake would be paid \$600 a year by US Cellular for use of the lake roads.

In December, Janet Hirsch and Ron Sansone contacted this company based on the premise that there is to be no commercial use of a lot within the development. Janet and Ron also gave Collective Solutions a survey plot plan of the property that is across from the front of the gate and maintenance yard and indicated that would be a more preferred site for the tower.

From that point forward, Collective Solutions did not hear from Matt, Janet or Ron. The issue came back up around a month ago.

President Townsend stated that at that point he started doing some due diligence. Additionally, President Townsend explained that there was a school or church in Pevely that sued US Cellular because they were trying to build a cell tower on their property and it became a \$250,000 lawsuit. President Townsend contacted Ed Kemp and had a discussion over this lawsuit and Ed stated that it was a \$300,000 lawsuit and the main premise was the lost time that US Cellular had been diligent in finding site locations for the towers. The main reasons they cited that went all the way to the MO appellate court were:

1. Prohibiting Progress
2. 911 Dispatch & Amber Alert
3. Homeland Security.

At this point, President Townsend stated that he wished not to go any further at this time with his comments.

Marilyn Meyer then stated that the board went to their attorney, Dennis Tesreau, regarding the cell tower proposal and he responded to the board with a letter. Marilyn read the following paragraph from the letter from attorney Dennis Tesreau:

In any event, with respect to the Board's objection being based on Restriction #1, I agree with the Board's objection. I agree that the access road on Lot L-30 would be used for commercial purpose and not a residential purpose. I think this is made all the more clear by the fact U.S. Cellular wants to alter the lot by building an access road that would be 30 foot wide on a 31 foot lot. I think that this is totally and completely unreasonable. I even think it makes it all the more certain that the property is being used for commercial purposes.

SECURITY REPORT, SEPTEMBER 8, 2009

Stryker Security has hired two new security patrol officers, Shawn and Noble. Both are ex-police officers who have been trained through the police academy, and are licensed to carry a firearm. Noble was our guard for the Labor Day weekend. He is kind of feeling his way regarding how we want things done here, but I had a long conversation with him on Monday, and I am confident that he will be fine. I had Stryker alter the hours for this week so that we would have a guard present on Monday for the holiday. Noble tells me that he had the boat out on Sunday for about an hour, and had several people tell him that they were glad to see it on the lake again. The problem is that as he was getting ready to dock it for the day, it died, and would not restart, so he was unable to use it again that day, nor on Monday. I can't stress enough how important it is to have the boat on the water to increase the awareness that we are patrolling and enforcing the rules, as well as the deterrent effect the boat has on the boaters who break the rules. Why can't we get it fixed, and fixed right, so that it is available for the security guard? So far, between James and I, we have written six citations to vehicles and empty boat trailers on the parking lot, but without a boat to go onto the lake to find the offender, we have no way to know if they are trespassers or property owners. We need all of the tools at our disposal if we are to fix our security problems.

James caught, and wrote a citation to the driver of the sports car that has been terrorizing the south side. He has been given a

written warning, and the next time he is cited, he will be subject to the \$25.00 fine. I have been told that he is driving much slower now. I hope that lasts. James also wrote two other warning citations to vehicles without stickers, and gave them sticker applications as instructed.

I would like to bring in a guard on a Saturday morning while the gate is open and have him stop every vehicle going in or out that does not have a sticker. I want citations written to every property owner vehicle not stickered, and verification of the destination of everyone claiming to be a visitor. I think we should confront all property owners without stickers, and force them to get them. Do I have the authority to do this, and if not, I am asking for board approval to set it up?

I would like to know if there has been any more board discussion regarding closing the gate 24/7. I still firmly believe that holds the key to shutting down our community to trespassers, and we will never be secure until the board takes action to close it full time. We have the mechanism in place to keep out unwanted people. Why are we not using it?

I have set up a spreadsheet to track the citations issued, and will be including a copy of it with each month's report to the board, see attached.

Respectfully submitted
Rick Hannick

President Townsend responded to the letter written by the attorney by stating

"If the cell company has sited this location for their cell tower, if back in 2008 gave Collective Solutions a different site and a different authorization to put it a different place, they pretty much have already gone through the legal expenses to find their location and then the board turns around and says 'here's a place to put it instead', if the other suitable location is suitable for them based on past precedence with what Ed Kemp (Ed was on the commission when this suit took place) cited, I think the lake opens themselves up to a big can of worms."

Property owner John Dauernheim had the following issues with the proposed cell tower:

- Why should we pay assessments for someone else to use our roads?
- The issue is against our Restrictions and the Restrictions can't be changed. The lake has not lost one case wherein the Restrictions were challenged.
- The board was elected to follow the Restrictions and there should be no one on the board that is for this proposed tower.

President Townsend stated that he does not want the lake to have a lawsuit that the lake cannot afford. The lake has easements and in 1962 and 1965 Harold Hurd documented several locations all throughout the lake with easements and gave the board a document that was done in 1971 when Hurd granted further properties and a 2- ft. pathway separation which most of the property Elmer Richards and his brother owns. All of the locations on that document are specific survey points which clearly Harold Hurd granted easements for those properties. And in one sentence that the board can attest after I gave it to them states, "rights for residential and/or commercial except mobile homes and trailers". We have to be clear that this Fortune 100 company hasn't done their own due diligence to make sure that they are ok with it before I can agree with what the property owners are saying. President Townsend also stated that he agreed with the property owners concerns but we need to be careful when dealing with something

so much bigger than this subdivision.

Property owner Martin Holland stated that the issue is not the cell tower and where it is being built. The issue is how the company will get to this cell tower. The company can find another way to access the tower instead of using a lake lot for an access road.

Matt Schweiss stated that he has an easement to his property and the company has spent a lot of money. The board replied that they have yet to see a copy of this easement.

The board had a private meeting on August 24, 2009 to discuss the cell tower issue and had planned to have an additional meeting to talk more about the issue after doing some due diligence. (At that meeting President Townsend read to the board from a document that he believes grants permission for L-30 to be used as an access road. Subsequently President Townsend provided that document to the board and it is also posted at the lake website: laketishomingo.com | History | Legal Documents | "General Warranty Deed H Hurd.")

Janet Hirsch stated that the document that the board was provided ("General Warranty Deed H Hurd") dealt with the area outside the subdivision and not with the subject property. A previous owner of the subject property, Ken Marschuetz, was also present at the meeting and stated that there was an easement, but did not recall the nature of the easement.

Property owner Scott Schatzman added:

- The board has a duty to the property owners to enforce the Restrictions.
- What has been provided to the board? Have you reviewed the Pevly case and what kind of case was it - eminent domain? Always more to a lawsuit than meets the eye.
- Has the board communicated with US Cellular? What is their position? They could have the right to condemn.
- Is US Cellular threatening a lawsuit? And why are you concerned about a lawsuit?

President Townsend stated that he does not have a copy of the Pevly case and doesn't know all the particulars and is just going off what Commissioner Ed Kemp stated to him. He also

continues on next page

September LTPOA Minutes continued from previous page

stated that the Collective Solutions has spent all this money since 2008 regarding this issue and read an excerpt from a letter from Collective Solutions to Ron Sansone from December 2008:

Ron,

Attached is the Grant of Road Access that we discussed on the phone for Lake Tishomingo POA. US Cellular is looking to put a 250' Self Support tower with a 75' X 75' compound with a shelter that houses the equipment. the compound is 75' X 75' to allow t-or collocations of other phone carriers. I am attaching a couple of pages from the zoning drawings to give you an idea of what it will look like.

This property was chosen due to the elevation of the property and the RF Engineers felt that it best fit with the other towers they have in the area. The reason they need the tower is to help support the US Cellular customers in the Hillsboro and surrounding area. If you would like someone at the Board Meeting to help explain this we can do that. Please give me or Russell Been a call if you need anything else.

*Thank you,
Donna*

Property owner Ken Kline stated the following:

- Does a cell company constitute a utility company?
- The money the cell company has spent does not have anything to do with the lake.
- The issue is the cell company using our roads. If US Cellular wants that property, they do not need a lake lot to access their commercial property.

President Townsend then stated that he has heard way too much opposition from property owners that they don't want to see the cell tower at the entrance of the lake.

Property owner Rick Lippitt asked the board if there was any reason to believe that US Cellular would sue the lake and President Townsend responded that from what he has been told by Matt Schweiss via Russell Been of Collective Solutions then the answer is yes. Marilyn Meyer responded that the board has not signed an agreement with the cell company.

Janet Hirsch replied that it is not the board's responsibility to protect the investments of US Cellular or of any other individual. It is the board's responsibility to protect the investments in the property of the lake and property owners. The board did not want to use L-30 as a commercial access road to the back so the board offered US Cellular the opportunity to use a property outside the lake which is not subject to the Restrictions and is owned by the lake, that is 17 ft lower than Matt's property but still could be used for a cell tower. That way the lake would receive the money for the tower, the roads would not be affected and the Restrictions would not be affected. That's why the board offered them the other property. They never responded to the board and signed a contract with Matt for his property. The board does not object to the cell tower, or the position of the cell tower, just converting L-30 to a commercial access road. The attorney stated that we cannot allow a subdivision lot to be used for this commercial purpose because this would be a flagrant violation of the Restrictions and that's it. That's the advice of the LTPOA's attorney. The board tried to accommodate the cell company and they did not respond. They can have their tower but will have to access it some other way.

President Townsend reiterated what he stated above regarding the easements of 1962 and 1971 and stated again that all pertinent documents relating to Matt Schweiss' property were provided the rest of the board.

Janet Hirsch replied that President Townsend provided the board with documentation relating to:

- 40-ft wide Lake Tishomingo Rd
- 1.36 A site that is the current maintenance yard
- Approximately 11 acres immediately east of the subdivision along Lake Tishomingo Rd
- 2-ft wide strip behind many named lots (the buffer zone)

She also stated that one thing President Townsend neglected to include when reading the document aloud at the private board meeting was the fact that any mention of residential or commercial use related only to the 11 acres east of the subdivision. President Townsend replied that that is incorrect and that tonight the board does not have an answer. Janet stated that if Matt can provide proof that a commercial access road can be put on L-30 then the board will consider it. All documents that were provided to the board were forwarded to the attorney for the lake.

Property owner Jerry Arbini stated that if there is an easement then it will be recorded so there will be record of it. He further stated that utility companies have easements and are allowed in here to provide service to the property within the subdivision. This cell phone tower will be servicing the area outside the subdivision and should not be able to come in here.

Matt Schweiss stated that he has had a signed contract with the cell company for over a year and work is to start in 18 months.

Property owner Larry Kimmel stated that our community is private with private roads. The public utilities are servicing our properties and using our roads not borrowing our roads for servicing the tower which is not exclusively for our community. He further asked if we would be setting a precedent for commercial developments to use our roads. Let's say an apartment complex is built up there. We will have to give them access too if we allow this commercial access.

Ken Kline stated that it is a conflict of interest that Matt Schweiss is on the board and he will need to recuse himself from voting on this issue.

President Townsend said that his only concern is to protect the lake from a lawsuit.

New Business (Floor)

Mr. Lauer had a question regarding the electrical hookups for the sewer project. Many property owners were under the impression that the electrical hookups were not going to be the property owner's financial responsibility. Rich Hirsch stated that in May, the lake found out that there is not enough grant money available to pay for the hookups; therefore, it is the homeowner's responsibility to pay.

Clarue Holland reported on the water testing of the lake. The Water Testing Report is on page 11.:

There being no further business, a motion was made by Marilyn Meyer and seconded by Janet Hirsch to adjourn. Motion passed. The meeting concluded at 8:27 P.M.

Respectfully submitted,
Ann Schatzman, Secretary



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August 31, 2009 Financial Statement**Cash Inflow**

Assessments 2009-2010	91,592.68
Gate Passes	35.00
Newsletter Ad	10.00
Interest	39.83
Total Cash Inflow	91,677.51

Cash Outflow

Loan	2,269.08
Loan Payoff	55,532.17
LTPOA Reimbursement for Fireworks	50.00
Pole Saw	645.23
Truck Registration	12.00
Portable Toilet	90.00
Mo. Business Registration	10.00
Stryker Security	1,571.00
Return Postage Due	9.04
Utilities	123.53
Total Cash Outflow	60,312.05

Checking Account Balance **152,362.17**

September 30, 2009 Financial Statement**Cash Inflow**

Assessments 2009-2010	19,874.72
Delinquent Assessment 2008-2009	940.00
Gate Passes	10.00
Interest	52.60
Total Cash Inflow	20,877.32

Cash Outflow

P.D.C. Water Testing	372.00
Clipboard for Guard	15.23
Hydraulic Oil and Gas	131.89
Gas for Patrol Boat	43.43
Fuel and Weedwhip Line for Mowing	120.00
Citation Book for Guard	119.12
Portable Toilet	90.00
Stryker Security	1,747.00
Columbia Insurance Auto, Commercial Pkg.	793.50
Postage and Envelopes for Sewers	119.76
Utilities	126.89
Total Cash Outflow	3,678.82

Checking Account Balance **169,560.67**

from <http://mdc4.mdc.mo.gov/Documents/251.pdf>

Beaver Prevention and Control

[Recently, there have been at least three reports of beaver activity and damage along the lake shore. If you see an area where a beaver den is being constructed please notify an LTPOA board member. The Missouri Department of Conservation will help us remove and relocate beaver if we can identify the den. -- jmh]

Nonlethal methods

Once a colony of beaver establishes its territory in a pond, lake or stream it is virtually impossible to make it move somewhere else through the use of nonlethal techniques. It is sometimes possible to enjoy beavers in the area while still preserving property. The following tips may keep these rodents from being too destructive.

Saving valuable trees

Beaver cutting trees along lake front property is one of the most common complaints. If there are only a few trees to protect or if some of the trees need protection more than others, wire fencing around each individual tree could be the answer. A rigid welded-wire fence using 4-inch mesh or smaller is often effective in preventing beaver damage. The height of the fence should be at least 36 inches.

Cut the wire into widths large enough to encircle each tree, leaving 2 or 3 inches between the tree and the fence

so the tree will have ample room to grow. Avoid using soft chicken wire, and never wrap the tree tightly or nail the wire to the tree. Make sure the wire is firmly attached to the ground so the beaver can't chew on the roots. As the tree continues to grow, the wire may have to be replaced every few years.

In some situations it is possible to build a fence at the shoreline to keep beaver from leaving the water and gaining access to trees you want to protect. A fence of rigid wire fastened to steel posts and dug into the ground will exclude beaver. An apron, consisting of a strip of wire laid on the ground in front of the fence, might have to be added

if beaver try to burrow underneath. Electric fencing is effective in some situations to exclude beaver from an area with desirable trees.

If there are too many trees to protect by wire

fencing, the only solution may be to remove the beaver by trapping or shooting.



LAKE TISHOMINGO WATER TESTING

COMPLETED ON AUGUST 24, 2009

by Clarue Holland

On August 24, 2009, Martin and I again collected water samples to be tested at PDC Laboratories, Inc. located at 3278 N Highway 67 (Lindbergh), Florissant, MO 63033 – 314-432-0500 or 314-921-4488.

The lab tests our lake water for Fecal Coliform. This is the recommended testing for lake water where the usage is Whole Body Contact Recreation (WBCR) and defined as “swimming and other uses where a person is fully immersed in water”. Secondary Contact Recreation (SCR) is “wading or canoeing, where swallowing the water is unlikely”. Each sample costs \$31.00 or a total of \$372.00 which is payable at the time of pick up by the courier.

We took 12 samples, which are in the same locations as have been tested over the past year. At 8:00am we began the collection in D-E-F cove, as this is our cove. The morning was sunny, temperature in the low 60’s and the water temp was 83 degrees at the surface. We worked our way towards the Creek Inlet, going to about the middle of each cove, taking the sample from about two (2) feet under the surface with a clean container. After reaching the beach area, we continued our sampling around the north side towards the dam and then on the south side of the lake.

As each sample bottle is filled it is labeled as to location, time and date and then placed in an iced cooler (provided by PDC). At 10:00am, I met the courier from PDC for him to take to the lab. He had the samples back at the lab at 11:45am for the samples to be set up to be read the following 24 hours. I received the results by email on Thursday, August 27, 2009. (This was unusually fast.)

Fecal Coliform is the type of bacteria that could come from human waste, although most often is the result of animal, bird, duck or geese waste. Whenever there are ducks and geese on the water, farm or wild animals in the watershed area, Fecal Coliform can be found. The maximum limit per the Department of Natural Resources (DNR) Clean Waters Law is 200 colonies per 100 milliliters for Whole Body Contact and 1800 colonies per 100 milliliters for Secondary Contact. Our lake readings fall below these maximums.

As mentioned above, all the coves registered well below the maximum limits as set by the DNR-Clean Waters Law. The results from A-B Cove, C-D Cove and D-E-F, Cove were all less than 10 cfu/100 ml.

I Cove, I-K Cove and L-M Cove tested at 18 cfu/100 ml. A Cove, B-C Cove, F-G Cove and G-H Cove were each 27 cfu/100 ml. M-N Cove resulted in a reading of 63 cfu/100 ml. The mouth of the Creek Inlet into the lake had a reading of 171 cfu/100 ml.

The chart attached shows the readings over the past 12 months for each location. You will see there is a worrisome trend that should be addressed. The sample at the mouth of the Creek Inlet into the lake over the past 12 months has increased to the point that the reading of 171 cfu/100 milliliters is only 29 cfu/100 milliliters less than the maximum quantity allowed under the DNR-Clean Waters Law. In May of 2009 the reading was 82 cfu/100 milliliters and in August 2008 the reading was 10 cfu/100 milliliters.

While this definite increase could be upstream, according to my conversation with the DNR it more than likely is the larger number of geese currently in residence.

Upon further study, we have learned that the average excrement left by one Canada Goose amounts to three (3) pounds per day. Assuming merely 40 geese, that totals 120 pounds per day; 840 pounds per week; 3,360 pounds per month; deposited around, or in, the lake. From our observations, that would most likely be around the beach area. Spooky!

On Monday morning I spoke with three different companies that deal with Canada Geese removal and/or relocation. I have several pages of notes that I will consolidate and forward. In the meantime, I am submitting this report with an addendum to follow. I have delayed this report over the past weekend to provide a little more time for research and advice.

Clarue Holland
8/31/2009

Clarue also explained that there is a concern about the growing geese population around the lake area. She suggested all property owners take a geese census in order to figure out what to do about the growing problem since the geese population contributes to the water quality of the lake. The following are some facts about geese and ways to manage the geese population:

BB-53 2004

Canada Geese Facts and Management Options

Canada Geese are a common site around lakes, ponds and even golf courses. These birds often migrate in the fall, but isolated populations may reside year around. Nesting begins in March and April, usually along a water body’s riparian zone. Geese can lay approximately three to six eggs in a clutch, and often abandon the nest within one to two days. The geese can live upwards of 24 years and can weigh approximately 12 pounds.

How Much Nutrient Loading Do Canada Geese Add To A Lake?

One goose can consume up to four pounds of grass per day, creating about three pounds of fecal matter daily. In large concentrations, this matter can contribute to excessive nutrient loading because fecal matter contains 76 percent carbon, 4.4 percent nitrogen, and 1.3 percent phosphorus. These nutrients can cause algal blooms and excessive plant growth in lakes.

How Can Canada Geese Affect Human Health?

When geese defecate near shore or in the water they create a health risk to humans. Their fecal material may contain the swimmers itch organism along with fecal bacteria. Swimmers itch is a temporary skin rash caused by a small parasite, however the rash does not require treatment. A larger concern is fecal bacteria, or *Escherichia coli* (*E. coli*), which are naturally occurring bacteria in the digestive tracts of warm-blooded animals. *E. coli*, when present in large amounts, may cause gastrointestinal problems such as nausea, vomiting and diarrhea. The presence of *E. coli* may also indicate the potential presence of other pathogenic organisms. You should avoid contact and ingestion of water in areas frequented by geese.

How Do I Make My Property Less Inviting To Canada Geese?

You can employ some lake protection tips such as leaving a buffered zone near the lake comprised of bushes, shrubs and vegetation. Grass is very attractive and geese tend to flock to it. If you already have a grassy shoreline or lawn it is best to keep the grass high (6”). Remove accumulated nesting materials (sticks and shrubbery) prior to geese nesting, or remove the nest after geese have hatched and moved on (roughly two to three days after hatching). Remember however, before you tamper with the nests of Canada Geese a permit is required from the U.S. Fish and Wildlife Service.



LTPOA Safety and Security Meeting Summary October 6, 2009

The hosts were Rick Hannick, LTPOA Security Coordinator, and Chris Townsend, LTPOA President. Stryker Security Guard James was also present. The entire LTPOA board was present and we had 38 property owners in the audience.

Lt Carle and Sgt Kauser of the Jefferson County Sheriff's Dept (JCSD) were the guest speakers.

Summary of the JCSD introductory remarks:

JCSD cannot enforce our regulations, that's the board's job.

Overall Lake Tish is considered safe, because they don't get many calls from here.

JCSD recommended that the gate be closed 24/7.

We could look out for each other with a Neighborhood Watch program in place.

Whenever there is an incident make sure it is reported to the JCSD. Call the JCSD office 797-9999 for non-emergencies.

With the new county government there may be new ordinances passed to assist us.

Audience remarks:

Many people spoke with great emotion about recent cases of speeding and dangerous driving within the subdivision. Apparently the errant drivers do not respond with courtesy and respect when asked to slow down.

There was also concern about poachers stealing our fish and property owners who open the gate for outsiders to prevent a traffic jam at the entrance.

JCSD response:

The Sheriff's department will come in here more and patrol. They will make arrests for DWI, "careless and imprudent driving," and disturbing the peace.

They want to help us prevent speeding and dangerous driving.

And they will increase patrols along the public roads near here and catch speeders.

They encouraged us to start a Neighborhood Watch program and always call 797-9999 and report all incidents.



LTPOA Meeting Summary October 13, 2009

All board members were present and there were nine property owners in attendance.

Buildings

Hejnal -- new dock

Richars -- boat lift

Hummel -- deck

Brukardt -- driveway and retaining wall

All permits were approved by the Board.

Contact John Hindrichs, jhindrichssr@charter.net to submit building applications. Permit applications must be submitted at least 10 days before the board meeting.

Maintenance

The new maintenance building will be modified and electricity installed.

Security

The guard's hours will be cut back until spring. Rick Hannick submitted recommendations for the security gate which include keeping the gate closed 24/7 beginning in January. Rick will schedule a meeting of all concerned to formulate a plan.

Cell Phone Tower

Janet Hirsch spoke about the need to prevent the use of a subdivision lot as a commercial access road.

"In discussing the issue of the construction and operation of a cell phone tower with several property owners, I got the impression that people don't really understand the implications of allowing a lake lot to be used as a commercial access road. Some folks said it's no big deal to allow construction vehicles to use our lake roads to build the tower, and after it's built, to let commercial vehicles use our lake roads to service the tower.

Here's the problem. US Cellular plans to build an access road on lot L-30 to a cell phone tower site beyond the subdivision boundaries. And they also want the right to assign the use of that commercial access road to anyone they choose. Not only will US Cellular be using our roads and that lot, there will be other companies who will use the tower, as will other developers and their customers. There is no doubt that lot would be devoted to commercial purposes, not residential.

More importantly, if we allow this, a precedent will be set – other developers could use subdivision lots to access commercial developments beyond the lake boundaries. It could lead to apartment buildings,

sod farms, quarries, and anything else -- all being accessed through our subdivision.

In the end Lake Tish property owners lose all control over who comes into the subdivision.

How can we enforce Restriction 1, that 'property should only be used for residential purposes' in future cases if we don't enforce it now? This will set a precedent. There is no way this lot can be used for residential purposes if it is converted to a commercial access road.

The majority of property owners want the LTPOA Board to enforce the rules and regulations of the Lake. Every opinion survey shows that. And the most important rules of the lake are the Restrictions. I believe that to not even attempt to enforce the number one restriction is a dereliction of duty. When Lt Carle of the Jefferson County Sheriff's Dept was here last week he said that it was the Board's job to enforce the rules of the lake. We should take that obligation very seriously and feel that we have to enforce Restriction 1.

There has been a claim that an easement exists that allows for the commercial use of lot L-30. To date we have seen no evidence of this. None of the documents we've been given and none of the documents I could find at the Recorder of Deeds lead me to believe that L-30 is exempt from the Restrictions and can be used as a commercial access road.

I did find that in September, US Cellular filed with the Recorder of Deeds an option to lease the tower-site property and to use lot L-30 to build the access road. The filing of this document makes it public knowledge.

Based on this I think we have no choice but to turn this over to the Lake's attorney.

Therefore, I move that we instruct the Lake's attorney to examine all of the evidence he has available and determine whether or not there is a case to be made for allowing a lake lot in block L to be used as a commercial access road. And if his conclusion is that Restriction #1 would be violated, he should send a letter to the parties involved telling them that Lake Tishomingo fully intends to enforce its restrictions and will not allow a lake lot to be used as a commercial access road"

Motion seconded and passed.

Driveways

There are still three property owners who have not paved the first 20 feet of their driveways as required. When the weather gets warmer the LTPOA will pave their first 20 feet. The property owners will be billed and it will be treated just like an assessment.



Public Water Supply District #13



President	Marilyn Meyer	274-1812	marilynmeyer@earthlink.net
Vice President	Rick Lippitt	274-5034	ralippitt@hotmail.com
Secretary	Rich Hirsch	285-0813	rhirsch@catenary.com
Director	John Hindrichs	285-9057	jhindrichssr@charter.net
Director	Ken Jost	274-0453	kbkjost@aol.com

Lake Tishomingo Community Sewer Project

by Janet Hirsch

Design Plans & Specs

All of the sewer design plans and specifications have been submitted and we are awaiting final approval from MO DNR and USDA-RD, our funding agencies. Shortly after the plans are approved the project will be advertised for contractors to bid on.

As reported by the project engineer at the September sewer meeting "All of MO DNR's comments on the plant have been received. There are no significant changes to the plans required. Changes are generally just procedural. As yet we've received no comment from USDA-RD's engineer. I believe USDA-RD's delay is because they are swamped, probably due to projects using stimulus money."

Construction was estimated to begin mid-November, but the USDA review of the submitted plans is taking a long time.

We expected one to two months for the review to be completed, but so far it's been four months. So the schedule will be pushed back by at least two months. We estimate that construction will begin no sooner than February 2010.

Electrical Circuits

We are close to having the specifications for the electrical circuit required at each residence and believe they will be:

Circuit: 120v 20amp dedicated circuit terminating in a dedicated service disconnect in a NEMA 3R enclosure.

Access Road

The District is still negotiating to gain access to the wastewater treatment plant site using a temporary construction road off Regina Rd. If we do this we avoid having construction vehicles drive across the dam and eliminate much of the congestion and wear due to construction vehicles on N. Lakeshore Dr.

Administrative Tasks

The District has to establish an accounting system for receiving funds from the USDA and MO DNR and for paying the contractors. And we are asking for help -- the District needs someone to help with setting up the billing and bookkeeping system and finding a CPA to conduct audits. If you can assist in any way, please contact Marilyn Meyer

Funding Update

The District received a letter from MO DNR stating that we have been placed on the 2010 fundable project list. This is an extension of our presence on the 2009 fundable project list.



submitted by Marilyn Hannick

Blood Clots/Stroke - Recognition is Key

STROKE: Remember the First Three Letters . . . S T R

Stroke Identification

A neurologist says that if he can get to a stroke victim within 3 hours he can totally reverse the effects of a stroke, totally. He said the trick was getting a stroke recognized, diagnosed, and then getting the patient medically cared for within 3 hours, which is tough.

Recognizing a Stroke

Thank God for the sense to remember the '3' steps, **S T R**. Read and Learn!

Sometimes symptoms of a stroke are difficult to identify. Unfortunately, the lack of awareness spells disaster. The stroke victim may suffer severe brain damage when people nearby fail to recognize the symptoms of a stroke.

Now doctors say a bystander can recognize a stroke by asking three simple questions:

Remember S T R

- S** Ask the individual to SMILE.
- T** Ask the person to TALK and SPEAK A SIMPLE SENTENCE (Coherently). (i.e. It is sunny out today.)
- R** Ask him or her to RAISE BOTH ARMS.

If he or she has trouble with ANY ONE of these tasks, call emergency number immediately and describe the symptoms to the dispatcher.

New Sign of a Stroke -

Stick out Your Tongue

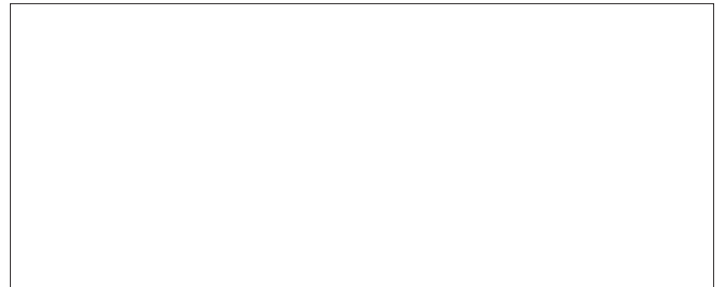
Another 'sign' of a stroke is this: Ask the person to 'stick' out his tongue... If the tongue is 'crooked', if it goes to one side or the other, that is also an indication of a stroke.



Lake Tishomingo Property Owners Association
5699 Lake Tishomingo Road
Hillsboro MO 63050

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Dr., 7744 Mohawk Trail, 6072 S. Lakeshore Dr., 6112 S. Lakeshore Dr., 5783 S. Lakeshore Dr.,
5929 S. Lakeshore Dr., 6355 S. Lakeshore Dr., 6080 N. Lakeshore Dr., 5933 S. Lakeshore Dr.,
5700 S. Lakeshore Dr., 7728 Meadow Dr., 6223 S. Lakeshore Dr., 7676 Lakeview Dr., 7801
Mohawk Trail, 6786 S. Lakeshore Dr., 6825 Westwood, 5790 N. Lakeshore Dr., 7828 Mohawk
Trail, 6208 N. Lakeshore Dr., 5783 S. Lakeshore Dr., 6541 S. Lakeshore Dr., 6367 S. Lakeshore
Dr., 7768 Meadow Dr., 6541 S. Lakeshore Dr., 7696 Lakeview Dr., 5783 S. Lakeshore Dr., 6308 N.
Lakeshore Dr. and Lots & lots of lots!

If you're thinking of selling, now is the time to get your home ready to market! Any painting, carpet cleaning, closet cleaning & yard cleanup, now's the time to do this! I have buyers looking for homes. They want to be moved in fast to enjoy the lake. Call me for a current price on your home & marketing plan to sell it fast!