



CHESAPEAKE ISLE CIVIC ASSOCIATION
P. O. BOX 150 NORTH EAST, MD. 21901

CICA Board of Directors Meeting – Minutes August 22, 2004

The meeting began at 3:05 p. m. at the pavilion.

BOARD OF DIRECTORS PRESENT:

Brian Clare, Bill Dryden, Janet McKenna, Michael Szep, Sr., Vern Orndorff, Sonny Hayes, Jay Gilfillan, Rob Green, Gordon Osborne, Ward Keever, Jim Abel, Ken Knapp

ABSENT: None

Invocation and Pledge of Allegiance: The invocation and Pledge of Allegiance was given by Dave Byler.

Committee Members and Guests Present: There were approximately 75 CICA members along with Chesapeake Isle residents in attendance. Deputy Zack from the Sheriff's Department was in attendance and a guest speaker.

President's Report: All CICA members and guests were welcomed and hand-outs of the agenda, legal summary and budget were distributed.

There was a moment of silence for the remembrance of our friends and neighbors who have passed away: Ken Smith, Howard Hite, Jerry Long, and Sven Anderson. If there are others who were not mentioned, our sympathies go out to their families as well.

The agenda items were reviewed. It was anticipated that time would be at a premium and not all committee reports would be read, but would be posted along with the minutes.

Thank you to the officers, committee chairs and volunteers who served this year. Those stepping down from the Board are: Jim Abel, Rob Green, Ward Keever (who is up for re-election), and Vern Orndorff. A special thanks was extended to Rob Green for his excellent work with the budget and books for his six years as Treasurer. Rob always gave good advice and will be missed. Jim Able, Beach Committee Chairman and John Bates' alter ego is stepping down. Thank you for all your effort in keeping our beach in great shape. Also, keeping the community in great shape. Jim worked where ever the work was needed. Vern Orndorff is finishing up three years on the Board along with committee and security work along the way. Ward Keever is also finishing his three-year term on the Board and again with committee work as well. Everyone has done a

tremendous job and I would like to thank them for their leadership and all the hard work that goes unseen.

Directors who will be returning are: Brian Clare, Gordon Osborne, Jay Gilfillan, Bill Dryden, Sonny Hayes, Ken Knapp, Janet McKenna and Mike Szep.

This was my second year, the first year was fun this year was fun, but in whole different way. I want to thank my wife and family for all their support and love. Thank you to the Fritz & Fritz team in shouldering a tremendous load. All the hard work with the directory, special mailings, newsletter, membership, clothing and all the untold hours in making it all look so good (and especially keeping Les straight). John Bates thank you for it all. Again not only were you working on the road, but where ever it was necessary. Barry Miller has been Chairman of Architectural Review for approximately 12 or 13 years. It was a yeoman's job for over a decade. There is Dave Byler, Chairman of Legal Review. This was not always an easy year but thank you for your dedication. Sue Seeley runs the Social Committee and is active on the Architectural Review Committee. Our get togethers are all handled by our Social Committee. Sue makes the job look easy and I know it is not. Audrey Buck, Chairperson of the Historical Committee. Ginny Copley for two years she headed up the 4th of July celebration. Ned Schnoonover takes care of our entrance sign. Sara Hayes took over the pavilion rental and has done a good job stepping in for Nancy Duvall who moved. John Reber handles the e-mail and web site. Ed Earle for all his welding and mechanical know-how. John Bates is really using him. Not giving him a minute rest. Frank Astfalk for grass cutting. Neil Barr for his help on the boat ramp. Finally I want to thank anyone and everyone who provided financial and physical support. The Isle would not be what it is without all your hard work, dedication and effort.

Hurricane Isabele is how this year started. Our recovery and proceeding forward is how it ended.

Things that we did this year:

- Amended By-laws
- Filed By-laws in the courthouse
- March got sued
- Tractor is paid off
- Architectural Review had a tremendously busy year with a lot of houses going up.
- Rash of home break-ins and theft. [A reward on information is offered. So far nothing.] We are working with police, state police and Tom Beeman who lives here in this Isle. What we did and are doing, does have an impact. These incidents seem to have abated.
- Safety issues that we are trying to deal with. Trying to protect all of us from harm. We don't have many but some challenged us more than other and some continue to be an issue. We want the Isle safe for everyone.

- 4th of July celebration - bang up job. We even had a woman dressed in a flag this year. This was the second year for the holiday decoration contest and of course our sing along.
- North Bay and Wapiti. Our new neighbors have arrived. If you want to go up to Wapiti on September 1st, please get in touch with John Bates. There will be an informative meeting at 6:00 at Wapiti.
- New CICA apparel this year.
- Roads did a tremendous year started with the hurricane and gully washers. Heck of a job in keeping on top of things.
- Four great newsletters. Plus we had a special addition of safety and security. New guidelines. All in all not a small job. The Fritz & Fritz team will be changing. Andrea Gilde has offered to take over the newsletter.

I want to welcome many new residents and encouraged many new people to join CICA.

We have a guest speaker, Deputy Zack: This grew out of the safety and security issues. We wrote a letter to Sheriff Janney. Sheriff Janney took us up on a suggestion on a liaison.

Guest Speaker: You can leave messages and the Sheriff's office and we will coordinate our calls. If there is an emergency call, call the dispatcher or the 911 number or the state police. There has been the same trooper responding to all the break-ins. Your Board will keep me apprised as to what is going on when possible. Please make sure that you ask for me or have the person answering the call get your information to me so I can keep on top of this down here.

In response to question regarding area of patrol: Deputy and troopers have certain patrol areas. CICA is the western county patrol area. Only major issues are updated to other who work that area. Please call and leave your message we will try to coordinate with other shifts. (Deputy Zack)

CERT [Community Emergency Response Training] Committee Presentation:

Eleven people went through training for the past month. I want to take an opportunity to let you know about the training and where we go from here. We are trained in response to emergency situations, hurricane preparation and coordination and response, tornado preparation and coordination and response, fire prevention, the passing of information to the professional in a timely fashion along with community members trained to assist. A quick overview of the issues/training that was in the course:

- First Aid
- CPR
- Fire Presentation/Fire termination
- Evaluation of injuries
- Measures/actions to take to help lives and property
- Continue on with Cecil County Department of Emergency Services
- Provide the personnel and community with further materials

- Working out an on-going community disaster recovery plan.

The Committee will be looking for volunteers. We will need teams to provide services, some of which are:

- 1) First aid
- 2) Chain saws
- 3) Canvassing Community to make sure if every one is okay
- 4) Food and shelter
- 5) Sanitary conditions

There will be a community emergency plan created, a survey of skills, equipment, generators, medical training (i.e., nurse, doctor, etc.). Special vehicles like a 4-wheel drive, tractor, even dirt bike and motorcycle. Harry Hite a former board member is working to get AED's and further CPR training. At this time Sonny introduced the members of the committee who were present. (Sonny Hayes)

SECRETARY'S REPORT: August 24, 2003 Minutes are on the agenda for approval. The minutes as presented to the board have been approved and have been posted.

Questions on minutes: None – Consensus. Following a motion duly made, the motion passed by a majority. (Janet McKenna)

TREASURER'S REPORT: Two reports were handed out, the June report and the proposed annual budget.

This is the final report for the month of June. Highlights are total disbursed \$38,900.00 same as income. Last column is the cumulative expenses. Spent \$38,721.40 – income slightly over. \$1,400 per year of expenses of all community events. CICA made a donation to the North East Boys and Girls Club. There is still a disputed bill which will be updated when more information becomes available.

Following a motion duly made, seconded and carried by a majority, the report was approved as presented. [Note: a full copy of the report will be provided upon request.]

2004-2005 Budget was presented, explained and discussed. Following a motion duly made, seconded and carried by a majority, the 2004-2005 Budget was approved as presented: Two were opposed. [Note: a full copy of the report will be provided upon request.] (Rob Green)

Upon request and according to the guidelines of the by-laws, the books and records of the Civic Association for the fiscal year July 1, 2003 through June 30, 2004 have been audited by Edmund Turner and a report has been given. It was reported: "It is my feeling that the financial records are accurately depicted and that systems are in place to facilitate the careful and responsible projection into the coming year." [Note: a full copy of the report will be provided upon request.]

COMMITTEE REPORTS:

Architectural Review: In the past year there have been a total of 4 approvals for homes to be built, 6 additions and 1 shed and 2 decks one being an enlargement. (Barry Miller)

Beach: Nothing new to report. (Jim Abel)

CICA Clothing: I have CICA clothing in the car. New Sweatshirt are \$22.00, the older sweatshirts are \$15.00. We have clothing that is embroidered by the Godby's. Please see me. (Dottie Fritz)

E-mail and Web: Nothing new to report on the website, it's up and I hope you find it useful. If you wish to correspond with the board via e-mail, please use: secretary@chesapeakeisle.org (John Reber)

Erosion: The committee is presently investigating the erosion of the river banks just south of the swim area and at lots G-17 and G-18. (Ken Knapp)

Grass Mowing: This year we mowed thirty eight lots and collected \$4,575.00. This amount is down from previous years because of new homes on once vacant lots. (Ken Knapp)

Harbor: The Harbor continues to grow and we now have 93 moorings planted.

It was a pleasure being Harbor Master this year and watching the Chesapeake Isle self-help philosophy at work.

Isabele left four boats on shore and were all re-floated the next day. [Not an easy task.]

The damage to the newer dock was corrected last fall and the effects of Isabel were erased from the old dock this Spring.

I would like to thank all the people who have helped to keep the Harbor going during the year and the special projects. A special thanks goes to:

Gordon Osborne for leading the canoe rack repairs.

Sal Tulumello for the new pier benches

Joe Turner for leading the crew in the rebuilding of the old dock.

The actual cost to CICA for the old dock repair was \$1,144.05. The free labor costs are anybody's guess.

With the continued self-help attitude displayed in the Harbor Area, this Community can accomplish almost anything. (Bill Dryden)

Note: An approximate cost of \$10,000 if done by outside contractor.

Historical: December 11, 1992, CICA Board of Directors Meeting. *Historical:* This committee will be added to the monthly agenda. Audrey Buck will chair this committee, whose members are Ken and Renee Smith, Peggy Graef and Liz Melrath. Since then the committee has done reports on area in and around Chesapeake Isle, also yearly 'Presidents Reports.' These reports have been added to our 'History Book' and will be updated every year.

At present we are doing a study of the history of the Architecture Review Committee, the Road Committee, display of signs in the community and the bylaws starting with the year 1966 to 2004.

Members of the committee are Renee Smith, Peggy Graef, Anna Green, Ida Burroughs, Diane Abel. Co-chairman Pat Day, Chairman Audrey Buck. We meet the third Friday of the month. If you are interested in our committee please sign up today. (Audrey Buck)

Legal: For about 5 years my report consisted of saying "no one is suing us and we are not suing anyone else."

Then came a year when one property owner felt that he should not have to pay for the grass mowing, a service that the association did on his lot. After several late payment notices, and letters requesting payment, the association engaged an attorney and a court date was set. The property owner finally paid the full mowing bill and all court costs.

About a year and a half ago the Board of Directors decided that it seemed unfair that 20% of the property owners refuse to pay for services furnished to them by the association. In an effort to address the inequity, the Board of Directors appointed a committee to revise the CICA bylaws. This committee submitted to the Board of Directors a revised version of the bylaws which, among other things, required all property owners to pay membership fees. The Board of Directors approved the revised bylaws, which were then submitted to all CICA property owners for a vote. The vote was over overwhelmingly in favor of the revised bylaws, which were then officially filed with the Cecil County court house.

Sixty eight property owners who object to being required to pay for services furnished by CICA obtained legal counsel and formed a group as plaintiffs, seeking relief from the requirement of membership payments.

This action by the 68 plaintiffs required the Board of Directors to seek legal council to respond to the suit brought by the plaintiffs. The packet given to you today, among other things, contains a list of plaintiffs and a copy of the Board of Directors response to the suit brought against CICA by the plaintiffs. Since this matter is in litigation, there may be some questions we can not discuss at this time, however Mike Szep may be able to answer some of your questions. (Dave Byler).

At which time Mike Szep spoke briefly and opened the floor to members' questions.

There are 20% of people who never contributed historically to the community. Last year the percent was 15%, historically a low figure mainly due to the by-law change. In the last four years of maintenance costs, five years of total budget, for every \$1.00 spent, members get back \$2.00. Last year by a show of hands we were told by the community itself to do this. The board talked with an attorney Ray Via about his opinion and his relation to Hollywood Beech (used as a model) and he would try his best with us. The revised by-laws were filed in the courthouse.

In March I had the pleasure of being served with papers. The list of plaintiffs have a dispute with how we did it, some are just opposed.

By advice of current counsel the Board is trying to settle the lawsuit. There have been meetings, Rob and Mike with 4 folks from the plaintiffs met with the attorneys. Bill Kelly and Rob Green worked extensively together over the last 3 or 4 years of expenses. These meetings have been relatively friendly and productive. The Board is looking into settlement trying to pursue settlement negotiations. A proposed settlement was sent to counsel for the plaintiff and we want to let you know the proposal.

There are two main things to accomplish for everyone's benefit. Everyone contributing their fair share without a mandatory homeowner's association.

Why should we settle? There would be a certain outcome with a signed agreement. If we go to court, no one is guaranteed a certain outcome. A settlement has the consent of all parties to bind members with the force of law. Settlement is faster and cheaper. There are 68 people who think the membership issue is wrong, we will never convince all 68 people, settlement can in effect to this. Settlement would start healing and uniting, especially since there will be about 4-5 years of litigation not to mention court costs. Settlement would be fair and equitable. [At which time Mike Szep read from the handout.]

The floor was opened to members' questions.

Marie Borromeo asks that the Board declare the Homeowner's Association illegal.

Answer: Please, see the handout for the answer.

[MD State common real estate law provided that all lot owners in a subdivision with private roads and other common areas have the obligation to contribute pro rata to the maintenance of the roads and other common areas in the subdivision.]

Harland Graef: Not clear -- do members pay \$85.00 and also going to pay a maintenance fee?

Answer: Yes. As outlined right now, you will pay both but \$85.00 membership fee will go down.

Marie Borromeo: As of today is it a mandatory membership yes or no?

Answer: The by-law stand as filed. In order to change the by-laws there would need to be an agreement or adjudication.

Mr. Pete Ostasewski: I've been going round and round -- how is this better?

Sonny Hayes answers: The agreement would have the force of law. If there were unsettled matters, it would then be just a matter of small claims.

By law, there is an entitlement of being able to go back two or three years for obligations of maintenance fees.

Question: We have dirt bikes, golf carts and waiting to use ramp when non-members are ahead, how is this better? Would we have gated card access given only to members?

Answer: This way the 80% who do contribute would not be holding the total load while the historical 20% do nothing.

Answer: We are hoping that gates would not be necessary.

Frank Astfalk: Road maintenance, how much per lot \$85.00? Would the community black top the roads with the money?

Answer: The figures indicate around \$85.00. Black topping has not been discussed. There is an obligation to pay if you own property here.

Question: CICA board broke the figures and were done on a pro rata basis-- costs per lot. There was approximately spent \$7,000. About \$14,000 this year if we to go there now. Doesn't want to be forced into membership.

Mike – what the community needs is that all the plaintiffs speak with your attorney. Ask your attorney about the proposed settlement.

Chris Sheldon – 181 Bennett. I looked at my house on way back to Philly. I was looking for a cedar-sided, A-frame in a water oriented community. I bought the Cobley's house. We have a boat ramp, beach, playgrounds etc. I asked what the costs were and was told \$85.00. I asked a month? I was told no, a year. I said, sign me up! At \$85.00 a year, what a bargain, I wanted to pay 10 years in advance. I lived in a community in Hartford, the fees were \$65.00 plus \$25.00 a townhouse -- a month. All I got out of that was a 50x75 community patch of grass and a bench. The grass was mowed once every three or four weeks.

Paul Pudlinsky Turkey Point Road: I don't mind paying \$85.00 a year. I've listen to the 25% who object, listened to others who wanted to change the by-laws. When you make a change there is going to be pain.

Kevin McMenamain: [Could not be recognized due to non-membership status.]

Marie Borromeo to speak for Mr. McMenamain. [Could not be recognized – invalid use.] Heated discussion followed. Kevin McMenamain and Marie Borromeo then left the pavilion.

Joan Kluge: I am a 13 year member of CICA and pay dues every year. I voted against mandatory membership. I found a lot of grey areas and did not want to enter into anything that is not explained. 80% membership gave up so much for 20%. It's now a subject of litigation.

Answer: Please talk with your lawyer to explain anything that is not clear.

At which point Mike Szep moved to continue with the meeting and close the question and answer session due to time constraints.

Maintenance: This year has been very active in supporting the various committees and functions in the community.

We added some new tractor drivers and will be working with them in the near future. They are Harry Hite and Harry Seeley.

Ned Schoonover maintains the community announcement sign and does a good job.

Kept busy this past winter with snow plowing and this spring and summer with grass mowing.

After last fall's hurricane we were able to set back into the bay bottom 12 pilings at the harbor ramp with a lot of good help.

We had a very large tree that was on the beach, it was cut up and removed.

We kept the ditch above the beach open for the marsh run off.

Thank you to all who helped with the maintenance this year. (John Bates)

And from the board, thank you Brian Clare for fixing the speaker system.

Equipment Maintenance: Currently all major equipment is in completely serviceable condition. The tractor, understandable the center of our activity, this year required a new clutch and some steering components in addition to routine and miscellaneous service.

While a clutch is a costly issue, approximately \$2000, this is to be expected and planned for every few years with the work load that the tractor is subjected to.

There are many to thank for their help and in particular Eddie Earle for his efforts in this area on behalf of the community. (Brian Clare)

Membership/Newsletter Report: There were 243 paid memberships so far this year at the start of this meeting. Second notices on non-payments went out the first week of August and some additional responses have already been received.

Membership historical figures:

1996 219 members \$55.000

1997 221

1998 222

1999 225

2000 244 up to \$65 dollars

2001 244

2002 239

2003 259 membership

2004 243 membership is on a calendar year

The Directory/Guidebook project has now been completed. Almost 300 up-to-the-minute copies were distributed by the membership/newsletter committee. Approximately 240 were delivered in person by a committee member and about 60 were mailed out with the July newsletter. Only 1 or 2 property owners are still without the 2004 version.

Four newsletters went out during the year and Andrea Gilde has come forth to assume the position of editor for the newsletter after the October issue, which we will co-edit. A big thanks to my committee of collators and delivery persons. (Les Fritz)

Roads: During this year approximately 20 loads milling were delivered for grading out on the community roads.

Some trimming has been done this year but a great deal more needs to be done before this winter. All property owners need to trim trees that overhand the roads in front of their properties. The tractor needs a 9 foot clearance.

Thanks to the help of many individuals the roads have been put in good shape. (John Bates)

Snow Plowing: No report. (Ken Knapp)

Social: This year's events included the traditional spring and fall clean-ups, with covered dish socials that followed all the hard work, especially after Hurricane Isabel.

Our Halloween party and Easter Egg Hunt were very successful again, thanks to Chris Ann Szep and her helpers for all their hard work.

The Christmas Holidays included a Wine & Cheese social hosted by Ed and Dawn Campbell. Christmas Caroling was another great success thanks to Joan Ferrick and Sue Schooley and their committee.

Our progressive dinner continues its success; we had ten homes participate this year and 68 attended. Thanks to Karen Dryden and her committee for a great job.

Our Annual Dinner was held at the North East Yacht Club. Woman of the year was Andrea Gilde and Man of the year was Art Wood. Thanks to Charlotte Hallett and her committee for another great event.

This year we have 5 harbor socials planned and they continue to be very popular even when it rains.

We discontinued the Bingo nights, due to a lack of interest. (Sue Seeley)

Note: The social committee actually spent \$1,400, which breaks down to about \$5.00 per person per year.

Town Watch: No report given.

Tractor: See Maintenance and Equipment Maintenance.

Old Business:

Move to elections at approximately 5:00 pm. The floor was then turned over to Ken Knapp, Nominating Committee Chair. The committee included Sonny Hayes, Rob Green, Ken Knapp, Chair.

There were no write-ins.

The board members whose terms are finished are: Jim Able, Rob Green, Vern Orndorff and Ward Keever.

The list of nominees are: William Day, Joan Ferrick, Jennifer Greenfield, Ward Keever, Karl Killian, Sue Schooley and Harry Witte. Please see the July Newsletter for the nominees' short bio.

At which time names were picked at random for a brief introduction by each nominee.

Ward Keever: It has been my pleasure to serve on the board for the past three years. I help with the raking beach and clean up with others from our community. I have helped with funding in loans and gifts. I am a Senior Vice President and do consulting out of my

home part time. I have provide funds for shuffle board court. Members of the community need to support this community and I am in favor supporting the 100% participation.

Carl Killian: I would like you to consider my candidacy. I have been a member of the community for about 18 years. I have three children and three grandchildren. I served on the board in 1990, participated in the 4th of July celebrations and have been active in community maintenance and Santa's elf. I do support the 100% participation. I look forward to your vote. If elected I will do my best.

Bill Day: One thing I would like to say, my wife and I retired about 2 years ago from West Chester, Pennsylvania area. We looked for a park like setting to live. I live at 83 Caldwell, have been here for about a year and still love the deer. I work for Scott Paper for 33 years and took an early retirement. I went back work through H&A for another 10 years. Fridays I now comb the beach and keep it clean, pick up trash. I am involved the pulling the mooring and maintain his roads and have helped repair the docks after the storm. We have some good neighbors now and would like to stay involved. Thank you.

Joan Ferrick: I live 101 Caldwell. We bought the property in 1985 and are now resident since 1997. I was a credit line specialist for Merrill Lynch. I've been married for 45 years. Lived in Brooklyn, Staten Island and New Jersey. I am the Library co-chairman, and bingo chairman. I am a bike parade judge, participate in town watch and have been active in the Social Committee for six years. I would like to bring this community together. Ken Smith spoke of wanting to get the piece of heaven back I do too.

Sue Schooley: My husband Don and I live at 107 Caldwell. I am a registered nurse, worked as director of surgical services and software company as a senior clinical analyst. I am active in the Social Committee, 4th of July celebration, Christmas, helped with roads and participated in the cruises. I enjoy getting together for the good of the community and have fun and participate enjoy the beauty of CICA. I believe both my managerial abilities and background will bring assets to the board.

Jennifer Greenfield: I am a member and resident of CICA for 4 ½ years. If elected to board, I would like to see more involvement with younger children in community. I believe there are many ways for all to contribute and want to find out what ways are. I would like to create a questionnaire and send to families to see how to contribute to this need. I've participated in story time for babies. What attracted us to this community is the neighbors and self-help. I want to be a part of something really special.

Harry Witte: Expected to be last!! We are part-timers here entering our 5th year. My son Isaac is 15 and Josh who is at basketball court (or refrigerator). We moved here due to the extraordinary beauty of environment and of the community, water, skies, hills, parks. I love the world that has been given to us. As we became familiar with other members, that became equally important. Part of the community is the people. The human community that is CICA. In that, it is different, it is small and diverse in opinion and what people are and welcome this diversity. This is a supportive place where neighbors

take care of each other, pray for each other. We are blessed that little piece of CICA is ours. I strive to be active, participating in the semi-annual clean ups. This is an important part of what the community is all about. The boys are able to learn this. I get the opportunity to chat with members and at events some of the officers and have tried to make contributions with some of the projects going on. I am extremely proud of the work the board has done, working with the power of commitment over the past year. Mike Szep has earned several times over, the medal of honor. What can I do? I am interested in running to contribute to the community and family to continue to have this be a marvelous place. I'm away in Harrisburg teaching and practicing law. Lawyering is important part of a democratic society. It's about governing day-to-day. I practice family law and labor negotiations. I deal with smaller types of community. Negotiations and dialog, face-to-face discussion is important. It is what we are trying to do, is to resolve conflict in a way that will have CICA grow. No disputes but maybe disagreements. I would like to help bring resolution to CICA. The Board has done a suburb job. I would like to be a part of this work.

Other Business:

Mike Szep addresses the community: I would like to invite everyone to come to board meetings. Please come, send in writing if you cannot come.

The directors newly elected for their three-year term are:

Sue Schooley
Bill Day
Ward Keever
Jennifer Greenfield

The officers for the 2004-2005 term are:

Bill Dryden – President
Brian Clare – Vice President
Sonny Hayes – Treasurer
Janet McKenna - Secretary

A motion was made to adjourn at 5:35. Following a motion duly made, seconded and carried unanimously, the meeting was adjourned.

Respectfully submitted,

Janet McKenna, Secretary

cc: Committee Chairperson
Elk Neck Park Rangers