

## CICA Board meeting June 18, 2009

The meeting was called to order at 7:05 by Brian Clare

**Board Members present:** Brian Clare, Bill Tucker, Andrea Gilde, Diana Hawley, Dave Byler, Joan Ferrick, Karen Dryden, Sonny Hayes, Beth High

**Absent:** Janet McKenna, Art Wood, and John Trainor

**Secretary's Report:** The minutes from May 12 meeting were approved as written.

**Treasurer's Report:** The treasurer's report for May 2009 Community Maintenance was distributed. The treasurer's report for CICA is unavailable at this time due to a printing issue. The CICA treasurer's report will be distributed via email. Various income and expense items were discussed and clarified. Mailing expenses for the road vote were laid out in May, but will be paid for and shown in the June report.

Community Maintenance Treasurer's report for the month of May was approved as written. The CICA treasurer's report will be distributed by email & discussed at the July meeting.

FY2009-10 Budget Preparations: Budgets: two budgets need to be developed for the upcoming fiscal year. One will be prepared with the assumption that the road paving project will be approved, and a second will be prepared in case the proposal is not approved. It is expected that the maintenance fees will increase substantially if the road paving project is not approved, as our roads are in need of a great deal of millings and it is expected that we will have to hire an outside firm to bring in and spread the millings. A budget meeting will be held later this week to prepare the preliminary budgets.

**Road Resurfacing Committee:** Harry Seeley has accepted the position of Project Manager for the road-paving project, if the project is approved. Harry will be the focal point for all communication between the contractor, the construction engineer, and the RRC and any volunteers monitoring the project. He is now on board getting updated on the project status.

The RRC wants to have a construction engineering company monitor the road grading and paving operations to insure that specs are being met. Paul Pudlinski contacted McCrone Inc. and they gave him the name of a Company they use for construction engineering. Paul obtained a proposal from that company (ECS - Mid-Atlantic, LLC) to do the necessary monitoring and documentation of the project. Their projected cost, based on the information they have been given, is approximately \$1900. Even if project problems, change orders, and delays were to increase this cost it is a small price to pay (<1% of the project cost) for the security it provides.

Bill Day, Harry Seeley, and John Bates have prepared a road survey that documents the non-standard grading areas. A written description of the required grading, along with their locations as marked on a Community map, has been prepared. This information will be transferred to the Community road drawings if the project is approved.

A question has been raised as to whether or not the roads have to be centered in the 50 ft ROW. I have emailed Janet and Brian in hopes of getting an answer on this issue. The roads are currently not centered. We are looking for Board input on this.

We are following-up on preparing a document that will specify the requirements for contractors who damage or have to cut into the roads.

John Bates is looking into getting an electronic sign (free) from the SHA to place at the entrance of the community for construction schedule information.

John Bates, Bill Day, and Don Manges have reviewed the North end of Mason Lane. There is a timber bridge that needs to be removed and we probably need to put in more base material before paving. Contractor input is needed to finalize how Mason will be paved.

The Committee has requested that Brian Clare write a letter of intent to Meadows Construction to let them know that we want them to do the paving job if it is approved and we have the necessary cash to move forward.

A question was raised as to the possibility of having the road paving contractor set up driveway paving for homeowners at the time of paving. All potential contractors have recommended that any driveway paving be done either several weeks before or after road paving, to avoid having heavy equipment compromising the new road surface before it has a chance to cure. The contractor may be willing to offer a volume discount. We need to establish a written policy regarding any work done by contractors after road paving. Any damage done by any worker/equipment will need to be repaired, and the road restored to its original state. All this is contingent, of course, on the road paving project being approved.

It is anticipated that if the road paving project goes forward, there will be some unexpected changes/decisions/or expenses that will have to be immediately approved or denied. Who would have the authority to make such decisions? It was determined that any board officer would have such authority. (Janet McKenna, Brian Clare, Bill Tucker, and Andrea Gilde)

ROADS BALLOTS – to date, we have received 188 responses. A process will be set up for confidentially counting ballots at the meeting. (submitted by Don Manges)

**Architectural Review Committee** – since the last meeting, the following project was approved:

Lot 10, Blk. C. - 79 Racine Road –Sonny & Sara Hayes, sunroom

Items to follow-up on:

1. Lot 22,P – Vicari

It appears that they are using an area on the vacant lot to store a boat/boats. We need to make sure that it is not on our right-of-way

2. Lot 6A,C – McFeeley/Meade

They are constructing an above ground pool and we need to verify that they are within the 12 ½ foot set back (submitted by Bill Dryden)

**NOMINATING** – To date, there are two definite nominees and four additional people who are still considering running for the Board of Directors in August. I have asked a total of 21 individuals, with 8 remaining potential candidates on my list to contact. Bios for the nominees will be submitted and listed in the July newsletter. (submitted by Diana Hawley)

**COMMUNITY EVENTS** – Thanks to all the people who chaired and/or helped with the following events this past month:

- Spring Clean-up and Covered Dish Social (Saturday, May 16): Phyllis Doyle, Babs Manges, and Karen Dryden organized the morning portion, and Diana Hawley organized the lunch. A recommendation was made to move the lunch to a later time (1:00 p.m. instead of 12:30 p.m.) on clean-up days so that we can ensure that all the work is complete. Several recommendations we also made to reschedule the clean-up a couple of weeks earlier in the year (with the assumption that the floats can be installed a couple of weeks following the official clean-up day).
- Summer Night Social (Friday, May 29): Thanks to Bill and Pat Day for chairing this first social of the year.
- Ladies' Brunch (Saturday, June 6): Approximately 30 ladies, including 4 new residents, attended this event; all the new ladies received a welcome gift. Thanks to Babs Manges for chairing yet another wonderful brunch.

Upcoming events include the following:

- Summer Night Social (Friday, June 26, 2009)
- Ice Cream Social/BINGO (Friday, July 10, 2009): The Ice Cream Social begins at 6:00 p.m., and BINGO begins at 7:00 p.m. at the pavilion. The cost of the Ice Cream Social is \$1.00 per person (all you can eat make your own ice cream sundaes), with money being collected that night. Please RSVP to Susan Clare by July 5 if you plan to attend the social. BINGO, which follows the IC Social at 7:00 p.m., is \$1.00 per 9 game sheet. *(Please note that the second IC Social/BINGO will be held on August 7 [the wrong date of August 28 was written in the April newsletter].)*

The food drive continues until July 4. Please don't forget to take your non-perishable food donations to one of the three drop-off locations in the community (63 Darrel Road, 71 Racine Road, or 33 Rolling Avenue).

The next CE committee meeting will be on Monday, July 13, at 7:00 p.m. (submitted by Diana Hawley)

**WEB COMMITTEE** – The hard drive on the old email/web server crashed in May. Fortunately, we had another server almost ready to use. We were already planning to migrate everything to the new machine so some of the initial setup was done. It still took a lot of work to get all of the emails and web server files copied over. The [chesapeakeisle.org](http://chesapeakeisle.org) email accounts were down for about a week. We also had to notify all of the email users to let them of a change they had to make to their email software. This involved a number of house calls to get the email issues resolved. The webmail is still down but we'll work on getting that enabled in the very near future.

John Reber donated the new server to the community. It is a much better machine than the old one. We installed more memory in it so the email and website could perform adequately. The cost of the memory was \$139. We also ordered a digital certificate for \$29 that we'll need for the email security. That still needs to be installed.

Gordon is planning to redo the website with a tool that allows people to easily add/modify or remove content. We can create accounts for select individuals to update the content themselves. In the past, email requests were sent to me and I would update the site when I had time. I think we'd also see more content added when people have the ability to do it. The tool is free, but it will require significant time to get the existing website migrated over. There's no ETA at this time. (submitted by Gordon Hawley)

**4<sup>th</sup> of July** – The Committee met on June 3, 2009 at the Pavilion to coordinate the event. Sub-chairpersons have most of the events in place.

Concerns are that we still need an assistant for John Trainor for Emcee to announce the events. We also need a Tug-O-War rope as the one used in the past is not available. In searching the internet I find that the cost is approximately \$60+ depending on length and circumference. It must be made of Manila (hemp) rope for safety reasons. The committee is also considering which local charities a percentage of the proceeds will be donated to,

and what other purposes the proceeds can be used for. Pat will prepare a letter outlining the donation process for any merchants that donate goods for the Silent Auction.

We also need patriotic music discs.

Pat and I will continue to follow up and are being real good so that we will have good weather that day!

Submitted by Bill and Pat Day – Chairpersons

**HISTORY COMMITTEE** – Because of time constraints the History Committee did not meet in May.

We completed our presentation on Route 272 (Turkey Point Road) for the Annual Spring Dinner and it was well received by those attending. A huge Thank You goes to our membership including Audrey Buck, Rosie Knapp, Anne Bates, Anna Green and Karen Dryden for all of their time, talents and skills in the preparation. We plan to follow up with more studies of the area and their impact on Chesapeake Isle.

We will also continue our cataloging of files.

The posters of the pictures of the Board and of the community events were exhibited at the Ladies Brunch on June 6<sup>th</sup> as well as a small talk and an invitation to join our committee. (Submitted by: Pat Day, Chairperson )

**LEGAL** – since the legal matter between CICA and Gordon & Jorja Osborne has been settled out of court, we have determined that the total cost to CICA was \$6621.50. These legal fees began accumulating in January of 2008.

*Chesapeake Isle Civic Association (“CICA”) v. Osborne*

*The CICA Board advises that the litigation between CICA and Osborne has been settled, prior to trial, by way of a Consent Judgment dated April 23, 2009 (a copy is available upon request).*

*This matter was much more than just blacktop.*

*One issue in the case was the claim that all lot owners are owners of all roads, access roads and common areas as “tenants in common,” in effect, claiming equal rights of ownership with CICA. The Court ruled on this issue in a Summary Judgment decision on November 14, 2008, ruling in favor of CICA and specifically decreeing that the roads and common areas are owned in Fee Simple by CICA, and all lot owners are afforded “use in common.”*

*It is unfortunate that this matter has consumed so much time, effort and resources.*

*However, from a positive point of view it has settled the misconception, held by some, that ownership of the common property is joint. This is not the case. CICA is the sole owner of all common property and is responsible for the management and direction of its use.*

There are 3 property owners who are still delinquent in paying their 2008 dues. A final invoice was sent, and if they continue to refuse payment, we must now start legal proceedings to collect monies owed.

A question was raised as to what will happen if Road Resurfacing Project gets approved, but some lot owners refuse to pay their share? We have established that CICA will be signing for the bank loan and will be responsible to make payments. If necessary, we will go through legal channels to ensure that all pay as required.

A question was raised as to whether CICA has the authority to collect payments from all property owners for the roads, even those that are not CICA members.

Those that pay \$10 in addition to their CI Maintenance Fee are CICA members. As CICA members, they are entitled to vote on the CICA Budget and attend “members-only” social events. The \$10 fee is used to provide supplies for these events. All property owners in good standing are eligible to join CICA.

However, CICA is more than a social organization. It is legally required to perform necessary maintenance tasks to CICA property, such as the roads, beach, and harbor. It is also required to collect the funds necessary to perform those tasks, from all property owners in Chesapeake Isle, regardless of whether they are members of the association. (submitted by Dave Byler)

**NEWSLETTER** -- copy for the July newsletter is due the week following July 4<sup>th</sup>

**GRASS MOWING** – We have received \$4000 in income from community grass mowing. Some unoccupied rental properties and one house currently in foreclosure all have very high grass. We have attempted to contact the owners in order to get the grass mowed. At this point, the association will proceed with cutting the grass and billing the owners.

### **OLD BUSINESS**

**DELMARVA POWER** – Board members received an email from a CI property owner requesting follow-up action regarding CICA’s presence on DelMarva Power’s Top 10 list for power outages. David Tancredi, from Delmarva, spoke at the February CICA board meeting and explained various methods they are using to reduce outages and the role of the Maryland Public Service Commission (PSC). The email suggested filing a complaint with the PSC to formally request action regarding the feeder circuit (MD3487) that serves CI at the top of the list, i.e., the worst-performing circuit in Delmarva’s entire Maryland service area.

It was apparent from Mr. Tancredi that they are aware of the problem and have plans in the works to help minimize outages. See February 2008 minutes for further details. At this time, CICA has no plans to file a formal complaint. The “recloser” will be installed in September and we may experience some blinking lights or minor power interruptions. Mr. Tancredi requests that we contact him immediately if we have such experiences. Joan Ferrick will follow up to find out if such outages will pose a risk to electronic devices. We can follow up on this issue in the fall.

### **NEW BUSINESS**

**SNAKES** – board members received an email regarding a snake that seems to live under the seating deck at the harbor. This snake sometimes appears to have aggressive tendencies. Follow up with the Maryland DNR and USDA regarding “Nuisance Animals” revealed that:

1. Native snakes are a protected species in Maryland
2. There are no poisonous snakes known to live in this area
3. If we want to legally remove this snake, we would need to hire a licensed professional, at an unknown cost. The representative from the USDA believes that another snake would likely take its place. She also believes that because of the open environment and many places for snakes to hide, it would be difficult or next to impossible to capture or remove this snake.

Community Members using the harbor and beach area should be aware that snakes do live in the area and will occasionally appear in the water or on the dock or beach area and should stay clear of them. For more information, please visit the website: <http://www.dnr.state.md.us/wildlife/snakeinfo.asp>

**RENTAL:** there is a new renter in 74 Rolling Ave. In the past, there has been some question as to whether the owner is renting this property to more than 1 family. There was also a question raised as to whether there are water issues in the home. Is house inhabitable? A Board member will follow up.

The next board meeting will be on July 9<sup>th</sup>, 7:30 p.m., at the pavilion.

Having no further business to discuss, the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Andrea Gilde  
CICA Secretary