

Board Meeting of April 19, 2010

The meeting was called to order at 7:00 PM.

Board members present: Diana Hawley, Bill Tucker, Andrea Gilde, John Trainor, Karen Dryden, Joan Ferrick, Joe Greenfield, Ed Campbell, Dave Byler and Don Manges.

Board members absent: James Richardson (Note, Beth High has resigned from the BOD)

Committee members and guests: Bill Dryden, Pat Day, John Bates, Jean Tucker, Kathi Lichtenstein, Charlie and Bethia Nier, Jack Ferrick, Sue Clare, George Rogers, Don Smith

President's Report - Meeting was called to order by the President, Diana Hawley, who made the following report:

- Welcome to all BOD, committee members and guests.
- Special thanks to the Community Events committee and all who attended the Annual Spring Dinner. Thank you to Brian Clare for the sound system setup. Thank you also to the History committee for their hard work on compiling the beautiful display of CI then and now.
- CI 50th anniversary banner was completed and displayed at the Annual Spring Dinner.
- The President acknowledged the Man and Woman of the Year, Bob Biedermann and Jennifer Greenfield.
- The boat ramp project is nearing completion. The President offered special thanks to all involved, but specifically Bill Dryden and Art Wood. They were thanked for their patience as they continued to work and advance the project despite the weather and its impacts. The President noted that the Rogue's harbor ramp was not closed for repair yet.
- Finally, the President encouraged all attendees to stick to the agenda as there is a good deal of information to go over tonight.

Secretary's Report – John Trainor was absent during the March, 2009 BOD meeting. Andrea Gilde covered the secretary duties for John. As such, Andrea presented the March meeting minutes to the BOD.

- The only correction was the reference to the date for the April, 2010 BOD meeting.
- Once the above was noted, the minutes from the March 15, 2010 BOD meeting were approved and will be posted on the bulletin board & website.

Treasurer's Report – Update provided by Andrea Gilde.

Reviewed Community Maintenance Report with the following notables:

- General maintenance expense was the balance for the harbor light pole.
- The harbor expense was the floating dock repair.
- Printing and mailing encompassed the CI banner and postage for the membership mailing.
- Paid taxes were for ¾ of the 2009 fiscal year and an advanced payment of the estimated taxes for 2010.
- Wages were for March, 2010 snow plowing.

- Funds in the community maintenance ramp account will be paid out as the project nears completion. A minimum balance will be maintained in the account until the project is complete in order to avoid fees/penalties.
- Income in March, 2010 was \$14,647 as maintenance fees are received.

Review CICA Report with the following notables:

- Community Events expense was for the Progressive Dinner.
- Mooring Services entailed purchasing wood to refurbish the mooring puller.
- Taxes were split 50/50 between the CICA and Maintenance budget.
- Wages were for the plowing of contract driveways.
- Total March, 2010 income was \$2,543.17.
- Again, funds in the community maintenance ramp account will be paid out as the project nears completion. A minimum balance will be maintained in the account until the project is complete in order to avoid fees/penalties.

Both the community maintenance and the CICA treasurer's reports were approved as written.

Committee Reports

Architectural Review - Bill Dryden, Chairperson

The following were approved since the last Board Meeting:

- Gilbert, Edward and Joyce
64 Mowbray Lane, Lot 10-M
A shed will be installed and attached to the rear of their garage.
- Saccchetti, John and Cathy
43 Racine Road, Lot 6-C
Their rear deck will be expanded and the entire decking resurfaced.

Beach - Joe and Jennifer Greenfield, Beach Chairperson(s)

- In full swing preparing for Spring, 2010 cleanup day.
- On the Beach "To Do" list are the following: power washing and sealing of the shuffle board court; apply stain to flat surfaces in playground; change locks on pavilion doors; perform maintenance on swim buoys; replace three rotted rails on maintenance yard fence.
- Brief discussion occurred regarding the marsh behind Bennett Ave residents (Elk State Park side of Bennett). It was noted that the spring rains have created a high water level in the marsh. Per John Bates, CI had permission in the past to open up the east end of the marsh, where it drains into the Elk River. Joe Greenfield will confirm with the State Park (or other regulatory authority as appropriate) that CI still has permission to open the marsh periodically (need contact information from John). Once confirmed, John Bates will discuss the specifics of how to open with Bill Chase.

Bulletin Boards – Karen Dryden, Chairperson

- A request has been made to post an advertisement on the bulletin boards for an event outside of the community.
- The question was raised as to whether such ads should be allowed. The event in question was not commercial in nature, but a church event.

- A brief discussion occurred and a vote was requested limiting the use of the CI bulletin boards to community events only for community members only (residents and property owners). In short, there would be no advertisements allowed for events outside of the CI community.
- The motion was carried unanimously.

CICA Clothing – Still in search of a Chairperson (s)

- No report this month.

Community Events (CE) – Babs Manges, Chairperson

- March 27th was mooring pick up/ inspection day. April 10th was mooring set day. Karen Dryden and Pat Day chaired these two functions. They served coffee, donuts and sandwiches to the volunteers.
- The Easter Egg Hunt was held on April 10th at the Pavilion. Over 100 people attended the event this year with 30 to 50 children hunting for eggs. Diana Hawley chaired this event.
- The Annual Spring Dinner was held on April 17th at Bentley's in Elkton. There were over 60 community residents that attended the event. The History Committee had a display of Chesapeake Isle history to help celebrate our 50 years. Community Events raffled two baskets again this year, with the proceeds to be put back into the Pavilion. Iva Burroughs chaired the dinner.
- Our Annual Yard sale will be held on April 24th. Jennifer Greenfield is chairing this event.
- Spring Clean up will be held on May 1st. Community Events will supply pizza for the volunteers. Babs Manges is the chair.
- The next Community Events meeting will be held on May 10th at the home of Sue Clare.

4th of July – Bill and Pat Day, Chairpersons

- Pat Day sent a request out for volunteers. Specifically, Pat is looking to see if people who served in specific capacities during last year's 4th celebration will repeat.

Snow Plowing and Grass Mowing – Bill Tucker, Vice President

- Since the Tucker's are planning on moving in the near future, Karen Dryden is assuming the grass mowing duties, currently handled by Bill. As such, Karen filed the following report.
- Contracts have been mailed to all "open lot" owners requesting payment by May 1, 2010. To date ten (10) registrations/payments have been received for mowing of their undeveloped lots.
- Grass cutting will begin shortly by Bill Chase and his grass cutters.
- Bill Chase will be on vacation for an extended period, but he is arranging for grass cutting coverage during this time.

Harbor – Bill Dryden, Harbor Master.

- We had a successful Mooring Pick-up on March 27th and a great Mooring Set Day on April 10th thanks to a nice day and a great turn out of workers.
- The new ramp is progressing and if the weather and tides continue in our favor the concrete will be poured this week. The ramp may then be ready for use this weekend.
- Thanks to Bob Biedermann and crew, the dock has been improved and resurfaced. Final work on the dock cannot be completed until the concrete work is finished.
- The self help attitude is alive and well at the Harbor and I thank all for their hard work.

History – Pat Day, Chairperson

- The History Committee met several times during March and April in order to design and implement a presentation for the Annual Spring Dinner. Because this year commemorates the 50th year since the beginning of Chesapeake Isle/Rolling Hills, we capitalized on this theme.
- Those involved were Anne Bates, Audrey Buck, Karen Dryden, Anna Green and Rosie Knapp. Myself included. Other members are Peggy Graef and Rene Schneider, who were out of town.
- With that behind us, we will continue to categorize the past records into binders to better utilize the information. A theme for next year has been discussed and we will be working on this during the next year.
- Again, anyone who would be interested in joining us, please contact me at patday@chesapeakeisle.org.

Legal – David Byler, Chairperson. The following report was submitted by Bill Dryden.

- **Mason Lane:**

Diana Hawley and I met with our attorney, Robert V. Jones, Esq. on March 26th for the second time concerning Mason Lane. We have since received a letter from him expressing his views on the matter which has been circulated to all Board members. He feels that we are fulfilling the requirement of our 2007 agreement. He also feels that CICA does not have an obligation to attempt snow removal under extreme weather conditions that would expose our personnel to injury and our equipment to damage.

- **Crowetz Property:**

The property was sold at a Foreclosure Sale and we have asked Mr. Jones, Esq. to file a claim with the Court in an attempt to recoup past due maintenance fees and legal expenses. These legal expenses were incurred when the Crowetz' were served in previous attempts to collect the past due fees.

Library – Joan Ferrick, Chairperson

- The library opened on Saturday, April 17th.
- Refreshments were served and all went well.

Mowing and Maintenance – Bill Chase, Chairperson

- No report was filed this month by Bill Chase. John Bates filed the following report verbally.
- Blades were changed on the bucket and rear blade.
- The gate was fixed at the maintenance building.
- Bill Chase and John Bates cleaned the tin building.
- John recommended that the mower be checked soon to see if it is ready to go for the grass cutting season.
- Mowing contracts are still being accepted until May 1st.
- Mowing is a community, not CICA, function. As such it was recommended to roll contract signups into the annual billing next year. This was deemed a good idea and will be discussed during future BOD meetings.
- Bill Chase will be on vacation for an extended period. Bill will arrange for coverage during this time.

Membership – Jean Tucker, Chairperson. Jean will transition Membership Chair to Kathi Lichtenstein in May, 2010.

Recap:

- 2008 – One property owner (Crowetz) has not paid their required 2008 (nor 2009 or 2010) maintenance fees, in foreclosure per Bill Dryden.
- 2009 Eight owners (10 lots) have not paid any maintenance fee and 3 owners only made partial payment.
- 2010 – Invoices and forms were sent to all property owners including Mason exempt and renters the beginning of January. Ninety-nine second requests were sent March 1. Forty-eight third notices were sent on April 13.
 - 2008/2009 past due maintenance fees plus 6% interest added to all delinquent invoices
 - 2010 - 6% interest for the first quarter were added to all third notices

2010 Responses to Date :

- CI Community
 - Maintenance
 - Required 274 full (84%) (1 partial payment)
 - Optional (Mason Lane) 3 of 5 paid (60%)
 - Bath House 113
- CICA
 - Membership
 - Owner 217 of 302 owners (72%)
 - Renters includes 0 renter memberships
 - Shuffle Board 43
 - Boat Storage 88
 - Mooring Set & Pull 78
 - Mooring Pick up & Return 70
 - Donations/Late fees \$216.17 includes \$125.00 special mooring fee from Murray

Newsletter - John Trainor, Secretary

- The April 2010 Newsletter is completed and in printing.
- All copies, hardcopy and electronic, will go out this week.
- Karen Dryden and team will distribute the hardcopies. John Trainor will e-mail the electronic revision. Any last minute advertisements could be attached to the electronic revision.

BOD Nominating Committee – Bill Tucker, Chairperson

- Some prospects have been approached, but declined the opportunity to run for the BOD.
- Additional prospects are in the works.

Pavilion Rental – Sara Hayes, Chairperson

- Calendar is filling up with Spring/Summer 2010 pavilion reservations.
- These dates will be updated on the web site.

Roads – Refer to Mowing and Maintenance report above.

Town Watch – Janet McKenna, Chairperson

- The town watch program commenced on April 23.
- Volunteers are still needed to keep the program going.

Tractor

- Mike Burroughs changed the blades.
- A new mower deck was budgeted for the tractor. Mike Burroughs is also looking into the purchase of a new deck.

CICA Web Page and E-Mail – Diana Hawley

- Nothing new to report.

Community Member Questions and Answer Session

Mr. Don Smith requested a discussion of Mason Lane Road maintenance. This request arose out of continued correspondence between the BOD and Mr. Smith regarding the winter season of 2009/2010 and snow plowing efforts on Mason Lane.

An overview of Mr. Smith's presentation is provided below:

1. Mr. Smith presented his position to the BOD. Namely, in Mr. Smith's opinion, the responsibility of CICA in regards to Mason Lane maintenance is defined by the 2000 road maintenance agreement. The 2007 agreement is simply a supplement to the 2000 agreement.
2. Mr. Smith stated that the 2000 agreement is the controlling document in his opinion and in fact the 2007 document refers to this original agreement. During lengthy discussions, Mr. Smith made three primary points as noted below and one request for remedy.
3. **Point #1** - In regards to the last response from RVJ, Mr. Smith does not agree with the use of the words "courtesy" and "voluntary." He prefers words such as "obligation" instead, pursuant to his interpretation of the 2000/2007 agreement.
4. In Mr. Smith's opinion, language such as "courtesy" and "voluntary" circumvents the obligatory nature of the Mason Lane road maintenance agreement as defined in 2000/2007.
5. In fact, Mr. Smith feels this is a typical tact of the BOD and even discussed this issue with Mr. Sonny Hayes following the 2007 agreement. Sonny Hayes was the President of the BOD at this time.
6. Mr. Smith deemed that if the water drainage problem was mitigated by CICA on Mason Lane, this would have precluded the plows not being able to have access during the Winter of 2009/2010.
7. Freezing is normal in January, but Mr. Smith agreed that 24+ snowstorms are not normal in this region.
8. **Point #2** – Mr. Smith responded to RVJ note of rear access to Turkey Point Road via a 14 foot easement. Mr. Smith's opinion was that this 14 foot easement cannot be traversed and therefore does not provide him access to his property from Turkey Point Road.
9. **Point #3** – Mr. Smith welcomes a walk through of Mason Lane with the CI road maintenance crew to determine potential solutions. Mr. Smith was informed that estimates are in the works for the road maintenance work this summer, but nothing has been finalized.

10. Mr. Smith suggested that Mr. Conway would also be interested in meeting with the maintenance crew to discuss potential solutions. Mr. Smith did not know if Mr. Spall would be interested in such discussions regarding Mason Lane.
11. **Request for Remedy** - In Mr. Smith's view, the freezing along Mason Lane caused the North end of Mason Lane to be impassable many times during the winter of 2009/2010. Even 4WD vehicles were observed by Mr. Smith to get stuck. Therefore, Mr. Smith would like CICA to address the drainage issue on Mason Lane as the root cause of the road conditions during times of freezing weather.

The BOD and members of the CICA Legal Committee presented the following information in regards to Mr. Smith's assertions above:

1. No easement has been given to CICA across the lots in questions.
2. The property owners themselves have the easement.
3. Such an easement was not granted to CICA as part of the 2000 agreement.
4. In fact, in a 2005 correspondence, it was specifically stated by the property owners that they would not grant CICA an easement across the properties.
5. The north end of Mason Lane is a private road and does not fall under an "obligation" of CICA to maintain.
6. CICA is also under no obligation to address drainage issues on the North end of Mason Lane.
7. In the last major snowstorm, CICA plowed from South end of Mason Lane all the way up to Mr. Smith's house to provide him access to his house from the South end. This was done as a courtesy and in an attempt to be neighborly. During "normal" winter conditions, the North end is plowed for the same reasons, out of courtesy and not obligation.
8. Topography of the private lots is a major contributing factor.

Mr. Smith interjected at this point to make the following point in rebuttal to Legal committee assertions above:

1. According to Mr. Smith, a correspondence from RVJ dated 11/5/07 states that land plats of the Rolling Hills subdivision shows a permanent easement having been granted to CICA across Mason Lane.
2. The documented easement is a 50 foot wide right of way.

In conclusion, Mr. Smith agreed to give the BOD potential meeting dates for the situation to be reviewed by the CI maintenance crew and any interested land owners. After the meeting, the situation and potential solutions will be revisited.

Review of Old Business

Boat Ramp Project:

1. The project is underway and proceeding nicely.
2. A question regarding the width of the ramp was raised. The ramp is 12' wide and good to go.

Road Maintenance Timeline:

1. Previously, the BOD agreed that this global road maintenance effort should be performed by the end of the fiscal year (June 30th, 2010), since it has been approved and budgeted.
2. Bill Chase still has contractor discussions (price and availability) as an open action item.
3. Diana will follow up with Bill on item.

Upgrade on Pavilion Exterior Doors:

1. Locks scheduled to be replaced this spring. Refer to Beach Report.

School Bus Shelter

1. Diana talked to Harvey Hill about moving the shelter.
2. CI will spread grass seed onto Harvey's property after the school bus shelter is removed, when the ground dries.
3. Moving the school bus shelter to Cliffview Drive was discussed, but in the end rejected as a viable option.
4. Another suggestion was to donate the shelter to the State Park for potential placement along the path leading to Turkey Point Lighthouse. John Bates will approach the State Park and see if they would like the shelter.

50th Anniversary of Chesapeake Isle:

1. The 50th anniversary celebration will occur after the Annual August Meeting.
2. Diana Hawley is putting a committee together. Committee so far consists of Andrea and Gary Gilde, Joe and Jennifer Greenfield, and John Reber.
3. Captain Chris crabs was briefly discussed as a potential menu item.

New Business**Cliff Erosion Committee:**

1. Diana Hawley sent out e-mail with information on the committee. Information on the committee is available in the April, 2010 Newsletter.
2. Diana also contacted Paul Pudlinski to see if he would be interested in representing CI on the committee. Paul may not have time to be on the committee.
3. Therefore, CI is still looking for representation.
4. John Bates brought up the point that CI needs to maintain brush height to 3' or less on Jacob's nose.

Community Emergency Response Training (CERT):

1. CI attempting to resurrect CERT committee after difficult winter season.
2. County emergency officials are offering training starting May 5th for five sessions. Refer to April Newsletter for more details and who to contact if you are interested in attending.
3. Diana Hawley may talk to Chris Shelton about the CERT committee.

Spring Clean Up:

1. Spring clean up day is Saturday, May 1.
2. Joe and Jennifer Greenfield are coordinating and have the work assignment list from last year as a reference.

Board Vacancy:

1. Beth High resigned her position on the BOD due to personal reasons.
2. Filling her position will be discussed by the BOD immediately after the April BOD meeting.

The meeting was adjourned at 9:18 PM.

Next meeting will be Monday, May 17 at 7:00 PM at the pavilion.

Respectfully submitted,

John J Trainor, Secretary