

CICA Board of Directors' Meeting
April 16, 2013
7:00 p.m.

Board members present: Jim Carter, Phyllis Doyle, Karen Dryden, Joan Ferrick, Andrea Gilde, Diana Hawley, John Reber, Chris Shelton, Justin Thomas

Board members absent: Troy Gunden, John Murch, John Murray

Community members / guests present: Bill Dryden, John & Kathy Moll, Don Smith

President's report (John Reber)

I'd like to take this time to respond to some e-mails and questions/comments posed to me while walking about the community.

I would like to know if you could ask the board to consider waiving or reducing the maintenance fees for the folks like us who own land without any home in Chesapeake Isle. We do not use the roads or the community center. Just as the government doesn't charge us the same taxes as property owners with homes, it would seem logical that you would also charge us a nominal fee until our land is developed.

The simple answer is that there is no provision in the Mandatory Maintenance Fee legal ruling that would allow for reduced Maintenance Fees. The ruling mandated an equal per lot fee to be imposed.

In addition, note that the fees are used to maintain the community common areas, including the beach, harbor and roads. This in turn maintains your property value whether you are currently using the facilities or not.

The CICA is putting liens on properties for non-payment of community maintenance fees. Why won't the association absorb these costs for hardship cases?

The CICA is tasked with collecting the mandatory community maintenance fees from all property owners (PO), on an equal basis. If there were to be an "absorption" of unpaid fees, the burden would increase for all property owners. CICA would not like to be in the business of determining what would qualify for a payment exemption and what would not. CICA makes every effort to work with property owners and will accept partial payments as long as the PO is making an effort to pay the pro-rata share in full.

I heard that someone is thinking about a lawsuit against the association and if they do I can 'guarantee' the association is going to lose big time; they also seemed to be hoping for that kind of turnout.

If CICA loses a lawsuit and is forced to make restitution, we all will bear the burden equally. We may be forced to sell off assets and collect larger maintenance fees. CICA will not acquiesce to the demands of a property owner just to discourage the threat of a lawsuit. That would indeed create a free-for-all.

I have witnessed that the Board elected not to hire a civil engineer in 2010 to solve the drainage problems. Since that time we have paid a considerable amount of money and many hours of the hero volunteers to repair roads and washouts. CICA currently has \$65,000 in the road fund and I wonder why this long term collection of money is not used to repair roads and drainage problems while CICA raises our maintenance fees?

Having not coming onto the board until the end of 2010, I can't answer why a civil engineer was not hired then except for the probability of budget restraints. I do know money has been spent and repairs done to areas where it was felt that the repairs could be done without any special engineering or need for permits. Further improvements are in the design phase, which required some preliminary analysis, such as the aerial survey that was just completed to assist in plotting the run-off. Most of the remaining areas, due to the size and scope of the repairs will require permits and without proper planning we cannot obtain the permits.

Also note that if there is an immediate need to repair road damage due to a major weather event, we need to have money available to make those repairs.

In addition I don't believe the Board of Directors of CICA has the ability to recognize the boundaries of the community as proven by the latest \$20,000 lawyer fees for Mason Lane; and we still have to repair the road after years of neglect by CICA!

Historically Mason Lane was believed by both the CICA and the property owners to be a private road as shown by letters and agreements between the CICA and the property owners granting the CICA permission to maintain that road as well as other historical documents. I will be the first to agree that Mason Lane was poorly maintained up until the lawsuit. If we had not defended ourselves I believe the cost would be much higher than what is currently being looked into.

I believe the BOD is not capable of understanding the legal rights of home owners. One cannot have their run-off damage others property.

CICA has done nothing to change run-off, except where to correct an existing problem. If a homeowner purchases a property where a run-off issue exists, they can't just demand that it be immediately changed. What about the rights of the community when a homeowner redirects run-off and causes damage to a community road by undermining the road surface? The latest plan I heard was to temporarily fill the eroded undercut with concrete while a better plan is formulated.

When will the CICA Board of Directors provide professional solutions to CICA problems and stop skirting around the laws and rights of residents while there is \$65,000 in the road fund?

That is exactly what the Road Improvement/Drainage committee is doing. They are working with an engineering firm to accomplish this.

In closing congratulations to Susan Clare and Bill Day whom were honored as the 2013 Man and Woman of the year.

Secretary's Report (Jim Carter)

Jim e-mailed the draft minutes to the Board on March 23 with a response deadline of three days. Final minutes were e-mailed to the Board on March 27, and were approved (11 yeas and 1 non-vote that counted as yeas) with minor requested changes incorporated.

The final minutes were posted on the web site, Beach and Harbor bulletin boards on March 27.

Treasurer's Report (Andrea Gilde)

Andrea presented and reviewed the March CICA Monthly Treasurer's Report providing an overview of the income and expenses. Highlights include:

Expenses of:

\$ 42.93 for community events

\$ 26.30 for electricity

\$ 140.00 for the 5K *(This event produced a net profit of ~ \$1100. thanks to the many sponsorships and donations received, as well as services by Chris (and Blue Cheetah Sports Timing which he provided free of charge). Thanks to all who helped and contributed!*

Andrea presented and reviewed the March CM Monthly Treasurer's Report. Highlights include:

\$ 29.44 for electricity

\$ 250.00 "income" to the legal fund as the result of reimbursement of legal fees from a judgment involving overdue Maintenance Fees.

A motion was made and seconded to approve the Treasurer's reports, with minor amendments (including the CICA checking account monthly debit total from \$199.23 to \$394.78). All in favor.

Committee Reports

- **Architectural Review (Bill Dryden)**

No activity since the last Board Meeting.

- **Beach (Joe and Jennifer Greenfield)**

The water system was "unwinterized" for the Easter party with no issues.

Gearing up for Clean-up Day. Thanks to some recent vandalism our list has grown a bit. If anyone has any specific jobs that need to be added, please give Joe a call.

Bath house and shuffleboard cabinet keys will be ready this week – I'll get them to Karen as soon as I get them. We'll change over from the winter locks on Clean-up Day.

I need volunteers for repairing and re-carpeting the swim platforms. I'll pick up materials and have it ready for Saturday, 4/20. If we don't do it Saturday, will target Saturday, 4/27. I'll restate from the Newsletter, if someone can't make it on the "official Clean-up Day, we maintain a list of projects that can be worked on anytime. No more excuses.....contact me for a list of outstanding projects.

I received reports of playground and pavilion area vandalism. It needs to be reinforced that someone observing or discovering criminal activity contact the Cecil County Sheriff's office immediately. Do not wait to report it to a committee chair or Board member!

HELP WANTED – It's been a great three years serving as Beach Chair and it's time to turn over the reigns to some fresh meat. Anyone interested should contact Joe. Spring Clean-up Day would provide for an excellent training opportunity.

Discussion:

Jim Carter volunteered to be the new Beach Chairperson. He will discuss with Joe, receive training on Clean-Up Day, and the Board can approve this appointment at the May Board meeting.

- Beach Erosion (Don Manges)

Grant Search - As previously reported, the DNR has no grants for our type of revetment work, only living shoreline. Kordell Wilen (Chief CCDPW-DSD) has tried to contact Shawn Ryan (DNR) to determine if this project may be considered in the Cecil County Watershed Implementation Plan for a reduction of the sediment and nutrients being discharged into the bay. As of this writing I am trying to find out if Shawn has replied to Kordell.

I have contacted Jen Wijetunga (Senior Program Officer, Chesapeake Bay Trust). Jen used to live in Chesapeake Isle so she is familiar with our Community. The CBT has no grants for our type work, only for living shoreline projects. The CBT web site lists 15 potential sources of restoration grants. I checked those sources and found nothing that would help CI. They cover specific wetlands such as the Potomac and Shenandoah Rivers, marine species, migratory birds, education, and etc.

I suggest to the CI BOD that you move forward under the assumption that no financial help will be available. I am still looking but even the contractors say that nothing is available. The county could still be of some help but we need a final cost to go to them. There is also the possibility that a member of the Community may be interested in giving the CICA a low interest loan to spread the cost over several years.

Proposals - I have only received one new proposal for the job. This contractor did not bid the job in 2011. Their quote is \$15,500 if we get the permits. The quote, as received, is not complete enough to be acceptable because of it's lack of detail and final cleanup. I will follow-up if needed.

Both contractors that gave us a proposal in 2011 have been asked to re-bid the job but neither have done so yet.

Miscellaneous - I have contacted Meg Senkel (MDE). She is Tom Blair's replacement. I asked for her advice as to whether or not we need a state permit. I expect that she will do a site visit to review the project.

I have made a preliminary sketch of the area. It appears that we will only be disturbing about 550 SF of earth. This number is necessary to determine how much mitigation planting needs to be done. We get square foot credits for each tree, shrub, or herbaceous perennial planted. The credit varies by the size of the plant. The cost for these plants needs to be added to the construction costs. I will determine this after/if the decision is made to move forward.

Any input and or suggestions as to how to best move forward are welcome.

Discussion:

Jim will contact Don and request a better proposal / bid amount including permits. If possible the Budget Committee would like these proposals in time for their meeting next week.

(Immediately following the meeting, Jim contacted Don and he is expecting additional contractors to visit this week.)

- Bulletin Boards (Karen Dryden)

Nothing to report.

- CICA Clothing

5K shirts are available for sale at \$15 each. We will also investigate the possibility of producing other clothing inventory for sale; this will be included in next year's budget.

Chris Shelton will let Diana know the name of his clothing supplier which he uses for Blue Cheetah Timing for a cost comparison.

- Community Events (Pat Day / Sue Seeley)

No meeting since March 11th, 2013.

The Easter Egg Hunt was a tremendous success with the chairing of Diana Hawley and her committee. It was well attended with about 50 children (and their families).

Mooring Pick Up and Mooring Set were accomplished without incident. We wish to thank Karen Dryden and Diane Gilfillan for assisting in having coffee and donuts and lunch for the Set. Also, a big thank you to all the men who came out to do the very hard work!

The Annual Spring Dinner was held at the North East River Yacht on Saturday, April 13th with a crowd of approximate 52+. Polly Carter and Sue Schooley did a superb job of bring this together. The room was beautifully set up with delightful centerpieces which were given to the committee volunteers and two were raffled off. They had also prepared two gorgeous baskets full of goodies and they were won by Toni Mangione and Phyllis Doyle.

The Man and Woman of the Year were present to Bill Day and Susan Clare for their timeless efforts and services to the community. We wish to thank them very much for exhibiting the true meaning of volunteerism.

The Yard Sale is April 20th and a notice has gone out to the Hot Topics List. Kathi Lichtenstein is chairing this event and is the contact for any household who interested in becoming involved. Please contact her at 5651.

As mentioned in the March Committee Report, the Spring Clean-Up and Pizza Lunch will be of April 27th at 8:30. Please be sure to put names on the rakes, shovels, etc. so they do not get misplaced.

As usual we invite any members who are interested in helping out with upcoming events to contact Pat Day (9432) or Sue Seeley (0025). We NEED volunteers and appreciate the help and ideas!

- Fourth of July (Bill and Pat Day)

The Fourth of July Committee has been at work since the last meeting. Contact with past chairpersons will begin in May for those who have not already committed.

Work will be completed on the tent poles by 7-4 and will be good to go.

Bill and I, at this time, want to thank everyone who have been of such dedicated help in the past five years and want them to know how much we have enjoyed working with each and everyone to make this a very successful CICA event. We wish to advise the Board, that this will be the last year for us to chair this committee. We will always be there to assist the person(s) who will assume this task.

- General Maintenance / Erosion (Sonny Hayes)

No action this month. If anyone is aware of items needing attention, please let me know. The trimming of Jacob's Nose will start Saturday, 4/27, during Spring Clean up and future work be considered after we see what still needs to be done.

If anyone is aware of other items needing attention, please let me know.

Discussion:

The Board suggested that the Jacob's Nose trimming be conducted on another day, as the volunteer base will be needed for the beach and harbor work on Clean-up Day. Bill Dryden will contact Sonny to let him know that it needs to be rescheduled for another day.

- Grass Mowing (Karen Dryden)

The three year Seasonal Grass Mowing rate of \$150 for lots without homes was confirmed at the March Board of Directors Meeting. This rate will increase for the 2014 – 2017 seasons by 15%.

Thirty-nine (39) invoices were sent out with a return date of April 18, 2013. To date (19) contracts with payment have been received for these services.

- Harbor (Bill Dryden reporting for Jay Gilfillan)

The Mooring drop went very well on a nice day.

Bill Dryden supervised the river work; Bill Day supervised the land work; Brian Clare ran the tractor; Bill Osborne, John Moll & Allen Embon (in Allen's boat) set the Harbor markers.

Bob Biedermann and his crew worked hard on the new float, which is now ready to be launched. The final cost of the new float will be in the range of \$2,000.00, which is a real bargain and is the direct result of the free labor we are blessed with in the Isle.

We had the usual hard working crew show up and all went well.

The Troops were well fed by Pat Day and Karen Dryden.

- History (Pat Day)

The History Committee has not formally met but Karen Dryden and Pat Day worked together on the presentation of pictures and information for the Annual Spring Dinner which was well received on April 13th. A huge thank you goes to those who helped to set up the display and to Susan Andrews for donating and arranging the beautiful daffodils for the entrance of the dining room and the presentation tables.

A new President's Report for the 2011-2012 year is available for those who would like to add it to their existing booklet. For anyone who does not have a booklet, please contact me.

- Legal (Bill Dryden)

I accompanied our attorney, Robert V. Jones, Esq. to Court on April 4, 2013 in our attempt to collect past due Maintenance Fees for 2011 and 2012 on Lot: E-17, Zamas Lam.

The Judge ruled in our favor for the amount due, plus legal fees.

A lien will be placed against the property as soon as possible.

The Miller case, Lot: P-09 could not be heard as he was not able to be properly served.

This will be my challenge to get him served.

The Board asked me to review the Release and Waiver of Liability Form with our attorney, which I have done. He made two small changes. He is not opposed to the release form, but cautioned that this will not protect us in the event of a serious injury if the injured wanted to sue us. On his advice, I have asked our insurance agent for some advice regarding adding additional liability coverage to our insurance policy for volunteer labor.

I will advise the Board upon receiving this information.

- Library (Joan Ferrick)

The library will re-open Saturday, May 4.

Joan currently has 20 volunteers scheduled for the library and is seeking 5 additional people to operate the library. Each volunteer is only committed for one day. If you would like to volunteer please contact Joan.

- Membership (Karen Dryden)

2012 MEMBERSHIPS:

(300) – Lot owners have paid their Maintenance Fees for 2012 to date.

(242) – Of those paid have joined the Association.

*(15) – Lot owners have not responded or paid 2012 Fee.

* (5) - Lot owners have not responded or paid two years or more.

(1) Lien placed against owner (Lam)

(1) In foreclosure (Hill)

(1) Foreclosure took place (Shaw)

(1) Attorney trying to serve owner (Miller)

(1) Foreclosure home in process of sale (Webster)

2013 MEMBERSHIPS:

(270) – Lot owners have paid their Maintenance Fees for 2013 to date.

Plus (4) Mason Lane owners

(209) – Of those paid have joined the Association.

- To date 88% of the lot owners have paid their Maintenance Fee
- As of April 1, 2013 those who have not paid will incur an interest charge of 6% per annum which is indicated on their second notice.
- Third notices will be mailed by May 15, 2013.
- Bath House and Shuffle Board keys will be given out at Spring Clean-up April 27, 2013.

- Newsletter (Diana Hawley)

The deadline for submissions was April 1.

Diana is currently writing and formatting this issue, and it will be published soon. She also will include a plan for reducing the amount of printed/mailed copies.

- Nominating (Diana Hawley)

Diana continues to seek nominees. Some Board members have forwarded names of potential candidates to her, and information is included in the April newsletter. She will begin to call nominees in the next month to see if they are interested. Bios for all candidates will be included in the July newsletter.

- Pavilion Rentals (Sonny Hayes)

The pavilion is currently committed for the following dates in 2013:

4/20	4/27	5/11	5/21	5/24	6/8	6/9	6/22	6/28	6/29	7/4
7/6	7/13	7/19	7/26	8/9	8/23	8/24	8/25	9/28	10/12	10/26
12/14										

Community events are shown in italics.

- Road Maintenance (Sonny Hayes)

Road work was done this month by Chris Shelton in preparation for the CI 5K. I have talked to the State Highway Supervisor for Cecil County and he has agreed to donate 2 truck loads of milling to CI.

I can be reached at 410-287-7588 if there are any problems or concerns.

- Roads / Drainage Improvement and Planning (John Murray)

Drawings are completed for the project areas that have been previously identified. We will be meeting with Sam from S&M Paving on Friday at 3:00 for a pre-construction meeting of all projects with the exception of Mason Lane. That meeting will be summarized and S&M will be requested to provide a cost estimate for review. Two of the projects will require permitting and construction documents for those projects will be submitted to the county for review and approval.

Regarding Mason Lane, based on discussion with Danielle Spendith/MDE project manager for non-tidal wetlands, it is our recommendation that taking "temporary / emergency " stabilization construction measures is not the way to go in this instance. Simply put, temporary measures can be installed and later required to be removed at the discretion of the inspector. Further investigation on this is required in order to find the shortest and most cost effective measures. In all probability we will recommend that we proceed with the "standard process" for gaining authorization from MDE to perform construction activity in the wetland buffer and wetland itself. This will be to perform a Natural Resource Inventory and Forest Stand Delineation, prior to preparing construction drawings. These studies are not currently budgeted and will have to be estimated and approved.

The Board discussed that we continue to make progress and move forward regarding Mason Lane. Even though we have not technically "broken ground", we do not want to do so imprudently; we continue to ensure that is passable and consistent with other roads as we work with experts to provide a solid, long- term plan. We are moving in the right direction.

- Tractor (Harry Seeley)

I will be returning to CI in the near future. There are no problems with the tractor or mower at this time.

Discussion:

The question was raised that since we no longer use the mower deck for the tractor – should we consider selling it? The new Kubota mower is being used for mowing; if it were to break down or be out of commission, we have better options (such as contracting mowing services) that may be more economical than using the tractor.

Diana will contact Mike Burroughs regarding a fair market value / sale price for our deck.

- Web page / e-mail (Gordon Hawley / John Reber)

Nothing to report.

Community Members Issues *(Community members present at the meeting who have questions or issues to bring before the Board were given the opportunity to speak.)*

CICA cuts the lot behind Phyllis Doyle's home. She requested that the clippings be directed away from her fence and flower beds for the first few passes of the mower near the fence to avoid throwing the grass clippings into her flower beds.

- Diana has mentioned this to Sonny and will remind him to pass it along to the grass cutting crews. This is normal grass cutting etiquette and should be followed by all of the residents when cutting their lawns.

Old Business

Annual Budget Meeting

The first meeting of the Budget Committee will be held Tuesday, April, 23, at the pavilion at 7:00 pm to begin the process of establishing our annual budget and setting Maintenance fees for the upcoming year.

Comcast Cable Service

Work is progressing! Justin reports that the aerial cable runs are installed and the pedestals are being powered.

Johns Property / Harbor Road Erosion

Andrea and Chris met with the Johns' and a solution is being formulated.

Garage Roof Replacement

Jim noted that the garage roof is losing shingles at an accelerated rate, and will be organizing a crew to replace the roof in May.

Bill believes some of our teens are climbing onto this roof and causing additional damage to an already deteriorated roof – if you see anyone on any of our roofs, please “run them off!” In addition, be sure to notify the proper authorities to file a report if you notice any significant damage resulting from vandalism.

The funds for this project are already allocated in this fiscal year's budget.

New Business

5K Thank You

Diana will send a thank you letter to the North East Fire Company who provided a dedicated EMT team for the 5K.

Meeting adjourned: A motion was made to adjourn the meeting; all in favor. The meeting was adjourned at 8:43 p.m.

The next monthly Board meeting is scheduled for Tuesday, May 21, 2013, at 7:00 p.m.

Respectfully submitted,

Jim Carter, CICA Secretary