

Minutes of Corrotoman-By-The Bay Association, Inc.
Board of Directors Meeting, Saturday, January 12, 2019

Board Members: Sam Longstreet, Cristian Shrilla, Robert Bennett, Deb Beutel, Susan Lindeman, Lea Gallogly, Jean Ehlman (by phone), Lisa Adler (by phone) and Rebecca Nelson (by phone)

Members: Bill Ehlman (by phone), Tara Linne, JJ Allen, Ken Beutel, Warren Ryan, Ed Krill, and Marty Bourkland

Call to Order: By President Deb Beutel at 9:05 am

Announcements: None

Member Input Session: No comments.

Secretary's Report, Rebecca Nelson: Revised minutes were distributed to the Board on 1/11. Motion to approve: Sam Longstreet. Second by Susan Lindeman. Minutes approved unanimously.

Treasurer's Report, Sam Longstreet: No significant change from last month. Operating budget summary as follows: YTD expenses are \$57,521 vs. \$64,484 YTD income. As of December 31, the Capital Reserve balance was \$67,990 with an additional deposit to come at the end of the fiscal year. Additional checking and savings accounts totaled \$32,156, including \$3,010 in the Furniture Fund.

Motion to approve the Treasurers Report made by Cristin Shirilla, seconded by Robert Bennett. Unanimously approved.

Committee Reports

Architectural Report: JJ chair: Nothing to report at this time.

Capital Reserve: Jean Ehlman, Chair: Capital reserve fund continues to build. Be aware that the projects are being studied by the finance committee vis-à-vis the reserve study that was conducted in 2015.

Collections: Bill Ehlman, Chair: As of 1/12/19, the outstanding dues/assessments balance is \$20,471. When the effort started in August of 2015, outstandings were \$48,000+. The amount remaining from that balance through 2016 is \$14,186. The 2017 outstanding balance is \$1,800. 2018 YTD outstanding is \$4,485. The amount billed over the same period (2016 – 2018) was \$260,040. 7.8% is currently outstanding.

Communications: Tara Linne, Chair: Tara will communicate that if power goes out, the generator will be running and clubhouse will be ready. We need to renew the website rental wit

the domain service, which will be done by Tara today. A newsletter will go out with the bills for annual dues. We would like for the dues notice to go out 30 days in advance for dues to be paid (due 3/1/2019) so newsletter/bills should go out by 1/28.

Dock: No report

Finance Committee, Bill Ehlman, Chair: The committee met at the request of the treasurer regarding 1) Budget, 2) Corrotoman Drive Extended and 3) pool repairs and upgrades. Bill noted that adding a maintenance position will require an increase in the annual assessment. The \$180.00 / lot annual assessment assumed that there would be an aggressive CBTB Association volunteer program.

Hospitality: Vacant, Chair: The Christmas Party and New Years brunch were both successful. A huge thank-you to Lea and Michael Gallogly for fixing all of the chicken for the Christmas party. Tara suggested a February or March game night.

Nominating Committee: No report; however, applications will be due by 3/1 to run for Board Member positions that will vacate 5/1.

Pool: Lisa Adler, Chair: Commonwealth Aquatics has been removed from the list of potential contractors for the pool overhaul project, as they never followed up despite indicating that they would. Douglas Aquatics from Richmond is doing the YMCA pool. They came out this week and JJ met with them. They are working on an estimate currently. Regarding repairs/leaks – testing is deferred until spring – and is scheduled by Sevarg for 4/1 for testing. Pool is due to be opened 5/3 by Sevarg, allowing time to repair any problems before Memorial Day weekend – although goal is to complete repairs in April.

Roads & Grounds: James Allen, Chair: JJ is getting prices to repair some roads and put new gravel down. Per Bill Ehlman, East Highview Drive is starting to break up. JJ will investigate.

Tennis & Golf: Jean Ehlman, Chair: Please remember to keep courts locked at all times. Equipment will be moved back to the courts in the Spring. Golf course: old flag sticks are in each hole to help preserve the holes. Newer sticks & flags will go back up in the spring.

Old Business: Pool Committee report: Deb distributed a service contract proposal from Sevarg pools. Lisa Adler recommended that we use Sevarg for weekly maintenance (20 weeks @ \$150/week) = \$3,000, or \$2,900 if paid in full up front. We will still need a part time person to test and adjust chemicals as needed. JJ suggests we provide the chemicals (approx. \$1k/year). JJ Recommended getting a pool box to store salt/chemicals beside the pool. Lisa will talk to Sevarg to find out what chemicals are included in the maintenance price. Total cost to open/close/weekly visits by Sevarg and chemicals of approx. \$5,300 for the year.

A motion was made by Robert Bennett that we approve the Sevorg contract in conjunction with increasing the yearly pool dues to \$125. Motion was seconded by Rebecca Nelson. Motion approved unanimously.

Executive Session from December

Last month, an Executive Session was held following the Board of Directors Meeting on 12/8 resulting in a Resolution regarding the erosion on the Northwest bank of Corrotoman Drive Extension, and making the determination that correcting the erosion is classified as a “necessary repair” per Article IV, Section 7 of the By-laws. This resolution will now be passed by the Board of Directors.

Motion to approve: Robert Bennett; seconded by Cristian Shirilla. Motion passed unanimously.

This motion will be attached to the minutes and so posted in Google Docs.

Corrotoman Extended:

Robert Bennett distributed binders containing all current documents on the Corrotoman Drive Extended shoreline stabilization project. Robert provided a comprehensive overview of the steps taken to date.

One owner presented his concern that the project is focused on preserving the bank and not just stabilizing the road. He said he has not been notified that his property is an issue where the road is concerned.

Deb Beutel expressed concerns that CBTB maintains the road, and that the concern is that the affected property owners own the lots across the road as well – and a portion of the lots are owned by the Association. The question regards what has to be done to maintain the integrity of the road to prevent further erosion and degradation. The original letter in January, 2018 went to all affected property owners and defined the plan to understand the issues. At the November, 2018 meeting the Board didn’t feel comfortable moving forward with paying the cost of permitting out of Association funds (\$7,000) since the Association only owns a portion of the lots.

The homeowner agreed that something needs to be done but argued that his lot isn’t disappearing – that the lots 1a, 2a and 3a at the end of the cul-de-sac are where the problem is concentrated. He is willing to help but not to the tune of \$38,000. He is also concerned that the plan doesn’t address water runoff from the road – which could continue to erode the bank - and there is nothing in the proposal that guarantees that damage to the road will not be done by the contracting firm. Without a plan to properly divert that water, he is concerned that the erosion is going to continue.

One homeowner called in by phone. They are on board with paying their share and helping out. He was not aware that some of the other homeowners may not be on board. He is ready to write the permit check today. He indicated that he will move forward even if he needs to independently because he understands the severity of the issue.

It was also noted that there could potentially be legal ramifications if we move forward with the project with one or two affected property owners not on board. There is the possibility that correcting the problems on some – but not all affected lots could result in accelerated shoreline degradation of the other lots. Our exposure there in terms of being liable for accelerating that erosion is unknown at this juncture.

Deb asked Robert Bennett if we have heard from all property owners. We have agreements back from one owner, and comments in email from another. One owner has not responded in any way. The fourth owner indicated 100% support at the Christmas party but we have nothing in writing as of today.

Deb reiterated that nothing has been approved by the Board. Once permitting is complete, we will be able to obtain more accurate estimates. Deb suggests we re-visit and approve going forward with the permitting process and ask homeowners to agree to pay their share of the permitting fees. Once the permitting is complete, we can then bring the experts in to meet with affected homeowners and then determine next steps.

Sam suggested changing the resolution to reflect approving only the permitting process.

According to Marty Bourkland, the permit is good for 1 year once issued, and it can take up to 6 months to get the permits. Permit extensions can be requested to reach a total of 2 years.

Ed Krill has been working with Robert Bennett on the process thus far. He suggested that individual homeowners meet one on one with Bay Design group to address individual concerns. Deb suggested a meeting with Bay Design and the affected homeowners to discuss concerns. Ed also noted that you may not apply for the permit without permission of the homeowners involved. If they will not sign we cannot get a permit that involves their property. Robert Bennett noted that the homeowners agreeing to the permitting process does not obligate them to agree to moving forward with the overall project.

Susan Lindeman expressed concerns that Corrotoman Drive Extended could be seriously damaged by the heavy equipment required to complete the work, the cost of which is undetermined but needs to be factored into the overall scope of work and budget.

Deb recommended that we schedule a meeting with Bay Design group to answer questions of affected homeowners, and ask homeowners to then sign and agree to a cost sharing of the permitting process but nothing beyond that at this point. Meeting should be scheduled at least 30 days out.

From Chip Royer, 2 suggestions: 1) whoever counsel is for the association that is familiar with the declarations should review and determine how much is under the Board's obligation vs. homeowners, and 2) if people are required to participate and if they choose not to is there a way that the Board can force them to do so. Also, make every effort to connect with the one non-responding owner personally to convince her to participate at least in the permitting process. Article 4, Section 7 identifies the process and penalties associated with homeowners not correcting conditions. Chip suggested that the attorney follow this all the way through and that we would need to get a judgement first then a lien on the property if any of the affected landowners refuse to participate/pay. The question is whether the judgement/lien attaches to just the smaller parcel on the affected side of the road, or to the parcel with the home on it as well.

To wrap up, Deb suggested scheduling the meeting with Bay Design in late February. Regarding the resolution, she suggested that we draft a new resolution solely around permitting and requesting homeowners to sign to agree to paying for their portion of the permitting process, which does not obligate them for the construction of the project. We will also establish the meeting with Bay Design to address concerns.

Robert Bennett made the motion to accept Deb's suggestion. Lea Gallogly seconded. Motion passed unanimously.

Deb read the new resolution which was voted on by the Board of Directors.

Susan Lindeman Moved to approve the new resolution; Sam Longstreet seconded. The new resolution was unanimously approved.

Deb recommended moving discussions of the proposed FY 2019 budget and the part time facilities manager job to next month.

Robert Bennett moved to approve the increase pool fee to \$125 with all other fees unchanged; Lisa Adler seconded. Motion approved unanimously.

Amenities application form – was reviewed, with the only changes being to communicate that there is no smoking in pool area and to increase the pool fee to \$125 for the season. Robert Bennett moved to approve; Jean Ehlman seconded the motion. Motion passed unanimously.

Adjournment

Sam Longstreet moved to adjourn the meeting at 11:41am; seconded by Lisa Adler. Motion was unanimously approved. Meeting was adjourned.

