

# WEST VIEW SHORES CIVIC ASSOCIATION

## Annual Meeting SEPTEMBER 1, 2012

At 9:14 AM the Annual Meeting was called to order by Tim Townes, Acting President. The turn-out was approximately 94. Dick Leuliette gave the invocation and led the pledge to the flag.

Tim welcomed new residents. The Cosgroves who live at 7 Elk Rd were present. The Imbodys, Chris and Andrew Browns, and Mark and Kelly Jo Gipe were not present.

Tim announced the candidates Valerie Woodruff and Dottie Hemphill for president. Each gave a short talk about their background and desires for the community.

Dottie answered questions that Ed Lavin sent out via Email. Valerie spoke to the need to get a handle on Shares and issues of voting. The By-laws were a large issue that required in depth discussion. The current by-laws need to be fined tuned to bring them into compliance with Maryland state law as a stock corp. and weather dues/assessments should be voluntary. Dottie said she spoke with her daughter, a corporate lawyer, who summed it up as "you're in a pickle". Who has the right to vote? You could do it one of three ways 1. Shareholders 2. dues members or in a close race put the names in a hat and draw. We must get the by-laws approved. We still have Pearce Creek to address. Kathy Quinn asked about the issue of the lawsuits to Dottie H. Dottie H. said that she thought the lawsuits should end and Valerie agreed. Her thoughts are that there are so many levels (shares, dues etc.) it's way too confusing.

It was noted that all the grounds and beach areas are in wonderful condition, a spectacular job is being done.

Valerie Woodruff was then asked to respond to a statement by Woody Steele who said the Board sued the EPA. Valerie responded that the EPA brought the first law suit and the Board pursued contempt of court action after the court said the Civic Association was the only governing body and the EPA continued to function and solicit "dues" and acted like the EPA still had authority, in defiance of the court order. Woody S. talked about the personal cost to himself. Valerie answered about lawsuits and the need to break down the WVS to a simpler manageable organization. She also said we need to work as a group. Woody S. spoke to how the lawsuits started. Val added to his message that the Board had to defend itself against the lawsuit and the appeal brought by the EPA. He said it cost thousands of dollars. Discussion as to who should vote took place. Most felt that it was those who supported the community should be allowed. Mrs. Stevens spoke several times about the same issues and gave her opinion of her justification for her not paying dues. Val and Dottie agreed that everyone has the right to the use of waterfront/beach. Dottie H. said it most important to watch over the Pearce Creek meetings.

GiGi Steele was given the floor as the only individual who signed up for community comments. She addressed the meeting as to the proper by-laws to use. Tim responded that our lawyer said after reviewing and researching the issue that the 2009 laws are in fact the ones to use. To run for office all dues must be paid and current. Dottie H. paid her dues to current and others did not. GiGi talked about the '98 by-laws and why did we choose them. She said we did it to benefit vote outcome. Tim reminded GiGi that it was their attorney, Dwight Thomey that in a letter in June said the 98 by-laws were the only legitimate by-laws. This did not come from the Civic Association. Tim said that our attorney advised us that those shareholders who don't pay still have the right to vote and he feels that is unfair. Tim spoke to how things were in the past. The inequality has to be fixed.

All agreed that we need to work on the by-laws. Dave Bennett said that he felt it was unfair that Jay was not allowed to be on the ballot since he still owed back dues. Dave Bennett said he had the additional monies in cash to update Bennett

dues so Jay could run. Initially the discussion as to allowing the late payment was "no". Bruce Hemphill asked that we should consider allowing paying up of the dues so then they could get on the ballot. There was much back and forth about when the dues were due. Bennett insisted he was not told that another year was due.

Ed Lavin said we wanted to do that but the lawyer said we couldn't. Bruce Hemphill suggested that we make an exception to the bylaws for the way we vote at this meeting. Ed Lavin spoke about how we must vote according to law. Ed also said we could eliminate all the shares. Norma Steven spoke again about why she doesn't pay dues.

Mrs. Kirk, who is not a shareholder, said she's not going to pay if she can't vote.

Recess called in order for the board to discuss the issue of whether or not Dave Bennett should be able to pay dues due on the Bennett property so that Jay Bennett would be eligible to run on the ballot. The board agreed to bring the vote to the community who voted (41 in favor) to allow the dues to be paid and for Jay Bennett to be placed on the ballot. Dues paid by Dave Bennett and Jay was placed on the ballot.

Committee reports:

Damage to Mc Cormick Property: Tim talked about the damage to Mr. McCormick's property due to fallen trees from our community property on Bluff Rd. 3 bids were sought, 1) refused to do the job due to electric lines., 2) Highlander \$2100. 3) Kolbi at \$1400. Motion by Mark Koster. Sec. Bruce Hemphill to give the job to Kolbi. Motion passed.

Round table: Elle Leuliette states the round table has been meeting since spring and the survey was sent out. Carolann Candy said that only 26 responses were received and they will continue to work on the positive suggestions in the future. If anyone one has suggestions please let them know. Elle L. said we "did the vents also". Kathy Quinn asked if anyone could join Round Table. Answer was Yes.

Property maintenance: Rocky Quinn reported the volunteers are doing a good job but we need more help. Rocky said that the same people were cutting and be sure to thank them when you see them.

They priced a contractor and the cost for a season would be \$6,000 to \$8,000 per season.

Dave Bennett said he mows around his area and could people pick up any trash to prevent damage to his mower.

Holly Kutz gave the financial report. Question by Bruce Hemphill regarding tree removal cost of trees not included in current budget. Holly stated that funds were available for the tree removal. Motion to accept Val W, seconded by Holly Urbine. Motion carried.

Budget audit given by Chris Payne. Audit/review (final to be done at year end) was done by Chris Payne, Faye Miller and Glenn Brinsfield. Motion to accept by Mark Koster, seconded by Bruce Hemphill to accept the review. Motion passed.

Discussion on new budget. The new dry hydrant was installed and is being reworked per the fire chief. Gigi Steel asked how it works when the river is frozen. It was explained that the pipe goes out to non-frozen area and pumper truck hooks up to do the fire. Dottie Hemphill wanted to know if there is a reduction in insurance fees. Some companies do give discount. Woody Steel said he downloaded info from the internet. There was some question as to the angle of the pipes. He was told that the pipe would run out to area that wouldn't freeze and it was inspected by Cecilton Fire Company. We would need ice eaters for the next budget. Jay Bennett said that ice flows could damage pipes.

Assessment issue.

2 proposed plans, one with capital reserves and one without. Sacrificial poles needed in three to five years. We have to start putting aside monies for the roads, tractor and pier. Cost of the roads could be \$365,000 or more. Minimum payments for undeveloped lot are \$10.00. For developed lots (with houses) payment will be \$245.40. It would be less without Capitol Reserve. Mr. Koster said he felt our capitol e reserve should be higher. Dave Bennett "how much was the Logan fund originally: The amt. was \$150,000. And it is now \$109,000.

Joanne Fabiano stated that everyone needs to pay their dues. Tim said we have to come up with a way to bill properly so as to avoid legal problems. Tim reminded the group that we all derive a benefit from the open spaces as a community amenity and therefore should be responsible to pay our own fair share whether we actually use the facilities or not.

Bruce Hemphill asked what we should be able to collect with enforcement. Possibly 72 %, with enforcement possibly 92%

It's at the discretion of the board whether we pursue collection through legal means. Hopefully people will feel the need to do the right thing. Rose Kannuck asked about people having hardship. Marion Bowman asked about charging undeveloped lots so she could explain to her mother. Penny Sass asked about the budget and does it show the increase.

Vote taken on budget with capital reserves. Yeas 53, nays 3. Motion carried Assessment will be \$245.40 for developed lots and \$10.00 for undeveloped lots.

Tim suggested that Steve Modzelewski will head up a committee on capital improvements. Volunteers were Bob Candy, Howard Gipe, Dick Leuliette, Woody Steele, and Kim Bennett.

Ed Lavin spoke to change the meeting dates to get away from the holidays. Bruce Hemphill suggested we take a vote to change date. Ed Lavin made the motion to change the meeting day to the Saturday of the weekend prior to Memorial Day and the weekend before Labor Day, Second by Bruce Hemphill. Jay Bennett questioned that there may be less people to Vote Opposed 8, In Favor 41 Dates will be changed and put on the web site.

Discussion addressed the missing ledger and how to replace it.

Howard Gipe moved that in order to replace the missing ledger all shareholders should be asked to show proof of ownership by the end of December. Seconded by Bruce Hemphill and Ed Lavin. The motion passed.

Ed Lavin stated that Directors from the East will have three persons running. Rose Kannuck, appointed by the Board to fill in for Barbara Savastino's remaining term, only requires a confirmation by the community. Write your choice on the green voting card,

Rose will be confirmed by the body for 1 yr.; Dianne Perrymore, Jay Bennett and Bob Candy will be the candidates for the remaining vacant east seats. The green card takes precedence over the blue card. Office of President, Valerie Woodruff and Dottie Hemphill. Group asked 3 times if there were additional nominations from the floor none were given and it was closed. Director at large Ellie Leuliette. Motion from the floor for Jay Bennett. Three times it was asked and closed Motion by Joanne Fabiano and second by Howard Gipe.

Director Central Rocky Quinn, Ed L asked for additional nominations X3. Motion to close nominations by Bruce Hemphill sec, Joanne Fabiano.

Director West, Rick Hinkle. Asked for nominations from the floor X3. Motion to accept Mark Koster, Sec. Bruce Hemphill.

Ballots all collected into the box and Bob Kern and Ed Lavin counted. Wm. Hemphill and Kim Bennett were witnesses.

After a counting delay, at 1: 10 PM winners were announced President Valerie Woodruff with 46 to Dottie Hemphill 43,

Dir. At large Ellie Leuliette49 Jay Bennett 32.

Dir. West Rick with 51.

Dir. East Diane Perrymore 47, Jay Bennett 39

Meeting adjourned.

Rosemary Gipe for Heidi Rowan