

Minutes of Annual Meeting of Urbanna Harbour Yacht Club – July 25, 2009

Those in attendance:

Board Members: Scott Cahill (President); Fred Eddows (Vice President- Social Committee Chair); Hazel Laughton (Treasurer); Ellen Woodruff (Secretary – Covenants Chair); and Phil Mullins (Maintenance Committee Chair). Ed Fisher (Dock Committee) was absent but was represented by David Laughton (Co-chairman of Dock Committee).

Members:

Section A: Slips 1 – 21 None present

Section B: Slips 22-43

Mike Vecchione – Slip 24

Clyde and Ingrid Roper – Slip 25

David Prugh – Slip 29

Samuel Wilczek – Slip 31

John Bunsavage – Slip 35

Kevin and Diane Kean – Slip 39

Ed and Mary Ann McChain – Slip 40

Ben Flanagan – Slip 43

Section C: Slips 44 – 65

Jane Lee O’Connell – Slip 52

Scott Blackwell – Slip 58

Neal Thompson – Slip 63

Harold Leinbach – Slip 68

Section D: Slips 66 – 86

Lisa Cahill – Slip 75

Judy Steinbach – Slip 79

Quinton Elliott – Slip 83

Daniel and Tammy Matsy – Slip 85

Section E: Slips 87 – 109

Butch and Jennifer Miller – Slip 91

Theresa Liverman – Slip 96

Susan Fitch – Slip 101

Bob Chinery – Slip 104

Glenn Mullins – Slip 109

Section F: Slips 110 – 129

None Present

1. Meeting called to order by Scott Cahill with introductory remarks thanking previous board.
2. Honorary award presented to Dan Matsey in recognition of extraordinary work effort in assisting maintenance committee with repair of docks.
3. Secretary read board minutes of last meeting of new board (July 4, 2009). Minutes approved.
4. Scott Cahill introduced new board with an explanation of board members chairmanship of various committees.
5. **Report of Club Committee (Fred Eddows):**
 - The Mission is to build a feeling of good will around common interests (Boating, water, fishing, etc.). To have fun.
 - The structure is going to be very loose and informal and will be comprised of as many dockers as are willing to participate. We will meet as needed to discuss activities and issues common to UHYC use and participation.
 - Probably meet formally twice a year where we can talk about other things that we would like to see.
 - There will be an honorary Commodore, an Executive Officer, and as many Lieutenants (...and it could be all of us) as time and activities require so if we are putting something together, we can all be part of it.
 - Ideas will be presented to the board by a liaison officer. I am that liaison officer for the moment. Someone behind me will do the same thing. Sometimes board approval may not be required.

Vote then taken by membership for formation of club committee. Passed unanimously.

- First Commodore to be Dan Matsey and Executive Officer Tammy Matsey. (Applause)
6. **Report of Dock Committee (David Laughton):**
 - I would like to introduce myself: I am David Laughton and I am reporting for the New Dock Committee on behalf of Ed Fisher in his absence. The New Dock committee has been formed and the members are: Ed Fisher chairman – has lifetime practical experiences in electrical engineering and specialty contracting and has a State master’s license; Scott Cahill – 35 years in the marine field and has handled million dollar contracts with multiple experience in docks, dams etc.; Ed McChain – 35 years experience as general contractor; Dan Matsey – practical hands on in many fields and has 20 years construction experience in heavy equipment and bridge work and has an intimate knowledge of the existing docks; Davis Wilson – working life experience in marine resources boats and docks; and myself – a lifetime experience in building construction, running boatyards boat building and dock building experience.

- This committee has been brought together to assess the reconstruction or the replacement of the marina. This committee has been formed with the idea that it has a blank page except for the requirements of VMRC regarding the footprint of the proposed reconstruction or replacement. Everything is on the table and is open for discussion i.e.
- Replacing the fixed docks with fixed docks or replacing the fixed docks with floating docks.
- Using both of these systems completely turnkey by contractors or building with partial self help using a small gang of our own employees.
- The end result and criteria is to have a safe insurable and affordable dock system for the members. These are the only preconceived criteria. Everything else is being looked at by this committee.
- To this date we have surveyed several local marinas that have had the experience we are going to have – that is replacing their docks with floating docks or fixed systems. We have not made any decision favoring either type at this point. In addition to considering some in house construction we have contacted several floating dock manufacturers.
- We have also been to marinas where they have used their own labor to build their own floating docks and contracted out just the pile driving. We have already collected a very large amount of material from the companies that supply the design, the know-how and all of the materials in kit form for assembling your own docks (i.e. brackets, floats, decking etc.) **AGAIN NO DECISIONS YET.**

I would like to say that anyone here who has been involved in the volunteer maintenance of the docks has discovered for themselves that these docks are in very poor condition and are only on the very edge of being insurable.

7. Report of Financial Committee (Hazel Laughton):

- I have so far a committee of 3 – being Kerry Robusto, the powerhouse behind Urbanna Family Practice, Ed Blanton, accountant and Bob Fitch who is a Financial Advisor – all of whom I consider to have the experience we need to work through the difficult decisions facing this committee.
- The main objective of my committee is to create a reasonable capital reserve to cover the liability introduced by our infrastructure, hence raising our dues this year to \$460. By the way, we have already spent the money allocated in the budget for the current year on maintenance even though their allocation was doubled. However, I do need to say that those people who volunteered for the June work day saved the Association \$6,000.
- Secondly we will be working to develop a relationship with a local bank to work with us when we need to finance the rebuilding of our docks in whatever form is decided. The realities of our pending large

capital expenditure in this area will necessitate the development of a venue for loans to be awarded to our members. I would like to point out that it is not legal or appropriate to lien the common grounds to support this lending.

- Annual Audits for both 07/08 and 08/09 will be posted on our website as soon as they are available which will probably be mid August.
- If you have not yet given your approval to the budget I would ask that you do so – copies are available here. I have printed out a report showing our expenditures from the current budget for the current year.
- I am updating the website and will keep it current. If you have any ideas of what you would like it to contain i.e., items of interest – or photographs – please contact me. Next year the budget will contain a line item for the website.
- Finally, in order to create harmony and so that we can all get to know each other Scott Cahill has donated funds so that we can have the first social event of the year – for those of you who have reservations we know you will have a great time – and our thanks go out to Scott for this wonderful gesture and Fred and Elizabeth Eddowes for their hard work in planning what looks to be a great time for us all.

8. Report of Covenant Committee (Ellen Woodruff):

- This committee is presently being formed and will be comprised of slip owners only (no renters). Lisa Cahill has forwarded not only items of interest that need to be explored, but also a complete copy of the covenants. I have made five additional copies of the complete covenants and have placed each of them in a three ring notebook so that each committee member will have a working copy to notate while reading and also during committee discussion.
- Aside from me, this committee is presently comprised of the following members: Lisa Cahill, Ed Mc Chain, Glenn Mullins, and Neal Thompson. A sixth member would be welcomed.
- We will be working not only to improve the wording of the covenants in order to provide greater clarity, but also to address possible changes in the covenants so that this legal document is more aligned to the present day needs of the association.
- **It is stressed that any proposed change would be brought first to the full Board and then to the full membership for approval.**

9. Report of the Maintenance Committee (Phil Mullins):

- Many thanks to Dan Matsey for years of hard work with a very low budget.
- Many thanks to the 23 members and renters whom helped on work day in June replacing and screwing down boards on north and south dock.
- Committee members are: Clyde Roper, David Laughton, Ed Fisher and myself.
- Goal of committee : To maintain docks in a safe condition with systems in working order; keeping in mind that repairs are temporary on the premise the dock will soon have to be replaced; provide a clean setting that members are proud of (i.e. grounds, bathhouses, club house, etc)
- New board was elected in June. Since that time this is what we have done:
 1. Work day—replaced and screwed down identified loose or bad boards- note that boards will continue to loosen due to condition of deck boards and stringers.
 2. Replaced 26 bulbs/photo eyes on electrical pedestals.
 3. Replaced 48 spigots/ and repaired 5 PVC leaks—another PVC leak on slip 48 to be repaired.
 4. Two collapsed finger piers were reattached to the dock. (In both cases, people had to take a swim in Urbanna Creek. Luckily no one was injured.)
 5. All finger piers have been reinforced with six finger pier pilings replaced. Never-the-less, pilings may fail in future but dock should not collapse.
 6. Three sister pilings added to main dock due to “worm deterioration” of pilings. This will be an ongoing problem until dock is replaced.
 7. Lock combinations in bathhouses changed to 4-3-1—emails sent out advising members of the change. There have been past problems with people using the bathhouses that are not members or guest.
 8. Drained pool, restretched liner, and added auto fill device.
 9. Getting bid to make front section of pool fencing six feet and add a combination lock gate - decision was made at meeting to with a keyed lock.
 10. Two trash cans added – one to pool—one outside men’s bathroom-south dock.
 11. Front deck of club house power washed and sealed—probably for first time--one more to go.

Need your help—we all have an investment here and a duty to help maintain the value and beauty of Urbanna Harbour.

1. Please do not leave anything on the dock or your boat that can be blown into the harbour.
2. Needless to say, please secure all dock lines before leaving your boat.
3. Please make your renters aware of what is expected of them as renters.
4. When the dumpster is full, please do not put your bags of trash/garbage on the ground.
5. On busy weekends or any other time—please empty full trash cans at pool or in bathrooms if they are full.

6. **Do not pump overboard. The law requires that all boats over a certain length have holding tanks and that there can be no direct discharge from these tanks into the Chesapeake Bay or its tributaries. There are pump out stations at Urbanna Yachting Center and the town dock; ours will soon be repaired.**

If you have an issue or concern with your slip, please send me or any member of our committee, an email outlining your problem.

10. **Comments/questions from membership to board:**

See addendum for complete transcription.

11. New business: No comment from board to add to items already discussed.

12. Meeting adjourned.

Addendum to Minutes: Transcription of Question and Answer Period in Open Forum

Comments/questions from membership to board:

Diane Kean – Slip 39

I just wanted to thank whether it was Phil or whoever did the very creative sign in the north bathhouse that tells people to please take their trash to the dumpster and don't put their boat trash in the bath house. It seemed to be very effective but I thought that it was extremely well done and in a very positive way. I don't know who did it...

Phil: Don't look at me! (Laughter)

Diane: Who ever did it – Thank you.

Scott: Who was the lady that did all of the work at the bath houses?

Answer: Terry Robust (Sp?)

Scott: Is she here? - (Apparently not.) - That was awfully nice of Terry.

Diane: To take trash to the landfill, you need a sticker.

Phil: You do need a Middlesex County sticker.

Fred: One second. The Club Committee will address that issue because we are all Middlesex County taxpayers and we have a right to use the facility.

Hazel: Good point.

Fred: I will find out what we have to have to get stickers. I am certain we can get stickers or we can get something.

Scott Blackwell – Slip 58

I would like to suggest the possibility of starting with an assessment toward the down payment for these loans. I personally would much rather spend a dollar with no interest than spend a dollar that is compromised by interest. And I think that kind of makes a connection to my other point ... I am interested in unpaid dues and members who were in arrears and how that plays and effects us both for our current expenditures and what we might expect as we start to fund the new docks.

Scott Cahill:

He would like to see an assessment toward a down payment for the costs these capital expenditures that we anticipate to mitigate the interest that will be paid on the anticipated

bridge loan that will necessarily have to be developed. What the financial committee is in the process of doing is developing the relationships that will allow us to have a bank bridge loan to pay the cost of the actual installation. That bridge loan will survive until the slips are completed then at the appropriate time, depending on how this committee turns that over, those will become independent loans per slip. Due per slip. Then whether the person arranges a loan with the bank and the financial committee is going to make that as smooth as possible or not. During that period of time, those monies will gain interest and some people may simply want to slap down a check for those amounts, and others may want that to roll into their loan or their payment which will become due upon the repair. That's the first issue.

The second issue is issues of unpaid dues and members who have not paid their dues and what kind of an impact is that having on our financial circumstance right now. Is that accurate, Scott? OK. Hazel, I would like you to take those.

Hazel: Actually, we've been very lucky with regard to people paying their dues. I think that there are just a couple of people that are renegeing at the moment. I haven't had all the dues in yet for this year. But actually, a lot of people actually bring them to this meeting Today is the deadline, so – after today – there will be an extra charge on everyone's statement ... I think that it is only two people who are in arrears ... but they may require legal action ... and I have told them that we will take legal action and that they will also accrue further charges because of that legal action.

Scott: I have instructed Hazel as per the bylaws to go ahead and put the chain of events in place to collect those monies.

Hazel: And I have already spoken to an attorney.

Scott: So we are going to collect the monies that are due it is our responsibility under the by laws. We don't even have a choice.

Hazel: Yes, and - as you say – we are all paying this together.

Scott: (Addressed to Scott Blackwell) Is that a satisfactory answer to your question?

Scott Blackwell: Yes

Scott Cahill: Hazel's committee's written charge that I gave them- part of the description under that would be the availability for members who wish to pay an upfront charge based on anticipated costs of the development to get some sort of credit, some positive credit for coming up with the cash in hand up front which would be beneficial not only to them, but to us as well. That is being considered by that (financial) committee as well. You can keep close with that as it evolves by contacting Hazel or getting involved in her committee as well.

Question #2: Ben Flanagan Slip 43

Is the club an entity or is it a collection of individuals? If each person gets their own loan, suppose half of the people walk away and don't get their loans? What is the club?

Scott: (3:15) Yes, the club is an LLC which is developed under a property owner's association document and it initially was done by the developer and that was transferred to the owners of interest so we are members of an LLC in a direct proportion to our slip ownership. That Operates under the bylaws for that club which exists which we signed when we bought our slips. The bylaws address specifically what needs to be done if improvements are made – how those capital expenditures are to be addressed – and what happens under the eventual default – potentially. What we are trying to do under the dock committee is to mitigate the cost involved so that no one has to lose their slip. What we are trying to do under the financial committee is to develop a relationship with a bank who has all the information already in place so that those of us who don't have a good relationship with a bank outside of this have the ability to walk in the door and say, "I'm slip number this or that" and the bank already has all the instruments, information, has already negotiated all those things out with this committee. The obligation for that slip ownership cannot encumber the common areas of the association so that one member which is 1/129th of the association owns 1/129th of all the common entities which are a part of that association – cannot encumber any other member's ownership in those common areas so we can only encumber the ownership interest in this slip itself and that specifically is provided for in the bylaws and what the bylaws say is that the ownership is specifically described as the operational using of that element of the whole and that part can be transferred. So that in the scenario of putting all of this together if someone were to default on their slip and if they could not get a loan or if they could not satisfy that loan or if that slip were defaulted on then there are provisions in the bylaws by which that slip would be taken to satisfy that debt - I hope that this doesn't happen – this is not our intent –but it may happen and we recognize that in doing the things that we're doing and that is the reason for the seriousness of the way that we are addressing these things. In that scenario, that slip could be sold, and in my direction to the finance committee I have specifically said there's equity in that slip and there may be an individual who will lose their slip because they maybe a person who's retired and on a fixed income and simply cannot come up with that kind of money or can't make those payments or it's just in their best interest not to do that. In that situation, if that slip has to be foreclosed on, then the equity that exists in that slip before our capital program - I want to make sure that that is returned to that owner as wholly as is possible - so the scenario that the financial group – the committee – is looking at is the scenario by which the person who owns that slip would lose their slip but would be justly compensated for the equity that slip held before the capital improvement of that slip.

Follow on question #2A: Ben Flannagan Slip 43 (1:15:09)

Is there an upside down to that if the capital improvement is greater than the value of the slip to be sold and does the owner have an additional liability?

Scott Cahill: That is a scenario under a default that could occur. I can tell you that the charges given to these two committees would not allow that to occur – that was what I spoke to earlier. My consideration is that the slips have a value as they stand now. That's being considered under the dock committee's charge – they are actually going to get someone to give us a true value of what these slips are worth as they stand and a value of what these slips are worth improved after the capital improvements are completed. What we are going to assure you is that we are going to do our best –I can't promise you right now – but I personally believe that we will keep it within – and I've given them specific numbers - by the way – to work towards so we're not just working pie in the sky here. I've assigned numbers of valuations that I feel are accurate but we're checking those to make sure that they are correct. We are working toward those

numbers, and it appears that we're going to be able to do that. If we are able to do as I anticipate that we will be able to do, there will never be a situation like you just outlined, but it is definitely a concern.

Follow on question #2B: Ben Flannagan Slip 43 (1:16:43)

Is the obligation to the bank twenty years, thirty years, or something like that – the life expectancy of most people isn't that long? (Group laughter.)

Scott Cahill: I don't want to be putting numbers out because that would be not be valid at this point in time. We're not to that point yet, but I am hoping that what Hazel's group will develop with the bank is a relationship so that any slip owner would not have to go through all of the development of background information, etc. in order to go in and get a loan. That loan would still be independent – individual by individual by individual. This is at my insistence because of this legal nightmare that would occur by someone encumbering the general.

Follow on comment by Ben Flannagan Slip 43 (1:17:44)

Suppose someone dies and you have a twenty year obligation against the estate. How's the estate going to settle that?

Scott Cahill: Speaking out of turn here because I am not an estate attorney, the estate in that situation where you have a slip - it was improved on, the improvements would encumber that slip; there would be a lien put on that slip to encumber the slip for the value of the improvements if and then the estate could either come up with other capital to satisfy that lien and unencumber that slip or the slip could remain encumbered, could potentially become liquidated, and then the balance – the difference – between the cost of that slip being sold and the cost of the encumberment of the capital expenditure proportioned to that slip would then be returned to the estate under that scenario.

Follow on question by Ben Flannagan Slip 43 (1:17:44)

Would the estate satisfy the bank – eliminate the bank?

Scott Cahill:

Absolutely, oh absolutely. Yeah. They could liquidate other assets or take cash or however the estate wanted to handle that.

Question #3 - Edward Mc Chain --- Slip 40

What it sounds like you are proposing in simplest terms if the club is willing to buy back the slip or essentially pay the assessment --- your offering to buy back slips that somebody doesn't want to join in to pay what the new assessment is. I don't think that's where you want to go.

Scott: No, that's not what we are proposing at all. Under the bylaws there are provisions for capital expenditures and distribution of them and there are provisions specifically for the taking of a slip in default. In that scenario, I guess, Hazel, you should handle this (Hazel defers to Scott) but in the scenario of the bridge loan, involving the construction work being done, the slip defaulting and then under the bylaws – the slip would probably be auctioned off and the question then is how much money would we get for that slip. When I say "we" I mean the owner would get for that slip. So you own the slip, like you have a car and you take it in and you get it worked on. Well, you owe the guy \$2800.00 for engine work on the car and you say, "I'm

not going to pay you.” He says, “Well, I’m not going to give you your car back.” But he can take it to the auto auction and sell it, but if he gets \$4000.00 for it, he can pay himself the money that he’s due, but he has to return you the balance and this is the same situation. The club itself would not be in the business of taking anyone’s slip – in fact – the club itself would do everything that we can to make sure that that does not happen. But in the scenario where nothing else can be done and that has to occur, then in that scenario under your bylaws, you’ll see that there’s provision for the taking of that slip to satisfy that lien. That would be done by the bank under the bridge loan – I would imagine – and those would be satisfied and the balance of that money equity in that slip would be returned to that slip owner.

Question #4 Susan Fitch Slip 101

(Refers to son-in-law who is renting a slip.) Can we have a little handout to give to the (slip) renters? And I imagine you all need the information on who they are and numbers and all that. Do you have something that we can give them so that they would be aware of what’s going on and their responsibilities?

Fred Eddowes: Yes – we want them to know the rules, the pool rules, and what the expectations are.

Scott Cahill: But also let’s talk about the role of renters in the club committees.

Fred: Well, they are as welcome as anyone else. It’s dockers and a number of them already are.

Ellen Woodruff: We are also very interested in getting the names of renters. Some have come through Mason Realty while others have rented directly from slip owners so if you know of any renters please get in touch with the board members and give them those names, addresses, etc.

Comment from Bob Flannagan Slip 43

I have a very long term suggestion for the club. This club has very few young members (Laughter.) ... a resource pool. A lot of us have sailboats, a lot have power boats; sailboats need crews. Keep a list of power boat people who would love to go sailing who have the knowhow but who do not have the opportunity to go sailing. And there are a lot of people who fish – I am by myself – so I can’t fish and sail at the same time. And if they are available, let them go as your guest. (Applause) ...and I know there are liability issues.

Ed Fisher: It is a great idea. Part of what we are going to do (12:44:1) through the club committee literally I would love to have everybody who’s involved here on the club committee. We will be putting out newsletters periodically and that’s the sort of thing that would be tremendous. We could say – “Anyone interested in crewing” in fact there have even been a couple of suggestions of could we even maybe even organize a race.

Floor comment: Oh, no! Don’t do that! (Laughter)

Ed: Taking that a step further yacht clubs frequently have reciprocal agreements. We are exploring how to make that available to us as well as some of our ideas available to other yacht clubs.

Comment by Ben Flannagan:

I have a relative in Newport News and he was in Hampton so I was going to bring my boat down and visit him in Hampton, and he says: "No, you're not! Only members of registered yacht clubs are allowed to dock here. And we are not a dock club ...

Hazel: No, not yet.

Scott: We are not a yacht club ... yet. The club committee is addressing as are things like regattas, fishing tournaments, parades, all those kinds of things. Those are the kinds of things that we want to put together as well.

Comment Judy Steinbach – Slip 79

I would just like to thank the board for trying to address many of the issues which have become very apparent in the last six months or so. I know that was my main issue in coming today and you all have done a nice job.

Scott: Thank you very much. I appreciate it. (Applause.) (Scott comments on his pleasure with board.)

Phil: The dock committee hopes to have a proposal to the owners sometime this fall.

David L.: We are hoping to award contracts by the end of January.

Phil: By the end of January so that means that there has to be voted on – a proposal put before the membership – so what we will have a recommendation so really whatever we are going to do could start as early as January.

Ellen: I remember Ed saying (and it really, really impressed me) he was going to look – and I am speaking for him so I hope that I am getting it right – that he was going to look at what the dock's cost now would be if you were to sell your dock now versus once an improvement is put in what that cost of selling the dock would be and what that delta would be and he was going to incorporate that into the financials.

Hazel: That's right.

Scott: That's right. That's the first exercise – The value of the docks and the value of the docks improved.

Glen Mullins – Slip 109

Also you have to take into consideration Rosegill which will raise or lower the value of the docks.

Scott: No, I think that Rosegill (interrupted by various people)...

Unidentified: I am a developer and (unintelligible) what if ...

Scott: Now I have some issues for discussion.

- One is the board as it stands right now - we on the board collectively agree that we would like to see the board membership phased so that every member is not elected at the same time. We are going to work on methodologies to do that. We are going to put that before the membership for a vote. I would like to see someone serve as president for one year term and then remain on the board as a non-voting advisory position for an additional year. I think that

that is a more fair way of doing it and I would like to see the president come from the board – probably the vice president. That way we have a continual evolution of information and we don't have these losses of complete boards. So we are going to work to get that in place. We would appreciate any input that anyone has on that.

- Repair of the existing pump out station was an issue that I wanted to just get out there.
- Non members using the pool is an issue that I think has already been addressed.
- Rules to renters has come up.
- Maintenance man to handle minor jobs. We are contracting out and we are doing maintenance items through volunteers right now. The amount of maintenance that has to be done collectively for this association's docks, common areas, bathhouses, grass mowing, etc., etc., etc. constitutes the possibility of having a full time maintenance person or a part time maintenance person employed by the association cost effectively. That's one of those items where it is a value of services rendered versus cost, but it needs to be a consideration of all the membership. But it certainly would be a nice situation and one that I would like us to consider to have a full time maintenance person down here and responsible for our infrastructure.

So these are some issues if anyone has any thoughts I would love to hear them.

Betty Eddowes (Slip 4)

As far as the pool is concerned, many pools have issued a band that they can wear or a pin that they can wear and as a homeowner you get x amount for your guest(s) that come so that anyone who is in the pool who doesn't have a band or a pin is just questioned. It doesn't mean that you know "Did you forget your band, blah, blah, blah." But it was so easy. We had ours by the towels – you didn't leave the house without the band.

Phil: There have been a couple of suggestions elated to that beyond the combination lock at the gate. Whoever gets word of the combination will be able to get in, and that will happen. But there have been suggestions of wrist bands, there's also been suggestions of a sign in book basically where you put it on a table in the little alcove by the women's bathroom and where anyone coming to the pool would have to sign in if you're a guest of whom – slip # such and such – and it has to be dated. So if you have twenty people in the pool and you've got two names on the book then you have the right question. I guess the one comment that came up about wrist bands and others is that how many do you give out to everybody and thee is often times when you've got several guests that come to the pool and they may have ten people who are down visiting or something so I think that wrist bands can be hard to keep up with.

Ed McChain (Slip 40):

I agree that e need to limit the Urbanna crowd that is coming over here to use the pool. We have to be very careful about angering the teenage crowd because they'll do you in. So, I think you need to approach this very carefully and I think that possibly a wrist band is the way to do it but that means someone has to say if you don't have a wrist band you're out of here. The lock is the best way to do it because its passive and it will cut down on the number of people – won't eliminate it all – but that's ok.

Phil: Thank you, Ed. I hear you loud and clear and Phil does. This is one of the issues that dovetail's in with the consideration of a maintenance man. The reality is when I'm down here at my boat, I don't want to spend my time over at the pool questioning people who they are related to and so I walk by and I see people in the pool and you know the truth is I don't know if they belong here

or not. But you know you just don't feel like being a policeman when you are down here enjoying the club and your boat. If we are fortunate enough to end up with a full time maintenance person, that would be a very appropriate responsibility for that person to have at that point and I can tell you that they maintenance committee is definitely addressing the pool issue. We are well aware of it; it's been discussed at length and the maintenance committee is expected to bring to the board a recommendation that the board will consider so that we can all enjoy our pool and not have it filled with people who don't belong.

Ellen: I think that Ed has a good point. I live in the Woodlake subdivision in Richmond and there have been teenagers that have totally vandalized outdoor lighting and they did it once – they did it twice – and on the third time they got nailed because they (Woodlake Property Owners Association) put a video camera in. And that might be something that we might consider – It is an expense – but it could be a pro-active way of cutting down on any problem or vandalism or over the fence issues. I just throw that out 'cause it worked in our subdivision.

Scott: That's a consideration of the maintenance committee to take on.

Ben Flannagan (Slip 43):

You could have a number sticker for your car at least and all guests must be accompanied. (Part of suggestion lost.)

Unidentified: With all guests being accompanied if you rent your slip and they're your guest, you can't be here every time they go to the pool.

Phil: There have been a lot of suggestions made. The committee will look at all of these suggestions and we will come up with something that we think will work and if it doesn't work, it is not written in stone we'll change it.

Unidentified: Those who violate the pool are certainly going to circumvent what we are doing so the pool maybe with the pass and the gate; the pass won't be any great expense.

Scott: Yeah, I think that the considerations that the committee is dealing with right now will most probably evolve into a physical and a non-physical remedy. Think that someone has to question people: Who are you? Why are you here? What is your slip number? Eventually to get it resolved. I think that as long as the fence is an eighteen feet with razor wire, the kids are going to find a way in. We just have to make it more comfortable to go to the pool across town than it is to come here. And I really don't want to make it difficult for anyone. I want to make it comfortable for everyone who is invited and who belongs here.

Ellen: (Discussion with visual of Neal Thompson's hat i.e. as model for social committee to possibly adopt.)

Fred: There should have been burgee's here for disbursal today. Unfortunately they didn't get there yesterday so that not here, but in the next week or so we'll be bringing those in and we have some sample shirts that you'll be able to look at and see what you think of those.

Scott: So the club committee is working on establishing a burgee for the club. We're going to have shirts and hats and those kinds of things available for club members for sale with money coming back to the club.

Woman (Slip 91): We own property near Reedville and an experience we had by word of mouth became common practice after a short period of time that people would just ask with regards to the pool: Are you a member here? ... With a sign in sheet and if they weren't they would say to them, "This is private property and you need to be a member here." It was a pain in the neck, I can tell you, if you were an owner and your guest was at the pool (without owner) then they charged three dollars per person. So my guest would show up; they'd sign in; they'd pay their three dollars - which did happen to me more than once - honor system with a box there - so the member had to be present which was very irritating that I had to be there. But my guests got thrown out even after they paid their three dollars. The word got around after a few years that you better be a member if you are here or they are going to throw you out. And the rift raft stopped; people who were not members stopped using the pool. It just takes time. It was very irritating me being a member and having to be there to let them in.

Hazel: It's happened here too in a way because I go to the pool a lot because I live here a lot more than some people and Mary Buxom started asking (very politely) people their slip numbers she had seen the pool empty. People just go home.

Woman (Slip 91): And I do understand about ... interrupted ... and we are very excited about the dock project. We currently live on our boat in Annapolis, Maryland and the marine manager ... interrupted ... we have expectations of cleanliness, safety, keeping up with the maintenance, we are active in that but it takes a community for us club members, community, and after awhile we'll work it out. We are very proud of our community and our environment and the rift raft will stop.

Scott: We would like to welcome you. We are very glad that you are here. (Applause.) Edited.

Ben Flannagan (Slip 43): Windshield stickers for cars. I looked it up after I got home and they are very cheap. And the club could sell them and make money in the process and have them on the cars in the parking lot.

Overtalking

Unidentified Woman: Do we each have a key to the lock and not give the key to children, I am responsible for that and no one else can get in there unless they have a key to that lock. That's the simplest way. You don't want a combination because they'll learn it. You have a key to that lock; you're the only one that can get in there. I see it every day. I walk in here with my dog and I saw kids ready to throw the table in the pool. All during the week you people are not here.

David L.: We had someone putting chairs in the other day.

Scott: Please keep in touch with Phil and as his committee evolves he will keep you posted on the things that they are going to try.

Clyde Roper (Slip 25): While we are on this thing about putting up signs requesting people to do things and not do things, down in the north end bathhouse there are signs that say: No parking here.

Loading and unloading only. Particularly on weekends there'll be five or six cars/trucks sitting around the loop – it's a tight loop so it's really tough for folks to get in and out so if there is some way to reinforcing that really once they unload, they should go up to the huge parking lot there. That would be nice if that would happen.

Scott: (Repeats by rephrasing)

David L.: There was a towing enforced there and Leisure (sp?) Towing number was there and anyone could call him and Leisure would come down and tow him and they would have to pay to get their car back.

Clyde: That sign is still there, but I hate to do that.

David L.: Well, Leisure was responsible for that but people aren't calling Leisure any more.

Phil: I think if we really want to reinforce it the best way to do that is that actions have consequences. If you park there for an extensive period of time and you are towed, you probably aren't going to do it again. The alternative is you can put a warning sign on someone's windshield. We can have some at the clubhouse, you stick it on the windshield and you say "This is a final warning. If you park here again, you will be towed." But then again, how are you going to know whether they parked there before or how many times you've done it so it really – if we want to do this – we can call the towing service and have them do it.

Scott: If you put in place a methodology every time something like this happens, you end up with horrible scenarios so what I would like to do – and I think Phil is already into this – let's put a nice note on the windshield that says, "We're sorry but you can't park here. Please don't park here in the future." Let's do that for a period of time. It's so easy to start putting rules in place until eventually there are so many darn rules that you can't come down here and have fun. So let's try something more passive first.

Theresa Liverman (Slip 94): Could we get the police down here. Get the police to ride through here once or twice a week. Is that possible? They used to do it, but I don't see them anymore.

Hazel: Well they've cut back on the costs even in the Sherriff's office.

Scott: Something else that I would like to put before the membership for their consideration before we bring it up and it's an issue that we're going to be talking about is would you like to see a trolley stop here – I see a lot of no's – shaking heads.

Police will be here this afternoon (for party) suggest you asking him. (About police presence in subdivision.)

Diane Keane (Slip 39): We have already discussed notifying renters with a list of rules, welcome to parties, etc., etc, --- telephone ringing --- you become so used to seeing signs that you don't even read them anymore.

Hazel: Actually the rules are posted on the website. So I can send ever body an e-mail that says ... but we need renter information.

Unidentified woman (Slip 25): If we have the trolley stop here, we are just inviting more town people then we will have additional ... (overtalking of speaker ... background noise)

Unidentified man: Do we still have the boat that brings you over from town?

Hazel: No, no.

Ed McChain (Slip 40): I've been around here for about 7 or 8 years and at one point when the yacht club took over the whole slip condominium from the developer, we got into a lot of this covenant enforcement thing that was going on here. We ended up with a horrible mess. The people enforcing it were called the "dock Nazis" and it was just a pain in the neck and many of the things enforced were not anything that anyone wanted enforced and the things that they were doing they really shouldn't be doing. This "dock Nazis" thing – it was really hell on wheels around here for about two years. We don't want to do that again. I agree that we need some common sense rules, but before we get into anything other than a sign on the windshield, the committee needs to look at what's for real and what isn't. What do we really want to do and what we really don't want to do. And that needs to happen first. The other thing that I'm going to say that since I've been here, I've witnessed two teenage boys beating up the air conditioner out here – destroying it to where it had to be replaced – I saw a large boat pull out three pilings – and the owner keeps on going – I know the liner of the pool has been replaced one or two times because of dogs swimming in the pool – I know we had an individual where the person put the wrong chemical in the pool and we had to pump it. We've had things go on – and I'm not trying to say that we should become some sort of a outfit that wants to fine or punish people for mistakes that they made, because mistakes happen – and those things need to be absorbed, but the things have to be looked at when someone just willfully destroys or out of gross stupidity than any common sense person should know better than – these kind of things have been very sensitive to this group and to my knowledge, we have just absorbed it and paid the cost and said nothing. (24:17)

Scott: You hit it right on the head. The worst thing that we can do is to encumber ourselves with a whole bunch of ridiculous rules – whether they are pre-existing rules or rules that we made up just because of an incident or two that we can't come down here and enjoy this magnificent beautiful thing that we have to share and that is why that Covenant's Committee is so incredibly important and the work that they do is so paramountly important because we need to get the structure together now that is going to allow us to come down here and have – I love the fun that I have here – that's what this place means to me and to maintain that and not allow it to become some structured nightmare. And that's difficult so I say to you and to Ellen – that is your charge clearly.

Ellen: My husband and I belong to four different covenants that we have to deal with. I am not a covenant person. That's ironic because here I am on the covenant committee. What I think, Ed, is that the covenants have to be equitable. It doesn't have to do with personalities. Like: Hi, Joe, you're my best buddy so you want to do that, we'll wink at it. No. What goes for Joe – goes for everybody. It has to be common sense. There are some covenants that are ridiculous. There's one that I just received where dog hair can't blow off of an upper deck and I'm thinking "dog hair blow off of an upper deck?" (Laughter.) Hello! So, Ed, I hear what you're saying and I

totally agree. I have lived under Nazi regimes and this is not going to be a Nazi regime. It's going to be common sense and it's going to be good for all.

Phil (Slip 61): (21:40)... I'm sure that there a lot of slips hat have sold so not just renters are not aware. We need to develop a basic information sheet for everybody and we can post it on bulletin boards and specifically on renter's boats just so they are aware of what is expected.

Scott: Lisa (Cahill) can you reply to that? Is there a printer who can print off a complete copy of the covenants for anyone who's interested in them? Who is that, Lisa?

Lisa: I believe that it is Precision Printing on Paterson and if anyone will e-mail someone on the board, I will be happy to get that information for them.

Ellen: The problem though is this is really ...

Unidentified: We're in the same boat; we were given about 25% of the bylaws given to us when we bought our slip.

Unidentified: My question is - Aren't the owners responsible for their renters? I just simply don't understand ... it would be as if you had a renter renting your home you are responsible as the owner for that individual and ...

Scott: You are right now there is no requirement under the bylaws of the association to incorporate the requirements of the bylaws into a rental agreement as far as I know - Is that accurate?

Ellen: Yes, and Scott ...

Scott: So that is one of the issues that Ellen's committee will take up.

Ellen: There is an issue here because for example there is a fellow who lives in Colorado and I caught up with him in Mobile, Alabama on the phone. He rents out his slip and the only way I knew who the renter was because I had interfaced with the renter personally. So, I mean, I don't think we can hold culpable somebody who lives in Colorado for the rental here; I don't know how you would work that.

Phil: Well, I think if you are going to rent a slip, the obligation is to the renter to give to the rentee the rules and obligations are – that's their obligation.

Ellen: Yes, I agree with that but if those are violated then we need to know how to get in touch with that owner. So what we really, really need here on the board and ... to find out the name of the owner - and Hazel has done a wonderful job - and what we need to do then is find out who has rented the slip. This particular slip was rented by the owner not Mason Realty - I don't believe - so please if you can find renters' names and addresses ...

Scott: So, Ellen and members of the covenant committee the direction is this exactly: Let us in this development of the new document that you are working on, let us incorporate a requirement that rental agreements incorporate all of the bylaws of the secondary develop document that

you are bringing forth into any rental agreement as if they're written, all righty ... the same way that we enforce it with the owners then.

Unidentified woman: Doesn't that make sense ... slip owners should be responsible ...

Scott: Yes, sir:

Unidentified man: We had this problem when I was ... the sheriff is very good about this ... it is on the web site and it ultimately comes back to the slip owner. (Garbled)

Ellen: Where is this located?

Man: On the Urbanna Harbour web site.

Scott: Thank you very much. We'll look into that. Yes, sir –

Glenn Mullins (Slip 109)

Would it be incumbent upon the slip owner to at least have some type of binding document signed at the leasing of the slip?

Scott: Yes. So what I am anticipating, Glenn, is that in her writing Ellen would with this revised document that we are all going to agree to and sign - that within that writing we incorporate the verbiage of that document and into any secondary rental document so that we are all under the same constraints.

Glenn: So it will be a uniform document.

Scott: Yes, correct. Thank you very much for the question.

Kevin Kean (Slip 39): Want to talk about changing the covenants; I have a question about that. Do our covenants provide for change?

Scott: Yes, sir. They allow for the evolution of the covenants and there is a very specific methodology in there.

Ellen: And if I might add: It will not be done willy-nilly. It will be done in committee and then it will come to the board for their approval and then it will be brought to the membership.

Scott: We don't have many problems here. One that we do have is one for capital expenditure for the proper repair of the docks. If you set that aside and the difficulties associated with dealing with that, this place is one of the nicest places you'll ever spend your time ... anything else?

Hazel: Has everyone here signed the budget form for me.

Unidentified woman: The deadline was June 15th. So you do want ...

Hazel: Yes, yes

Woman: So that's why we never did.

Scott: I thank everyone for coming here. Please I absolutely solicit the involvement of every single person. Don't think here for a moment that your input isn't wanted and needed and won't be heard. Please do bring things this board for us to act on to make this a better association. That's what we are here doing and we want to do it as quickly and as well as we can. And we'll do that best by the general consensus and involvement of all the membership. So, I thank you very much each one of you who came here for coming here and for being so directly involved and I solicit your continued involvement indefinitely so we can all have something better here in the future than what we now have.

Close of Open Discussion.