

**Cowpet Bay West  
Board of Directors Meeting  
February 7, 2012**

**Present:** Max Harcourt, Barbara Walters, Rosie Wells, Sharon Koehler, Bill Canfield, Jon Cassady, Louanne Schechter, Bob Cockayne attended by phone conference. Vince Verdiramo was absent. Jon was excused to attend to a meeting with representatives from Elysian, and CBE and CBR with a public surveyor and joined the meeting in progress. Also present were: Judi Kromenhoek, Doug Rebak and (by phone) Lance Talkington and Al Felice.

**Executive Session:** Max asked if there were any items to be discussed in Executive Session, there being no necessity, the meeting continued.

**Approval of Minutes of January 11, 2012:** Sharon requested in the December BOD minutes should read Anna Paiewonsky contributed language to make provision for LLC's throughout the bylaw document. In the January minutes, the last name of Barbara's Lawyer is incorrect. Also, omitted from this section is Max asking Barbara if she had registered any complaints and she acknowledged the HUD complaint. Max indicated that further discussion was halted pending the hiring of an attorney for the Association. In the second paragraph, the document Bob distributed was entitled "Service Dog Certification-Spotting Fake Certification's".

**Treasurer Report:** Sharon reported the bank balance at the end of January is a total of \$ 445,760 in our reserve funds and \$82,500 in our operating accounts. L-41 closed in the month of January resulting in full payment of fees in arrears (\$21K).

Jeanne Brennan, CPA, met with Sharon, Max, Jon, and Louanne to review the financials. The budget was reviewed for accuracy and the cash and cash equivalents were reviewed. Jeanne made suggestions for adjustments to clarify the work on the beach, the payments from Elysian, and our capital improvement expense at the end of the year was \$158,178. This year we have \$114,000 budgeted for capital expenses. The gray water project from 2011 and the electrical project from 2011 will require funding to finish that is not in the 2012 Budget.

Sharon will change the signatories on the First Bank account following the election to allow for a member with 3 years to be on the account. She will also add checking to the account to allow for monthly deposits to the fund as well as withdrawals as the CPA has suggested.

**OLD BUSINESS**

**HUD complaint:** At the last meeting the board voted to retain an attorney. Max met with Marie Hodge and subsequently engaged her to handle the dog issue. Marie Hodge and our D&O Insurer were sent a copy of the HUD complaint. The Insurance Company has assigned an attorney to respond to the HUD complaint and Maria Hodge will be providing the opinion on the dog issue. The Executive Committee met with Maria Hodge via teleconference. The Executive Committee is not at liberty to discuss any more detail on advice of Ms. Hodge.

**L-41:** The unit sold and the arrears collected in full.

Jon returned to the meeting at this time.

**Insurance Committee:** Nothing to report at this time.

**Bylaw Vote Status:** Approximately 28 votes have been collected at this time.

**Annual Owners Meeting:** Max thanked the following people:

Rosie set up the catering for the meeting. Randy Driscoll will be catering for \$300

Jon negotiated the meeting room for free.

Sharon and Sally have set up the Meet & Greet

Bill Canfield arranged for the use of the Yacht Club for the meet and greet for a minimal fee to be determined.

**Owner Package for Annual Owner Meeting:** Louanne stated she will have the material printed tomorrow, to include: Agenda-Insurance Summary-Cash Equivalents-Budget-Owner Issue Policy

Owners were sent an email to bring the proposed Bylaw changes with them to the meeting.

**Owner Issue Policy:** Max requested the Owner Issue Policy be included in the owner package. Jon requested the Directors verify the spalling example in policy. Jon explained that most interior spalling is caused from rebar, but the rebar is not a structural problem unless the rebar itself shows physical signs of distress. Jon obtained the opinion from Mr. Ferraris, the structural engineer that examined some of our exposed rebar. Mr. Ferraris said rebar “pops” in (mortar) plaster because of the property of the metal reacting to moisture causing rust and swelling which eventually will cause a crack or spalling, no different than drywall “pops”. The rebar may need to be sanded and chemically treated to prevent further spalling to the finished surface, which is cosmetic. Owners have been responsible for cosmetic repairs and the Association is responsible for structural problems. Max stated in accordance to our Owner Issue Policy, The GM will inspect the problem, if the owner is not in agreement with the GM, then the owner would submit the complaint to the Board. The Directors will then make a decision on the matter.

**Annual Owner Agenda:** Max presented the proposed agenda.

Parliamentarian: Max requested Ed Wardwell be the parliamentarian to keep order during the meeting.

Roll Call: Louanne

Establishment of Quorum: Rosie

Proof of Notice: Louanne

Meeting Minutes: Rosie will be responsible for the reading of the minutes from last year.

President Report: Max

Insurance for 2012: Marilyn

Treasurer Report: Sharon (utilizing the amended 2011 budget)

Manager’s Report: Jon

Nominations Committee Report: Committee has nothing to report.

Old Business: From Owner’s 2011 Meeting

New Business:

Announcement of Election Results

Max made a motion that the Agenda as revised be approved for the Annual Meeting. The motion was 2<sup>nd</sup> by Bob, all were in favour.

**Set-up for Annual Meeting:** Jon will obtain the key on Friday to set-up the meeting room.

**Walk-around:** The walk-around was conducted by the executive committee, the minutes were sent out to the Directors. The focus on the walk-around was to indentify long-term projects as well as inspect the general area.

**Fines:** Judi Kromenhoek requested more detail to the fine that she received on her statement. She would like to know what it was for and who enforced it. Louanne stated that in the statements sent through QuickBooks, item, quantity and cost are the only information provided; she spoke with Jeanne and confirmed that utilizing the invoice feature would allow for an explanation. Barbara requested a timeline as to when the Attorney would make a determination on the Service Dog Issue. Max stated he was not at liberty to discuss the issue.

**Mailboxes:** Max had a request from Carolyn Wardwell to have the mailboxes replaced. During the walk around, it was noted the mailboxes were showing signs of rust. Louanne followed up on a lead from Carolyn from CA which was disregarded due to the prohibitive shipping cost. Max requested Jon follow-up with local merchants to see if they can be purchased or ordered on island.

**Employee Parking:** Rosie stated she had a complaint that employee's were parking in guest spots. Jon stated employee's park in available spots as they are available. Sharon suggested employees park alongside the dump truck. Max stated Jon will be responsible for employee parking.

**Illegally Parked Cars:** Sharon requested the parallel parking on Leeward that has 2 parking spots be striped where parking is illegal, signs be posted again, and Stickers be placed on windows of cars that are parked illegally.

**Security Guard Schedule:** Jon reported the sequences of the guard schedules in the past which has evolved to the current guard schedule being a roving guard on our property from 4-6p then at the Guard House from 6p-6a. The weekends are staffed with roving guards from 10am -6p then, from 6p to 6a at the Guard House.

Sharon asked what the events of the theft from L-22 were. Jon reported the facts as given by the owner to the police. The differences between this theft as opposed to the previous midday "crimes of opportunity" (unlocked doors) are:

L-22 was at night others were midday. Owner was in room adjacent to foyer, other; were on the seaside deck or not in the unit. The purse was taken and has not been found, others: cash was taken and the wallet/purse left behind.

Doug Rebak reported that he has installed devices that sound an alarm when the door is open or there is motion.

**Owner Renovation Request:** Max submitted a request to change his electrical panel to bring his power up to code and running a 220v line to his utility room. Max made a motion for approval of renovation, Barbara 2<sup>nd</sup>, all in favour.

Stickers on car: Sharon would like the security guards to apply stickers to cars parked illegally.

**L-01 Freezer on Porch:** Sharon reported her husband said there is no issue with the weight of the freezer. The owner is willing to make a cover for the freezer if it appears to be unsightly. Max stated that the white freezer is against the white shutters. Should a cover be made, it would be more visible.

**L-03:** Sharon stated L-03 sent a letter to Max that the addition to his unit was approved by the Directors. Max will forward a copy of this letter to the Directors. The Directors will have to decide if the owner will be responsible for increased charges to his common fees because he has increased his square footage. The Directors will also direct the green stripe to be applied.

**Manual Gate:** The gate is finished and will be delivered and installed this month.

**Security Gate:** No bids have been submitted by Kevin Cogan

**No Dog Signs:** Jon reported during a walk-around with Max, they noted CBE had attractive signs with their logo. He is working with Cool Signs to provide a similar design for CBW.

**Cowpet Road Sign:** The concrete needs to be rolled up and reset. The sign has been ordered by through Mad Max.

**Steps & Railing Painted:** Steps are completed up to L-08 with non-skid. Railings were not completed, on Windward they are being sanded down then repainted. Barbara reported that W-51 back of new stair was not painted.

**Step and Landing Repair:** We have replaced 3 with Chris Thompson at this time. Jon has asked several contractors for bids with the scope of work being: remove old brackets, through bolt and reinstall step. Contractors would like to do one before they commit to a price.

Sharon asked why we had purchased the angle iron and bolts for the entire property, Sharon stated that we were going to do partial order and only the steps that need repair were to be completed. The budget was for \$20,000 for the entire project and we have already spent \$14,000. Jon requested the Directors choose which stairs/landing be repaired. His understanding was we had \$50,000 allotted for this capital project. The budget was reviewed and there is \$50,000 on the budget for the stairs.

**Masonry:** Jon has not been able to find a contractor to commit to a fixed price to repair the spalling under the buildings.

**Tree wall damage repair:** The walls around the trees. Sharon stated that her husband, Bud, suggested take down the walls and replace with railing. The tree near L-26 is buckling the sidewalk and the road as well as the walls.

**Owner Workshop:** Jon is contacting the people that have items in that room to have them removed.

**CBE Bylaws:** Jon gave Max a copy of the CBE Bylaws.

**Surveyor:** A surveyor from public works has an "as-built" plan with no footings or markings and is attempting to find the property lines for Elysian, CBW, CBE, and CBR.

**Letter to Owners:** Max sent a letter to our neighbors that the volleyball net needed to be removed from CBW property as our liability insurance does not cover athletic activities.

**W-47:** Jon reported the events leading to the fines that were charged to W-47. There were multiple phone calls leading to our maintenance men looking for a water leak. The manager stated there was a maid there to let him in the unit. There was no one to let him into the locked closet Thursday, Friday, Saturday (x2). The problem was in the locked owner closet. The owner was instructed on Friday to contact a plumber, that it was not an Association issue.

Sharon stated she would write a letter to the owner explaining the events. Louanne provided Sharon a copy of the plumber's bill that explains the problem is the owner's. Jon will provide Sharon with any other data on the events she may need.

**Manager Report:**

**Filter Changes:** Monthly filter changes were completed as scheduled

**DPNR:** There were 2 inspectors on property yesterday. One was the annual inspection of the WWTP, the RO plant, and the potable water systems for the EPA and DPNR. The other inspector was here to inspect our fuel storage and SPCC (Spill Prevention, Control, and Countermeasure Plan) plan, kit, and Terminal permit. Facilities that have fuel storage over a specified limit that if spilled could find its way to navigable waters require this Terminal permit. DPNR began enforcing this permit process January 2012. CBW has in place, a SPCC plan and spill kit, and applied for the permit December 2010 with the application and a check for \$750. The inspector did not have the application on file. CBW will need to have formal training from the inspector for use of the oil diapers. Our Water Pollution Control, TPDES permit, Air Pollution Permit, and SPCC Plan and Terminal Facility Permit were all in compliance with no deficiencies.

**Other Action Items**

**Retain an attorney:** See HUD complaint above.

**Electronic Banking:** Louanne resubmitted to Directors. There was no discussion.

**Owners list with email addresses:** Completed and owners informed to request by email

**March Meeting:** The March meeting will be March 6<sup>th</sup>, at 0845am AST

**Meet & Greet:** Sharon stated the Meet & Greet is a social function and requested W-44, Judi not be permitted to provide any information regarding L-49 Doug to the event. Max agreed that it is a social event.

**Adjournment:** There being no further business, the meeting was adjourned.

### Action Items

Update signatories on First Account and include checking	Sharon
Annual Owner Meeting Package to Print	Louanne
Set-up for Annual Meeting	Jon, Max
Invoices for fines	Louanne
Mailbox replacements	Jon
Striping of no parking areas, posting of signs	Jon
Letter to W-47	Jon, Sharon
Letter from L-3 to Directors	Max
Increasing fees on units that have enclosed common area	Directors
Installation of manual gate	Jon
Bids on new automatic security gate/cameras	Jon
No Dog Signs	Jon
Cowpet Road Sign Base/sign	Jon/Louanne
Step & Rail Painting progress	Jon
Step & Landing Repair bids/progress	Jon
Owner Workshop clean-up	Jon