

**Bay City Property Owners' Association**  
**Meeting Minutes for October 4, 2007**

**Attendance:** Ivo Alviari, James Clark, Bob Craff, Chris Criswell, Dalene, Mary Margaret Dohme, Paul & Elizabeth Fitch, Holly Gossett, John Gott, Scott Harash, Tony Hendrickson, Jennifer Jones, Lisa Jones, Nancy Kunkel, John Lange, John McKim, Susan Mill, Drew Parris, Ben Porter, David Poust, Ann Reilly, Bob Reilly, Rob Ridgeway, Mary-Helen Risler, Leo Sincavage, Lou Stevens, Thomas Stokes, Ray Strang, Ann Summerfelt, Candy Tanner, Bill Turner, Lorne Vernon, Joyce Wesolowsko, Steve Whitmyer, Ed Williams, Debbie Wilson

John McKim called the meeting to order at 7:32 p.m. A quorum was present.

**President's Comments-** John McKim: Six building permit applications were reviewed prior to the meeting. The QA County sheriffs have increased their patrols of our common areas and have made a few arrests. New park signs have been received and will be posted. Bulkhead repairs to the northern section of the bayside park have been completed. Proposals to repair/riprap the southern section have been received. The Board recommended accepting a bank loan proposal that will be within the budgeted amount of our bulkhead replacement account deposits. The treasurer reported that 517 property owners are paid in full. Attorney collection letters will be sent next week to the 64 property owners who owe over \$300 per property. The Finance Committee presented 2 community briefings in anticipation of the by-laws questions. Proposed expenditures for 2007 exceed anticipated income by \$14000. The unpermitted dwelling construction on Irene Way property started on May 4, recommenced in September, and BCPOA filed a court request for an injunction. On Sept. 26, Judge Ross denied the injunction and gave Mr. Miller 10 days to file a response. Tree case (634 Bayside Drive): A proposal for tree replacement has been received from the property owner and BCPOA plans to make a counter-proposal. Additionally, the BCPOA request for by-law authorized reimbursement of \$21,435 legal fees was considered by QAC District Court on Sept. 18. Judge Ross denied the request. BCPOA has responded to request that the judge alter the judgment. Boat ramp: Ben Porter will organize a working group to devise strategies to minimize sand intrusion at the Boat Ramp.

**Finance Committee-**Ray Strang presented a history of BCPOA's finances. The \$80000 embezzlement and federal tax liabilities incurred in the late 1990's continue to have adverse effects on our financial status in 2007. The Board instituted changes in how disbursements are made to prevent a recurrence of embezzlement. BCPOA now has a formal budget process with checks/balances provided by the Finance Committee that reviews expenses/income quarterly. Additionally, the addition of structured maintenance and replacement accounts should facilitate us to meet the obligation of replacing / repairing assets when necessary. Currently, expenditures for 2007 are anticipated to exceed income by approximately 3000-15000. The Finance Committee recommends passage of the by-law modification to increase annual dues. A resident suggested that a hard copy of the financial information presented be made available. Legal fees were addressed in a discussion in which some felt that these expenses are important to maintain the deeded character of the community. Others felt that too much had been spent on enforcement. The committee was asked to delineate expenses accrued for the tree case and for the unpermitted building case.

**Stipulation of Minutes-** Minutes for the last meeting were approved

**Secretary's Comments-**Ann Summerfelt asked for ballots to be turned in before the end of the meeting. Votes will be tabulated next week to allow mailed ballots to be counted. Results will be distributed via email as soon as they are available.

**Treasurer's Report-**Ann Summerfelt: Beth Schreiner will be sending out the second notice billing. She has transferred money to cover the \$15000 Phase II bulkhead repairs from the Bulkhead Reserve, Restoration, Annual Repairs, and General Maintenance accounts. We are awaiting response from the attorney on the letter for recovery of past due accounts. Beth suggested that we explore having only one signature for boat ramp loan payments that need to be paid within the first 3 days of the month. Ann Summerfelt made the motion, which was seconded and failed to carry. Ray Strang moved that we investigate electronic transfer of funds for the boat loan. The motion was seconded and carried.

**Community 3-Minute Comment on By-Laws Issues:**

1) Ivo spoke in favor of continuing to pursue the unpermitted building case on Irene Way. He stated that if the board did not pursue the case, it would set a precedent that anyone can do anything on one's property.

2) Lorne Vernon pointed out that the Finance Committee by-laws questions were contradictory. He also said that there is uneven enforcement of by-laws. For example, violations in which businesses are run from homes are not pursued but \$20000 is spent on trees. He also wondered how many people use the boat ramp that cost us \$60000. He felt that we should use other existing harbors / boat ramps instead of spending more money on a channel that we can't keep open. We should cancel the dredging.

3) Doug Wallace: Before the sewer went in, the Board voted to combine road fees and dues. He believed that having them listed separately on the by-law proposition is inappropriate.

4) Frank Weske felt that the owner of the Irene Way property should be permitted to build.

5) Debbie Wilson was in favor of BCPOA dredging the channel. Residents who live adjacent to the creek paid \$2000 each for the initial dredging. Additionally, she asked for an accounting of money spent on each lawsuit.

6) Candy Tanner also wanted to keep the channel open and suggested that BCPOA collect overdue fees.

7) Ed Williams asked whether people would be able to vote who were not in good standing (answer=no).

8) Jennifer Jones supports Irene Way case by indicating that all should be required to have a permit. She also pointed out that the Boat Ramp topped the community wish list survey.

9) Ray Strang said that he will vote against Question 2007-2-RPM because he felt that BCPOA ought to be able to sell the roads without a majority vote of the property owners. He also indicated that he supports pursuing the unpermitted building case because Mr. Miller has never applied for a building permit

10) Ann Summerfelt supported Question 2007-2-RPM because she felt that community property should not be sold without explicit consent of the community. Previous discussions focused on what some considered an inappropriate sale of the Irene Way property that is currently being developed without a permit. Endorsing this question would help to prohibit questionable sales from occurring in the future.

11) Nancy Kunkel reported a problem with the policing of the park. Despite having a valid Bay City permit on their vehicle, some young residents were asked to leave the park. No signs were posted that said they couldn't be there after dark. After an apology was offered by some Board members, Ms. Kunkel was told that signs will be in place at the park this weekend that indicates when and by whom the park can be used.

12) Ms. Dohme would like to see a pavilion at the park. She also asked about why rules against spec building are not being enforced.

13) Bill Turner felt that because Bay City is a community that is based on waterfront and water access, the harbor and channel should continue to be maintained by BCPOA. He also supported action against the unpermitted building process on Irene Way. Mr. Turner asked whether the Finance Committee could guarantee that there would be no dues increase for two years. Ray Strang told him there was no guarantee.

**Boat Ramp**-Ben Porter: Will contact Dave Van Leeuw for advice.

**Resident Agent**-Ben Porter: Three packages have gone out.

**New Business:**

1. Ann and Bob Reilly of 721 Victoria Drive requested a permit for a 6' fence across the back of their property, which would minimize the use of their yard as a cut-through for kids & dirt bikes. Unless they request a limited time fence permission, the fence would need to be 5' across back yard, 6' across side that is on Bay City perimeter. They said they will modify their proposal.

2. A resident asked for assistance in bringing signs in Bay City into compliance with guidelines. It was suggested that she contact the QA County nuisance officer for help.

**Adjournment:** The meeting was adjourned at 10 pm.