



Minutes of the Meeting of the Board of Directors July 2, 2018

Call to Order

The meeting, held by conference call, was called to order at 5:05 PM. In attendance were:

Jeff Alpert, Lynn Barnard, Lou Anne Brown, Rex Cowdry, Fred Craig, Brian Johnson, Alan Reyner, Shawn Smith, and Cooper Young.

Approval of the Minutes and the Agenda

A **MOTION** to approve the items on the consent agenda (adopt the draft meeting agenda and the minutes of the May 21, June 4, and June 18 meetings was unanimously **ADOPTED**.

Finance Committee: Pro-rated Annual Assessments on lots 196 and 197R

The Treasurer reported that neither the Racquet and Swim Club property at 24 East Beach (which has been a recreational property and not classified as a residential lot) nor the lot at 26 East Beach have been assessed. Each was transferred to a new owner this year. The RSC lot (197R) now meets the definition of a Lot. The lot north of the RSC (lot 196/196A) also meets the definition.

A **MOTION** to bill the new owners of Lot 196/196A and Lot 197R for the 2018 annual assessment, prorated to the date of closing, was unanimously **ADOPTED**.

Tree and Tree Limb Removal

The Board discussed the responsibilities of the Association and a Lot owner for 1) trees located on a Lot that fall into the Association's right of way and 2) tree limbs of trees on Lots that may pose a risk to individuals in the Association's right of way. Pending review by the Association's attorney, the following approach will be taken:

- If a tree located on a Lot falls into the Association's right of way, any part of the tree trunk or tree limb in the right of way will be cut into lengths and placed on the Lot. Smaller debris in the right of way will be chipped.
- If the property manager or responsible Board member identifies a tree located on a Lot that, because of death, disease, or damage, poses a risk to individuals and vehicles in the right of way:
 - if there is an immediate danger, the Association may take action to remove any part of the tree that is in or above the right of way;

- if there is not an immediate danger, the Board will formally request the Lot owner to remedy the potentially dangerous situation. If the risk is not removed within a reasonable period stated in the notice, the Board may take action to remove any part of the tree in or above the right of way and will bill the Lot owner for the removal.

Nominating Committee Report

The co-chair reminded the Board that staggered terms and term limits were adopted in September 2017. At that time, two board members, Rex Cowdry and Fred Craig, volunteered for an initial one-year term; Alan Reyner was selected by lottery as the third board member to have an initial one-year term. All 3 have chosen to run for a second term. The Committee also nominated two additional property owners interested in serving on the Board, Maggie Glezer and Tom Manley.

A **MOTION** to send the five names to the property owners by email transmission, as specified in Article VII of the By Laws, was unanimously **APPROVED**.

Policy Regarding Keys for the Gate to the Sanctuary and Cape Creek Marina

A draft policy was presented, designed to limit the number of keys in circulation and help assure adherence to the deed restriction governing travel along the Association's roadway through the Sanctuary. As one control on access, the new padlock has keys that cannot be duplicated. Following discussion of the appropriate fees and process for requesting keys,

A **MOTION** to approve the Policy attached to these minutes was unanimously **ADOPTED**.

Upcoming Ballot on Road Options

The question of whether to include one-page summaries by the advocacy groups with the road options ballot was discussed. There was unanimous agreement that the advocacy statements should not accompany the ballot; instead, the cover letter would note that information from the three informational meetings (including the advocacy presentations) is available on the Association's home page.

The President noted that our attorney will not be able to address the questions about the ballot until after July 4th, and that a special meeting of the Board to adopt wording for the ballot would be held shortly after we receive the attorney's comments.

The ballot and ballot certification will be sent both by mail and by e-mail to help assure receipt, particularly for those on vacation. All ballots and ballot certifications must be returned by mail. The deadline for return of the ballots will be set at the upcoming special meeting of the Board.

Conservancy Request

The President presented an informal request from the Conservancy to operate kayak trips from, and to store kayaks at, the Cape Creek Marina. There was a consensus that the Cape Creek Marina property should serve Middle Island property owners and that a significant number of transient guests on Conservancy tours would both detract from the seclusion of the Marina and stimulate trespassing at

times other than Conservancy tours. The President will talk with the Conservancy's Executive Director.

During the discussion, concerns were raised that commercial outfitters continue to use the ramp at the Bald Head Creek fixed dock, which the Board has not approved. In addition, a recommendation made that we re-circulate the Middle Island welcome that property owners should leave for any renters, which includes our dock use policies.

Procurement: Warning and Detour Signs

A **MOTION** was made to approve the purchase of two warning signs and two detour signs that will enhance the safety of our employee when he is working in the roadway. The motion was **AMENDED** to include the purchase of a safety vest. The amended motion was unanimously **ADOPTED**.

Adjournment

The meeting was adjourned at 6:08 PM.

POLICY REGARDING KEYS TO THE GATE TO THE IBIS LAKE SANCTUARY / CAPE CREEK MARINA

To help improve security at the Marina, limit the number of unauthorized users, and reduce the cost of key management, the Association is limiting the number of keys to the gate to the Ibis Lake Sanctuary and Cape Creek Marina.

- **One key** will be sent, at no charge, to:
 - The owner of an improved lot
 - These keys will be sent by mail
 - The owner of an unimproved lot, on request.
 - This key will be sent by mail to any owner who has requested by July 2.
 - Thereafter, key requests should be sent to middleislandpoa@gmail.com
- **A second key** will be provided at a cost of \$10 to:
 - The owner of an improved lot, on request.
 - The owner of more than one lot, on request.
 - The owner of an unimproved lot who provides the Board with a good reason for having a second key.
- Any owner requiring a **replacement key or a third key** should send a request explaining the need. If issued, there will be a \$25 charge.
- If an owner has an **urgent, temporary need for a key**, David (or a Board member with a spare key) may provide a key after sending a picture of the owner's driver's license to middleislandpoa@gmail.com and collecting a \$50 deposit to assure return of the key.
- The **BHI Conservancy** will receive three keys at no charge.

Requests for keys should be sent to middleislandpoa@gmail.com If approved, an email will be sent to the owner, to Brian Johnson, and to David Ward. David Ward or Brian Johnson will issue the key, on receipt of a check made out to MIPOA.

Because of the deed restriction limiting access to owners and accompanied guests, each key holder agrees that only Middle Island property owners and Conservancy staff will use the keys.

- Specifically, the key shall not be available to renters.
- The key may not be used by Middle Island house guests when the owners are not on the Island. (this is actually a generous interpretation of the deed restriction, which forbids use by "unaccompanied guests")