

Eagle Bend Yacht Harbor & Boat Slip Owners Association

Annual Meeting

Saturday June 10, 2023,10:00 a.m.

Eagle Bend Yacht Harbor Clubhouse

Call Meeting to Order: President Lane Ross called the meeting and established that a quorum had been met with 34 members in attendance and 16 proxies. A quorum is defined in the bylaws as 25% of the membership constituting 48 voting members either in person or by proxy.

Pledge of Allegiance recited by all present.

Board Members Introduced: Jon Cantwell; Michele Tenerowicz; Pam Lynch; and Bill Hendrix. Also in attendance was property manager Dave Roberts.

Election of New Board Members: Dave announced there are four positions open and the current Board members who are seeking reelection are Lane, Bill, Pam, and Jon. Brian Antweil said that the packet announcing the Annual Meeting did not provide the election information and members need to know in advance of the election. He also stated that in the bylaw it states that the Annual Meeting will be held on the 3rd Saturday of June and questioned why this was not being followed. Mr. Antweil felt that the 2nd Saturday in June is too early as only 30% of the slips are occupied. The Board needs to follow the rules as stated in the bylaws. Dave asked the members if anyone had an objection to moving forward with the meeting. Unanimous agreement to proceed with the meeting. Dave asked for nominations from the floor and Donald Lamson expressed a strong desire to run for the Board and was nominated by the group and seconded by David Ewert. Donald gave a short history of himself and his history with the Yacht Harbor. Brian Antweil was also nominated from the floor by Janice Lentz, and this was seconded by Kim Rose. Brian gave a quick background on himself. He is an attorney who lives in the winter months in Huston Texas and a boat slip owner since 2015. He has served with the Board of Lakeview Park Villas and was instrumental in handling much of the legal work for the Harbor Village Community when the association divided into five (5) separate HOAs. He described himself as tenacious

and felt that there was a need for new members on the Board. The Board members who were present at the meeting also introduced themselves. Lane Ross welcomed the response of new candidates as he also desires to have new blood come in, and in the past, no one was willing to serve on the Board. He has served for 17 years on the Board in different roles. Bill has been a boat slip owner for 17 years and retired from a career in financial investments. Bill said he was excited to see the desire of the membership to be willing to serve on the Board, he would be happy to continue to serve on the Board if elected as he feels there is a learning curve to all the different areas that make the Harbor run. Jon is currently working on government compliance documentation. He lives next door to the Harbor and is able to keep an eye on the activities taking place during the day. Pam is a retired Army Captain and served as a nurse for five (5) years. She described herself as a rule follower and has served on the Board for four (4) years. She also welcomes members who are willing to serve on the Board. Michele and her husband purchased their slip in 2010 and have served on the Board since 2012. She is in charge of all Socials that are held in the summer months. Dave instructed the members on the voting asking the membership to write in both Donald Lamson and Brian Antweil. The voting took place with members marking their ballots. Janice Lentz picked up the ballots and formed a committee of 2 other members and they departed the meeting to count the votes.

President's Overview: Lane said that this has been a difficult start to the season. This is due to the insurance claim from the hailstorm in July 2022, and Harbor Master Amy Stewart's failing health. Lane thanked Dave for all his hard work for the community. There was a total of six (6) boat slips that were sold last year.

Management Overview: Dave's role as Property Manager is to perform the duties that the Board asks and to manage the property. The hail damage from July 2022 damaged the rubber railing on the docks and the roof on the Clubhouse was affected and he has been working with the insurance companies for over a year to get reimbursements. The Yacht Harbor has 100% coverage, and the docks are also covered. The new roof was completed three (3) weeks ago and work on the white rub-rail is still being conducted. The bid for the repairs came in at \$91,000 and the insurance company gave us \$86,000 due to the fact that the Yacht Harbor had a \$5,000 deductible. The issue with the rub-rail is that the contractor has not finish the project, as they failed to pull out the nails that are exposed from the damaged

railing. Dave and Jon are working on getting this resolved by hiring a new contractor. Big Sky Docks was the contractor, and they had many items that were listed in their contract that have not been done. Dave held back \$27,000 from the last payment and this will cover another contractor to finish the job.

Introduction of Boat Attendance: Courtney Boese is the lead attendant for the summer. Keegan Williams is a new hire and Chloe Converse is also back this year,

Treasurers Report: Dave sent detailed financials for the year ending in 2022 and the comparison sheet for the year of 2021. Also included in the packet was the budget overview for 2023. The Board moved \$250,000 to a CD to earn more interest than in a Bank savings account. Bill Whitsitt congratulated the Board for their work on the Harbor and keeping the grounds looking so wonderful. He asked who the Treasurer of the Yacht Harbor Board was, and Pam Lynch said that she held that position. Bill then asked Pam if the Board would please follow the resolution that was adopted on June 15, 2019. The motion stated “To conform budgeting and assessment practices of the Eagle Bend Yacht Harbor and Boat lip Owners Association to the letter and intent of the Association’s CC&Rs and bylaws and to good association management practices, and recognizing that the fiscal year of the Association is the calendar year, it is hereby moved that:

- The Board of Directors of the Association proposes and distribute to members by November 1 of each year a proposed budget for the coming calendar/fiscal year, such budget to include items set forth in the CC&Rs and bylaws and receive comments on the proposal. The proposed budget shall have an accompanying explanation of the proposal and its elements.
- Based on the budget proposal and comments received, with a summary explanation of comments received, the Board set and notify members by December 1 of each year the dues and other assessments to be invoiced for the coming calendar/fiscal year.

Bill said the membership voted unanimously on this resolution and asked the Board to please implement this in the future. Dave acknowledged that this needs to be done.

Fuel prices for 2023 were discussed and due to the fact that the tanks have not been filled this year Dave was not sure of the price. He reminded members that if

they paid their January dues by March 15, 2023, they will be eligible for the fuel discount, which is 20% off the original price.

The Capital Reserve Plan was discussed, and members wondered how the Board is balancing the increases in products. Dave said that the cost of weed abatement has gone up, but the Board did not want to raise the dues as it was only a small dollar amount. The Board took money from the Operating account and deposited it into Aquatic Weed checking account to pay for the difference. Dave will send out the Capital Reserve 15-year plan for the members to review. On this plan is also the cost to replace the dam, but that is a floating date as the dam is still in good condition.

Committee Reports:

Weed Abatement: Lane reported that the Harbor is using a chemical which is showing pretty good results, but the weather makes a big difference. The price for this weed abatement went up this year and it cost \$16,000 and in the past the Harbor spent \$11,000. The product's name is Sonar One. In the past we had a representative from Sonar One come to the Harbor and they gave us the correct dosage, and this has been followed each year. A member talked about the weed abatement in the canal and having the homeowners pay for the cost of this abatement. Lane said we have a unique permit to put chemicals in the water and can only be used when the dam is up. In the past the chemical was distributed in the canal and at that time we did not charge the HOA for this. The Yacht Harbor owns the canal and owes the land under the water. After much discussion Randy Snyder who is legal counsel for both the Yacht Harbor and the HOA where the canal runs suggested that a dialogue be started with the owners who live alongside the canal to pay for the abatement to take place. Lane said he will look at what it would cost and then meet with the homeowners and come to an agreement.

Social Committee: Michele has three (3) socials scheduled for 2023. Because of the retirement of Vista Lynda, it has been difficult to find a caterer. Bill Goosh will be at the next social and it will be a BBQ, but we are asking the members to please bring sides and a salad.

Member input for improvements: Dan Lamson asked if there could be security cameras so that we can view activity on all the docks. There are three cameras at

the present time. One on docks “C” and “E” and one on the maintenance shed. The members asked that all the docks have a camera.

Codes on the gates have not changed and many of the members are requesting to have new codes issued. Lane said the Board will get this done and as of July 1, 2023, new codes will be issued.

New Business:

Moving the Annual Meeting, to comply with the bylaws, to the 3rd Saturday in June. There was discussion and Brian made a motion to move the next Annual Meeting in 2024 to the 4th Saturday. This motion was seconded by Jon Cantwell and the vote was conducted by the showing of hand and motion passed. The Annual Meeting in 2024 will be June 22.

Renters: The Board is currently working on revising the Rules and Regulation as they are very ambiguous. Randy Snyder is our legal counsel, and he is helping the Board with the new draft. The Board is also looking at a system of progressive fines. If these new rules are adopted, then the owners are responsible for their renter’s infraction, and will be obligated to pay their fines.

Election Results: Dave announced the results of the vote. The Four (4) Board members elected were, Lane Ross, Bill Hendrix, Pam Lynch, and Jon Cantwell. Lane thanked the members but expressed that members who are interested in serving to please let the Board know as they are very interested in getting new members on the Board.

The membership then discussed if they could change the bylaws to increase the number of members on the Board. A motion was made by Kim Rose to expand the Board by two people and to change the bylaw to expand the number of officers on the Board to nine (9). This motion was seconded by Brian Antweil. The motion passed but Legal Counsel Randy Snyder said this was in violation of the bylaws. The Eagle Bend Yacht Harbor bylaws state that a change to the bylaws can be made if 2/3 of the entire membership agree to the change.

Lane said a Board meeting will take place in July to elect officers to the Board. This meeting date will be announced to all the members and will be open to all who wish to attend. Dave will notify the membership of the date.

Gary Mahugh, who is the Fire Chief in Creston thanked the Yacht Harbor for allowing special cold water rescue training to take place each winter. Gary said that there are about 40 firefighters who attend and participate. Bill Hendrix and Michele Tenerowicz provided pizza and salad for the firefighters. He thanked the community for the use of the facility.

Adjournment 12:15 p.m.

Bugsy Yarbrough Recording Secretary