

Epworth Forest Pier Administration Committee
Meeting Minutes
March 23, 2012

MEMBERS PRESENT: Ron Erb and Nick Yarde.

MEMBERS PRESENT VIA PHONE: Ruth Buell and Brian Yahne.

REMC REPRESENTATIVES PRESENT: Brian Harding and Beth Mahoney

GUEST: Bert and Sharon Anson 48C

I. CALL TO ORDER – The meeting was called to order at 9:37am.

GUEST: Sharon and Bert Anson came to the meeting regarding questions and concerns they had for the PAC:

- Can the community be notified of when committee meetings will be held?
- Can the community have copies of the minutes?
- Can there be more communication sent to the community on what is going on with the current legal situation and the plan for the 2012 season?

Brian responded by explaining that Bradley Management along with the PAC have been work the past 9 months since the June meeting on the created policy, plan, enforcement options and identified where problems exist and where residents are not cooperating. There are several lawsuits in place at this time and we are getting constant push back from the residents rather than cooperation to make the current shoreline plan work. At this time the courts have not made any rulings and are honoring the current judgment of 1994. The conference has not been relieved of any responsibilities and has continued business as normal. Once we have additional information to send to the community, Bradley Mgmt on behalf of the PAC will send out communication to the community and in a format determined by the PAC. Further consideration of how to get minutes out to the community and the availability of notifying the residents of meetings will be discussed at the April 13, 2012 PAC meeting.

II. APPROVAL OF THE MINUTES FROM the June 16, 2011 COMMITTEE MEETING – Ruth made a motion to accept the minutes as written. This was seconded by Ron. All in favor. Motion carried.

III. FINANCIAL REPORT – Brian noted that statements were mailed to all owners January 9, 2012 except for residents that were identified as in question to be relocated which will be addressed later in the meeting. The 2012 budget documents were distributed and the following number to date were discussed:

- a. **Shoreline** - \$15,830.34 collected to date; (current cash on hand is \$9,010.58) 59% paid as of 3/23/2012, 98 paid, 84 not paid in full (\$17,488.99 delinquent including past due balances).
- b. **Community** - \$6,282.00 collected to date (current cash is \$7,785.33). 84% paid as of 3/23/2012, 20 paid, 3 unpaid (All delinquent have been contacted and will be sending payment) 1 vacant (1 long).
- c. **Collections** - Delinquent accounts will be sent a statement with \$50 late fee every 30 days. This is to begin to reflect late fees for March 15th, April 15th, May 15th and then further legal action will be taken. Several owners have put their pier fees into an escrow account. These owners have been notified and will be reminded that putting their pier fees in escrow does not negate their financial obligation to the conference and will not be accepted as a form of payment. Late fees will be assessed to these owners.

IV. OLD BUSINESS

- a. **Future Management / Legal Update** – Brian again noted that Bradley Management has been in frequent and regular contact with the Conference attorneys regarding the lawsuits that are pending. He emphasized, as the lawyers have to him, that until the court makes a new ruling, it continues to be business as usual and the PAC should be continuing to enforce the

1994 judgment. He also noted that Bradley is willing to continue to fulfill its management contract to the Conference, and the Conference is aware that the funds for Bradley to do so may not be sufficient from pier fees collected given the hesitation among a larger number of owners given the pending lawsuits – therefore the Conference is willing to put up the funds necessary to cover the mgmt costs per the contract should it come to that. Brian emphasized a questionable future for the Committee and for Bradley’s mgmt given the outcome of the suits and encouraged all to continue to forge ahead until decision or directives are given to the contrary.

b. Committee Members –

Ron Erb – Appointed 2008 / Term Expired – 2011: Ron has volunteered to maintain his position on the PAC and the Committee supported his continued appointment until 2014 unless another interested off-shore representative expresses interest and would like to replace him.

Brian Yahne – Appointed 2010 / Term Expires 2013

Nick Yarde – Appointed 2010 / Term Expires 2013

Ruth Buell – Reappointed 2011 / Term Expires 2014

Open on-shore position

A notice is to be sent to community looking for interested parties to represent on-shore and off-shore open positions.

c. Communication – Brian Harding noted that official communication (community meetings, letters, and newsletters) with community members has been slightly less than usual over the last few months given the looming lawsuits and unknown future – however, the number of individual conversations, emails and letters with the members of the community are higher than ever for the same reason. The group discussed different options of ongoing communication which could be in the form of a newsletter, posting on the Epworth website and the possibility of having an annual meeting. Brian also asked the PAC if they would like to consider “open meetings” with executive sessions held for discussion on confidential issues. After some time, the discussion was deferred to the April 13, 2012 meeting.

d. Shoreline Documentation Spreadsheet - The PAC was presented with a revised shoreline spread sheet that was updated from the June 16, 2011 meeting and shoreline walk noting each person who would need an initial letter informing them that they would need to adjust or be relocated.

- Owners identified by the PAC members at the June 16, 2011 shoreline walk to be relocated (identified in orange on the shoreline documentation spreadsheet):
 - i. 21A – Not enough room for pier.
 - ii. 21B – Assignment re-assigned to Mclaughlin based on 2 lot ownership.
 - iii. 22C – Assignment re-assigned to Schlagenauf based on 2 lot ownership.
 - iv. 38A and 39B – Not room for both piers, one must be relocated.
 - v. 49A – Assignment re-assigned to Perich based on 2 lot ownership.
 - vi. 54A and 55 A – Not room for both piers, one must be relocated.
 - vii. 58A – Not enough room for pier.
 - viii. 75A – Reassign based on accessibility issues.
 - ix. 75B – Reassign based on accessibility issues.

The PAC reviewed pier issues identified on the updated shoreline documentation spreadsheet.

- New Owners (2) - The PAC approved the transfers of Pier 23 to new owner Dagget and Pier 59 to new owner Shinn.
- Orange (5) – Pier assignments that need re-located: Deferred to the April 13, 2012 meeting.
- Orange (2) – Pier assignments that need re-located between 2 piers – one pier may stay.
 - A discussion on the method to determine which pier assignment would be

relocated was held. Brian Yahne did not agree with the coin toss and believed the decision to eliminate one pier should be based on historical documentation. Nick Yarde made a motion to proceed with a coin toss. No second, the motion failed. Ron Erb made a motion to table the coin toss until the next meeting. No second, the motion failed. It was reminded to all members that it had been decided during the 2011 lottery for last season that a coin toss would be used to identify the pier that need to be relocated vs. the pier that would keep the current pier assignment because not all historical documentation was available to be reviewed; that the same procedure should be used to decide the status of these pier assignments to stay consistent. If no other motion was brought to the table, a coin toss would be used to identify the pier assignments. No motion was made; the coin toss proceeded.

- 38A vs. 38B – Harold Yoh an independent party, Epworth employee was selected to flip the coin. 38A would be heads, 38B would be tails. Tails was the winner; 38B will remain in their pier assignment and 38A will be sent a letter that they will be re-located. The relocation will be addressed at the April 13, 2012 meeting.
- 54A vs. 55A – Marsha Liechty an independent party, Epworth employee was selected to flip the coin. 54A would be heads, 55A would be tails. Heads was the winner; 54A will remain in their pier assignment and 55A will be sent a letter that they will be re-located. The relocation will be addressed at the April 13, 2012 meeting.
- Orange / Red -2 owners to be relocated based on accessibility - Deferred until the April 13th meeting.
- Red – 5 owners that had previously been re-assigned, but may have accessibility issues:
 - 4B – Owner is currently using another owner’s pier. A letter will be sent to identify if the owner would like to relinquish their rights to the pier assignment or make the appropriate payment to keep the pier assignment.
 - 9A – Owner currently has a spot on the community pier. A letter will be sent notifying the owner if they intend on keeping the on-shore pier assignment they must pay for both the on-shore pier assignment and community pier. If they choose to forfeit their on-shore pier assignment they will go to the bottom of the wait list of those owners who have been displaced.
 - 71A – Deferred until April 13, 2012 meeting.
 - 72A – Deferred until April 13, 2012 meeting.
 - 85A – Deferred until April 13, 2012 meeting.

V. NEW BUSINESS -

- a. **Vannatta – Renewal of parking assignment in fire lane:** Will be ratified at the April 13, 2012 meeting.

ADJOURNMENT: The meeting was adjourned at 12:39 pm. The next meeting will be on April 13, 2012 at 9:30am.