

**Bay Quarter Shores Association  
Board Meeting Minutes  
April 11, 2008**

Meeting was called to order at 8 p.m., John Collier presiding.

Board members present: Michael Goodrich-Stuart, Jennifer Troy-Black, Frank Klein, Mike Silagyi, Fraser Getgood and Stan Johnson; also present were Dick Lee, Frank Stewart, Jill Goodrich-Stuart, Mark Barry, Curtis Black, Mike & Theresa French, Jackie Getgood, and Roger Allers.

1. Minutes of the March 8 meeting were approved unanimously.
2. Jennifer Troy-Black gave the financial report. Assets as of 3/31/08 were \$177, 405.01. Mike Silagyi had questions on a few line items including an overrun shown on the picnic table budget; expenditures shown for riprap; and costs beyond \$3,875 listed for clubhouse repair and maintenance. Jennifer said she would look into these items. Mike also noted equipment fuel costs would likely exceed the amount budgeted for the year. The report was accepted unanimously, noting that pending questions are to be addressed.

**Old Business**

1. Stan Johnson reminded the board that he plans to attend the POAVA meeting April 17 and said he will report back to the board on it in May. He said that the agenda mentions new legislation will be discussed.
2. Stan reported on Clean-up Day, scheduled for April 12. Ten projects are prioritized for members to sign up and work on. These included (in priority order) painting the entrance pillars; painting access lot fences; painting the clubhouse fence; sealing boat ramps and other ramps; painting the campground bathhouse; clearing drainage ditch obstructions; weeding the bulb bed at the clubhouse; picking up roadside trash; and clearing nature trails. Mike Silagyi has acquired painting supplies; a spaghetti lunch will follow and is being prepared by Roz Johnson and Jean Ince.
3. General discussion surrounding the offer of a lot as a gift to the association began when Frank Klein moved to accept the donation and his motion was seconded. Mike Silagyi was concerned about the loss of dues such a gift would cause, and the precedent it might establish. Fraser Getgood noted that if we accept such gifts, the association's income would fall due to lost association dues. John Collier said that once a property is taken into the association's ownership, it is freed from property tax burden. Dick Lee believes the property in question is a year late on its association dues. Fraser asked what the association has to gain were we to accept the gift. John noted that we cannot sell it for a profit (over the assessed value) or we put our non-profit status at risk. In the past, the association owned a number of "surplus" lots that were offered for sale at their assessed values. Many sold, but others did not. John felt that were we to accept the gift lot, dues would be lost and any funds raised through the sale of said lot would be

negligible. After some more discussion, the motion came up for a vote and failed with no votes in favor.

4. Stan Johnson spoke about the state-mandated reserve study that is underway, and offered thanks to Jim Ince, Walter Rosch and Frank Stewart for their help. He presented the board with a draft document and asked members to submit input to him via e-mail so that he can assemble a final draft for the May meeting, reflecting any comments, corrections or suggestions. In short, the study makes several recommendations, including the establishment of a discrete Reserve Fund line item in the association's accounting records; an annual increase in dues of \$30 per lot earmarked specifically to fund the reserves required for capital goods replacement (or, alternatively, two lump-sum assessments charged now and in 10 years of \$233 and \$343 per lot); the adoption of a procedure of order requiring that the board use any monies taken from the Reserve Fund only after a specific motion is approved by the board in an open vote; and homeowners' dues be raised in the future annually based on the Consumer Price Index (CPI) to keep pace with the general increase on the cost of doing business. There was some discussion as to what types of costs would qualify to use funds from the Reserve. The recommendation to earmark funds for specific capital improvements or to replace big-ticket items (i.e. the swimming pool) was also made. Frank Stewart noted that a condition survey of the swimming pool by a maintenance company will be done in the fall and he anticipates the cost to make needed repairs will be in the range of \$25-35,000; the estimated cost to build a new pool from the ground up could be \$300,000. The Reserve Fund and earmarked monies would help the association plan for such costs so we are not caught by surprise or someday find ourselves unable to deal with the replacement and/or upkeep of costly items such as this one. General agreement on the desirability of an annual dues increase compared to the lump-sum alternative was reached, though no vote was taken.

### **New Business and Officer Reports**

1. Mike Silagyi gave the following maintenance report:

#### ***Campground***

*The water in the campground was turned on April 1, 2008, and the bath house opened.*

*The heating elements of the water heater in the campground had to be replaced on April 3, 2008.*

*Mike would like to thank the following people for their help with cleaning the campground: Frank Stewart, Dave and Sue Proffitt, and Bart and Tammy Svoboda.*

#### ***Clubhouse***

*The exterior bathrooms at the BQS clubhouse are now open 24 hours a day. The showers at the clubhouse will be available until the pool opens. When the pool opens the*

*showers at the clubhouse will be shut off for the summer due to people leaving them on which floods the floors and overloads the septic system.*

*A piece of white fascia trim on the west side of the clubhouse was blown off by high winds on Thursday, March 20, 2008. James Davenport replaced the fascia for \$200 on Friday, March 21, 2008.*

### ***Picnic Tables***

*Bill Sanford did an excellent job of constructing and labeling twelve new picnic tables. Ten tables were placed in the campground, one at the canoe dock on Presley Creek, and one under the shade tree in front of the tennis courts. All the old red picnic tables, with the exception of those held in concrete, have been removed.*

### ***Concrete Pad***

*The contractor started work on Wednesday, March 19, 2008, installing the concrete pad along the east side of the clubhouse. Concrete was poured Friday, March 21, 2008. Work was completed when the forms were removed on Wednesday, March 25, 2008. Work was performed for the agreed-to price of \$3,875.*

*Top soil was used to back fill around the pad and low areas around the septic tanks, and grass seed planted.*

### ***Playground***

*A plastic toddler swing was replaced on the swing set. The old plastic seat was torn in two places where the chains attached to the seat. Mike thanked Frank Stewart for ordering the swing. BQS reimbursed Frank, \$97.32 on Thursday, April 3, 2008.*

### ***Kubota Tractor***

*The Kubota tractor was taken into Cleggs for repair of an oil leak on Tuesday, March 18, 2008. The seal around the oil pan was ruptured. It was also time for the 1,200-hour checkup. The cost was around \$705 for parts and labor.*

*Mike wanted to thank Bill Sanford for transporting the Kubota to and from the repair shop, and using his trailer to do the job. This saved BQS time and money.*

### ***Budget***

*Frank Klein and Mike are working together on the 2009 budget for Administration and Maintenance. A draft copy of our budget was emailed to each of you on March 27, 2008, for initial review and comment. Mike has only received one comment so far.*

*In his notes from when we established the 2008 calendar Mike has a notation that draft budgets need to be prepared for the May 10, 2008, meeting. The budget will then be discussed at the July 5, 2008, meeting since there is no meeting scheduled for June.*

### ***Depth Markers***

*Bill Sanford constructed, painted and labeled two depth markers. They were installed on each side of the boat ramp.*

### ***Table***

*One of the folding tables was removed from the clubhouse Easter weekend and has not been returned.*

### ***Channel Marker***

*The red channel marker at the entrance to Cod Creek was up-righted for nothing by a contractor. The contractor asked to use the BQS Access Lot on Bay Quarter Drive for equipment and supplies for a dock that was being constructed at 396 Bay Quarter Drive. In return, BQS asked the contractor to up-right the red channel marker.*

### ***Pool Pump House***

*Around May 5, 2008, the single momentary switch in the pool pump house will be replaced with two momentary switches. The old unit was rebuilt last year after the wiring was found to be smoldering. The interior components are corroded. We will now have a momentary switch for each pump.*

*A momentary switch will not allow the pumps to restart automatically after an electrical interruption. This is a fire and safety issue. The water pumps have a tendency to allow all of the water to drain out during a power outage. If water is not circulating through the pumps when they are started they will burn up.*

*Mr. Haynie, the electrician, ordered the two momentary switches last summer but he did not receive them until after the 2007 swimming season closed and BQS had shut down the pool.*

### ***Internet Access***

*Mike talked with the owner of Kaballero.com on Friday, April 3, 2008. Using a fire truck to simulate the height of a possible tower, Kaballero performed tests from the barn and clubhouse to determine the potential coverage area.*

*Kaballero is a Wireless Internet Service Provider. A radio frequency is used to communicate between your home computer and their system. A service pole with an antenna is installed at a location close to a source of electrical power. Kaballero will*

*provide free Internet service to a customer who allows a service pole to be installed because of the electrical power that is used. The customer's electrical bill is increased by about \$2 per month. (In other words, if BQS permits Kaballero to erect two towers at the clubhouse and barn, we will have free internet access at those locations.)*

*A subscriber needs to have an antenna installed on their home. A wire is then installed from the home antenna to the customer's computer or router. A router will allow a customer to connect more than one computer to Kaballero.*

*As Mike recalls, the installation cost for the home antenna and wire is around \$290. The customer does not need to install any software. The communication speed is at least 1 megabit per second which is 500 times faster than the typical dialup speed of 2 kilobits per second.*

*The owner of Kaballero will get back with Mike in two to three weeks with the results of their study. We will drive around BQS and he will show me the areas that are covered and those that are not. The more subscribers that are obtained, the more poles and antennas that can be installed and the better the coverage area. Currently he is anticipating installing a pole at the clubhouse and a second at the barn.*

*Access fees for residential customers are \$39.95 per month, \$37.95 for three months, \$35.95 for six months, and \$34.95 for twelve months.*

## **HVAC**

*Friday, April 4, 2008, RMC Mechanical Contractors performed the spring checkup/maintenance on the air conditioning system in the BQS clubhouse. No problems were found.*

## **Septic System**

*Mike talked with Thomas W. Beasley on Monday, April 7, 2008, regarding an inspection of the clubhouse septic system. Mr. Beasley is the contractor who installed the septic system during June 2007. He recommended that we pump out the tank in August or September of 2009. At that time they will inspect the filter at the pump tank and make sure that it is pumping clear effluent to the Puraflo modules. If the water stays clear that is pumped to the modules, the peat in those modules should last us in excess of 10 years.*

## **VDOT**

*Bill Sanford talked with Mr. Fallin of VDOT on Tuesday, April 8, 2008, regarding clearing the ditches of leaf and grass debris. VDOT arrived during the afternoon of April 8 and cleared the leaf debris from the ditch in front of the clubhouse. VDOT arrived April 9 and cleared from ditches that did not front developed lots. However, not all ditches were cleared in the development.*

*Mr. Fallin indicated that VDOT will make repairs to damaged culverts after BQS identifies the damaged culverts.*

### **Sign**

*Mike would like to thank Wally Redman for repainting the BQS entrance sign on April 10, 2008. Also, Mr. Redman refused reimbursement for the paint. The bold colors enhance the entrance to our community and warmly welcome our members and visitors.*

2. Stan Johnson gave a compliance report, noting that he has recently sent out nine boat/trailer stickers and has one still to be delivered. He also said that responses to a couple of letters sent asking lot owners to clean up their properties have been positive.
3. Frank Klein brought up a question about the wireless internet service noted in Mike's report. He wondered if we would be able to have access in the clubhouse at no charge. Mike Silagyi responded positively. Mike also mentioned that the owner of the internet company had indicated that the clubhouse-area pole might be best located on the point or land at which Cod Creek enters the Potomac River. The board gave its general assent to this location.
4. Fraser Getgood noted a court case that took place after Fairfax County put water intakes into the Potomac River and was sued unsuccessfully by Maryland. The court decision in that case has had a downstream impact in terms of how Maryland and Virginia regulations are being enforced locally. Formerly, Maryland laws and rules concerning piers and docks were being used to determine the length and size of piers in Maryland waters (which start when you step into the Potomac River from the Virginia shore). Maryland limited the T heads of piers to 200 square feet. Virginia, on the other hand, permits up to 400 square feet and also allows pier length to be much greater. Fraser noted that Bay Quarter Shores could, if it wishes, amend covenants to limit piers to Maryland standards. He has recently been asked to approve piers on Cod Creek and the Potomac extending 120 feet past mean low water, and he predicts we may begin to see much longer docks with boat lifts and expansive heads. He asked the board its general feeling on this situation. John Collier said he doesn't feel comfortable limiting a property owner's use and enjoyment of private property. Fraser says that right now, he is compelled to approve permit applications if they adhere to Virginia regulations. Theresa French wondered if we could request anyone building a lengthy pier to install a warning light at the end to prevent watercraft from running into them at night.

### **Member Time**

1. No members had comments. John Collier wondered whether it would be beneficial to the community to invite local restaurateurs to set up booths or tables at the Memorial Day picnic to introduce themselves to the community. This idea was generally considered worthwhile.

There being no further discussion, the meeting was adjourned at 9:35 p.m.