

High Bar Harbor Yacht Club
Board Meeting Minutes
Sunday, December 5, 2010

Board Members: Dave Hall
Tom Gardner
Meaghan Cannon
Jim Frank
Bruce Shulan

Treasurer Ed Meline

Employees: Mark Hazley
Stacy Bernstein

Executive Session called to order @ 10:00 am

Board Meeting called to order: 11:00 am

Operations Manager Update – Mark Hazley

- Resurfacing south walkway and F-dock. Used one unit of wood @ \$649 and ordered another unit.
- Ordered a new outboard motor for the work boat from Marine Warehouse @ \$2,000 + tax.
- Had to move boats for the dredging by hand due to work boat motor broken
- Tile in the common area of the lower level of the clubhouse started
- Purchased hand held depth finder (\$92.00)
- Dredging to be completed by Friday, December 10th
- Reynolds's Landscaping will truck the material off the property in late December and/or early January 2011 to disposal site.
- TK Marine to complete the work on the seawall during the winter months.

Office Manager Update – Stacy Bernstein

- All HBHYC correspondence and invoices will be sent via e-mail going forward to eliminate the cost of postage, paper and envelopes unless an owner asks that they be mailed.
- Stacy created a Facebook page for High Bar Harbor Yacht Club with current pictures of the dredging and reminder of events.
- All HBHYC Owners to update Stacy with their e-mail address – if their e-mail has changed within the last year.

- Currently only five (5) HBHYC Owners do not use e-mail. These Owners will be mailed all appropriate correspondence.
- 4Q2010 Condo Fees were sent out via e-mail on Sept 15th. Reminders were sent to owners via e-mail and regular mail if not paid in November. Late Fee's were not assessed in the month of November as we are working out the problems associated with e-mail billing. Late Fees will be assessed against any outstanding billings which are unpaid as of December.
- 1Q2011 Condo Fee invoices will be sent out via e-mail on December 15th with a due date of February 1, 2011. Applicable dates for 2011 are shown below. Since Condo fees will remain the same for 2011, the email on 12/15/10 will provide the Condo Fees for 2011 that are due by quarter. Reminders will be emailed during the year, but the email sent in December 2010 should be considered the invoices for the year.

- Billing Cycle for 2011 Condo Fees

<u>Quarter</u>	<u>Invoices E-mailed</u>	<u>Invoices Due</u>	<u>Late Fee's Applied</u>
1Q2011	12.15.10	2.1.11	2.5.11
2Q2011	3.15.11	5.1.11	5.5.11
3Q2011	6.15.11	8.1.11	8.5.11
4Q2011	9.15.11	11.1.11	11.5.11

- Currently there are two (2) owners who are late two quarters. They were sent late charges and a written note that they are past due and must contact Stacy to make payment arrangements or appropriate legal actions will be pursued.
- Have received some signed Slip Listing Agreements from Owners. If any Owner would like to rent their slip for the 2011 Summer Season (4.15.11 to 10.15.11), please complete the form and send to Stacy and/or contact Stacy and she will send you the form.
- We have 15 tenants that are renting the same slip as last summer and paperwork is in process.
- We have had a slight increase in inquiries for rentals for next summer.
- The requirement that owners pay the Association the management fee if the rental originated through the association was in the old slip listing agreement. The new agreement limits the requirement to 5-years. In the last two (2) years there have been five (5) HBHYC tenants that are now renting privately from HBHYC Owners. The change highlighted below:

This Listing Agreement is entered into between the SLIP OWNER and the HIGH BAR HARBOR YACHT CLUB ("HBHYC") pursuant to which SLIP Owner engages HBHYC to solicit and/or manage a long term tenancy and/or a short term transient rental, as indicated below, for the specified boat slip on behalf of the SLIP OWNER.

*The Slip Owner agrees to pay the HBHYC **ten percent (10%)** of the rental charges for seasonal, winter or yearly rental and **thirty percent (30%)** of any transient rental charges, both as management fees ("Management Fees") for services provided by HBHYC in connection with the rental of the slip.*

The Slip Owner also agrees to pay the Management Fees to HBHYC for any rental by SLIP OWNER to a TENANT or TRANSIENT RENTER occurring subsequent to the rental period set out below but within five (5) years from the date of this Listing Agreement, provided that a rental by said Tenant or Transient Renter was subject to the terms of this Listing Agreement.

Notwithstanding the above, the Owner and HBHYC agree that said rentals will be subject to all of the applicable rules, regulations, requirements and restrictions of HBHYC, including, but not limited to those set forth in the HBHYC Master Deed, By-Laws Rules and Regulations and the Dockage Lease/Transient Slip Rental Agreements.

- Owners who rent their boat slips privately must provide HBHYC with a copy of the rental agreement, contact information for the tenant and current insurance policy for the tenant's boat.
- Ed recalled that there may have been additional documentation required in the past for Owners renting privately and will try to find such documents.
- We lease our postage machine from Pitney Bowes and would like to get out of contract. Bruce Shulan to review. We pay \$528/year for the lease + postage.
- There have been no recent Boat slip sales.

Oversized Boats

- We have received amnesty requests from Owners with boats that exceed the permissible length of the boat slip. We will compose a letter to all owners indicating the process by which their boats will be measured upon arrival of HBHYC for the summer season and how the amnesty process will work. The letter will also set out the calculation for the additional amount to be paid by the owners with boats that exceed slip length by more than 105% (fee divided by slip length times each additional for or fraction thereof). On a going forward basis, all boats new to the marina will be measured to confirm length upon arrival. The owner of any boat which has not successfully participated in the amnesty program will be required will be required to move the boat.
- It was agreed that any applicable fees will be assessed after the vessel, that has received amnesty, has arrived in the marina and fees will be adjusted back to the start of the boating season.
- It was agreed that a formal policy and accompanying letter of explanation be finalized and circulated to all owners.
- Effective immediately, the marina manager has the authority to advise an Owner or Tennant if a boat is too large and ask that the boat be removed from the respective slip. The boat may be moved to a transient boat slip until a size waiver is approved by owners.
- HBHYC will have a zero tolerance policy regarding oversized vessels that have not obtained a size waiver.

New Business

- James Frank made a MOTION for HBHYC to adopt the three (3) policies below that were suggested by the CPA firm of Mercadien for non-profit corporations. **MOTION was SECONDED and PASSED.**
 1. Whistleblower
 2. Conflict of Interest
 3. Document retention and destruction policy

Financial Review – Ed Meline

- In two (2) weeks Ed will have the final numbers together for the Operating and Capital budgets and comparisons to 2010 using actuals through 11/30/10.
- Ed announced that he was able to get a 25% discount from Paychex, our payroll company.
- Ed reviewed Draft 2 of the Operating Budget with the Board and will issue Draft 3 by mid December.
- Stacy and Nancy Gallagher (QB Consultant) to work on some final adjustments prior to the final draft being sent to the Trustees

All Other Business

- Ed noted that the July and October 2010 Meeting minutes were never sent out to the Owners. Ed referenced a prior Board's approved procedure which had been adopted several years ago to assist in expediting the process for the issuance of Minutes on as timely basis. Once three (3) Trustees approved the Minutes, the Secretary was authorized to issue them.

Meeting adjourned @ 1:05 pm.

The upcoming meeting schedule

01/09/2011

04/24/2011

06/12/2011

07/17/2011

08/07/2011 - Annual Owners Meeting