

Estate Chocolate Hole Landowners Assoc.
Minutes of Annual Meeting
March 24, 2015
7 PM Giff Hill School Lower School Great Room

I.	Establish Quorum: 227 Paid Members 40% for quorum=91
	Proxies 63
	Members Present 39
	TOTAL 102

- II. President Kevyn Salsburg welcomed everyone. Introduced the directors and road chairs present. She began the meeting by stating that as a community we all must act by the Golden Rule-to think about what we do and how it affects or impacts our neighbors. Much of the board's efforts are spent in enforcing the rules when neighbors encroach or act in a way that negatively affects others. She also said we need more members to volunteer to help in these efforts.
- She talked about how ECHLA is working in cooperation with the Great Cruz Bay Association in enforcement of building codes in part because our local government is not doing its job adequately. Also paving of a section of GCB road was done with the Westin contributing, and each of the 3 ECHLA road areas contributed \$6500. Much of our activity and expense is due to lack of government enforcement, most of our costs are due to enforcement of building code violations.
- DPNR is not sending out notifications to ECHLA as they are supposed to do, of plans being submitted. This notification is required by law as ECHLA is an abutter to all parcels by virtue of our roads being owned by ECHLA and every parcel abuts the road.
- Building heights are getting too high, by VI Code a storey is defined as 24', and it allows 2 stories in R2 zoning. The "Mezzanine" concept is vague. Therefore ECHLA needs to update its building code to address actual HEIGHT not stories.
- Other issues are working hours allowed for construction, materials being stored on the ECHLA roads and parking of work vehicles on the road. All of these issues are part of the Golden Rule =these actions adversely affect the neighbors. The Board is looking for volunteers to update the Building Code.
- Chocolate Hole and Hart Bay beaches clean up in January: abandoned boat parts and other junk was removed, but has already started to accumulate again.
- Parking on Chocolate Hole Beach is being used by commercial activities-Stand Up Paddle Board watersports business is using the beach for lessons, and using our parking area.
- Right of Ways need to stay clear and unencroached on -narrow roads to begin with and need the lanes for passing/emergency vehicles etc.
- Other association issues are the animals-deer, goats, donkeys, chickens etc. which are all wild and becoming a nuisance.

- III. Minutes of Annual Meeting 2014-were mailed to every member and posted at www.echla.org Motion to approve without amendment Andy Arnold,. 2nd Susan Stair. Approved by acclamation
- IV. Treasurer's Report: Paula Lambert presented the budget for last year and the actual figures. A copy is attached. And the projected figures for coming fiscal year. There were a few questions from those present:
A legal assessment was recommended by the board. There was some discussion of the legal costs. As well as a question about how that gets approved by the membership-answer-it is being presented as part of the budget, if the budget is approved at this meeting, then the assessment as part of the budget is also approved. Also, part of the enforcement process is that the association will be reimbursed some of the legal fees from the violators as they are causing us to incur the fees to begin with.
Miles Stair made a motion to accept report 2nd by Joanne Hall-Budget approved.
- V. Legal Report: Raf Muilenberg. He became ECHLA attorney in December 2013. He and his office have been getting the files sorted and organized, he is learning our history-of which there is a great deal-and it is important going forward that he understand the history. The following are priorities:
- a. Collecting costs from Violators: We expect to collect, and most are now in compliance and working with ECHLA. We are trying to reduce our legal costs and currently have fewer ongoing actions. We have been in the process of refining/practices and getting systems in place. Documenting existing rules and updating the Covenants and Restrictions (C & R) which is slated to be completed and sent out for a vote later this year.
 - b. Organizational: getting structures in place so as to avoid legal costs. Enforcement should be cheaper and quicker.
Should have fewer violators
Track / measure value to association
 - c. Pond Bay Club: Still owned by a bank entity. He has been in discussion with their legal representative to collect back dues/assessments. Some of which has been paid in the last month. There is a dispute on part of these which he is pursuing. Also working on the 2002 agreement in regards to the items the PBC was supposed to perform and did not. He is continuing to work on getting them to either perform those things or pay a settlement amount that would fairly cover our costs to do them. Part of that is the road work on East Chocolate Rd from 104 to the entrance of PBC which cost approximately \$42,000 and was paid for by ECHLA. And, if the property does sell we want to have a positive relationship with the new owners.
- VI. Pond Bay Update: Andy Arnold-since the bankruptcy it has been dormant. There is a caretaker living in one of the units-questions about electricity/water/sewage came up. Nobody knows how those things are being handled.
A Canadian company was contracted to board up the buildings, sell off all assets, and pour a concrete parking area at Chocolate Hole. There was a group that was interested in purchasing the property but the infrastructure issues were a stumbling

block and they backed out. NOTE: As of now there is an auction scheduled for May 26th.

VII. ROAD CAUCUSES: At 8:15 pm the group broke into 3 road area caucuses for 30 minutes.

When the road groups returned they reported that the following will be the road assessments for 2015-16 fiscal year: EAST \$800 per lot, WEST \$2,000 Per lot, NORTH \$300 per lot

VIII. Other Business:

- a. Deer problem-hunting not allowed, nothing anyone can do. North area having goat problems, need to handle as individuals-not an association issue.
- b. Low-level lighting: Owners are asked to try to use low-level lighting to help keep the ambiance and not have bright lights that disturb the neighbors.
- c. Kevyn discussed the C & R process that is almost completed. She explained that these are being updated and written in a way that helps them to be better understood, better implemented and better enforced. We hope to have these ready for a small group review during the 2nd quarter of our fiscal year (June-August), then put on website for one month for all to review, and comment on. Then the plan would be to put out to a vote by the end of the calendar year.

IX. Election of Officers & Directors:

SLATE: President Kevyn Salsburg Vice-President Susan Stair,
Secretary/Treasurer Paula Lambert

DIRECTORS:

NORTH: Bruce Munro, Larry Best

WEST: Abby Schnell-O'Connell, Gerald Singer

EAST: Kathy McLaughlin, Dan McElwee, Peter Fortunato

Miles Stair MOTION to ELECT Slate 2nd Steve Spring MOTION CARRIED with one dissension.

Adjournment Steve Spring Motion to Adjourn, Miles Stair 2nd - Meeting Adjourned 8:55 pm