

**JBMI Special Board Meeting
Assessments and Priorities
March 24, 2011
(includes notes form March 21 meeting)
6:30 PM – Moorage Office**

Present: Chuck Hindenburg, Berni Pilip, Ginny Girotti-Sorem, Sher Shepps, Bruce Broussard, Leonard Myers, Jerry Perkul, Ron Schmidt, Sherre Vanegas

Absent: Margaret Puckette

Members: Angie, Rich, Jan Zweerts

Agenda: Continuation of Assessment and Fees Discussion

Ron read a summary of the March 21 meeting (see March 21 notes attached).

Sher said the chain of command had been discussed with manager before the change of board. But Angie said that the manager had stopped talking to her so sometimes it was impossible to talk to the manager. It hadn't happened until the beaver issue. Kathy won't talk to Leonard now either. Leonard has said he has had "complaints" about him from people who didn't file complaints.

As the discussion continued, Chuck interjected to calm things down saying that things aren't working as well as they should be. Ron introduced a format of how we should communicate and said we have to take emotions out of it. Seemingly there is a lack of due process before fines are assessed. We need a time out to look at due process.

Chuck summarized the motion that had been discussed at the last meeting. Ron made a motion:

To stop any new fines or assessments and suspend all fines or assessments made since December 31 until the board has had sufficient time to review the complaint policy, assessment policy and recent actions

Jerry said the last board had done all that and how can the new board go back and reverse it. Chuck asked for a second. Bruce seconded the motion. Jerry said the board has worked two years and now the new board wants to undo it! Berni said that the board has a duty to make the moorage run smoothly and it hasn't been.

Chuck has read the assessment schedule and said it hasn't been approved in the last 5 board sessions so it leads him to believe that it still needs work. Leonard believes it is not right for two people to have the ability to assess fines. Bruce said it wasn't always like this and that he has not been comfortable this past year on the board.

Sherre asked whether people think the assessments made recently are frivolous and questions why people think the process is not working. Berni said that the assessments are a result of the complaint process that appears unfair. Sher stated that there was no problem until last year when

assessments were made against board members. She was concerned that there was no time line in the motion. Some of the assessments are cut and dry and don't need reviewing.

Leonard feels policy has been abused and used against several people. Jerry understands that people were talked to before assessments were levied but he doesn't know it for a fact. It was stated that Kathy talked to them before they were assessed. Ginny doesn't know who has been assessed. How many are there out there? Ron went back to minutes to see manager's report. There seems to be inconsistency between what is in report and the facts.

Richard said we should concentrate on formulating the complaint policy and not current fines. Chuck gave a recap and said that there was a motion on the floor. He doesn't see the board doing anything that has already been voted and approved. He understands that the updated assessment schedule has never been voted on and approved. He said that when that kind of pause exists there is usually a primary driving force with good intention that may not be palatable to everyone so they may not be comfortable with it. To ask for a delay so that people will feel more comfortable with it may be reasonable. Leonard is uncomfortable with assessments done without board knowledge.

Jerry said that he may have missed one or two board meetings, but that he believed it had never come up to be voted upon. Chuck stood corrected and what he had meant was that there were five meetings where there was the opportunity to have voted on it. Sher said that the assessment schedule was merely a compilation of what was already in the policies. Jan asked what the timeline was and didn't like open endedness of the motion. Ron said it would depend on whether due process was followed. Ron hoped it could be done within two months or perhaps even one month depending on the attendance. We need a good community where we can live without fear of sanction.

Leonard said previous assessments were agreed to by the board. Sher wants to know why we would sit on those assessments that are cut and dry. Bruce said that the process is not to say no but to make sure the process was followed. Those things that are blatant can be dealt with at board meeting.

Someone asked when the names were taken off the complaints. 3 years ago? When would we have the meeting to assess? General board meeting open to all members? Ginny assumes that there is a procedure. Typically two letters are sent before it goes to the board. Angie had a complaint about the policy. Both she and a neighbor had a complaint about a boat that pollutes the moorage with its fumes and noise and may be a fire hazard. The boat is moored here, but not by an owner. There has been no response to the complaints.

Chuck stated that there had been thirty minutes of discussion on the motion and asked if there was any more discussion. Sher said folks asked her if they would be voting on anything at this special meeting. Ron called for the vote. Sherre commented that the person who is being fined is voting and that perhaps he shouldn't vote. Chuck responded that we are not voting on the assessment, but to evaluate the process. Ron moved to vote. Bruce seconded.

In favor: Ron, Bruce, Leonard

Opposed: Sherre, Sher, Jerry

Vote is tied. Chuck believes motion is in good faith and a lot of work has been done and votes in favor.

Motion passes.

Sher moved to have a time line added. There was no second. Chuck can refer the issue to a committee. We need details on current complaints. Need positive change. This is going to be an ongoing issue. How do we get people to be good neighbors? Leonard says we are going to be discussing assessments which did not follow due process.

Chuck stated that out of the last several organizational meetings, suggestions were compiled, put into a spreadsheet, and graphed into categories. Assessments, complaint process, committees, and employees were the top four issues of which we had been actively addressing. Chuck has asked for volunteers for chairs of HR committee and row captains. Leonard said he might volunteer for row captain if things are settled. Bruce mentioned he might have someone for the HR chair. Employee relationship is huge. I-5 thing is huge.

Sher moved to adjourn. It was seconded and passed. Meeting adjourned at 7:45 PM

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Berni Pilip".

Berni Pilip
Secretary

**DRAFT – No Quorum
JBMI Meeting Notes
Special Meeting of Board of Directors
Assessments and Fines
March 21, 2011
Moorage Office**

Present: Chuck Hindenburg, Leonard Myers, Bruce Broussard, Ron Schmidt, Berni Pilip
Members: Jan Zweerts 1859, Jay McCaulley 1551

Absent: Sher Shepps, Jerry Pekrul, Sherre Vanegas, Margaret Puckette, Ginny Girotti-Sorem

Agenda: Moratorium on Fines and Assessments

The meeting was called to order at 6:30 PM in the moorage office. This was a specially called meeting to discuss assessments and fines with the intention of instituting a moratorium on assessments and fines until the board has revisited and evaluated the policy. There was a discussion about recording all meetings and that the moorage had purchased a recording device for this purpose. It was suggested that all meetings be recorded. Minutes are to be taken at all executive sessions.

It was stated that non certificate holders cannot attend meetings.

Ron discussed the various policies and fines that can be assessed when in violation. He said it appeared that the assessment summary is a combination of all the various policies and CCRs.

There appears to be a fundamental problem with the current "complaint" policy. Anonymous complaints appear to bring contempt, bitterness, and can be very perplexing. This procedure appears to be very un-American and unconstitutional. Isn't there a basic right to be able to face your accusers? How can one defend one's self? How do we handle false accusations? Jay discussed a situation in which he was accused of a serious act which was later proved to be untrue.

Another comment indicated that complaints apparently are not being uniformly investigated; some are followed up and some appear to be ignored. Whether we like it or not, the moorage is a community. Bruce suggested we need more neighbor to neighbor communication. Anonymous doesn't encourage communication.

Berni suggested to add a question on the complaint form asking what steps the complainant has taken to remedy the situation. Have they talked to the person? If they are uncomfortable or totally incompatible with the subject of the complaint, Ron suggested that a neutral neighbor or board member could act as a moderator.

Bruce suggested having board member assigned each month to resolve those issues that are still a problem. Chuck suggested giving folks a break to allow for momentary emotional outbreaks.

Basically, it was agreed that the complaint system needs to be opened up. There is too much politicalization. No one knows what to believe when they are informed of a complaint but aren't told the source. There is consensus that something is not right. Ron is working on revising the complaint form.

Additional topics were discussed. The members have a right to know what they (moorage owners) are paying employees. When board goes into exec session they have to state purpose, and minutes must be taken. A past officer stated Members, including board members, cannot criticize or correct employees or management. Someone heard somewhere that they didn't power wash carports before painting. Employees cannot have 170 bosses or even 10 bosses. They have to have a chain of command. Ron diagrammed a chain of command.

Board=>president=>manager =>employee

Ron said for the immediate future it might be best if we go through the channels (i.e. Board member to President, not to manager) but reconsider this in a few months. Residents would talk to the manager, but they can start with who they choose. Individual Directors are not the Board, only the Board has the power. Who do you call in a emergency? Manager needs to coach the employees to tell the members to contact the manager if they have work requests or issues with the work. All work orders need to go through the manager.

A short term moratorium on fines and assessments was suggested. For right now this is what we need to do. Bruce stated we need to "stop the hurt" and vote on the moratorium on assessments. The complaint procedure needs to be reworked. Some discretion could be given on anonymity if person is afraid; the name could be redacted. There was discussion about telephoning poll for votes. Ron made a motion:

To stop any new fines or assessments and suspend all fines or assessments made since December 31 until the board has had sufficient time to review the complaint policy, assessment policy and recent actions

A quorum was not available. The motion will be discussed at the next meeting, Thursday, March 24.

Bruce moved to adjourn. Seconded. Meeting was adjourned.

Respectfully Submitted,



Berni Pilip
Secretary