

**Woodmont County Club
Board Meeting Minutes
September 19, 2007**

Members Present: Brian Jacobson Carlotta Smith
David Babbitt Eileen Clemans
Nancy Kennedy Edie Staiger
Adrienne Worah Steve Hanson
Kelli Devitte

Members Absent: Evan Sorby

Approval of Agenda: The agenda was approved.

Approval of Minutes: The minutes of the July 2007 board meeting were approved as presented.

President's Report

Northbeach Improvements: Dascenzo removed their watering system, debris, raised planter, brick path and moved their tractor. The wood steps will also be moved back.

The screening of the dumpster has also been completed.

The entrance pathway at the tennis courts is in.

Treasurer's Report

Income is at \$18,352, total expenses at \$6362 with a current balance of about \$18,659. The Corky Fund needs to be set aside again as a CD. Brian and Edie will get together to put the money from the General Fund into a CD.

Path maintenance needs to be done 3 times next year and should be budgeted for in Grounds Expense.

Fall cleanup will be on October 20 from 9-11 at the plaza. Coffee will be provided.

Dascenzo Offer:

Below is the offer that was received from the Dascenzo in blue/italics with the board responses in black.

A motion was made by Brian and seconded as follows. We will choose the surveyor and pay them and then will seek reimbursement of all expenses as part of the settlement. We will also get an appraisal that will be kept private. This motion was passed unanimously.

SNURE LAW OFFICE

A Professional Services Corporation

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September 7, 2007

*Ms. Sue Sampson Email Transmittal
ssampson@suesampson.net*

Re: Woodmont Country Club/Dascenzo

Dear Sue:

In an attempt to move forward to a resolution of all issues I am providing the following response to the list of the WCC's requests emailed to my office on August 28, 2007.

Request No. 1: We want all portions of their fence (it went up in the last year or so) that are on club property to be removed. This is likely the entire east side and south sides. It is possible that one of the corner posts was placed on the true property corner, but both sides appear to immediately veer onto our property. The concrete chunks that were placed at the base of the fence also need to be removed.

Response No. 1: The Dascenzos will agree to remove all portions of the fence that are located on club property pending the results of a survey that clearly establishes whether the fence is located on club property.

Discussion Item on Request No. 1: The Dascenzos propose that the parties jointly share in the cost of the survey of the eastern boundary line and agree in advance to be bound by the results of the survey (as set forth in paragraph 1.1.4. of our proposal at the end of this letter).

Brian made a motion that we will choose a surveyor and pay them and then will seek reimbursement of all expenses as a part of the settlement. It was seconded and passed unanimously.

Request No. 2: A section of drain line was recently laid along the east side of the path behind their property. The club was not notified in advance of this work and it appears that the water is not diverted appropriately. It may even divert onto their own property. This needs to be removed with any remaining trench filled to match the grade of the path.

Short Response No. 2: Drain on path, removed, ditch filled.

Full Response No. 2: Although my client has complied with this request, I am also repeating their full response on this issue to let the WCC know the circumstances behind this issue and

to place the WCC on notice that it must address the stormwater issue in a manner that protects that Dascenzo's property.

There is no drain line laid along the path. Last November during the very heavy rains, WCC water ran down their bank, across the path and behind our house, and into our basement.

This problem was caused when trees were cut at the top of the hillside on WCC property.

That is a very steep bank and the debris changed the direction of the water flow. I called

Brian Jacobson to voice my concerns about it the day of the cutting, and then talked to him

about it again later in our parking lot. During November, with water in my basement, I took

a hoe and dug a 2"-3" ditch where the bank meets the path to divert water about 20' to the

north where I brought it across the path so that it could drain between the houses where we

have French drains on our property. This was a patch job performed in a crisis situation.

The pipe across the path has been removed and the ditch filled, but the basic problem

remains and will have to be dealt with, probably with a drainpipe/French drain across the

WCC path to hook in with another drainage pipe to the south.

A motion was made that it is the responsibility of the north beach owners to maintain property including water management. They need to follow existing

procedures concerning getting approval for work done on club property. The motion passed unanimously.

Request No. 3: A deck above the beach was constructed on club property a number of years ago. This deck does not have a railing and would not meet safety codes. It is of no value to members of our club and only serves as a liability. This deck needs to be removed. If the pilings between the deck and the parking area are necessary for supporting the parking area, they may be left in place.

Response No. 3: Deck on beach has been removed.

No discussion.

Request No. 4: There are steps made out of wood timbers leading to a brick path towards the back of their property. This is mostly or entirely on club property and both the steps and brick path need to be removed.

Response No. 4: This is a North Beach Homeowners issue and they consulted with Brian Jacobson on 9/2/07. Mr. Jacobson agreed that the Homeowners would pull steps forward and fill behind. The pavers and retaining wall bricks have been removed

The club is satisfied with the steps being pulled forward. Dascenzo's are responsible to get the work done within 30 days from the date of the letter that will be sent to them. All unanimously agreed with this action.

Request No. 5. At the base of these steps is a recently built raised bed between their house and the parking area. The bed, along with a "curb stop" for cars are on club property and limit the parking space in that area and need to be removed

Response No. 5. Flower bed adjacent to house between parking area has been removed. Based on a discussion between Brian Jacobson and my client on 9-2-07, the bumper stop was moved toward the house at Brian Jacobson's request. This request has been complied with. Dave Babbitt, WCC board member, was present during this discussion.

Brian will research distance that the bumper top must be from the edge or they may be asked to remove it entirely. All were in favor of this action.

Request No. 6 There is a bird feeder in this general area that should be removed...

Response No. 6: Bird Feeder has been removed.

No discussion.

Request No. 7. ... and roses, flowers and other non-native plants along the base of the bulkhead running between the parking area and pathway need to be removed and allowed to return to their natural state (or the gravel parking lot can extend all the way to this bulkhead).

Response No.7. The only roses we are aware of are located up on the trail, were not planted by the Dascenzo's and are not the responsibility of the Dascenzos so not action taken. Plants and flowers along the base of the retaining wall have or will be removed. The berry plants will be moved when their leaves fall in the autumn.

Plants need to be removed 30 days from the date of the letter that will be sent to them. All were in favor.

Request No. 8 The tractor, along with any related parts that have been parked on the west (water) side of the road and parking area need to be relocated into the approved parking area as designated in the parking easement established a few years back.

Response No. 8: Tractor and all parts have been relocated or removed as requested,

No discussion.

Request No. 9. As mentioned earlier, we expect all personal items and debris to be removed from club property, as well as the watering system and tubing associated with it.

Response No. 9. All personal items and debris have been removed from club property as well as the watering system and tubing associated with it.

Personal gardening items are still on club property and need to be removed immediately. All were in favor.

Moving Forward: Based on the above responses we believe that all of the WCC's requests, have been complied with or are in the process of being complied with. We also hope that the actions of my client demonstrate to the WCC that they are reasonable people working to resolve all issues in a reasonable and amicable manner. Hopefully this will now allow both parties to

continue to work together by focusing on the issue that was originally raised by the WCC, i.e. the need for an easement on the south side of the Dascenzo's property to accommodate the apparent encroachment of the Dascenzo's stairs and deck into the parking easement area. We propose the following procedure to resolve this issue.

1. Agreement between Dascenzo's and WCC containing the following:

1.1. Dascenzo's will pay for appraisal to determine value of easement.

See previous motion. We will pay and keep the information private.

1.2. Dascenzo's will agree to use your recommended appraiser, Ed Greer.

Not applicable.

1.3. Parties will mutually agree on scope of work prior to engaging Ed Greer.

Not applicable.

1.4. Parties will jointly pay for a survey to determine whether fence encroaches on the eastern boundary. We recommend that Schroeter Surveying be retained because

Schroeter has recently surveyed the southern property line of the Dascenzos.

Schroeter is

also prepared to provide the legal description for the encroachment easement.

We will pay for our own survey as stated previously.

1.5. WCC will agree to grant Dascenzo's up to a five foot easement around the encroachment

to be based on the cost as determined by the appraiser.

The position would be to sell a minimum easement.

1.6. Schroeter Surveying has the information necessary to prepare the legal description for

the encroachment easement. The Dascenzo's will reserve the right to decide the actual

width of the encroachment easement based on the cost but in no event will the WCC be

obligated to grant an encroachment easement in excess of five feet from the Dascenzo's

southern property line.

We need to gather more information.

If your clients are willing to proceed on the above terms, I will prepare a draft agreement for

your review and submittal to your client.

Thank you for your cooperation in this matter, I look forward to your response.

Very Truly Yours,

SNURE LAW OFFICE, PSC

Brian K. Snure

cc: Client

DascenzoLT9_7_07

The board discussed what the next action would be and what needs to be brought before the community members for community authorization.

A motion was made and seconded that, provided that a survey costs are less than \$1000, a survey and appraisal will be gotten and then a community meeting can be called to make some decisions concerning the next steps. The motion passed unanimously.

Christmas Event

The board discussed the possibility of doing a different type of event for Christmas this year. In the past we have done a Tour d' Woodmont. It would be from 1 P.M. to 4 P.M. with basic light refreshments and nonalcoholic beverages. There would be a box for donations and it will be a family event. The kids could still make ornaments and decorate a tree at the plaza. Each host would be given a \$50 stipend. A motion was made to do this event to celebrate Christmas this year. It was seconded and passed. Nancy and Edie will find volunteers. December 9th will be the date.

Committee Reports:

Due to time constraints most committee reports were postponed until the October meeting.

Thanks to Kelli for the new membership brochures.

Steve Hanson will be moving from the Woodmont community and submitted his resignation from the board. Thanks to Steve for all his service over the last few years!

Next meeting: October 11, 2007 @

Respectfully submitted,

Eileen Clemans
Secretary