

Marla Bay Protective Association
Annual Membership Meeting Minutes
SUNDAY July 5, 2020
Daley's Sport Court & via Teleconference

1. Meeting was called to order at 9:12 am by Ryan Davis, MBPA President
2. Jeffie DeGrazia conducted the Rollcall of Board of Directors (in place of Marijeanne Rende/Secretary who was moderating the online teleconference participants)
 - a. Board Members Present In-person: Ryan Davis, Ed Wheelbarger, Liz Ledin, Shon Ledin, Jeffie DeGrazia
 - b. Board Members Present via Teleconference: Marijeanne Rende, Ron Borsos
 - c. Board members Absent: Katie Clark
3. Use of the microphone for the annual individual introduction of each audience member in attendance was not conducted at the meeting this year to minimize COVID-19 virus exposure. See Attendee list from Roster sign in-at end of minutes.
4. Ryan Davis made introductory comments and reviewed highlights of MBPA bylaws regarding the MBPA General membership meeting. He thanked Board members for the setup and contributions associated with the planning of this year's 2020 General membership meeting and thanked the Daley's for hosting the meeting every year; Ryan also mentioned the upcoming discussion of Board of directors and their need for annual ratification by the membership, per Bylaws
 - a. Andy Lucchesi asked if there were enough people present to vote on issues? Answer, we believe we have enough...29 people on zoom, 28 live in person at meeting
 - b. Ryan explained in regard to voting that it was one vote per "good standing" household
 - c. Randy Baker asked definition of "Good-standing"? Ryan explained it means being current on membership dues (\$200 this year) with nothing in arrears**Action item:** Board will post MBPA Articles and Bylaws on the MBPA website
5. Jeffie DeGrazia conducted review and approval of the 2019 General Membership Meeting minutes (for Marijeanne Rende on teleconference)
 - a. Jeffie mentioned that the 2019 minutes were sent out with the meeting announcement which requested review before the meeting
 - b. Jeffie asked if anyone had any questions/corrections or would prefer the 2019 minutes to be read; no changes or corrections requested and no one asked that they be read to the audience
 - c. Shon Ledin made motion to approve the 2019 General Meeting minutes, Patty White Second, All approved
6. Liz Ledin, MBPA Treasurer reviewed the highlights of the MBPA Financials with the membership
 - a. Andy Lucchesi asked how many households have paid their dues? Liz reported to date in 2020, about 50% dues received (Marijeanne noted that a lot comes in around the time of the general meeting, it isn't abnormal)

- b. Liz reminded folks that their \$200/year membership dues can be dropped off at her house, 615 Freel, and indicated that to date, \$27,250 has been received with another \$3250 in additional donations given
 - c. Vogel litigation is about \$22,000; there are about \$2000 in other expenses
 - d. Have received about \$13,000 in buoy fees, noting the Nevada State Lands will be increasing buoy fees from \$30 to \$100 and it will increase further in future years
 - e. Liz asked if anyone had any additional questions about the Financials or Treasurer's report? Scott Hindes asked how many members paid last year? Liz replied about 90% of the 100+ homes.
 - f. With no other questions, Carol Borsos made a motion to approve the Treasurer's report, Andy Lucchesi Second, All approved
7. Shon Ledin, MBPA VP and Chairman of Buoy Committee provided an overview of the Buoy field and activities
- a. Shon explained that there were 48 paid buoys and that some invoices are going out in regard to a few repairs. As usual, some applications were slow but the field to date looks good.
 - b. Andy Lucchesi about the rumor of someone putting an illegally moored boat in our buoy field? Shon confirmed audience inquiry that it was the Vogel boat and they have not paid for their mooring nor membership.
 - c. Phyllis Pike asked if we could have the boat towed out of the field but Shon indicated that they're trying to resolve the issue—the boat will not be towed.
 - d. Jeff Mains reminded everyone that shouldn't tow the boat out of anger.
 - e. Andy Lucchesi suggested the illegal mooring be formally documented and put on record
 - f. Scott Fink asked by people who are not in "good standing" are allowed to attend the General meeting? Ryan explained that they can attend but they cannot vote on any issue or motion.
8. Old Business:
- a. Ryan Davis provided an overview of the status of the Beach Ownership Litigation
 - Ryan reminded everyone of a membership update sent in the Spring that the Vogel Appeal was dismissed
 - Ryan stated he believed the case is pending in front of Nevada Supreme court; Riley Becket suggested status can be reviewed on the Nevada Supreme Court website *While it was being discussed, Scott Fink checked and commented that the website currently indicates the Appellate brief is due in September; case has not been sent down to intermediate appellate court, it is in front of supreme court*
 - Ryan reminded everyone there are two efforts underway, one protecting MBPA, and one of a large group of homeowners identified as the 'intervenor'
 - Riley Beckett asked why there was a two-prong attack? Answer: MBPA control of beach is separate from intervenors.; Riley suggested the attorneys come together on Appeal and Ryan agreed to take it back to them under advisement; Riley Beckett commented that we needed to have a united front in dealing with this matter as much money and time have already been spent

- Ryan explained that the attorneys representing MBPA and intervenors have been “tag-teaming”; Sky Earl commented that he believed the two different efforts, are aligned
 - Phyllis Pike asked if MBPA would make a last plea to people who haven’t contributed to legal costs fund? Ryan responded that there would be an additional fund-raising effort towards end of month
 - Jeff Mains commented that he was concerned that the Marla Bay community needed to get past this problem and become a kind community again
- b. Ed Wheelbarger briefly commented on the status of the Tahoe Douglas District Sewer Line Replacement Project for the homeowners on Lakeshore
- District personnel are still working to finalize working permits and right of way but there are two items that still require sign-off
 - Work still targeted for completion this summer assuming the two remaining approvals are procured
- c. Ryan Davis discussed and explained annual Board Ratification requirements and the need to address vacancies at the General Meeting
- Ryan explained that Board fills vacancies during year with nominations and ratifications annually at the general meeting; Board determines afterward who will function as President, VP, Treasurer, Secretary.
 - Ryan reminded everyone that last year we asked for nominations and Jeffie DeGrazia volunteer and was appointed
 - Ryan explained that there was one vacancy this year because Dick Barnard stepped down
 - Jeffie DeGrazia nominated Catie Handelin who volunteered to fill the Board position
 - Phyllis Pike made a motion to appoint the existing Board members to another term with addition of Catie, Mary Lynne Franzia Second, all approved, Board as described ratified for another year
9. Ed Wheelbarger, Marla Bay General Improvement District (GID) Trustee provided a report to the membership on recent and upcoming GID activities.
- a. Ed introduced himself and gave an overview of GID, that it was created 1966 by Douglas county, and is a governmental agency providing municipal services to the Marla Bay development
- b. The GID has 5 trustees, elected to a 4-year term and has funding (\$60,000/year) provided by State of Nevada; it is governed by Nevada State and Douglas County codes
- c. Ed described two GID projects underway in Marla Bay
- Slurry coating, August 17/18 – make sure your car is off the street, signs will be posted beforehand—everyone should make sure their cars are not in any way into the street—they will be towed at your expense if that occurs
- IMPORTANT REGARDING DRIVEWAY PAVERS: Ed suggested that if you have pavers, it is best to let the slurry dry before driving onto your pavers from the street; you should allow a couple of days for the slurry to cure however if you need to use your driveway, Ed said he had some driveway protector sheets at his house that people could pick up to protect their pavers

- Beach access gates: Ed explained that a big project this year is the installation of three “beach access” gates and explained why the GID is doing this project
 - Ed explained that Pinewild wanted us to do something about people accessing their beach via our walkway and if we didn’t do something, they would have to consider erecting a fence on the beach, which they really didn’t want to do;
 - Additionally, the number of “trespassers” who are entering the community from the highway and entering the beach is increasing, and some are quite belligerent about being questioned or asked to leave
 - GID trustees decided something had to be done and voted to install gates as a solution
 - Ed indicated there will be a Gate at the south entrance along the Pinewild fence...; there will be a “double-gate” (one part 6 feet wide, the other 4 feet wide for pedestrians); there will be another gate at the North side step
 - GID is currently getting a finalized full quote from TAHOE FENCE; all gates will have digit combo locks and combination will be available to all members and their guests
 - GID plan is that the gates will primarily be used during only busy periods, e.g. holidays, summer, and will be chained open the rest of the time; additional signage will be provided next to the gates though that has not yet been finalized, most likely “PRIVATE ACCESS ONLY”
 - Ed explained that the GID is trying to keep Marla Bay safe but admitted that we’re not going to be able to keep every trespasser out—had to do something
 - Kari Beckett Karwoski asked who will maintain gates if broken? Answer, GID
 - In response to another question, Ed explained that the Marla Bay roads are not private, they are public. Gating the roads themselves would require creation of a formal HOA which would then assume all responsibilities and costs for maintenance of them and other municipal improvements currently now funded by the County and State
 - In response to a question, Ed reiterated that the Marla Bay Protective Association and the GID are two separate entities—GID has municipal responsibilities like road maintenance and snow removal
 - Scott Whitten questioned whether a foot-high gate would be a deterrent? Ed corrected and said it will be a 5-foot-high gate
 - Jeff Mains asked if the GID would work with Pinewild about their owners bringing their dogs onto our beach? He asked if we have a GID/MBPA interface with Pinewild? Answer, yes, we have a working relationship with them, for example, they share costs of slurry coat on the entrance; Ed indicated that he (for GID) and Ryan Davis (for MBPA) have an open communication with Pinewild; Ed committed to bring the “Pinewild dogs on MBPA beach” problem to their attention
 - Jack McQuirk asked if the gates were being installed to solve a strictly-Pinewild problem or issues isolated to Marla Bay? Ed responded that the problem is

both—no one wants Pinewild to put up a fence, but the frequency of trespassers and more belligerent confrontations is increasing

10. New Business

- a. Marijeanne Rende reminded everyone that their Roster updates should be sent to mbpabiz@gmail.com, though changes are made on the master copy used by the Board immediately, the next updated edition will be posted on the MBPA website in late August/September (it is being done quarterly)
 - b. Ryan Davis read and presented a Resolution to the membership recognizing the many contributions made to the Marla Bay Community over the years
 - After reading the Resolution, Riley Beckett made a motion for the Resolution to be entered in the official record, Ron Borsos Second, all members approved – Resolution will be entered in the official record ---**See Attachment**
 - Ryan presented the framed Resolution Statement to Phyllis Pike
 - Phyllis commented on Roy’s love of this community and the Lake and thanked everyone
11. Shon Ledin made a motion to adjourn the General meeting, Jeffie Glover DeGrazia Second, All Approved – meeting adjourned at 10:54 am.

Meeting Minutes Respectfully Submitted by

Marijeanne Rende, MBPA Secretary

(Supporting notes provided by MBPA Board member Jeffie DeGrazia)

ATTACHMENT



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on_Resolution FINA