

Stonycreek Valley Development Corporation

Board of Directors Meeting Via Zoom

Date: March 18, 2021

Directors in attendance: Joe Piccini, Brad Meneilly, Marcia Rogish, Shelley Glessner, Julie Fisher, Mike Jenkins, Jack Hershberger, Derrick St. Clair, Jeff Blough, Bill Blackburn

Directors absent: none

The meeting was called to order by J. Piccini at 5:59pm

Additions to the agenda were called for: none

Lynette informed the Board that the SVDC received a nice thank you letter from the Berlin Basketball Boosters for their donation in the memory of Ben Scheller.

The minutes from the February Board Meeting and the Special Meeting held on March 9th were reviewed. D. St.Clair made a motion to approve both meeting minutes as presented; seconded by M. Jenkins; all were in favor; minutes approved.

S. Glessner presented the financial report. J. Fisher made a motion to approve the report; seconded by B. Meneilly; all were in favor; report approved.

Joe talked about legal expenses. He stated that the total legal expense for Attorney Leventry through Feb. 18, 2021 was \$4,844. \$1382 (lot owner not signing boating paperwork), \$1857 (mine permit), \$30 (real estate taxes), and \$1575 (general: rules review, lots, etc.). Joe stated that a \$1000 deductible back in 2019 was paid in regards to the lawsuit; all other lawsuit invoices have been paid by the SVDC's D & O insurance company.

Joe went over the old business list. Update is attached to these minutes.

S. Glessner stated that there are 4 cd's coming due; 2 on April 9th and 2 on April 19th. She has contacted 4 different banks for their current cd rates. She presented the rates from each bank. D. St. Clair made a motion to move both cd's coming due on the 9th in the approximant amount of \$100,000 to a money market account at First Peoples Bank in Somerset at a rate of .648% ; the motion was seconded by J. Fisher; all were in favor; motion passed.

Joe asked Board members for their opinions about having the Board meetings in person starting in April. He suggested that those members of the Board who are comfortable with meeting in person can do so and those that are not can still attend via zoom. It was decided that the

meetings will be held in person for Board members and pre-approved others who are on the Agenda to speak only; all others must attend via zoom.

J. Blough gave an update on the employee file audit. He has reviewed the file and recommends that current employee forms be collected and/or updated. Forms to be included in the file are W4, direct deposit, I9, Boater Safety training, background check-PA Patch, DMV check (TBD), job description/competency check list, and Megan's Law check. Some of these forms will also be required for volunteers. The SVDC will cover the cost of attaining needed forms not yet on file for current and future employees. Lynette and Jeff will work with Sean Daniels to attain any needed completed forms and/or training certificates.

The Board discussed the Musser property. B. Meneilly stated that he has forwarded copies of the deeds to Attorney Leventry for review.

J. Piccini presented photos of the Shea property showing the location of a proposed building plan request (shed) they presented for approval. He and Brad personally looked at the lot and said that the position of the shed does not hinder any neighbor's view of the lake and that it is also movable. D. St. Clair made a motion to approve the shed plan; seconded by M. Jenkins; all were in favor; plans approved.

The Board discussed changes to the Rules and Regulation. They reviewed the revisions made by Joe, Marcia, and Mike in regards to general items. A discussion was then held on Boating Requirements. B. Blackburn suggested that the Patrol Boat have a colored flag to fly when the lake is busy to indicate that lot owners owning more than one boat may only have 1 boat in use while the flag is out.

The Board also discussed horsepower vs top speed on jet skis. B. Blackburn stated that manufactures only list HP not top speed on jet skis making it easier to find HP. Bill also suggested having different regulations on 2 seater jet skis vs 3 seaters as some lot owners may not own a speed boat and use the 3 seater to pull skiers and tubes. He will work on wording for the revision.

A discussion on Building Codes as they relate to the Rules and Regulations was tabled until a future Board Meeting.

J. Blough brought up about rules for boats anchoring and people swimming. Joe, Mike, and Marcia will work on finalizing the revisions to the Boating Requirements. Once all of the rules and regulation have been altered, a final version will be sent around to the Board for final approval.

M. Jenkins brought up setting a date for lot owners to submit any proposed By-law changes to be included into the SVDC packet mailed out for the lot owners to vote on. The Board decided that all proposed By-law amendments must be received via email to Lynette and Joe and/or regular

postal delivery to the SVDC by April 1, 2021. All proposed amendments will be reviewed by the SVDC's solicitor, to see if the matter is already provided for in the bylaws, etc. The solicitor will then prepare those proposed bylaws in a more legal context for the Board to review and discussed at the April Board Meeting. Lynette will send out an email and Barbara will post on the website and FB asking for any proposed amendments.

The annual Lot Owner's Meeting was discussed. The notice letter for the annual meeting on May 28 will go out around the 1st of May. The Board decided that any lot owner wishing to run for a Board seat must submit their name via email or phone call to Lynette by April 15, 2021 to be put on the ballot. Requests for nominees will go out in the same email for proposed By-law amendments and will also be posted on the SVDC website and FB page.

After receiving calls form Lot Owners in regards to the Board's executive sessions, J. Piccini wanted to make it clear to lot owners that the Board has only discussed the lawsuit and the situation involving the lot owner not signing the appropriate paperwork in executive session, no Board business is done.

B. Meneilly made a motion to adjourn; seconded by J. Fisher; all were in favor; regular meeting adjourned 7:40pm.

The Board went into executive session.

B. Meneilly made a motion to adjourn the executive session; seconded by S. Glessner; all were in favor; executive session adjourned 8:49pm.

Respectfully submitted; Lynette Fleegle

Next meeting is April 15, 2021

Old Business Items

- RE Taxes i.e. possibility of removing off of tax rolls – Joe with Tim L - To address January '21 Attorney Leventry was advised to proceed with this process (January '21). Attorney Leventry is investigating and working on this matter. We have until August to file the paperwork.
- Boat launch property lines/right of ways – Derrick reached out to Attorney Leake for work he had done and will forward off to attorney Leventry to finalize/obtain the last signature for the quit claim deed. Derrick to have information by January's meeting. Derrick obtained from Attorney Leake and will forward to Attorney Leventry. Attorney Leventry has prepared the Quit Claim Deed and provided to Derrick who in turn sent it off to the owner for signature. Derrick is to provide the contact information to Attorney Leventry for his follow-up on this matter.
- Lake drawdown '22/'23 – any silt removal/stump removals – Sunset Cove? - Mike/Bill/Derrick Musser Eng. to assist with this project. Bill, Jack, Mike, Brad, Derrick, Joe will be involved in the process – see Jan. Board minutes. Call with all above and Randy Musser. Randy to pull the areas discussed together along with cost to prepare an RFP. 4 areas of concern will be looked at in early spring, hopefully April, they include Boone Run, Stable Lane, Pinch Road and Sunset Road. A RFP will then be prepared for bid purposes.
- Code of Ethics – Mike/Brad
- Rule and Regulations need updated include maintenance/upkeep of lots in this – Entire Board See January Board minutes – Marcia will take the lead on this process. We will obtain comments from the Board, lot owners and discuss with our Solicitor, with the goal of updated our Rules and Regulations this Spring. Notice sent to lot owners and all comments/proposed changes received. Revisions will be sent to Board on 3/1/21 and vote on March's Board Meeting. 2 Board members responded and 2 lot owners made specific comments. Discussion was held on the general language updates, a preliminary discussion was held on Boating Rules which Bill will work on appropriate jet ski language and Building Codes discussion will be held at a later Board meeting.
- Ongoing lawsuit – Discussion only in Executive Session
- Outstanding Issue on lot owner not signing boat paperwork – Discussion only in Executive Session – Letter has been sent to Lot owner by solicitor. Lot owner has until Jan. 31st to comply. Will address on January call with our Solicitor. Solicitor was instructed to move forward. Solicitor is handling and a complaint will be filed.
- **October Adds from Sept Meeting**
- Set separate account for Fish Derby no longer on SVDC books – P. Picoulas to work with S. Isgan.
- List of CD expiration dates and plan – Shelley locked in the Dam Breach Fund CD, \$280,000 at Slovenian Savings & Loan in Windber for 12 months at .38% – will need to watch in '21 as cash will be needed in operating the lake. Next expirations are March and April of 2021. Shelley to discuss at February Board meeting as we will need to keep funds liquid to assist with Weed spraying payment. See meeting minutes. The money, \$49,594.68, from the CD becoming due early March will be placed in the money market account to be used for expected 2nd quarter expenses coming due, including weed control. Shelley will be looking at CD rates to handle the CDs coming due in April. The CDS coming due in April, approximately \$100,000 will be placed in a money market account at First Peoples Bank in Somerset earning .648% interest.

- Meeting location school/church – there are protocols to be followed if we move forward on changing to the school –Zoom for foreseeable future due to COVID - Board to revisit in '21. Beginning with the April meeting, Board meetings will be held in person at the Church for board members who are comfortable, others can attend via Zoom. Only lot owners on the agenda will be permitted in person others will need to view via Zoom.
- Patrol Boat location for 2021-Bill talk to B. Long or Derrick will ask his neighbor. Mr. Long has indicated that he will want more money to provide his land for use by the weed cutters. Thus this will also affect the use of this land for parking the patrol boat. Will ask Derrick to check with his neighbor. Will also need to find location for the cutter/cutters. Derrick to reach out to his neighbor for the boat location and Sean will investigate options for the cutter locations.
- **November Adds from October Meeting**
- Overall insurance bid in 2021 – all policies are in hand and being reviewed for proper coverages. Pole Building was added at an annual cost of \$350. Initial review completed and only minor revisions are recommended. Look to put RFP together and bid late spring/early summer.
- Weed permit status – signed and sent to DEP along with check for \$500. Need to follow-up. All moving forward. 1st payment of \$25,000 has been received and is due April 15th. Initial spraying will occur the end of April, early part of May depending upon water flow. Lake usage will be limited during the time of the spraying, approximately a 4 hour period of time.
- **December Adds from November Meeting**
- Potential fish survey late summer/fall of 2021 at an approximate cost of \$2,400. Jack H
- **January adds from December Meeting**
- LCT deep mine project-Leventry sent protesting letter to DEP requesting meeting with LCT. No update as of yet from DEP
- Lot owner to provide further information on boat dock slip work-Miller Lot owner has removed their request until the drawdown of the lake.
- Employee audit-Jeff Blough will coordinate with Lynette. Jeff will get with Lynette in next several weeks. Completed please see minutes.
- **February adds from January Meeting**
- Lot and boat fees sent out to lot owners. All sent and payments are being received.
- Accounts Receivable update. Some collections occurring. Files received from previous solicitor, Attorney Persun, and need to be reviewed.
- **March adds from February Meeting**
- Shea's shed. Approval was granted.
- Musser lot issue. Brad working on with solicitor.