



MEETING NOTICE

ANNUAL MEMBERSHIP MEETING OF CAPITOL BEACH COMMUNITY ASSOCIATION

(Postponed from January 9, 2022)

DATE: SUNDAY, MARCH 6, 2022, 2 p.m. Central Time

NEW PLACE: Museum of American Speed, 599 Oak Creek Drive and via ZOOM
(see enclosed instructions for participating by ZOOM).

Note: Covid 19 protocols in effect on that date will be respected. Mask wearing is required at this location.

Financial Report will be distributed by email and will also be available at the meeting.

ALL Members of the Association are urged to participate in this meeting either by Zoom or in person. Zoom invitations will be emailed on Saturday, March 5th. However, if you are **unable to attend, please fill out and sign the enclosed proxy and then give to any Board Member or regular Association Member, who will be attending the meeting.**

*** PROXY CAN ONLY BE GIVEN TO ANOTHER REGULAR MEMBER OF THE ASSOCIATION, AS DEFINED IN THE BY-LAWS OF CBCA.

PER ARTICLE II, SECTION 5, OF THE BY-LAWS, NO ONE PERSON SHALL HAVE MORE THAN 5 VOTES

The CBCA Board proposes resurfacing West and North Lakeshore and Pelican Bay and has already resurfaced West Lakeshore Circle. The estimated cost of this project is \$565,000 to be paid for with the following:

- The W/N/PB street fund balance of \$84,000;
- One-third from the CBCA general fund; and
- The balance from a Special Assessment of \$2,360.00 per member on West Lakeshore Drive and Circle, North Lakeshore Drive and Pelican Bay

The assessment may be paid in a lump sum by September 1, 2022, or in three annual installments of \$818 beginning September 1, 2022.



AGENDA

**CBCA ANNUAL MEMBERSHIP MEETING
MUSEUM OF AMERICAN SPEED
599 Oak Creek Drive and via ZOOM
SUNDAY, MARCH 6, 2022 2:00 PM.
(Postponed from January 9)**

- ZEBRA MUSSEL PRESENTATION, ALLISON ZACH, UNL INVASIVE SPECIES PROGRAM COORDINATOR
 - CALL TO ORDER
 - ADDITIONS to the AGENDA
 - APPROVAL of AGENDA
 - APPROVAL of MINUTES from JANUARY 10, 2021 ANNUAL MEETING
 - INTRODUCTION of BOARD MEMBERS
 - TREASURER'S REPORT for 2021
 - APPROVAL of ACTIONS of BOARD for 2021
 - APPROVAL OF AMENDED BYLAWS
 - REPORT-WALKING TRAIL AND BOARDWALK
 - REVIEW & APPROVAL OF 2022 OPERATING & CAPITAL BUDGETS
 - STREET REPAVING PROPOSAL
 - NOMINATION of BOARD MEMBERS
 - ELECTION of BOARD MEMBERS
 - MIDGE CONTROL REPORT
 - POND WEED REPORT
 - INTRODUCTION OF NEW BOARD MEMBERS
 - NEW BUSINESS
 - OLD BUSINESS
 - ADJOURNMENT
-
- 4863-1964-6213, v. 2

CBCA Private Street Resurfacing Project 2022 Frequently Asked Questions

1. What is the Board proposing be done to the streets?
The top 3 inches of asphalt will be removed, the underlying base will be repaired as necessary, and a new 3 inch layer of asphalt will be applied.
2. What is the cost of the project and how will it be paid for?
The cost is \$565,000. First, the private street fund has a little over \$84,000 in it which will go towards the project. Second, one-third of the cost will come from the general fund, and third, the balance will require a special assessment of \$2,360 per private street residence, payable in the fall or in three annual fall installments of \$818.
3. How does this compare to the 2020 proposal?
The paving bid is approximately 12% higher; the special assessment is \$57 higher, or \$18 more per year if paid in installments.
4. How many votes will be required to approve the project?
The bylaws require approval of a special assessment by “two-thirds of the Regular Members entitled to vote whether present in person or by proxy...” The Nebraska Supreme Court has interpreted this language to mean approval is determined by “those voting, regardless of how many homeowners choose to participate in the vote.” Approval will therefore require a favorable vote by a two-thirds majority of those voting at the annual meeting either in person, by proxy, or remotely by using the ElectionBuddy App.
5. Why is this different from the vote by mail in 2020?
Since all members were effectively “present” and participating in the vote by mail in 2020, it was determined that the votes of two-thirds of the 268 eligible members (179 votes) was required for approval. Although 76% of those voting (139 out of 181) approved the project, we did not have the two-thirds majority of all potential votes required to approve the project.
6. What has been the recent repair cost for West Lakeshore, West Lakeshore Circle, North Lakeshore and Pelican Bay?
From 2009 to 2021 we have spent \$175,000 on street repairs.
7. Why is it important to do the project now?
As the street surface deteriorates, the underlying base is damaged, making future repairs much more expensive. If the project is delayed, the cost of repair is estimated to double or triple.
8. Would it save money to spread this project out over two to four years?
We have been advised that the cost would be significantly higher if the project is not done all at once.
9. Does this project include any curb repair? There are spots on West Lakeshore where the curb has sunk and water doesn't drain.

Limited curb repairs may be necessary. However, we cannot change the grade of the streets so not all standing water issues will be resolved.

10. Does this project include any other infrastructure repair/upgrades?
It does not.

11. Will West Lakeshore Circle be resurfaced?

No, it was resurfaced in 2019. However the cost of resurfacing West Lakeshore Circle was included in the project total and its residents will be included in the special assessment.

12. What are the chances that the project could be delayed once started?
The contractor would not begin work unless we had two weeks of good weather predicted. Rain showers would not significantly delay the project because the underlying base will not be disturbed.

13. What is the expected life-span of the resurfacing?

The streets have been in existence for at least 35 years. It is hoped that the new paving would last at least that long, although some repairs will be necessary in the future.

14. How was the cost of resurfacing Pelican Bay paid for in 2012?

One-third of the cost was paid from the private street fund, one-third was paid from the general fund, and one-third was voluntarily paid by Pelican Bay residents; there was no special assessment of all members on private streets.

15. Why is the same approach not applied with the proposed project?

The balance in the private street fund is not enough to pay one-third of the cost. Over the years the annual assessment was not sufficient to build up a reserve in the private street fund to cover the cost of resurfacing.

16. When do you anticipate the project to begin?

The project is first on the contractor's list and we hope to start in late April or early May.

17. How long will it take?

The project should be completed in two weeks.

18. Will we have ANY access to our homes during the construction?

You will have 24 hour access to your home every day during the project except for the one or two days when work is actually being done in front of your home. For those one or two days, you will have unlimited access from 5 p.m. to 7 a.m.; if you need to use a vehicle in the day time during the one or two days work is being done in front of your home, you will need to either move it or park it on the street beyond the work area before work begins that morning. The work will be done in groups of 10 to 15 homes at a time, so on any given day only those homes will be directly impacted. Emergency access will always be available.

19. Any thoughts on assessments based on size of lot – there is a vast difference in lot sizes from W Lakeshore vs N Lakeshore and Pelican Bay?

This was considered but Article II, section 8 of the bylaws states “[a]nnual and special assessments for the maintenance of the corporation private roadways and street lights shall be uniform as to each lot or living unit which has access to a street by way of a private road.”

20. Why is Pelican Bay being resurfaced now?

- a. If we waited to resurface in the future, the heavy equipment and trucks would damage our newly resurfaced streets, and**
- b. Since the bylaws require Pelican Bay owners be included in the assessment it was felt it was fair to include resurfacing Pelican Bay in the 2022 project.**

21. What is the breakdown of members living on private versus public streets?

We have 114 members on private streets out of 272 members. Ten non-voting condo owners also pay private street assessment.

22. Why are members living on public streets voting on this proposal?

The bylaws require a vote of all members for a special assessment.

23. Why is one-third of the cost being paid from the general fund?

- a. The private streets are part of the Commons and the association is responsible for the care of the commons,**
- b. There are safety and liability considerations as the streets deteriorate, and**
- c. The condition of the private streets has an impact on all of our property values.**

24. Do we have a firm bid for the project?

We have a firm bid for the resurfacing portion of the project. We have included a five percent contingency fund in the proposal to cover additional expense that may arise if the subsurface needs to be repaired in places where it has deteriorated.

25. Who was the bid from?

The bid was from Cather Construction. They have done almost all of our paving and repair work in the past. They have been fair and reliable.

26. What if not all of the contingency funds are needed?

Any remaining funds will be placed in the W/N/PB street fund for future maintenance costs.

27. Did we obtain multiple bids on the project?

We tried to obtain a second bid but the contractor did not respond. After the project is approved we will give the second contractor an opportunity to bid on the project before we proceed.



PROXY

I, _____, of
MEMBER'S NAME

_____ hereby
MEMBER'S LAKE STREET ADDRESS

appoint _____ as my

proxy, to act for and vote my vote at the Annual Membership Meeting of the Capitol Beach Community Association to be held on March 6, 2022 (postponed from January 9).

Date Signed _____

Signature of Member _____

Return to:

CBCA
PO Box 81141
Lincoln, NE 68501
Fax: 477-9541

OR: Give to any member who will be attending the meeting.

Zoom instructions for CBCA Postponed Annual Meeting March 6, 2 p.m. Central Time

This year members are again offered the option to participate in our annual meeting by Zoom. Your Zoom invitation will be emailed on Saturday, March 5th. Simply click on the blue link and follow the instructions. We suggest that you connect with the meeting around 1:45 pm; given the volume of participants it may take a few minutes for everyone to connect.

Please “mute your microphone” unless you wish to speak; otherwise background noise and simultaneous speakers will interfere with an orderly meeting.

If you wish to speak, please use the “chat” feature at the bottom of the screen to indicate you wish to speak and the moderator will call on you in turn.

If there are multiple owners of your home, you may all participate in the zoom call from different locations. Simply forward this email to the other owners and they may login to the zoom meeting using the same information below. However, only one owner per household will be allowed to vote at the meeting.

VOTING

You will receive a separate email on Saturday, March 5th, with instructions to register for the meeting using an application from a company called Election Buddy. **The application works best if it is on a different device than the one you are using to view the meeting on Zoom.** Once you have registered, you will be taken to the CBCA Member Page. When a recorded vote is called for, a “Button” with the name of the vote, for example, “Approve Agenda” will appear. Clicking on that button will take you to a ballot which you can mark. Then click REVIEW your vote and SUBMIT. (Note: two steps) Your vote will remain anonymous. The results will be tabulated by the Election Buddy app and published during the meeting.

Thank you for your patience and cooperation in making this Virtual meeting a success.

NOTE: If you choose to attend in person, the Annual Meeting will be at Museum of American Speed, 599 Oak Creek Drive (west of Westgate Blvd.). Masks will be required and Covid 19 protocols will be in effect.

CBCA Board

Capitol Beach Community Association

Profit & Loss

January through December 2021

	Jan - Dec 21
Income	
4000 · Member Dues & Fees	
4001 · Annual Dues	223,606.17
4002 · Watercraft Registration Fees	7,510.00
4004 · N/W/PB Streets & Lights	15,375.00
4008 · Capital Dev. - Long Range	14,010.00
4009 · Capital Imp. - Current Year	14,010.00
Total 4000 · Member Dues & Fees	274,511.17
4020 · Easements	
4021 · Dock Easement	5.00
Total 4020 · Easements	5.00
4030 · Product Sales	4,500.00
4040 · Fee Income	
4041 · Late Fees	1,255.74
4043 · Handling Fee	912.53
Total 4040 · Fee Income	2,168.27
4070 · Other Income	
4071 · Filing Fee Income	440.45
4072 · Interest Income	1,262.87
4070 · Other Income - Other	2,700.00
Total 4070 · Other Income	4,403.32
4120 · CDR Interest Income	593.91
Total Income	286,181.67
Gross Profit	286,181.67
Expense	
6010 · Bad Debt	0.00
6030 · Security and Safety	
6031 · Padlocks/Keys	235.95
6039 · Other Security & Safety	450.46
6030 · Security and Safety - Other	224.84
Total 6030 · Security and Safety	911.25
6040 · Misc. Expense	
6041 · Social Events	3,876.77
6042 · July 4th	16,568.81
6043 · Annual Meeting	747.90
Total 6040 · Misc. Expense	21,193.48
6050 · Office Rent	6,000.00
6051 · Usage Rent/Storage	1,123.23
6060 · Bank Charge	125.00
6100 · Utilities	
6110 · Electrical Pumps	
6101 · Electrical - Pump #1- 214861403	2,852.99
6102 · Electrical - Pump #2 -214889803	373.55
6106 · Electrical - Pump#6 - 214925803	406.38
6107 · Electrical - Pump#7 - 214925903	372.65
Total 6110 · Electrical Pumps	4,005.57
6130 · Electrical Aerator/Bubblers	
6131 · Electrical - Aerator1-215152003	712.87
6132 · Electrical - Aerator2-214917503	722.64
6133 · Electrical - Aerator3-214917703	856.90
6134 · Electrical Bubbler Pier II	727.19

Capitol Beach Community Association
Profit & Loss
January through December 2021

	Jan - Dec 21
Total 6130 · Electrical Aerator/Bubblers	3,019.60
6140 · Electrical N/W PB	
6141 · Electrical - N & W - 212812803	1,123.98
6142 · Electrical - PB - 214891403	827.04
Total 6140 · Electrical N/W PB	1,951.02
6150 · Water Util	1,055.15
Total 6100 · Utilities	10,031.34
6200 · Printing	
6201 · Directory Printing	1,381.29
6202 · Watercraft Printing	889.43
Total 6200 · Printing	2,270.72
6210 · Filing Fee Exp	
6212 · Member App	30.00
6210 · Filing Fee Exp - Other	130.00
Total 6210 · Filing Fee Exp	160.00
6220 · Dues & Subscriptions	
6221 · Organization Dues	223.00
Total 6220 · Dues & Subscriptions	223.00
6400 · Insurance	
6401 · General Liability	7,199.97
6402 · Umbrella	6,274.00
6405 · Other Insurance	50.00
6406 · Directors and Officers	2,830.00
6400 · Insurance - Other	2,780.00
Total 6400 · Insurance	19,133.97
6610 · Postage	328.36
6640 · Professional Fees	
6645 · Newsletter	450.00
6641 · Legal	5,511.63
6642 · Accounting	1,280.00
6643 · Contract Office Manager	12,790.00
Total 6640 · Professional Fees	20,031.63
6700 · Licenses & Permits	
5112 · Wells	775.00
Total 6700 · Licenses & Permits	775.00
6710 · Boat Expenses	
6711 · Boat Fuel	67.90
Total 6710 · Boat Expenses	67.90
6750 · Fish	15,000.00
6770 · Supplies	
6771 · Office	692.98
6772 · Software	167.98
Total 6770 · Supplies	860.96
6800 · Taxes	
6803 · Fed Estimated Taxes	6,000.00
6804 · State Estimated Taxes	2,191.00
Total 6800 · Taxes	8,191.00
6850 · Internet	
6851 · High Speed Access	111.64

6:28 PM

Capitol Beach Community Association

Profit & Loss

02/06/22

January through December 2021

Cash Basis

	Jan - Dec 21
6852 · Web Site	124.50
6850 · Internet - Other	1,739.00
Total 6850 · Internet	1,975.14
6900 · Maintenance	
6910 · Pump Main't & Repair	77.88
6950 · Care of Commons	
6951 · Lake Maintenance	524.54
6952 · Water Quality Testing	1,133.42
6954 · Mowing	15,885.00
6956 · Spillway Cleaning	2,385.00
6960 · Trees Plantings & Maintenance	8,111.81
6962 · Midge Control	5,825.00
6963 · Lake Weed Main't	13,900.00
6969 · Misc Commons Exp	20.32
6950 · Care of Commons - Other	76.50
Total 6950 · Care of Commons	47,861.59
6970 · N/W/PB Main't & Repairs	
6971 · N/W/PB Snow Removal	4,272.50
6972 · NW Street Main't	111.37
6973 · NW Light Main't	360.00
6974 · PB Street Main't	377.50
6978 · Misc N/W Lake Exp	130.00
Total 6970 · N/W/PB Main't & Repairs	5,251.37
6990 · Other Main't	
6992 · Boat Ramp Repair	883.50
6993 · Misc. Main't	240.00
Total 6990 · Other Main't	1,123.50
Total 6900 · Maintenance	54,314.34
7010 · Walking Trail	23,818.18
Total Expense	186,534.50
Net Income	99,647.17

Capitol Beach Community Association

Balance Sheet

02/06/22

As of December 31, 2021

Accrual Basis

	Dec 31, 21
ASSETS	
Current Assets	
Checking/Savings	
Clearing Account	-6,310.84
1000 · Banking	
1010 · WestGate Bank	
1011 · WG Checking #349192	
1011a · DEBIT Card Use	-4,605.91
1011 · WG Checking #349192 - Other	-20,789.44
Total 1011 · WG Checking #349192	-25,395.35
1012 · MM 1 NW/PB #1700200428	24,439.21
1118 · ICS DDA 2004250063	227,599.94
1010 · WestGate Bank - Other	-434.72
Total 1010 · WestGate Bank	226,209.08
1030 · CDARS CDs	
1031 · CD Primary General 2074	264,206.25
1032 · CD General Fund 1108	244,733.18
1033 · CD Invest 0764	107,457.84
1034 · CD NW/PB 2082	24,852.91
1035 · CD Invest 5109	153,042.99
Total 1030 · CDARS CDs	794,293.17
Total 1000 · Banking	1,020,502.25
Total Checking/Savings	1,014,191.41
Accounts Receivable	
1210 · Account Receivables	105.00
1211 · Members Dues	-213.50
1214 · Lake Improvement Assessment	11,400.00
1215 · Lien Fees	50.00
1216 · Late Fees	50.00
1217 · Pump Assessment	1,600.00
1218 · Wetland Assessment	600.00
1219 · Water Quality Assessment 01, 02	1,500.00
1225 · Legal Fees	138.50
Total Accounts Receivable	15,230.00
Total Current Assets	1,029,421.41
Fixed Assets	
1500 · Lake Asset	
1501 · Lake Improvement Project Asset	1,442,818.56
1502 · Water Quality Project Asset	31,814.07
Total 1500 · Lake Asset	1,474,632.63
1510 · Pumps & Aerators Assets	
1511 · Pump # 1 1000 N. Lakeshore	130,000.00
1512 · Pump # 2 801 NW Coddington	12,485.42
1513 · Pump # 3 900 Manchester	2,000.00
1514 · Pump # 4 21 W Lakeshore	2,000.00
1515 · Pump # 5 708 Lamont	18,632.52
1516 · Pump # 6 2102 Surfside North	20,619.65
1517 · Pump # 7 2102 Surfside South	20,619.65
1520 · Aerator # 1 600 Lakeshore	8,726.15
1521 · Aerators # 2 2000 Surfside	8,726.15
1522 · Aerators # 3 732 W Lakeshore	8,726.15
Total 1510 · Pumps & Aerators Assets	232,535.69
1530 · Ramp Asset	

Capitol Beach Community Association

Balance Sheet

02/06/22

As of December 31, 2021

Accrual Basis

	Dec 31, 21
1531 · Boat Ramp	25,100.00
1532 · Dock & Boardwalk	1,800.00
1533 · Ramp Fence	4,249.00
1534 · Ramp Paving	2,528.00
1535 · Ramp Land & Improvements	1,640.00
1536 · Boat Inlet	14,022.00
1537 · Boat Lift & Canopy System	4,192.00
Total 1530 · Ramp Asset	53,531.00
1540 · Commons Asset	
1541 · Dock Island	2,860.00
1542 · Commons Capital Imp (1990)	32,150.00
1548 · Lake Bottom	1.00
1549 · Outlots	
Outlot B & D	5,055.00
Outlot C	10,181.00
Outlot E	10,712.00
Total 1549 · Outlots	25,948.00
Total 1540 · Commons Asset	60,959.00
1550 · Street & Lights Asset	
1551 · ST West Lakeshore	40,550.00
1555 · Lights W/N/PB	4,500.00
Total 1550 · Street & Lights Asset	45,050.00
1560 · Boat Asset	
1561 · Boat	5,071.00
1562 · Boat Motor	1,526.00
Total 1560 · Boat Asset	6,597.00
1570 · Misc. Assets	
1571 · Computer	1,720.00
1572 · Computer Software	599.09
Total 1570 · Misc. Assets	2,319.09
1600 · Accumulated Depreciation	
1601 · Depr. Lake Imp	-233,566.94
1602 · Depr Water Quality	-5,390.72
1610 · Depr Pumps	-154,605.12
1620 · Depr Aerators	-16,829.31
1630 · Depr Ramp Asset	-36,477.87
1640 · Depr Commons	-35,010.00
1650 · Depr Streets	-40,775.00
1660 · Depr Boat	-6,597.00
1670 · Depr Misc Assests	-2,179.59
1600 · Accumulated Depreciation - Other	160.00
Total 1600 · Accumulated Depreciation	-531,271.55
Total Fixed Assets	1,344,352.86
TOTAL ASSETS	2,373,774.27
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · Accounts Payable	942.30
Total Accounts Payable	942.30
Total Current Liabilities	942.30
Total Liabilities	942.30

Capitol Beach Community Association

02/06/22

Balance Sheet

Accrual Basis

As of December 31, 2021

	Dec 31, 21
Equity	
3900 · Opening Bal Equity	1,240.59
3910 · Designated L Imp & W Quality	-439,206.00
3920 · Designated for NW/PB St & Lt	24,834.33
3950 · Retained Earnings	2,693,173.88
3970 · Unrealized Gain/Loss	-118.00
Net Income	92,907.17
Total Equity	2,372,831.97
TOTAL LIABILITIES & EQUITY	2,373,774.27