



OCEAN PINES ASSOCIATION, INC.
BOARD OF DIRECTORS' REGULAR MEETING
AGENDA
Saturday, May 2, 2020
9 AM, Microsoft Team Virtual Meeting

Call to Order – Doug Parks, President

Pledge of Allegiance – All

Approval of Agenda – Board

Approval of Minutes

March 7, 2020 – Closed Meeting

April 1, 2020 – Regular Meeting

President's Remarks – Doug Parks, President

GM Report – John Viola

Treasurer's Report- Larry Perrone

Public Comments

Capital Purchases Requests – None

CPI Violations- None

Unfinished Business –

Second Reading – Resolution M-01 – Frank Daly

Second Reading – Resolution C-02 – Frank Daly

Second Reading – Resolution M-04 – Frank Daly

Second Reading – Resolution C-11 – Frank Daly

New Business – None

Appointments – None

Adjournment



OCEAN PINES ASSOCIATION, INC.
BOARD OF DIRECTORS' REGULAR MEETING
Wednesday, April 1, 2020
7 PM, Microsoft Team Virtual Meeting

PRESENT: Doug Parks, Steve Tuttle, Colette Horn, Camilla Rogers, Larry Perrone, Frank Daly and Tom Janasek.

ALSO PRESENT: John Viola, General Manager.

Call to Order – Doug Parks called the meeting to order at 6:59 pm with the Pledge of Allegiance.

Approval of Agenda

Mr. Parks moved to amend the Agenda; Ms. Rogers seconded. Mr. Parks added under New Business, appointment of new liaison to the Search Committee (Mr. Parks has submitted his application for re-election) and added John O'Connor term extension to the Budget & Finance Committee. Ms. Horn added the Election of Board Secretary (she also has submitted her application for re-election); Mr. Daly added another reason for the Closed Session, to discuss individual assessment accounts. All in favor of the amended Agenda.

Approval of Minutes

March 7, 2020 – Regular Meeting - Mr. Tuttle moved to accept, Ms. Rogers seconded, all in favor.

March 20, 2020 – Special Meeting - Mr. Daly moved to accept, Mr. Perrone seconded, all in favor.

President's Remarks – Doug Parks – Mr. Parks asked the public attending the meeting to mute their microphones; he read the Board statement this week regarding the stay at home order; he also stated that Worcester County issued a declaration on short term rentals. (both the Board statement and Worcester County declaration are attached)

GM Report- John Viola (see attached)

Treasurer's Report- Larry Perrone (see attached)

Public Comments

M. Parks stated no comments or questions were received prior to the meeting. He then explained how to make a comment on the chat feature. No public comments were offered.

Capital Purchases Requests- None

CPI Violations-

5 Decatur Ct. - Mr. Perrone moved to accept the recommendation to find the homeowner in continuing violation and forward to our Attorney, Ms. Rogers seconded, all in favor.

8 Willow Way - Mr. Tuttle moved to accept the recommendation to find the homeowner in continuing violation and forward to our Attorney, Mr. Janasek seconded, all in favor.

115 Nottingham Lane - Mr. Daly moved to accept the recommendation to find the homeowner in continuing violation and forward to our Attorney, Mr. Perrone seconded, all in favor.

15 Rockside Rd. - Mr. Daly moved to accept the recommendation to find the homeowner in continuing violation and forward to our Attorney, Mr. Tuttle seconded, all in favor.

37 Teal Circle - Mr. Tuttle moved to accept the recommendation to find the homeowner in continuing violation and forward to our Attorney, Mr. Daly seconded, all in favor.

56 Beaconhill Rd. – Ms. Rogers moved to accept the recommendation to find the homeowner in continuing violation and forward to our Attorney, Mr. Janasek seconded, all in favor.

Unfinished Business –

Discussion of Homeowner Assessments relative to the financial impact of the Coronavirus pandemic. – Doug Parks – After some discussion, Mr. Janasek moved to extend the assessment due date to August 1, 2020, Ms. Rogers seconded, 6 in favor (Parks, Tuttle, Horn, Rogers, Daly and Janasek) 1 opposed (Perrone)

New Business –

Mr. Parks appointed Mr. Perrone as liaison to the Search Committee.

Ms. Horn nominated Ms. Rogers as the Board Secretary – all in favor.

Motion – To Adjourn to closed session for the purpose of discussion of matters pertaining to employees and personnel and pertaining to individual owner assessment accounts specifically pertaining to the GM's performance review and employee performance concerns and accounts on two properties, as permitted by the MD Homeowner's Association Act, Section 11B-111(4)((i) and (viii)). – Colette Horn

Appointments –

Gerald Horn – 2nd Term – Clubs

John O'Connor – term extension - Budget & Finance

The above nominations were approved unanimously.

At 8:24 pm, Ms. Rogers moved to adjourn to Closed Session, Mr. Daly seconded, all in favor.

At 9:53 pm, Mr. Daly moved to adjourn to open session, Ms. Rogers seconded, all in favor.

At 9:54 pm, Mr. Perrone moved to adjourn the open session, Mr. Janasek seconded, all in favor.

*Please note at a March 7, 2020 Regular Board Meeting, Ms. Horn moved adjourn to closed session for the purpose of discussion of matters pertaining to employees and personnel specifically related to potential amendment to the General Manager's contract, as permitted by the MD Homeowner's Association Act, Section 11B-111(4)(i). Ms. Rogers seconded, all in favor.

First Readings Review

October 29, 2019

The By-Laws and Resolutions Advisory Committee met in special session Wednesday, October 23, 2019 to review the First Readings of amendments to Resolutions M-01, M-10, C-02 and M-04 at the October 5, 2019 Board meeting. In addition to Committee members, Committee liaison and Association member Jeff Knepper, in attendance were Director Frank Daly, Marketing and Public Relations Director Josh Davis and Greg Ellison of the Bayside Gazette. The meeting was recorded and can be seen in its entirety on Ocean Pines Association YouTube. Committee comments are as follows.

M-01: The proposed action for this Resolution is to rescind it and replace with the draft of M-10. The Committee understands that the purpose is to expedite the violation compliance process through a comprehensive revision of the process and did not further consider M-01.

M-10: The following comments pertain to the proposed M-10 resolution.

1. The Committee would prefer to continue the M-01 designation for the compliance process.

2. The Committee recommends that M-10 be reviewed by the Association Counsel (see paragraph 4.d of Resolution B-01).

3. It is recommended that paragraph 5.A be revised to be a definition of "Responsible Party". The current definitions in 5.A, 5.B, 5.E and 5.F use responsible parties in slightly different ways. It is recommended all responsible party definitions be subparagraphed under the Responsible Party definition in 5.A, as follows:

(5).A: Responsible Party: A Responsible Party is an Ocean Pines Association member or other entity or person in control of real property within the Association, to include:

(1) An Ocean Pines Association member is as established in the governing documents of the Association and

(2) Financial or Non-financial Entity, or person, in control of real property within the Association.

The term "responsible party" would then be used in place of other terms in the M-10 draft.

4. Similar to comment 3, it is recommended that a new definition be inserted after 5.A to define the "Complainant". This definition would include language currently residing in 5.G to describe one who could bring a potential violation to the attention of CPI. The term "Complainant" would then be used throughout the document as needed when referring to such. The goal is to standardize the use of this language throughout the document.

5. It is recommended that the definition (5.C) of Violation be revised to read: A violation is a Complaint that has been confirmed by CPI to be a non-compliance with the Declaration of Restrictions or ARC Guidelines.

6. In paragraph 5.G it is recommended that it read: Complaint: Is the notification to CPI that a violation to the Declarations of Restrictions or ARC Guidelines **may exist**. (See also the recommendations in comment 4 and 5)

Note: In paragraph 5 of the M-10 draft, the subparagraphs are capitalized. In all other paragraphs the subparagraphs are lower case. It is recommended that lower case be used.

7. In paragraph 6.b, the second sentence should read "**When** entering onto a **property** for such..."

8. All of the action steps or the compliance process are included in paragraph 6.c. This includes actions from sending out violation notices with specified content, action by ARC and action by the GM. It is recommended that this paragraph be structured in a manner, perhaps by subparagraphs, that separates these actions. It is suggested that this paragraph make reference to Addendum A and Addendum B where each is used in the actions.

9. It is recommended that the respective authorities of ARC and the GM be clearly stated. For example, if this is the correct intent, that ARC has the sole authority to determine enforcement of a CPI reported violation and that such enforcement will be through legal action; that the GM has the authority to proceed with legal action enforcement of an ARC determined violation. The use of terms "if appropriate" and "alleged violation", or similar, do not clearly express the extent of authority.

10. The paragraph numbering of the draft skips from 6 to 8.

a. Director Daly indicated that it is intended to add to paragraph 7 a provision that the ARC report of a violation sent to the GM for action will also go to the Board for the violation to be declared a continuing violation under the DR provision giving the Board authority to suspend certain member rights for the duration of a continuing violation.

b. The Committee recommends that there be a reporting of CPI and ARC actions. Director Daly indicated consideration would be given to reporting numbers of complaints, numbers of complaints/violations resolved and numbers of violations sent to GM for action.

11. Addendum A:

a. It is recommended that there be clarity for when Informal Notification ends and who initiates the Formal Notification. Compare the beginning of paragraph 6.c which can be read to mean ARC initiates the Addendum A Step 1 CPI 'First Letter', not CPI. The meeting discussion starting just after 1:39:00 of the video indicates that 6.c needs to be revised in order to indicate Informal Notification is ended by CPI with the Formal Notification in the Step 1 CPI 'First Reading' Letter.

b. There is no specific indication that there is a verification of continuing non-compliance after Step 2.

C-02: With regard to paragraph 4.e use of "possible violations" and "when appropriate" see the comments under M-10 regarding clearly stating authorities (M-10 comment #9).

M-04: Time limitations on the use of the meeting room did not allow as much discussion as might have been needed. However, the following comments are appropriate.

a. The chair of the Committee explained that M-04 was a combination of two predecessor resolutions 2-96-22 (grass or weeds) and 2-01-24 (refuse and debris). The chair further indicated that each of these resolutions clearly indicated that the OPA Right to Perform Certain Maintenance provision in DR's was being used to enforce the applicable DR provision regarding grass/weeds and refuse/debris and each resolution expressly contained reference to a 2/3rds majority approval of the resolution. The chair stated that the failure to use this approach in M-04 was a mistake and should be rectified in the M-04 First Reading. Director Daly then indicated it was the collective approach of staff, OPPD and Association Counsel that entry on property would not be done without judicial approval. In view of that as a policy, the Committee recommends M-04 be rescinded (repealed) and not amended as proposed in the First Reading.

b. The apparent no entry policy effectively sets aside use of the DR provision for OPA Right to Perform Certain Maintenance. Should this policy be expressed in M-10?

By-Laws and Resolutions Advisory Committee



OCEAN PINES ASSOCIATION, INC.

Second Reading

DATE: May 2, 2020

TOPIC: Second Reading of Proposed Amendment to Resolution M-01

FOR INCLUSION IN MEETING HELD ON: March 7, 2020

SUBMITTED BY: Frank Daly

The following changes are recommended per the attached:

6. General Procedures

Step 4.

b. In the event ARC does not (1) overturn CPI's determination, (2) grant an extension, or (3) grant a variance or (4) the Responsible Party does not correct the violation within the timeframe as set forth in the notice of violation, ARC will notify the Responsible Party and the GM of its decision in writing. The notification to the GM shall include the Addendum to this resolution (**Addendum A-Sample Board Reporting Requirements to Resolution M-01**). ARC's determination shall be final. Note: The Bylaws & Resolutions Committee recommendation to increase the spacing of Addendum A has been incorporated with no additional changes.

RESOLUTION M-01

POLICY AND COMPLIANCE PROCEDURES FOR DECLARATION OF RESTRICTIONS AND ARC GUIDELINES VIOLATIONS

1. **Purpose.** This Resolution establishes policy, assigns responsibilities, and provides procedures to be followed by the Architectural Review Committee (hereinafter referred to as "ARC"), General Manger (hereinafter referred to as GM), the Ocean Pines Association (hereinafter referred to as "OPA") and the Board of Directors (hereinafter referred to as Board) for enforcing compliance with the Association's Declarations of Restrictions (sometimes hereinafter referred to as "DRs") and the ARC Guidelines.

2. **Authority.** OPA derives its authority to establish, enforce, and interpret rules and regulations through its Articles of Incorporation, DRs and ARC Guidelines. These documents address the basic rules necessary to promote the common welfare of OPA members. They assign to the Board responsibility for enforcement of these rules and the authority to delegate part of this task to OPA staff and committees.

3. **Policy.** The appeal of Ocean Pines depends on the cooperation of residents, property owners, and any other legally Responsible Parties in creating and maintaining clean and aesthetically pleasing homes and surroundings. Therefore, the privilege of membership and residing in OPA comes with responsibilities.

a. It is the policy of OPA to exercise the authority provided above to rigorously and proactively enforce its DRs and other rules and restrictions. The enforcement authority shall be exercised, to the extent possible, in a uniform and fair manner based on the approved process and procedures outlined in this resolution. Further, enforcement shall be conducted with due regard to:

- (1) courteous and respectful interchanges that encourage voluntary compliance,
- (2) timely and effective notification of all pending actions affecting the issue under consideration and
- (3) the opportunity to attend an ARC meeting to appeal a violation determination.

b. It is acknowledged that in a homeowner's association as large as Ocean Pines not all violations will be discovered or processed. The failure, however, to address any given violation shall not restrict or otherwise waive the OPA's ability from acting on other violations of the same nature or otherwise.

4. Responsibilities

a. The Board: The Board is responsible to the membership for the overall compliance program.

b. The GM: The GM is designated as the individual under whose authority the compliance program is to be administered. The GM may delegate any or all of the responsibilities herein included to one or more subordinate OPA staff members. Commensurate with this Resolution M-01, it is understood that the GM is given pre-authorization by the Board to take actions deemed necessary to address health and safety violations and to report such actions taken to the Board, as soon as reasonably possible, by electronic means and to include a summary of the action at the next regularly scheduled Board meeting.

c. Department or Compliance, Permitting and Inspection ("CPI"): CPI shall be the point of contact for violations. CPI activities shall include, but not be limited to, the inspection of properties, receipt and investigation of Complaints, determining if a violation exists, preparation and issuance of notices of

violations to lot owner and any other Responsible Party, maintenance of records of Complaints and violations, recommendations for the disposition of violations and preparation of reports and records of violations.

d. The ARC: As further set forth in this Resolution, the ARC shall:

(1) Hear a Responsible Party's appeal of a violation determination as cited by CPI, as provided in 6.c, Step 4.

(2) Upon request by a Responsible Party for a variance, shall review the request to determine if sufficient justification exists to grant a variance to the DRs or ARC Guidelines.

5. Definitions

a. Responsible Party: A Responsible Party is an Ocean Pines Association member or other entity or person in control of real property within the OPA, to include:

(1) An Ocean Pines Association member as established in Paragraph 12A of the Declarations of Restrictions; and

(2) Entity or person, other than a member, who is in control of a lot within the OPA, such as a personal representative or servicer of a foreclosure purchaser.

b. Complainant: An individual or entity that brings a potential violation of the DRs or ARC Guidelines to the attention of CPI.

c. Violation: A violation is a Complaint that has been confirmed by the CPI Department to be in non-compliance with the Declarations of Restrictions or ARC Guidelines.

d. Repeat Violation: A violation of the same or similar cited violation which has been documented and corrected at the same property within a 36-month period.

e. Notice of Violation: A written notification to a Responsible Party of a violation by both USPS Certified Mail-Return Receipt requested and regular mail to the address on record with OPA.

f. Complaint: The notification to or identification by the CPI Department that a violation of the Declaration of Restrictions or ARC Guidelines may exist. A Complaint may result from, but is not limited to, inspection reports by CPI inspectors or in person reports, telephone calls, email or US Mail from Complainants.

g. Substantial Progress: is a signed contract between the Responsible Party and licensed contractor or OPA for correcting the violation with start and completion dates and a dollar estimate for completing the work or, in the case of the Responsible Party self-performing the work, a project plan approved by the ARC and CPI with a start date, completion date and project milestones that can be verified by the CPI.

6. General Procedures

a. Records: Records of every Complaint and all actions related thereto are to be maintained by CPI.

b. Inspections: The General Manager shall establish procedures for inspections to be followed by CPI. These procedures should include detail documented efforts to obtain permission from the Responsible

Party for inspections requiring entry onto a lot, to the extent entry on to a lot is needed. When entering onto a lot to conduct an inspection, the purpose of entry shall be limited to observation and/or documentation.

c. Responsible Party Notification: The following steps will be followed by the OPA when a Complaint is received:

Step 1. Receipt of Complaint: A Complaint is received.

Step 2. Review of Complaint and Violation Determination: A Complaint is reviewed by the CPI to determine if the Complaint is a violation of the Declaration of Restrictions or ARC Guidelines. In determining whether a violation exists, CPI may consult with the ARC, the GM or OPA's legal counsel, with the consent of the GM. Upon determining that that the Complaint constitutes a violation, CPI will proceed with Step 3. If CPI determines that a violation does not exist, such determination will be reflected in the record of the Complaint.

Step 3.

a. Notice of Violation: If CPI determines that the Complaint constitutes a violation, CPI will send a notice of violation ("Notice of Violation") to the Responsible Party stating: (1) the nature of the violation (with evidentiary photos, if appropriate and exist); (2) if the violation is not corrected or Substantial Progress towards correcting the violation is not underway within thirty (30) days of the date of the Notice of Violation that OPA will proceed with legal action to seek a Court Order to force compliance; (3) the Responsible Party may appeal CPI's determination or request a variance by attending an ARC meeting within thirty (30) days of the date of the Notice of Violation; (4) information on how to contact CPI in order for CPI to verify that the violation has been corrected; and (5) if the violation involves grass, weeds, refuse and /or debris a cost estimate and the contact information necessary for the Public Works Department for the Responsible Party to authorize OPA to correct the violation and bill the Responsible Party.

b. The Notice of Violation shall also include the schedule of ARC meetings which will be held within thirty (30) days of the Notice. The Notice shall further give the Responsible Party the option of contacting ARC, within ten (10) days of the date of the Notice, to obtain an agreed alternate date for an ARC appeal. The means by which ARC can be contacted shall be included in the Notice.

Step 4. Appeal or Variance Hearing. The Responsible Party shall have the right to appeal CPI's determination or request a variance provided that the Responsible Party attends an ARC meeting within thirty (30) days of the date of the Notice of Violation or such other date agreed to by ARC. If the Responsible Party attends an ARC meeting to request an appeal of CPI's determination or a variance, ARC will provide the Responsible Party the right to be heard on the request at that meeting. After affording the Responsible Party the opportunity to be heard, ARC will render a decision on the appeal or variance request.

a. In considering the appeal of CPI's violation determination the ARC may: (1) confirm CPI's determination; (2) overturn CPI's determination; or (3) grant the Responsible Party an extension to remedy the violation.

b. In the event ARC does not (1) overturn CPI's determination, (2) grant an extension, or (3) grant a variance or (4) the Responsible Party does not correct the violation within the timeframe as set forth in the notice of violation, ARC will notify the Responsible Party and the GM of its decision in writing. The notification to the GM shall include the Addendum to this resolution (**Addendum A-Sample Board Reporting Requirements to Resolution M-01**). ARC's determination shall be final.

***For Repeat Violations the Responsible Party forfeits its right under this Resolution to appeal CPI's determination to the ARC or request a variance and the GM is authorized to forego Steps 1-4 and proceed with Step 5.**

Step 5: Court Enforcement Action: Should the Responsible Party fail to correct the violation or meet the requirements of Substantial Progress within thirty (30) days of the date of the Notice of Violation or within the expiration of any extension period granted by the ARC, the GM will notify legal counsel to begin the process of obtaining a Court Order to force compliance without further notice to the Responsible Party. Prior to referring the matter to legal counsel, the GM may have CPI conduct an inspection to determine that the violation has not been corrected. The GM shall have the authority to confer with the Board on a specific case prior to referring the case to the legal counsel.

7. GM Action Notification & Reporting: The GM will notify the Board via email when action is taken and will include a summary of actions taken in the monthly report to the Board. This report shall include (1) the number of Complaints, (2) numbers of Complaints/violations resolved, (3) the numbers of violations sent to GM for referral to counsel, (4) the status of the violations sent to counsel to obtain court orders and the cost of those actions, current and year to date and (5) The GM's request that the Board suspend certain rights of the violating members as permitted by the DRs.

8. Other Enforcement Action: Nothing in this Resolution shall limit OPA's other enforcement powers contained in the DRs or at law, including entering a lot to perform maintenance to correct a violation.

9. Miscellaneous: This Resolution does not govern the collection of unpaid annual charges or other charges due from members. No delay or failure of the OPA to fully comply with this Resolution shall be held to be a waiver of OPA's rights to take enforcement action for any recurrence or continuation of the violation or the occurrence of a different violation.

Effective Date: January 4, 2020

Approved by the Board on January 4, 2020

President _____

Secretary _____

Review History:

General Manager _____ Date: _____

Legal _____ Date: _____

By-laws and Resolutions Advisory Committee _____ Date: _____



OCEAN PINES ASSOCIATION, INC.

Second Reading

DATE: May 2, 2020

TOPIC: Second Reading of Proposed Amendment to Resolutions RESOLUTION C-02

FOR INCLUSION IN MEETING HELD ON: May 2, 2020

SUBMITTED BY: Frank Daly

The following changes are recommended per the attached:

. reviewing possible violations of the Declarations of Restrictions identified by the Department of Compliance, Permitting and Inspection and ~~when appropriate~~ referring the violation to the ~~Board of Directors~~ **General Manager** for action in accordance with Board policy; and

f. performing other tasks as requested by the Board of Directors.

5. **Reports.** Regular annual reports required by Resolution C-01 are not required; however reports may be submitted to the Board at any time deemed necessary.

6. **Effective Date:** ~~December 17, 2008~~

Adopted by the Board of Directors on ~~December 17, 2008~~

~~/s/ David M. Stevens~~ President Attest ~~/s/ Edgar Purcell~~ Secretary

Review History.

General Manager ~~/s/ Thomas J. Olson~~ Date: ~~2/12/09~~

Legal _____ Date: _____

By-laws and Resolutions Advisory Committee ~~/s/ James Trummel~~

Date: ~~3/9/09~~

RESOLUTION C-02
ARCHITECTURAL REVIEW COMMITTEE

1. **Purpose.** The purpose of the Architectural Review Committee is to enhance and protect the environment, architectural quality, and economic value of all properties in Ocean Pines.

2. **Authority.**

a. **The Charter of the Ocean Pines Association, Inc., and the By-Laws of the Association.** These documents direct the Board of Directors to establish and appoint the members of committees and other advisory bodies as may be necessary to, or convenient in, the Association's discharging the duties entrusted to it.

b. **Declarations of Restrictions.** These Declarations are recorded separately for each Section of the Association and establish an Architectural Review Committee (ARC) (also known as the Environmental Control Committee (ECC)).

c. **The 1975 Supplemental Turnover Agreement between OPA and Boise Cascade** states that ECC shall act under the rules, regulations, and procedures as may be established by the OPA Board of Directors.

e. **Resolution C-01, Committee General Policy,** provides additional authority and instructions regarding committees of the Association.

3. **Membership.**

a. The Board of Directors shall appoint all Committee members.

b. The Committee shall have three (3) regular members and two (2) alternate members.

c. The Board of Directors shall appoint a regular member as Chairperson. If the Chairperson is unable to attend a meeting, the Chairperson shall designate a regular member to Chair the meeting.

d. If a regular member is unable to attend a meeting, the Chair shall designate an alternate member to act as a regular member for the meeting.

4. **Duties.** The duties of the Committee shall include:

a. developing, reviewing, and publishing Guidelines which delineate the criteria to be applied by the Committee in accordance with the Declarations of Restrictions;

b. consistently applying the Declarations of Restrictions and the Guidelines;

c. establishing a schedule of meetings and review sessions and making the schedule available to the members of the Association;

d. assisting the General Manager and the Department of Compliance, Permitting and Inspection in implementing a program to enforce the Declarations of Restrictions with courtesy, respect, and professionalism;

e. reviewing possible violations of the Declarations of Restrictions identified by the Department of Compliance, Permitting and Inspection and ~~when appropriate~~ referring the violation to the ~~Board of Directors~~ **General Manager** for action in accordance with Board policy; and

f. performing other tasks as requested by the Board of Directors.

5. **Reports.** Regular annual reports required by Resolution C-01 are not required; however reports may be submitted to the Board at any time deemed necessary.

6. **Effective Date:** December 17, 2008

Adopted by the Board of Directors on December 17, 2008

/S/ David M. Stevens President Attest /S/ Edgar Purcell Secretary

Review History.

General Manager /S/ Thomas J. Olson Date: 2/12/09

Legal _____ Date: _____

By-laws and Resolutions Advisory Committee /S/ James Trummel

Date: 3/9/09



OCEAN PINES ASSOCIATION, INC.

Second Reading

DATE: May 2, 2020

TOPIC: Proposed Rescindment of Resolution M-04

FOR INCLUSION IN MEETING HELD ON: May 2, 2020

SUBMITTED BY: Frank Daly

Revise M-04 as follows via the noted deletions:

~~1. Rubbish and Debris. The Declarations of Restrictions give the Board of Directors the right, by a two-thirds vote of the Board, to authorize entry onto a lot to perform certain maintenance. In determining what is rubbish or debris on a lot, and recommending compliance action by the Board of Directors for the removal of such material, the General Manager will be guided by, but not limited to:~~

- ~~a. The presence of items not designed and/or intended for outdoor use such as; indoor furniture, rugs, mattresses, appliances, clothing, and electronic equipment.~~
- ~~b. Items designed for outdoor use but not functioning for their designed purpose due to deterioration, disrepair, missing elements.~~
- ~~c. Unserviceable materials such as bags of garbage and leaves, cans, newspapers, cardboard boxes, and vehicle parts.~~
- ~~d. Cut trees, tree limbs, and plant cuttings.~~
- e. Building materials which are not required for an active construction permit or which are stored after expiration of a construction permit.

RESOLUTION M-04
MAINTENANCE OF LOTS

1. **Purpose.** The purpose of this resolution is to establish criteria used in determining whether a lot has become in violation of the Declarations of Restrictions as a result of unattractive growth or the accumulation of rubbish or debris.

2. Authority

a. The General Prohibitions and Requirements of all Declarations of Restrictions require that lots "...shall at all times be maintained in such manner as to prevent their becoming unsightly by reason of unattractive growth ... or the accumulation of rubbish or debris thereon."

b. The Declarations of Restrictions of all sections provide that the Association has the right to enter upon lots in the subdivision and maintain the lots, in the event an owner of the lot shall fail to maintain the premises in a satisfactory manner.

3. Unattractive Growth

a. Growth of grass or weeds on a lot which exceeds ten (10) inches, or less if specified in the applicable Declaration of Restrictions, is unsightly growth as described in the Declarations of Restrictions.

b. In the event the growth of grass or weeds on a lot exceeds that specified in 3.a, the General Manager is authorized to have agents and employees of Ocean Pines Association to enter upon the lot and maintain and restore the lot by cutting the grass and weeds, and the cost of such maintenance shall be added to and become a part of the annual charge to which such lot is subject.

~~4. **Rubbish and Debris.** The Declarations of Restrictions give the Board of Directors the right, by a two-thirds vote of the Board, to authorize entry onto a lot to perform certain maintenance. In determining what is rubbish or debris on a lot, and recommending compliance action by the Board of Directors for the removal of such material, the General Manager will be guided by, but not limited to:~~

~~a. The presence of items not designed and/or intended for outdoor use such as; indoor furniture, rugs, mattresses, appliances, clothing, and electronic equipment.~~

~~b. Items designed for outdoor use but not functioning for their designed purpose due to deterioration, disrepair, missing elements.~~

~~c. Unserviceable materials such as bags of garbage and leaves, cans, newspapers, cardboard boxes, and vehicle parts.~~

~~d. Cut trees, tree limbs, and plant cuttings.~~

~~e. Building materials which are not required for an active construction permit or which are stored after expiration of a construction permit.~~

5. **Effective Date:** February 17, 2010

Approved by the Board of Directors on February 17, 2010

/S/ Robert B. Thompson President Attest /S/ Edgar L. Pureell Secretary
(V.P. acting for President)

Review History

General Manager /S/ Thomas J. Olson Date: 6/3/2010

Legal _____ Date: _____

Resolution M-04



OCEAN PINES ASSOCIATION, INC.

Second Reading

DATE: May 2, 2020

TOPIC: Second Reading of Proposed Amendment to Resolutions RESOLUTION C-11

FOR INCLUSION IN MEETING HELD ON: May 2, 2020

SUBMITTED BY: Frank Daly

The following changes are recommended per the attached:

1. **Membership.** The Committee should have at least seven (7) but not more than nine (9) members. *One Committee position for the Ocean Pines Ladies Golf Association, the Ocean Pines Men's Golf Association and the Ocean Pines Golf Course Members Council shall be reserved providing members from these groups are willing to serve on the Committee and meet all applicable Association requirements for Committee Membership.* Terms of service shall be as in Resolution C-01, subparagraph 4.c. insofar as possible.

RESOLUTION C-11

GOLF ADVISORY COMMITTEE

I. **Purpose.** The Golf Advisory Committee advises the Ocean Pines Board of Directors on golf matters and aids in promoting the successful operation of all golfing activities.

2. **Authority.** Article THIRD of the Charter and Section 10.01 of the By-Laws of Ocean Pines Association, Inc., direct the Board of Directors to establish and appoint the members of such committees, task forces, and other advisory bodies as may be necessary to, or convenient in, the Association's discharging the duties entrusted to it. Resolution C-01, Committee General Policy, provides additional authority and instructions regarding committees of the Association.

3. **Functions.** In fulfilling its tasks, the Committee shall perform functions which include but are not necessarily limited to the following:

- a. advising the Board of Directors regarding golf policy and operations including recommendations for a better golf operation;
- b. advising the Board of Directors, if requested, on the golf course operating maintenance and capital budgets;
- c. at the specific direction of the Board, investigating and recommending to the Board long range plans for golf in Ocean Pines;
- d. assisting the OPA Marketing Department in promoting Ocean Pines golf in the broader community;
- e. working closely with the Golf Members Council in promoting and enhancing Association golf programs; and
- f. performing other duties as may be assigned by the Board of Directors.

1. **Membership.** The Committee should have at least seven (7) but not more than nine (9) members. Terms of service shall be as in Resolution C-01, subparagraph 4.c. insofar as possible. *One Committee position for the Ocean Pines Ladies Golf Association, the Ocean Pines Men's Golf Association and the Ocean Pines Golf Course Members Council shall be reserved providing members from these groups are willing to serve on the Committee and meet all applicable Association requirements for Committee Membership.*

4. **Reports.** Submit annual report by October 31 of each year in the format specified in Resolution C-01.

Effective Date: _____

Approved by the Board of Directors on: _____

President: _____ Attest: _____ Secretary

Review History

General Manager: _____ Date: _____

Legal _____ Date: _____

By-Laws & Resolutions Adv. Committee: _____ Date: _____

Addendum A- Sample Board Reporting Requirements to Resolution M-01

To: Ocean Pines Board of Directors
From: General Manager
Subject: Request for Compliance Action
Date:

Responsible Party	
Ocean Pines Address & Sec./Lot	
Mailing Address	
Responsible Party Phone #(s)	
Violation	
Violation Reference	
Violation Reported	
Violation Confirmed	
Letter sent to Responsible Party detailing violation and advising them of ARC meeting.	
ARC Hearing and Results	

Addendum A- Sample Board Reporting Requirements to Resolution M-01

To: Ocean Pines Board of Directors
From: General Manager
Subject: Request for Compliance Action
Date:

Follow Up Inspection	
CPI notification to GM and ARC of Responsible Party not in compliance.	
To Counsel for Court Order	
GM notification to Board, ARC & CPI	
GM Continuing Violation Recommendation to Board	
Board Decision	
Total Complaints for the Month	
Total Complaints YTD	