OCEAN PINES ASSOCIATION, INC.



Mission Statement: Provide the governance, administration, facilities, services, and amenities that are necessary to make Ocean Pines an attractive, affordable, safe, and enjoyable place to live and work.

BOARD OF DIRECTORS' REGULAR MEETING AGENDA

Wednesday, July 27, 2022 11:00 a.m., Board Meeting Room

Join Via Microsoft Teams:

https://teams.microsoft.com/l/meetupjoin/19%3ameeting ZDIjOWUzNDAtZTYOMS00ODAxLWJmZGQtYTc1ZTMwMDliZjBj%4 Othread.v2/0?context=%7b%22Tid%22%3a%22625a6322-2b2f-40fa-94f8d7dd44d78153%22%2c%22Oid%22%3a%225fa869f5-01ad-476a-9570-

540fe1ce4736%22%7d

Call to Order – Colette Horn, President – all cell phones must be silenced; board cell phones must be powered off and stowed away; emergency text-in or call-in number for Directors' families is 443-377-1079

Pledge of Allegiance - All

Approval of Agenda – Board

Approval of Minutes –

June 22, 2022 – Regular Meeting June 27, 2022 – Special Meeting

President's Remarks - Colette Horn

GM Report - John Viola

Treasurer's Report – Larry Perrone

Public Comments – Members wishing to make comments must state their name and address. Time limit for comments is 5 minutes. Comments may be made on any topic of interest to the member that pertains to the mission of OPA (see above). Order for comments for hybrid meetings: 1st – members in attendance in-person; 2nd – MS. Teams Participants (use of "raise hand" function required to enter speaking queue); 3rd – members participating through the MS Teams call-in (audio only) function. To enter call-in queue, text Josh Davis at 443-377-1079.

4th – Members wishing to speak via the MS Teams chat function – chat function is for Public comments only; all other comments in the chat function will be considered out of order, as will be speaking during the meeting without being given the floor by the Chair.

Purchase Requests -

Road Line Striping – Public Works

CPI Violations – None

Unfinished Business - None

New Business -

MDOT Route 90 Subcommittee - Amy Peck

Administration Building expansion – Colette Horn

Motion for the information/activities required by the BOD to hold a referendum for the construction renovation of the Ocean Pines Volunteer Fire Department South Station – Frank Daly

Motion for capital fundraising for OPVFD building project – Colette Horn
 Motion to approve proposed Food and Beverage Amenity Rules – Colette Horn
 Review of Resolution M-04 – Colette Horn

Motion to declare the existence of open violations in legal and suspend voting rights and the use of Association amenities – Josette Wheatley

Appointments -

R. Lewis Furman – 1st Term – Aquatics Committee
Harold (Dick) Keiling – 3rd Term – Budget & Finance Committee
Carrie Morrison – 1st Term – Communications Committee
Patricia Seidl – 2nd Term – Communications Committee
Diana Snyder – 2nd Term – Communications Committee
Patricia Gamby – 1st Term – Environmental & Natural Assets Committee
Cathryn Noble – 1st Term – Racquet Sports Committee
William Barnard – Chair – Recreation & Parks Committee

Adjournment



OCEAN PINES ASSOCIATION, INC. BOARD OF DIRECTORS' REGULAR MEETING Wednesday, June 22, 2022 11:00 a.m., Board Meeting Room

PRESENT: Colette Horn, Frank Daly, Larry Perrone, Doug Parks, Amy Peck, and Josette Wheatley.

ABSENT (EXCUSED ABSENCE): Rick Farr.

ALSO PRESENT: John Viola (General Manager), 4 Association members, and approximately 18 attendees through Microsoft Teams.

Call to Order – Colette Horn called the meeting to order at 11:00 a.m. with the Pledge of Allegiance.

Approval of Agenda

Mr. Daly moved to accept the agenda, Ms. Peck seconded.

The agenda was amended to correct Resolution B-03 as the First Reading and the addition of the Motion to Adjourn to Closed Session. Mr. Daly moved to accept the amended agenda, Mr. Parks seconded, all in favor.

Approval of Minutes

Mr. Parks moved to accept the minutes from the May 25, 2022 Regular Meeting, Mr. Daly seconded, all in favor.

Mr. Parks moved to accept the minutes from the June 9, 2022 Special Meeting, Mr. Daly seconded, all in favor.

President's Remarks - Colette Horn -

Dr. Horn reported that the Route 90 expansion town hall was well attended, and representatives did a good job answering questions from the Ocean Pines residents. She encouraged everyone to look for the upcoming survey as well as Ocean Pines press releases regarding the expansion project.

GM Report – John Viola (attached)

Treasurer's Report – Larry Perrone (attached)

Public Comments

AT A CARRY.

Joe Reynold – 84 Watertown Road Dutch Oostveen – 12 Lord Guy Terrace

Purchases Requests

Front Deck Rough Mower – Golf Maintenance – Mr. Perrone moved to accept the recommendation, Mr. Parks seconded, all in favor.

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Rough Unit – Golf Maintenance – Mr. Daly moved to accept the recommendation, Mr. Parks seconded, all in favor.

Spray Rig – Golf Maintenance – Mr. Daly moved to accept the recommendation, Mr. Parks seconded, all in favor.

CPI Violations - None

Unfinished Business - None

New Business -

Review of Resolution B-04 - Colette Horn

Discussion: Board were all in agreement to review Resolution B-04.

Review of Resolution M-01 – Colette Horn

Discussion: Dr. Horn will refer to the Architectural Review Committee for recommendations to review. Mr. Parks suggested that no additional appeal process be added to the Resolution, along with having the Architectural Review Committee confer with the Bylaws and Resolutions Committee on conformity of Resolution M-01. Ms. Peck noted that repeat offenses should be added to paragraph 2. Mr. Perrone suggested that an appeal process to the Board should be added.

Consideration in rescinding Resolution M-08 – Colette Horn

Discussion: Mr. Parks added that the Board should review the policy manual, which he will bring forth to next month's meeting.

Motion for first reading for a revision to Resolution B-03 Meetings of Association Members – Colette Horn

Discussion: Mr. Parks questioned how owners will be verified that they are up to date on payments. Roberts Rules was suspended to allow Carol Ludwig, Elections Committee Chair, to speak. Ms. Ludwig confirmed that all that register will be validated 48 hours prior to the annual meeting. Mr. Perrone commented that attendance has deteriorated since election results are now announced prior to the annual meeting. Ms. Peck suggested that the suggestion of a virtual option be stricken from the revision to the resolutions and keep the meeting as hybrid only. Mr. Parks questioned if a validation code would be needed to attend the meeting. Ocean Pines staff will review if a

Motion for first reading to amend Resolution M-06 for Electronic Voting – Larry Perrone

Discussion: Mr. Parks questioned how the process will be given out to association members. Roberts Rules was suspended to allow Carol Ludwig,

Elections Committee Chair, to speak. Ms. Ludwig noted that instructions on electronic voting will be included in the voting material mailing. Mr. Daly suggested that the member database be updated to ensure that every member has an active email address listed. Dr. Horn commented that concerns about recounts needs to be included in the amended Resolution. Mr. Parks noted that the designated location and secure container need to be addressed. In order to be included in the voting material mailing, the Board needs to review and approved the amended Resolution within the next week.

Drone video of Ocean Pines - Colette Horn

Discussion: Ms. Peck suggested that the drone video be conducted after the racquet center upgrades are completed.

Motion to adjourn to closed session for the purpose of discussing matters pertaining to employees and personnel; specifically pertaining to the GM position – Colette Horn

Dr. Horn moved to adjourn to closed session, Mr. Daly seconded, all in favor.

Motion to adjourn to closed session for the purpose of discussing legal matters - Colette Horn

Dr. Horn moved to adjourn to closed session, Mr. Daly seconded, all in favor.

Appointments –

RontKurtz – 1st Term – Racquet Sports Committee Endorsed by Ms. Peck, Mr. Parks seconded, all in favor.

Adjournment – Mr. Daly moved to adjourn to closed session, Mr. Parks seconded, all in favor.

The meeting adjourned to closed session at 12:25 p.m.

Respectfully submitted: Colette Horn, President



OCEAN PINES ASSOCIATION, INC. BOARD OF DIRECTORS' SPECIAL MEETING Monday, June 27, 2022 3:30 p.m., Administration Board Room

PRESENT: Colette Horn, Frank Daly, Larry Perrone, Rick Farr (via Microsoft Teams), Doug Parks (via Microsoft Teams), Amy Peck, Josette Wheatley (via Microsoft Teams).

ALSO PRESENT: 10 attendees through Microsoft Teams.



图 5.55

Dr. Horn called the meeting to order at 3:30 p.m. with the Pledge of Allegiance.

Approval of Agenda -

Mr. Daly moved to approve the agenda, Mr. Perrone seconded, all in favor.

New Business -

<u>Second Reading of amendment to Resolution M-06 for Electronic Voting</u> – Larry Perrone, seconded by Mr. Daly.

Discussion: Mr. Perrone noted the change was made to the storage of documents "as otherwise required". He added that information was received regarding recounts, and if needed the company charges around \$150 per hour.

The motion passed 7-0.

Motion to contract with Vote HOA for the upcoming Board of Directors Election process – Larry Perrone, seconded by Mr. Daly.

The motion passed 7-0.

Second Reading of amendment to Resolution B-03 for Meetings of Association Members [Hybrid] — Colette Horn, seconded by Mr. Daly.

Discussion: Dr. Horn noted the virtual option was removed from the first reading but the hybrid virtual option for meetings remains.

Mr. Perrone commented that he cannot support the amendment as to how to control who is eligible to be on the meeting, who can vote, and how to determine a quorum need to be addressed.

Mr. Parks noted that at last week's meeting, it was questioned on how to determine a quorum. Roberts Rules was suspended to allow Carol Ludwig, Elections Committee Chair, to speak. Ms. Ludwig replied that the Elections Committee will require participants to tregister 48 hours in advance with their drivers license and address, which is the same process as those attending in person, however those attending virtually will received a link. Mr. Daly questioned where that wording is in the Resolution. Dr. Horn responded that

Like May.

the registration of participants is part of the Election Committee procedures. Mr. Perrone disagreed, noting that it should be part of this Resolution.

Mr. Perrone moved to table the motion, Mr. Daly seconded, all in favor.

Dr. Horn suggested that instead of the 48 hours registration in advance, a station can be set up at the Annual Meeting to register virtual guests only. Mr. Daly noted that he is in favor of anything hybrid to increase attendance but would like I.T. to test prior to implementation. Mr. Parks agreed, noting that a quorum can be reached using the hybrid function, but a process is needed on how to do it. Mr. Parks, Ms. Ludwig, Mr. Davis (Public Relations), and Mr. Calabrese (I.T.) work together on the testing and rewording of the Resolution. Since a decision needs to be made fairly quickly, an email vote of the Board will take place by the end of this week.

Motion to go into closed session for the purpose of consulting with OPA Counsel; specifically pertaining to the Janasek v. OPA matter as permitted by the MD Homeowner's Association Act, Section 11B-111(iii) – Colette Horn

Mr. Daly seconded, all in favor.

Motion to go into closed session for the purpose of discussing matters pertaining to employees and personnel; specifically pertaining to the GM position as permitted by the MD Homeowner's Association Act, Section 11B-111(i) – Colette Horn Mr. Daly seconded, all in favor.

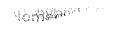
Amendment of Agenda -

Mr. Perrone moved to amend the agenda to include Public Comments, Mr. Daly seconded, all in favor.

Public Comments - None

Adjournment to Closed Session -

At 4:04 p.m., the meeting adjourned to closed session.







OCEAN PINES ASSOCIATION, INC. BID REQUEST FORM

DEPARTMENT Public Works

DATE July 11, 2022

ITEM DESCRIPTION Roads Line Striping: Approx 200,000 +- linear feet 101,260 +- white 90,000+- yellow

FOR REPLACEMENT OF (if applicable) See Attached for Roads to be Striped

BUDGET AMOUNT \$ 40,250.00 指NII RESERVE STUDY - PAGE #

| BIDDER | TOTAL PRICE EACH | DIFFERENCE FROM BUDGETED | COMMENTS |
|---|--|--------------------------|--|
| Zone Striping, Inc Glassboro, New Jersey | 0.00 | | Reached out to company on June 16, 2022, have had no response from company. |
| Alpha Space Control Co, Inc. 1580 Gabler Road Chambersburg, PA 17201 | \$18,300.00 sales tax: 1,098.00 Total: \$19,398.00 | | Recommended by Worcester County, Company does their line striping. Staff Recommended |
| Miles Moffit Construction 31688 Morris Leonard Road Parsonsburg, MD 21849 | \$160,000.00 verbal quote | | Due to having to hand stripe all roads. Advised him not to submit quote. |

| MUNITED . | 7/14/22 | APPROVAL | 7/5/22 |
|-----------|-----------------|-----------------|--------|
| | DATE | SENERAL MANAGER | DATE |
| 70 | 7/15/22 PATE | BOARD | DATE |

*Please limit 1 item per sheet

JULY 11, 2022

ROADS TO BE LINE STRIPED

OCEAN PARKWAY

CATHELL ROAD

YACHT CLUB DRIVE

THE PARKE:

CENTRAL PARKE EAST & WEST

HATTERAS

FEDERAL HILL

FORT SUMTER SOUTH

COLUMBIA AVE

POTOMAC

ALPHA SPACE CONTROL CO., INC.

Net 30

Estimate

CHRIS MEIGHAN

1580 GABLER ROAD CHAMBERSBURG, PA 17201 PH: (717) 263-0182 F: (717) 263-1193 WWW.ALPHASPACECONTROL.COM

| DATE | PRO/SALES |
|-----------|-----------|
| 6/16/2022 | 22-673 |

| NAME / ADDRESS | |
|----------------------------------|--|
| OCEAN PINES ASSOC | |
| ATTN: EDDIE WELLS 239 Ocean Pkwy | |
| Berlin, MD 21811 | |
| ATTN: Eddie Wells | |
| | |

| JOB: | 2022 LONG LINE MARKINGS (22-673) |
|----------|----------------------------------|
| | |
| ADDRESS: | |

SAME

TERMS CUSTOMER P.O. NO. TERMS SALES REP:

CITY/ST:

NET 30

| QTY | DESCRIPTION | COST | TOTAL |
|---------|--|--------|--------------------------|
| 200,000 | ***LONG LINE WATERBOURNE RE-TRACE WITH GLASS REFLECTIVE BEADS*** LF OF 5" SINGLE YELLOW/WHITE LINE (PAINT) | 0.0915 | 18,300.00 |
| | (TO BE DONE IF PAINT IS AVAILABLE WHEN WE ARE DOWN IN THAT AREA) | | |
| | MINIMUM MOBILIZATION CLAUSE - There is a \$10,000 minimum mobilization fee per trip for | 0.00 | 0.00 |
| | Alpha Space Control. This fee is waived if installed quantities meet or exceed \$10,000 per mobilization. PENNSYLVANIA SALES TAX | 6,00% | an in Bana 0.00 a |
| | | | |
| | | | |
| | | | |
| | | | , |
| | | | |

IF THE ABOVE IS AGREED TO, PLEASE SIGN, DATE AND RETURN ORIGINAL COPY. RETAIN DUPLICATE COPY FOR YOUR FILES. WE RESERVE THE RIGHT TO WITHDRAW THIS PROPOSAL IF NOT ACCEPTED IN 30 DAYS.

TOTAL \$18,300.00

SIGN/DATE

Edgar D. Wells

From:

Dallas Baker <dbaker@co.worcester.md.us>

Sent:

Wednesday, May 18, 2022 1:08 PM

To:

Edgar D. Wells

Subject:

RE: *EXTERNAL*:RE: *EXTERNAL*:Road line striping

Anytime!

From: Edgar D. Wells <ewells@oceanpines.org>
Sent: Wednesday, May 18, 2022 1:07 PM
To: Dallas Baker <dbaker@co.worcester.md.us>

Subject: *EXTERNAL*:RE: *EXTERNAL*:Road line striping

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Thanks Dallas

From: Dallas Baker < dbaker@co.worcester.md.us >

Sent: Wednesday, May 18, 2022 1:06 PM
To: Edgar D. Wells < ewells@oceanpines.org
Subject: RE: *EXTERNAL*:Road line striping

Hey Eddie,

Below is the contact for our line striper. Let me know if you need anything else.

Thanks,

Dallas

From: Lisa Lawrence < llawrence@co.worcester.md.us>

Sent: Wednesday, May 18, 2022 12:51 PM

To: Dallas Baker < dbaker@co.worcester.md.us

Cc: Kevin Lynch < klynch@co.worcester.md.us

Subject: RE: *EXTERNAL*:Road line striping

Chris Meighan

Alpha Space Control Co., Inc.

(717) 263-0182 Work Chris@alphaspacecontrol.com

1580 Gabler Road Chambersburg, PA 17201



OCEAN PINES ASSOCIATION, INC. Proposed Topic for Discussion by Board of Directors

DATE: July 14, 2022

TOPIC: MDOT Route 90 Subcommittee

FOR INCLUSION IN MEETING HELD ON: July 27, 2022

SUBMITTED BY: Amy Peck

TOPIC: Create a subcommittee that reports to SPAC that would assist with the MDOT Route 90 project.

CONCISE STATEMENT: The Strategic Planning Committee suggests creating a subcommittee that would report to the SPAC Committee. This subcommittee would be created with the purpose of bi-directional collaboration communication, documentation, and advocacy regarding issues and outcomes related to the MD 90 highway and bridge expansion and construction and its long-term impact on The Ocean Pines Community. The Subcommittee would report to the Chair of the SPAC and the SPAC Liaison. No direct contact with State/Federal officials would take place without direction from the Board. Any charging documents sent/received would go through the SPAC Chair.

BACKGROUND: The Ocean Pines Community is a major community stakeholder. The MDOT Route 90 project will affect homeowners in Ocean Pines that border the project. Additionally, all homes could be affected by the project by environmental, traffic, noise and safety ramifications. This is a long-term project that will include research, advocacy, and community input. The MDOT Route 90 project manager, Jeremy Beck, specifically stated that he wished to hear from the Ocean Pines Community.

DISCUSSION:

Whereas the State had noted that this is a design phase, much work has been already done. The area has been reviewed for an environmental impact, which includes the concepts of sea rise and 100-year storms (DEIS and EIS – environmental impact study). This is fact is important for the future impact on community evacuation plans. Furthermore, this ad hoc committee will be a multidisciplinary group that incorporates representatives from the various committees in our community specifically but not limited to strategic planning advisory, environmental, recreation and parks, board liaison as well as a volunteer individual with a current background in transportation engineering. The line of communication would be the same as it is with all committees: The committee goes to liaison who goes to Board President who goes to GM. To expedite the establishment of a committee, the ad hoc committee will be under the umbrella of the strategic committee. The voluntary committee chair will report to the strategic committee chair and acting board liaison. Once the SPAC committee receives approval, a committee chair will be named. The SPAC plans to complete their work on the Strategic Plan by October. The Committee is prepared to take on this project to assist the Board and GM.

Evacidados pales Fr

OPA Board/Advisory Committee Charging Document

| Reque | st for Performance by: Board |
|-----------------|---|
| | Advisory Committee |
| Date: . | July 14,2022 |
| Submi | tted By: Strategic Planning Advisory Committee |
| For Inc | clusion in Meeting to be Held on: July 27, 2022 |
| <u>Reque</u> | St: |
| seque | The Strategic Planning Advisory Committee (SPAC) requests the Board to: |
| docum expans | an ad hoc <u>Issues committee</u> for the purpose of bi-directional collaboration, communication, ientation, and advocacy regarding issues and outcomes related to the MD 90 highway and bridge sion and construction and its long-term impact on the Ocean Pines community. **round: (Explain the environment of why the Board/Committee wants and/or needs the actions |
| perfori | • |
| Where | as: |
| | The Ocean Pines Community is a major community stakeholder (as noted in the virtual public mtg of 6/21/22) and The project manager, Jeremy Beck, specifically stated that he wished to hear from the Ocean Pines community and |
| 3) | State representatives fielded questions during the Q&A portion of the virtual meeting that included pedestrian, bicycling, environmental, and South to North vehicle travel through Ocean Pines and Traffic patterns will be significantly affected at route 90 intersecting points including Route 90 and Saint |

Therefore, a committee shall be assembled for the purpose aforementioned.

Martin Neck Road

<u>Discussion:</u> (Topics for discussion by the Board/Committee to assure full understanding of what is expected)

Whereas the State notes in their virtual public meeting (6/21/22) that this is a design phase, much work has been already done. The area has been reviewed for an environmental impact, which includes the concepts of sea rise and 100-year storms (DEIS/EIS – environmental impact study). This fact is important as it related to the future impact on community evacuation plans. Moreover, impact on traffic patterns involving Route 589 is noteworthy. Traffic on Route 589 was listed as a top concern with Ocean Pines residents in the 2021 property owner survey with 62.5% of residents slightly or strongly agreeing that it was a concern.

Furthermore, this ad hoc committee will be a multidisciplinary group that incorporates representatives from the various committees in our community specifically but not limited to strategic planning advisory, environmental, recreation and parks, board liaison as well as a volunteer individual with a current background in transportation

engineering. The line of communication would be the same as it is with all committees: The committee goes to liaison who goes to Board President who goes to GM. To expedite the establishment of a committee, the ad hoc committee will be under the umbrella of the strategic committee. The voluntary committee chair will report to the strategic committee chair and acting board liaison. Once the SPAC committee receives approval, a committee chair will be named.

| Committee Chair: Bernard McGorry | Date: //14/22 |
|----------------------------------|---------------|
| Board Liaison: Amy Peck | Date: 7/14/22 |
| Board Secretary: | Date: |
| | |

- matter ... Participation

Harris to the state of



OCEAN PINES ASSOCIATION, INC. Proposed Topic for Discussion by Board of Directors

DATE: 7/21/22

TOPIC: Administration Building Expansion

FOR INCLUSION IN MEETING HELD ON: 7/27/22

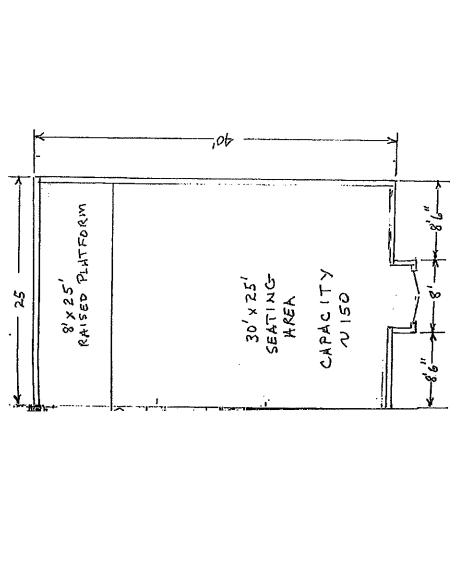
SUBMITTED BY: Colette Horn

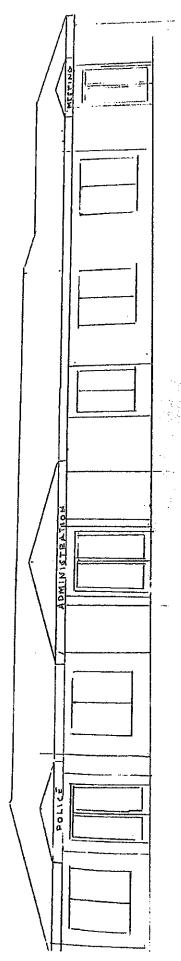
TOPIC: Proposed addition of space to the Administration Building for a new, larger board room.

CONCISE STATEMENT: This discussion is to determine board interest in supporting an addition to the Administration Building for a board room that would accommodate larger meetings with necessary technology, acoustics and seating for hybrid meetings. See attached conceptual drawing.

BACKGROUND: The General Manager has offered for board consideration the concept of an addition to the Administration Building that would accommodate board meeting needs with space for 100-150 meeting participants, appropriate acoustics, and technology to support hybrid meetings. The proposal is for the room to be added on the northeast side of the building, to have its own entrance and restroom. This arrangement would minimize disruption of workers in the main portion of the administration building and provide dedicated space that is not competing with revenue generating activities for the Clubhouse meeting room and the Assateague Room.

Administration Building Renovations







OCEAN PINES ASSOCIATION, INC. PROPOSED MOTION

| DATE: July 16, 2022 TOPIC: Information/Activities Required by the BOD to hold a Referendum for the Construction Renovation of the Ocean Pines Volunteer Fire Department South Station FOR INCLUSION IN MEETING HELD ON July 27, 2022 SUBMITTED BY: Frank Daly SECOND BY: | | | | |
|---|--------------------|----------------------|--|--|
| MOTION: For the Ocean Pines Volunteer Fire Department and Ocean Pines Association to complete the activities defined in the 2013 Memo of Understanding between the OPVFD and Ocean Pines Association, Attachment A, and to supply the information listed in Attachment B for the Board to prepare and present a motion to initiate a referendum for the renovation of the OPVFD South Fire Station. | | | | |
| PURPOSE AND EFFECT: To define the Information and Activities that must be completed and submitted to the Board of Directors for it to vote on a motion to initiate a referendum to address an anticipated shortfall of funds necessary for Ocean Pines Volunteer Fire Department to renovate the South Fire Station. | | | | |
| BACKGROUND: The Ocean Pines Volunteer Fire Department has advised the Ocean Pines Association that the existing South Fire Station has both operational and structural deficiencies. Correcting this situation will require extensive renovation of the current facility. The purpose of this motion is to define the information and activities required for the Ocean Pines Board of Directors to conduct a community wide referendum for the construction required to meet the current and future requirement of the Ocean Pines Volunteer Fire Department. | | | | |
| MOTION OUTCOME: PASSED:FAILED: | | | | |
| DIRECTORS IN FAVOR: | DIRECTORS OPPOSED: | DIRECTORS ABSTAINED: | | |
| | | | | |

Information/Activities Required by the BOD to hold a Referendum for the Construction/Renovation of the Ocean Pines Volunteer Fire Department South Station

DISCUSSION

OPVFD ORGANIZATION:

The Ocean Pines Volunteer Fire Department is a corporation completely separate from the Ocean Pines Association (OPA), also a corporation. The OPA has zero involvement in the day to day operations of the OPVFD, no representation on the OPVFD Board of Directors and no involvement in their budgeting and administrative operations.

OPVFD FUNDING:

The OPVFD funds its operations throughs EMS billings,
Federal, State and County Grants, via its fund raising efforts and
through a Memo of Understanding (MOU) with the Ocean Pines
Association. The most recent supplement to this MOU was in
2013 and covers operating, debt service and capital costs
(Documents are included in Attachment A).

For the purposes of this motion the most significant sections of the 2013 MOU are located on Page 1, item 2f and Page 2, item 6.

Item 2f states... "The Association's funding shall be the amount of the Annual Capital Cost allocated to it, which shall be 100% of the amounts relating to assets other than those which the Parties have agreed will not be funded by the Association, INCLUDING THE SOUTH STATION and assets which are donated or funded through third parties (through grants, gifts, etc.)."

Page 2, item 6 states... "The South Station shall not be included in the calculation of the annual Capital Cost to be allocated to the Association. It is the intent of the Parties to utilize fund raising efforts, including a possible Capital Campaign, to provide the funding necessary to renovate, refurbish, or replace this facility.

The last sentence is the first item listed in Attachment B.

ATTACHMENT A

Supplement to September 30, 2011 Memorandum of Understanding Between the Ocean Pines Association and the Ocean Pines Volunteer Fire Department

This Supplement to the September 30, 2011 Memorandum of Understanding (the "Supplement") by and between Ocean Pines Association, Inc., a Maryland non-stock corporation (the "Association"), and Ocean Pines Volunteer Fire Department, a Maryland non-stock corporation (the "Department"), is made and entered into this Adday of July, 2013, by and between the Association and the Department (the "Parties").

WHEREAS, the Parties entered into an Agreement, dated September 11, 1977 (the "Agreement"), and entered into a Memorandum of Understanding (the "MOU"), dated September 30, 2011; and

WHEREAS, the purpose of this Supplement is to define the policies for determining and allocating the Capital Reserve Costs and the funding thereof, including the request and disbursement procedures by the Parties.

NOW THEREFORE, by this Supplement to the September 30, 2011 Memorandum of Understanding, the Parties hereto do hereby agree as follows:

- 1. Utilizing the Department's apparatus, equipment, and facilities database, a Capital Replacement Reserve Schedule (the "Reserve Schedule"), shall be prepared and maintained by the Department, which Schedule shall set forth the information required, under the terms of this Supplement, and which shall be used to determine, on an annual basis, the estimated amount of future Capital Reserve funding required, the amount of such future funding required in the following fiscal year (the "Capital Cost"), and the allocation of that estimated amount to be funded by the Association (the "Funding"). All amounts used in the Capital Reserve Schedule shall be as of the last day of the fiscal year. immediately preceding the fiscal year for which the annual Capital Cost is being calculated.
 - 2. The determination of the Capital Replacement Reserve, the annual Capital Cost, and Funding shall be based on the following:
 - a. The calculations shall be based not on the cost of the various assets, but rather on the estimated replacement cost of those assets, as determined from time-to-time.
- where the calculations shall be determined on the basis of each individual depreciable asset of significance, currently in use to provide the services subject to the then existing Agreement between the Parties.
 - c. The calculated Annual Cost for each asset shall be the sum of the computed Reserve amount which should be on hand ("Reserve Amount"), based on the completed years of usage compared to its total estimated useful life, less the amount of Reserve Fund Cash ("Reserve Cash") allocated to that asset, divided by the remaining years of useful life.
 - d. The allocation of Reserve Cash to individual assets shall be based on the percentage of each asset's calculated Reserve Amount to the total Reserve Amount.
 - e. The aggregate of the individual asset amounts shall be the total Annual Capital Cost.
- The Association's Funding shall be the amount of the Annual Capital Cost allocated to it, which shall be 100% of the amounts relating to assets other than those which the Parties have agreed will not be annually funded by the Association, including the South Station and assets which are donated, or funded, by third parties (through grants, gifts, etc.).



- g. For purposes of presentation, and in recognition of the fact that funding from entities other than the Association (Worcester County, State of Maryland, insurance providers, etc.), are intended to fund both operating and capital costs, 50% of the Annual Capital Costs allocated to the Association shall be reflected in the various computations and presentations as an allocation to the funding from those sources.
- 3. The amount of Reserve Cash on hand shall include all cash and investments, with the following exceptions: a) "Fundraising" cash, up to the limits provided for in the MOU, shall be excluded; b) 25% (3 months) of annual cash operating costs shall be excluded; c) any cash funds being held for other parties shall be excluded; and, d) significant non-cash items, including pre-funding of future expenses (i.e. prepaid House Raffle expenses), shall be included as Reserve Cash in the calculation. The amount of Reserve Cash used for budgetary calculations shall be the amount projected to be on hand at the end of the fiscal year immediately preceding the fiscal year for which the budgeted Capital Cost is being prepared. Reserve Cash shall be subject to the "True-Up" provisions of the MOU.
- 4. The annual Capital Cost and Funding shall be subject to the "True-Up" provisions of the MOU, as the calculated annual costs for Budget purposes, and the Association's allocation thereof, utilizes estimated amounts, particularly for the estimated amount of Reserve Cash which will be on hand at fiscal year-end, which amount significantly affects the amount of the annual funding requirement. The "True-Up" adjustment shall also include the correction of errors and omissions in the calculation of previous budgeted annual Capital Costs and shall result in a revision to the Association's Funding.
- 5. In addition to updating the Reserve Schedule for "True-Up" adjustments (Reserve Cash and errors and omissions), at the time the actual information becomes available, the Reserve Schedule shall be annually updated in order to make additions and deletions to the list of individual assets, and also to make changes, if any, to the previous estimates of the replacement cost, or the estimated remaining useful life of each individual asset. This update shall be performed in conjunction with the annual Budget process and any resulting changes shall not be considered "True-Up" adjustments, which retroactively adjust to actual the estimates previously used. Consequently, these adjustments will impact the calculations of future years only.
- 6. The South Station shall not be included in the calculation of the annual Capital Cost to be allocated to the Association. It is the intent of the Parties to utilize fundraising efforts, including a possible community-wide Capital Campaign, to provide the funding necessary to renovate, refurbish, or replace, this facility. The Association acknowledges its commitment, in partnership with the Department, to ensure the necessary funding.

- 7. Those depreciable equipment and apparatus assets, which are not significant (generally under \$50,000 unless the items are registered and titled assets), shall not be separately listed, but aggregated into a single, or several, amounts on the Reserve Schedule ("Large Equipment", etc.) and shall receive the same treatment as the individually listed assets. The cost and estimated replacement cost, as well as the estimated useful and remaining lives, shall be reasonable approximations of the actual average of the assets comprising these groups, as agreed to by the Parties.
- 8. The timetable for determining the Department's annual request to the Association for funding the Capital Reserve Cost shall be consistent with the annual Budget process and incorporated therein. In order to timely provide information to the Association to allow it to meet its By-Law requirements for obtaining approval of its Annual Budget, the Parties agree that the Department will provide its request by December 1st of each year for the following fiscal year, which begins on May 1st. The Capital Reserve and annual Capital Cost and Funding, as stated previously in this Supplement, shall be based on assets expected to be in use as of the beginning of the fiscal year (only assets in use the entire fiscal year will be included), and the calculations shall be based on an updated Reserve Schedule, which shall be as of the last day of the fiscal year immediately preceding the fiscal year for which the Budget is being prepared, and include a description of each asset, its original cost and estimated replacement cost, purchase date, estimated total and remaining useful life, and total Reserve Fund Cash, as well as the amount of such cash allocated to each asset.
- 9. The "True-Up" concept was incorporated into the MOU in recognition of the fact that, in the budgeting process, financial estimates are required to be used and actual results will not be known for many months after the annual Budget has been prepared and approved by each organization. The "True-Up" provision provides for adjusting the estimated amounts used to the actual results achieved. Consequently, the "True-Up" adjustment cannot be calculated until the actual financial amounts have been determined and validated. Therefore, the "True-Up" adjustments for both the Capital Cost, as well as the other components comprising the annual Budget, shall be determined on the basis of the audited financial statements of the Department. Consequently, the adjustments, which will effect the actual funding for that fiscal year, shall be determined by the end of August.
- 10. Revisions to the current fiscal year's funding by the Association, resulting from differences between the original budgeted amounts and the actual amounts (either increases or decreases), after applying the "True-Up" adjustments, shall be implemented in October and result in modified monthly disbursements for the remainder of the fiscal year. The result will be that total actual funding by the Association for the fiscal year will be equal to the original Budget adjusted for the "True-Up" adjustments.

- 11. Notwithstanding the above agreed- upon method of determining the Funding by the Association of the Capital Cost component of the annual funding of the Department, as provided for in Item #3 of the MOU, "... the Parties will meet on an annual basis for the purpose of making a mutually agreeable determination of the reasonable amount of funding to be made by the Association, subject however, to the provisions of Paragraph 9 of the Agreement."
- 12. Funding disbursements by the Association to the Department shall be made in monthly payments and consist of two separate components, as follows:
 - a. The first component shall consist of the operating and debt funding plus 50% of the Capital Cost funding, and will be made directly to the Department by the $15^{\rm th}$ day.
 - b. The second component shall be the remaining 50% of the Capital Cost funding, and shall be deposited into a separate Association bank account created specifically for these Funds, which bank account shall be held on behalf of the Department and shall be used only to make disbursements for the renovation and/or replacement of the capital assets included in the Replacement Schedule.
- 13. The monthly disbursements and deposits shall be made in an amount equal to the then determined annual amount for that fiscal year, less amounts previously paid, divided by the number of months remaining in that fiscal year. (This recognizes that the Supplement provides for a "True-Up" adjustment during the fiscal year, which likely will revise the annual funding amount.)
- 14. Disbursements from the Capital Reserve Bank account maintained by the Association, for capital asset renovations and/or replacements, shall be made annually, following completion of the annual audit, and be based on a request by the Department for such a disbursement, which request shall provide adequate documentation. The allocation of the annual funding of Capital Costs between the Association and the Department shall be based on the ratio of each Party's Reserve Cash Fund balance to the aggregate Reserve Cash, as of the end of the preceding fiscal year (audited).
- 15. The Department's books and records and financial statements shall reflect the nature of the various funds received from the Association and also reflect the nature of the agreed upon Capital Reserve Funds and Reserve Cash of the Department. Such distinctions will provide for compliance with Section 4 of the MOU, which Section addresses asset distribution in the event of a dissolution, or partial dissolution, of the relationship between the Parties, as described in Section 2 of the MOU.

IN WITNESS WHEREOF, the Parties hereto have executed this Supplement to the September 30, 2011 Memorandum of Understanding as of the day and year first herein written.

OCEAN PINES ASSOCIATION, INC.

Thomas E. Terry, President

OCEAN PINES VOLUNTEER FIRE DEPARTMENT, INC.

By: /

Daniel R. Healy, President

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding, made and entered into this day of 5 EPTOM BER, 2011, by and between Ocean Pines Association, Inc., a Maryland non-stock corporation (the "Association") and Ocean Pines Volunteer Fire Department, Inc., a Maryland non-stock corporation (the "Department").

WHEREAS, Association and Department (the "Parties") entered into an Agreement dated September 3, 1977 (the "Agreement"); and

WHEREAS, The Parties to the Agreement, while they are updating the relationship between themselves with this Memorandum of Understanding, want to affirm the 1977 Agreement as being operative and in effect; and

WHEREAS, the purpose of this Memorandum of Understanding is also to define additional services provided by the Department including emergency medical services and rescue services, which shall be recognized and included in the services performed by the Department, and under the Agreement between the Parties hereto.

NOW THEREFORE, by this Memorandum of Understanding, the Parties hereto do hereby agree as follows:

- By virtue of the fact that the Parties have heretofore caused the location of a new fire station facility in White Horse Park, the Parties agree that the provisions of Section 6 of the Agreement has been fully satisfied and that the Department no longer requires access to the Association's Community Center described in Paragraph 6 of the Agreement. The parties agree that as long as the Department is providing fire protection services in accordance with the terms of the 1977 Agreement, per the May 12th, 2008 Agreement it shall have full use of the area of property in White Horse park presently utilized for its fire station.
- A. In Section 9 of the Agreement, the provision is included that all 2. financial or other form of assistance received under the Agreement by the Department from the Association shall be used solely for "fire protection purposes". Such term is not defined in the Agreement, nor are "fire protection purposes" defined in the Public Safety Article of the Code of Worcester County. Therefore, the Parties agree that the term "fire protection purposes" shall include the Department providing emergency medical services and rescue services as well as fire protection and prevention services generally.
- B. In the event that either party determines that emergency medical services and rescue services can be provided more effectively by an independent third party provider, the Parties shall amend the Agreement, and this Memorandum, for the purpose of redefining the scope of "fire protection services". In the event that such determination is made by either party, it shall notify the other not less than six months prior to the end of the present fiscal year of such determination. The notice shall provide a date certain in the following fiscal year upon which time such emergency medical and/or rescue services shall cease.

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- 3. 1... Department maintains an apparatus and facilities replacement schedule by which it determines the necessary yearly allocation of its projected reserve amount in order to set aside funds for such future apparatus replacement. The Parties agree that the Association shall contribute to the funding for such yearly allocation and, to that end, the Parties will meet on an annual basis for the purpose of making a mutually agreeable determination of the reasonable amount of funding to be made by the Association, subject however, to the provisions of Paragraph 9 of the Agreement.
- 4. Under the provisions of Section 14 of the Agreement, and/or section 2B of this Agreement, in the event of dissolution of the Department or any portion thereof, the Department shall distribute all the assets related to that portion being dissolved to the Association. The Parties agree that the monetary reserve. associated with the replacement of equipment and facilities utilized by the Department and all other cash accounts, shall be included in "all assets of the Department" to the end that all funds as well as physical assets shall be so distributed.
- 5. There is attached hereto and made a part hereof as Exhibit "A" a memorandum of the relationship structure between the Association and the Department and, such relationship structure memorandum is hereby determined by the Parties to be the description of the nature of the relationship with respect to a funding formula and method by which the Association aids the Department in its responsibility to provide fire protection services as herein defined to the community, and the funding for such services.
- 6. Parties agree to develop and obtain approval by mutual agreement of, a policy for allocation of reserve funding to include request and disbursement procedures by both parties within 3 months of the execution of this memorandum of understanding.
- In all respects, except as herein modified the parties agree that the 7. September 3, 1977 Agreement is in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have executed this Memorandum of Understanding as of the day and year first herein written.

OCEAN PINES ASSOCIATION, INC.

OCEAN PINES VOLUNTEER FIRE DEPARTMENT, INC.

By: Docker Dio

Exhibit A

OPVFD and **OPA** Relationship Structure

7-27-11

Background: The OPA has the responsibility to assure there is fire protection provided to its members. The OPVFD has provided these quality services to OPA and its members for many years. These services have evolved over time to provide excellent support for the residents of Ocean Pines. OPA has a long-standing commitment to supply financial support needed by the OPVFD to supply fire protection. The basic relationship between OPA and OPVFD is set forth in an agreement (the "Agreement") between the two parties dated September 3rd, 1977, which replaced the previous agreement of February 22, 1975.

In order to update and further define the relationship, the OPVFD and OPA representatives have created a Model which includes a funding formula (Exhibit B). The Model, which has been developed, is designed to account for the various funding and revenue sources for OPVFD plus assure the OPVFD has a sustainable financial foundation to support its operational and capital expenditures. The Model also needed to assure that OPA provides the appropriate level of funding year over year.

Major Items: To assure that OPA's funding is correct year over year; the implementation of year end true-up was established. This true-up is a comparison of OPA funding levels to year end actual OPVFD requirements. This comparison is used to adjust future budget requests to reflect under or over funding from OPA. This concept is founded on the understanding that we work

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with budget plans, which are our best expectations of results. There is a need to use actual outcomes to adjust future budgets.

Allsources of revenue to the OPVFD are reflected in the Model. Once other sources are projected and compared to the full budget, the net of this comparison becomes the basis for the requested funding from OPA.

The team of OPVFD and OPA leaders took steps to support the ongoing concept of the OPVFD continuing its fundraising and donation efforts, while reflecting that these monies are a special type of revenue. The approach created in the model is to support the OPVFD having a fundraising account which will be used to pay all expenses for fundraising and the OPVFD accepting all risks associated with this effort. With this in mind the team decided to propose that this fundraising account, funded by the OPVFD, be able to grow to a level of \$ 150,000 dollars. On each fiscal year end date any monies in this account over the limit will be included in the budgetary request as an adjustment to the level of request: I.e. If the account is \$160,000; \$10,000 dollars would be added to the expected revenue for the OPVFD in the next budget cycle. (To be clear this is a cumulative year end limit not an additive \$150K per year where the amount would grow to \$300/\$450K etc.) Within each year the OPVFD may utilize the money received at its own discretion, with the understanding that the funds will be used to reasonably support their OPVFD efforts, which provide support for Ocean Pines Residents.

Further, OPA and OPVFD both agree the OPVFD may need the ability to raise money toward the refurbishing and/or replacement of the South Station or other major facilities. The specifics of such fund raising will be negotiated at that time.

Capital budgeting: The accounting teams supporting the OPVFD and OPA have created an agreed upon method of determining the annual Capital Reserve Costs, based on replacement costs (the "Capital Reserve Schedule"); to be used in future year(s) budget planning. Each year the Capital Reserve Schedule will be updated and revised to maintain information that is as accurate and reasonable as possible.

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Exhibit B

Layman's Picture of the Model:

Funding/Revenue

County EMS

County Fire

Grants and State Funding

= Revenue

EMS billing revenue

Interest income

Year end true up (+ or -)

Fundraising adjustment... If Any (-)

Misc.

Operational/Capital

Operations Expense

Capital Reserve Costs Per Schedule

= Expense

Debt service

Revenue – Expenses = Budget request from OPVFD to OPA



ATTACHMENT B WITH DISCUSSION POINTS

Information required for the Board of Directors to prepare a motion and conduct a vote to initiate a referendum to address an anticipated funding shortfall for the renovation construction of the OPVFD South Fire Station.

Information Required:

- 1. Status of the OPVFD/OPA Capital Funding Campaign. Start Date, end date, Capital Funding Goal. When completed, the amount raised.
- 2. Three (3) Construction Manager at Risk bids from qualified General Contractors who have constructed fire stations.

How this information will be used:

Step 1. The OPA will use the Construction Manager at Risk model to obtain Guaranteed Maximum Price quotes from three qualified General Contractors that have recently completed the construction of similar fire stations. This information will define the maximum construction cost of the facility. During this step the OPVFD and OPA will also define, with the General Contractor, the Change Order request and approval process that will be implemented during the building construction.

Step 2. Once the construction cost is determined OPVFD and OPA can assess the amount of the total construction cost that can be supplied by the OPVFD/OPA Capital Funding Campaign, State grant and available cash on hand. The difference between funding and the maximum construction price will determine the funding shortfall. The OPVFD and OPA will then be in position to determine how to cover the shortfall and the exact impact that will have on the annual assessment.

Step 4. When the preceding steps are completed OPA and OPVFD will be in position to determine the building ownership and maintenance issues.

Once all the above is completed the Board will be in position to vote on going to referendum in the required 'yes/no' format with specific cost and assessment impact implications to each lot owner.



OCEAN PINES ASSOCIATION, INC. PROPOSED MOTION

| DATE: 7/21/22 TOPIC: Capital Fundraising for OPVFD Building Project FOR INCLUSION IN MEETING HELD ON: 7/27/22 SUBMITTED BY: Colette Horn SECOND BY: | | | |
|---|--|---|--|
| MOTION: To direct the General A assistance to the OPVFD for prep fundraising and to form a work go services in support of the OPVFD, of the South Fire Station, per the 2 | earation of a request for proposal roup to evaluate and select a fur OPA Capital fundraising effort re | to secure at least 3 bids for and raising professional to provide | |
| PURPOSE AND EFFECT: To ensure fundraising campaign for the prorequirements of the 2011 MOU Ac | posed rebuild/renovation of the | | |
| BACKGROUND: The 2013 Addendum to the OPVFD/OPA MOU, paragraph 6 reads as follows: "The South Station shall not be included in the calculation of the annual Capital Cost to be allocated to the Association. It is the intent of the Parties to utilize fundraising efforts, including a possible community-wide Capital Campaign, to provide the funding necessary to renovate, refurbish, or replace this facility. The Association acknowledges its commitment, in partnership with the Department, to ensure the necessary funding." | | | |
| * == * | | | |
| MOTION OUTCOME: PASSED: FAILED: | | | |
| DIRECTORS IN FAVOR: | DIRECTORS OPPOSED: | DIRECTORS ABSTAINED: | |
| | | | |



OCEAN PINES ASSOCIATION, INC. FIRST READING

| DATE: 7/3/22 TOPIC: Approval of Proposed OPA F&B Amenities Rules FOR INCLUSION IN MEETING HELD ON: 7/27/22 SUBMITTED BY: Colette Horn SECOND BY: | | | |
|--|----------------------------------|----------------------------------|--|
| MOTION: To approve the attach | ed proposed OPA Food and Bev | rerage Amenity Rules | |
| PURPOSE AND EFFECT: To provide Amenity Rules maintained in the amenity rules enforcement authorized | GM's office per Resolution M-02, | Section 14.e to reference in the | |
| BACKGROUND: A recent review of Resolution M-02 revealed that Section 14.a stipulates that the GM shall establish rules for participation in our amenity facilities. In addition, OPA Bylaws Section 5.13(a) gives the Board of Directors the authority "to adopt and publish rules and regulations governing the use of those parts of the Subdivision that are or will be owned by or are otherwise under control of the association." Section 12.e and f of Resolution M-02 articulates the rules enforcement authority given to the manager of each amenity facility and the GM. The recent incident at our Yacht Club and the review of revealed the absence of rules adopted by OPA for our food & beverage facilities. This motion is meant to secure board adoption of the attached rules and authorization for them to be included in the Book of Amenity Rules maintained in the GM's office and enforced per Resolution M-02 Section 12.e and f. | | | |
| MOTION OUTCOME: PASSED: FAILED: | | | |
| DIRECTORS IN FAVOR: | DIRECTORS OPPOSED: | DIRECTORS ABSTAINED: | |

OCEAN PINES BEACH CLUB, THE CLUBHOUSE BAR AND GRILL, AND YACHT CLUB CONDUCT RULES AND REGULATIONS

- R1. The Beach Club, The Clubhouse Bar and Grill, and Yacht Club (collectively "F&B Amenities") are owned by Ocean Pines Association, Inc. ("Association").
- R2. Section 5.13(a) of the Bylaws provides: "The Board may adopt and publish rules and regulations governing the use of those parts of the Subdivision that are or will be owned by or are otherwise under control of the Association."
- R3. The Board of Directors deems it necessary to adopt the following rules and regulations governing the use of the F&B Amenities.

Now therefore, the Board of Directors adopts the following rules and regulations.

- 1) Scope. These rules and regulations govern the F&B Amenities to include all adjacent related property. For illustration: The Beach Club includes the Beach Club deck, restaurant, and parking lot; The Clubhouse Bar and Grill includes the restaurant, bar, patio and parking lot; and the Yacht Club includes the Tiki Bar, restaurant, pool, and parking lot.
- 2) All patrons of the F&B Amenities, including members and their guests, are to conduct themselves appropriately when on any of the F&B Amenities. The following are examples of inappropriate conduct: (a) boisterous, vulgar, or otherwise offensive behavior directed toward staff, management, or another patron that is offensively or which causes a nuisance or unreasonable annoyance to other patrons; (b) verbal abuse towards another patron, management or staff; (c) drunk or disorderly conduct; (d) dangerous or unsafe actions or behavior; (e) theft or destruction of any OPA property; and (f) a physical altercation, or threat thereof, involving another member, guest, patron management or staff.
- 3) A breach of these rules could result in the removal of the offending individual from the amenity and/or a suspension offender's ability to use or be present on any or all of the F&B Amenities. The length of such suspension will be determined based on the severity and frequency of the behavior. Nothing in these rules shall limit the Association's ability to take other enforcement action as permitted under the Declarations of Restrictions or at law.

| Adopted by the Board of Directors this th | ne day of | 2022. |
|---|-----------|-------|
| , President Ocean Pines Association, Inc. | | |

4) These rules and regulations are effective upon adoption.

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OCEAN PINES ASSOCIATION, INC. Proposed Topic for Discussion by Board of Directors

DATE: 7/20/22

TOPIC: Review of Resolution M-04

FOR INCLUSION IN MEETING HELD ON: 7/27/22

SUBMITTED BY: Colette Horn

TOPIC: Review of Resolution M-04

CONCISE STATEMENT: The Bylaws & Resolutions Committee has requested as part of their routine discussion of resolutions in need of review that Resolution M-04 be reviewed.

BACKGROUND: The B&R Committee reviewed Resolution M-04. The issue of cutting weeks and grass on private property of owners who do not do so themselves came up. The authority for the Association to engage in this action is in the DRs. The Committee believes no update to this resolution is needed unless there is a change to the DRs on this topic. I propose that we advise B&R that the resolution may be considered reviewed, as there are no plans to amend the language of the DRs on this topic. This discussion is to solicit Board input on this approach.



OCEAN PINES ASSOCIATION, INC. PROPOSED MOTION

DATE: July 20, 2022

TOPIC: Enforcement of Open Violations In Legal

FOR INCLUSION IN MEETING HELD ON: July 27, 2022

SUBMITTED BY: Josette Wheatley

SECOND BY:

MOTION:

To declare the existence of the open violations on properties included on the attached list, thereby suspending the voting rights and use of Association amenities for as long as the violations continue to remain open.

PURPOSE AND EFFECT:

ARC and CPI believe approving this request will shorten the timeline to compliance, save the Association money and provide a better forum for property owners to work out their problem as opposed to the Worcester County Court System. This action does not mean that property owners who fail to comply during this period may not be forwarded to the attorney if it remains necessary to force compliance.

BACKGROUND:

The current method used to persuade residents to comply with open violations on their property is to send two notices, after which the case is referred to the General Manager for further action, which means the case is sent to legal counsel, provided the property owner has not complied prior to that. Even in normal times this has proven to be inefficient and costly to the Association. Over the past two years COVID has made the situation worse since the Courts were closed for much of the time. Some of the first notices shown above, and some second notices, pre-date COVID. The change in legal counsel and lack of attention by legal counsel to diligently pursue cases can also be a contributing factor.

- All the attached violations have been inspected by members of ARC to verify their status. All violations have been reviewed as of the date of this request and all remain open
- The attached violations represent the remaining cases in legal as of December 31, 2021. Fifteen cases have been referred to legal in 2022 and three have been forwarded to the GM for further action.
- AT the Aprill 21, 2022 Board Meeting, ARC brought to the Board's attention the need to use interim enforcement tools currently at their disposal to help reduce legal costs and to try to prevent property owners from having to become involved with the County Courts.
- The authority to grant this request is found in the Declaration of Restrictions, The OPA Articles of Amendment and Restatement, dated September 12, 2013 and the Bylaws.

ARC and CPI intend make use of this process to bring more cases like this to the Board for action.

| MOTION OUTCOME: PASSED: FAILED: | | |
|---------------------------------|--------------------|----------------------|
| DIRECTORS IN FAVOR: | DIRECTORS OPPOSED: | DIRECTORS ABSTAINED: |
| | | |
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| | | |

VIOLATIONS IN LEGAL

Open Violations for Proposed Motion at the July 27, 2022 Meeting

| ADDRESS | VIOLATION | 1st LETTER | ARC LETTER | SENT TO GM | SENT TO LEGAL |
|---------------------------|---|------------|------------|------------|---------------|
| 11 White Horse Drive | Maintenance | 12/9/2021 | 1/4/2022 | 1/25/2022 | 2/2/2022 |
| 2 Capetown Road | Maintenance | 4/1/2021 | 5/4/2021 | 5/28/2021 | 6/8/2021 |
| 14 Capetown Road | No Permit - Color Change | 1/22/2021 | 2/16/2021 | 3/3/2021 | 3/9/2021 |
| 81 Ocean Parkway | Vehicle Parking | 7/29/2021 | 9/7/2021 | 9/22/2021 | 9/28/2021 |
| 11 Coventry Court | Trash/Debris | 6/23/2020 | 8/4/2020 | 8/20/2020 | 9/11/2020 |
| 39 Clubhouse Drive | Placement Violation (Playground Equip.) | 10/28/2020 | 4/20/2021 | 5/10/2021 | 5/17/2021 |
| 9 Lookout Point | No Permit - Fence | 8/23/2018 | 1/15/2019 | 3/9/2019 | 6/26/2019 |
| 78 Birdnest Drive | Unregistered Vehicle | 7/2/2020 | 7/20/2020 | 10/21/2020 | 10/26/2020 |
| 17 Sandyhook Road | Trash in Yard/Maintenance | 3/3/2021 | 4/6/2021 | 4/27/2021 | 5/3/2021 |
| 12 Starboard Court | No Permit - Color Change/Shed Color | 3/5/2019 | 4/2/2019 | 6/1/2019 | 6/2/2019 |
| 12 Starboard Court | Canopy | 10/27/2021 | 12/7/2021 | 3/17/2022 | 3/22/2022 |
| 8 Yeoman Court | Wire Fence | 8/17/2020 | 9/15/2020 | 10/1/2020 | 10/8/2020 |
| 5 Moby Dick Drive | No Permit - RV | 1/21/2022 | 3/1/2022 | 3/17/2022 | 3/22/2022 |
| 3 Tortola Lane | No Permit - Fence | 6/8/2021 | 7/6/2021 | 7/26/2021 | 7/30/2021 |
| 70 Crest Haven Drive | Commercial Vehicles | 3/31/2021 | 4/15/2021 | 5/10/2021 | 5/17/2021 |
| 38 Crest Haven Drive | Unregistered Vehicles | 6/5/2020 | 8/4/2020 | 8/20/2020 | 10/13/2020 |
| 34 Nottingham Lane | Junk Vehicle | 12/13/2021 | 1/4/2022 | 1/25/2022 | 2/2/2022 |
| 115 Nottingham Lane | Maintenance (Roof & Screened Porch) | 10/4/2019 | 2/4/2020 | 4/1/2020 | 4/2/2020 |
| 91 Nottingham Lane | Unregistered Vehicle | 10/18/2021 | 11/16/2021 | 12/2/2021 | 12/7/2021 |
| 8 Willow Way | Unregistered Vehicles | 1/8/2020 | 2/6/2020 | 4/1/2020 | 4/2/2020 |
| 6 Mulberry Lane | No Permit - Addition | 9/27/2021 | 10/19/2021 | 11/9/2021 | 11/19/2021 |
| 4 Hemlock Lane | Unregistered Vehicle | 2/22/2017 | 5/16/2017 | 1/15/2019 | 3/5/2019 |
| 76 Quarter Staff Place | No Permit - Trees Removed | 1/29/2021 | 5/18/2021 | 6/16/2021 | 6/29/2021 |
| 1300 Ocean Parkway | Maintenance | 7/13/2021 | 8/17/2021 | 9/3/2021 | 9/13/2021 |
| 32 Robin Hood Trail | No Permit - Trees Removed | 5/27/2021 | 7/6/2021 | 7/26/2021 | 7/30/2021 |
| 805 Ocean Parkway | Box Trailer | 8/31/2021 | 9/21/2021 | 10/11/2021 | 10/18/2021 |
| 131 Watertown Road | Maintenance (Deck Screening) | 11/19/2021 | 12/21/2021 | 1/6/2022 | 1/12/2022 |
| 16 Watertown Road | Shed Color | 7/22/2021 | 8/17/2021 | 9/3/2021 | 9/13/2021 |
| 5 Hingham Lane | Trash in Yard/Maintenance | 4/7/2021 | 5/4/2021 | 5/28/2021 | 6/8/2021 |
| 43 Wood Duck Drive | Skateboard Ramp | 1/28/2020 | 8/18/2020 | 9/9/2020 | 9/11/2020 |
| 11 Mist Flower Road | Unregistered Vehicle | 10/18/2021 | 11/16/2021 | 12/2/2021 | 12/7/2021 |
| 101 Mumfords Landing Rd N | Maintenance | 3/12/2021 | 4/20/2021 | 5/10/2021 | 5/17/2021 |

| 1. Name of Applicant: R. Lewis Furm AN | | |
|---|----------------------------|--|
| 2. Address: 168 Oceano PK | / | |
| 3. Email: JANEFURMAN 4 B | verizon - Net | |
| 4. Telephone: 1-410-64/-7326 5. Committee in which you would like to be involved. | Property Owner for (years) | |
| Aquatics | Re-Appointment | |
| Architectural Review | Re-Appointment | |
| Budget & Finance By-Laws & Resolutions | Re-Appointment | |
| Clubs | Re-Appointment | |
| Communications | Re-Appointment | |
| Elections | Re-Appointment | |
| Environment & Natural Assets | Re-Appointment | |
| Golf | Re-Appointment | |
| Marine Activities | Re-Appointment | |
| Racquet Sports | Re-Appointment | |
| Recreation & Parks | Re-Appointment | |
| Search | Re-Appointment | |
| Strategic planning | Re-Appointment | |
| Other | Re-Appointment | |
| Potential Term: (1st) 2 nd 3 rd ~ Term will expire: | | |
| 7. What knowledge/input can you offer to this Co | | |
| 0.C | | |
| Signature R. Lewis Furnan | Date 1/08/2022 | |
| 1st Endorsement from Committee Chairperson; Comment: | | |
| Signature Ellan Warch | Date 4/9/22 | |
| 2nd Endorsement from Board Liaison to Committee: Comment: The case with this properties. | | |
| Dia. | 7/11/2022 | |
| Signature | Date | |
| Board Action: | Date: | |
| | | |
| President's Signature | Date | |

| Hallork | \ K ./ | |
|---|----------------------------------|--|
| 1. Name of Applicant: |) heiling | |
| 2. Address: 205 Breezy Creek Ct. | | |
| 3. Email: Keiling 8082 Cgmail | 1. com | |
| 4. Telephone: 603 - 303 - 3764 | Property Owner for (years) | |
| 5. Committee in which you would like to be involved | red: | |
| Aquatics | Re-Appointment | |
| Architectural Review | Re-Appointment | |
| ✓ Budget & Finance | Re-Appointment | |
| By-Laws & Resolutions | Re-Appointment | |
| Clubs | Re-Appointment | |
| Communications | Re-Appointment | |
| Elections | Re-Appointment | |
| Environment & Natural Assets | Re-Appointment Re-Appointment | |
| Golf | | |
| Marine Activities | Re-Appointment | |
| Racquet Sports | Re-Appointment | |
| Recreation & Parks | Re-Appointment | |
| Search | Re-Appointment | |
| Strategic planning | Re-Appointment | |
| Other | Re-Appointment | |
| Potential Term: 1st 2nd (3rd) Term will expire: 6. Why do you want to be on this Committee? To provide Financial Review for the | ontique on as current chair | |
| 7. What knowledge/input can you offer to this Co | mmittee? 5 JERRS WORKING | |
| with Bif and a diverse busines | s background | |
| Ha. Kerling | 7-13-22 | |
| Signature | Date | |
| signature // | Dale | |
| 1st Endorsement from Committee Chairperson: Comment: | | |
| SM. | | |
| Signature | Date | |
| 2nd Endorsement from Board Liaison to Committee: | | |
| Comment: w. andwse. | | |
| Tan Day | 7-15-22 | |
| Signature | Date | |
| | | |
| Board Action: | Date: | |
| | | |
| President's Signature | Date | |

| 1. Name of Applicant: Carrie Mor | rison |
|---|--|
| 2. Address: 25 Drawbridge Rd | |
| 3. Email: On the 4th @ msn. com | |
| 4. Telephone: 40-208-9766 | Property Owner for 22 (years) |
| 5. Committee in which you would like to be in | |
| Aquatics | Re-Appointment |
| Architectural Review | Re-Appointment |
| Budget & Finance | Re-Appointment |
| By-Laws & Resolutions | Re-Appointment |
| Clubs | Re-Appointment |
| Communications | Re-Appointment |
| Elections | Re-Appointment |
| Environment & Natural Assets | Re-Appointment Re-Appointment |
| Golf | Re-Appointment |
| Marine Activities | Re-Appointment |
| Racquet Sports Recreation & Parks | Re-Appointment |
| Search | Re-Appointment |
| Strategic planning | Re-Appointment |
| Other | Re-Appointment |
| 6. Why do you want to be on this Committee information to home owners good of the Community. I 7. What knowledge/input can you offer to the was involved in project many well with others. Signature Carrie Monium | also feel it is important to participate is Committee? In my career, I |
| 1st Endorsement from Committee Chairperso Comment: Carrie will be an asse | on: It to the Committee given her backgoord. |
| Church Jacobs | 4/4/22 |
| Signature | Date |
| 2nd Endorsement from Board Liaison to Com Comment: | nmittee: |
| (Wittiat | 7/18/2 |
| Signature | Date |
| Board Action: | Date: |
| President's Signature | Date |
| 100 | |

| 1. Name of Applicant: Patricia M | Seidl | |
|--|---|--|
| | - Berlin, MD 21811 | |
| 3. Email: Seidl 66ca yahoo, c | , | |
| 4. Telephone: 410-303-5671 | _Property Owner for (years) | |
| 5. Committee in which you would like to be involv | ed: | |
| Aquatics | Re-Appointment | |
| Architectural Review | Re-Appointment | |
| Budget & Finance | Re-Appointment | |
| By-Laws & Resolutions | Re-Appointment | |
| Clubs | Re-Appointment | |
| <u> </u> | Re-Appointment | |
| Elections Elections | Re-Appointment | |
| Environment & Natural Assets | Re-Appointment | |
| Golf | Re-Appointment | |
| Marine Activines | Re-Appointment | |
| Racquet Sports | Re-Appointment | |
| Recreation & Parks Search | Re-Appointment | |
| | Re-Appointment | |
| Strategic planning Other | Re-Appointment | |
| Onter | Ko / Cpcii iii iii ii ii ii ii ii ii ii ii ii i | |
| Potential Term: 1st (2nd)3rd ~ Term will expire: 6. Why do you want to be on this Committee? People better the Com | Interested in helping | |
| 17, nes | mmittee? Utilize | |
| 7. What knowledge/input can you offer to this Co | al Skills | |
| Pertucia M Seidl | 6-23-22 | |
| Signature | Date | |
| 1st Endorsement from Committee Chairperson: Comment: Patte, has acted as Decretary for the Committee | | |
| Cherry Jacobs | 7-5-22 | |
| Signature/ / | Date | |
| 2nd Endorsement from Board Liaison to Committee | ee: | |
| Comment: | 7/12/52 | |
| Signature | Date | |
| Board Action: | Date: | |
| Board Action: | DOIO. | |
| President's Signature | | |

| 1. Name of Applicant: Diana 5N | 108R | |
|---|----------------------------------|--|
| 1. Name of Applicant: Diana Six | 2000 | |
| 2. Address: DIONA SNYDER 699 | 10 6mail a com | |
| 3. Email: 3301 Points Read | | |
| 4. Telephone: 443 987 - 2870 | Property Owner for (years) | |
| 5. Committee in which you would like to be involved | ved: | |
| Aquatics | Re-Appointment | |
| Architectural Review | Re-Appointment | |
| Budget & Finance | Re-Appointment | |
| By-Laws & Resolutions | Re-Appointment | |
| Clubs | Re-Appointment Re-Appointment | |
| Communications | | |
| Elections | Re-Appointment | |
| Environment & Natural Assets | Re-Appointment Re-Appointment | |
| Golf | Re-Appointment | |
| Marine Activities | Re-Appointment | |
| Racquet Sports | Re-Appointment | |
| Recreation & Parks | Re-Appointment | |
| Search | Re-Appointment | |
| Strategic planning | Re-Appointment | |
| Other | | |
| Potential Term: 1st (2nd) 3rd ~ Term will expire: | The state of the state of | |
| 6. Why do you want to be on this Committee? | I LIKE TO STAY INVOCUDIE | |
| with the OP COMMUN | | |
| 7. What knowledge/input can you offer to this C | ommittee? I / M. O. N | |
| WCHSE FUND RAISING POINT | Ponch Brand & womens OPCIUB | |
| | 2/1/22 | |
| Mara Snyder | Date | |
| Signature | pale | |
| 1st Endorsement from Committee Chairperson: | | |
| Comment: DIANE IS AN ASSET TO THE COMMITTEE | | |
| Cheral Jacobs | 7-13-22 | |
| Signature) | Date | |
| | | |
| 2nd Endorsement from Board Liaison to Committee: | | |
| Comment: | ./ /. | |
| Courte No | 7/18/28 | |
| Signature | Date / | |
| | - 1 | |
| Board Action: | Date: | |
| | | |
| President's Signature | Date | |

DIRECT ASSECTATION

| 5,1 | Name of Applicant: Patricia Gamby | |
|---------------|---|---|
| | 2. Address: 8 Boston Drive | |
| ** <u>345</u> | 3. Email: hogma_pa@msn.com | |
| Trey'r pripa | 4. Telephone: 703-407-9819 | Property Owner for7 (years) |
| Tibr for | 5. Committee in which you would like to be | |
| 11470 | Aquatics | Re-Appointment |
| | Architectural Review | Re-Appointment |
| | Budget & Finance | Re-Appointment |
| | By-Laws & Resolutions | Re-Appointment |
| Torrest 150 | Clubs | Re-Appointment |
| 15.17 | Communications | Re-Appointment |
| | Elections | Re-Appointment |
| 99 | X Environment & Natural Assets | Re-Appointment |
| 1.00 | Golf | Re-Appointment |
| | Marine Activities | Re-Appointment |
| WIRE | Racquet Sports | Re-Appointment |
| | Secretion & Parks | Re-Appointment |
| | Search Search | Re-Appointment |
| | Strategic planning | Re-Appointment |
| | Other | Re-Appointment |
| | Potential Term: (1st) 2 nd 3 rd ~ Term will expir | re: |
| Land V | 6 Why do you want to be on this Committe | e? I have been retired for over a year and I want to supplement |
| | my retirement with volunteer work to benefit the community in which | n I live. Because of my knowledge and experience I'm confident that |
| | I will be an asset. | |
| N. N | 7. What knowledge/input can you offer to t | his Committee? I have a BS degree Civil/Environmental Engineering |
| | and I have 30 years of experience in Environmental Compliance. I wou | ld bring a significant amount of experience and knowledge to the table. |
| E THEE | Patricia A Gamby | 7/11/2022 |
| Serio | Signature Re | Date |
| | 1st Endorsement from Committee Chairperson: | |
| | Comment: | 5/ / |
| | Shapon L. Santacroco | 7/20/2022 |
| | Signature | Date |
| 5.7. | 2nd Endorsement from Board Liaison to Committee: | |
| | Comment: | 1 |
| | and What | 7/20/22 |
| | Signature Court of Cast | Date |
| | | |
| TARE | Board Action: | Date: |
| | Board Action: | 56.0. |
| | President's Signature | Date |
| | riesideni s signature | Daio |

| 1. Name of Applicant: Cathryn Nob | le | |
|---|--------------------------------|--|
| 2. Address: 8 Carriage Lane | | |
| Common Ours 11/1 | | |
| | | |
| 4. Telephone: 4/0-302-9320 | Property Owner for 3 (years) | |
| 5. Committee in which you would like to be invol | | |
| Aquatics | Re-Appointment | |
| Architectural Review | Re-Appointment | |
| Budget & Finance | Re-Appointment | |
| By-Laws & Resolutions | Re-Appointment | |
| Clubs | Re-Appointment | |
| Communications | Re-Appointment | |
| Elections | Re-Appointment | |
| Environment & Natural Assets | Re-Appointment | |
| Golf | Re-Appointment | |
| Marine Activities | Re-Appointment | |
| Racquet Sports | Re-Appointment | |
| Recreation & Parks | Re-Appointment | |
| Search | Re-Appointment | |
| Strategic planning Other | Re-Appointment | |
| | Re-Appointment | |
| Potential Term: 1st 2nd 3rd ~ Term will expire: | | |
| 6. Why do you want to be on this Committee? | I'm very involved in | |
| piddle ball, and I also play to | nois. The played a little | |
| Paddle | | |
| 7. What knowledge/input can you offer to this Connected all over the US + C | and Claying Rillery | |
| Every whore we went. We have lote of | into to share. 6-15-22 | |
| Claus at live of | Date | |
| signature withing Mille | Duic | |
| 1st Endorsement from Committee Chairperson: | | |
| Comment: | | |
| Matelian | 7-20-22 | |
| Signature | Date | |
| 2nd Endorsement from Board Liaison to Committee: | | |
| Comment: | * · | |
| Am Pook | 71-20-22 | |
| Signature | Date | |
| Commence of | | |
| Board Action: | Date: | |
| Share' | | |
| President's Signature | Date | |
| 5700 | • | |

Revised 1/11/21 M. Bennett