

BY-LAWS AND RESOLUTIONS ADVISORY COMMITTEE
MEETING MINUTES
EAST ROOM-COMMUNITY CENTER
JANUARY 12, 2012

The meeting was called to order at 9:10 am by the Chairman Jim Trummel. Present in addition to the chairman was Committee member Jill Odierno, and Nelson Fenwick, whose application to join the Committee is pending before the Board of Directors.

There were no Association member comments

The agenda for the meeting was approved.

Resolutions for Review: The Chairman reported that there were no comments received from committee chairs regarding the various committee resolutions (C-01 through C-15). These resolutions will be recorded as having been reviewed December 1, 2011

Association Charter: A review of Article THIRD was continued.

a. Attached is a draft, prepared by Jill Odierno, of a replacement for the current Article THIRD paragraphs 1 through 6. This draft replaces an earlier version discussed at the meeting of November 8, 2011. Attachment 1 to these minutes is the draft reviewed at the January 12, 2012 meeting.

(1) The revised draft uses Subdivision to indicate the Ocean Pines community and Association to indicate the homeowners association of Ocean Pines Association, Inc.

(2) Paragraphs 3 and 6 of the previous draft have been combined.

(3) There was a discussion of paragraph 6 in the revised draft. It was decided to separate paragraph 6 into two paragraphs, one for police and fire protection and another for rules and regulations. The two paragraphs will become 6 and 7 respectively.

(4) The paragraph in the current Charter, paragraph 6, regarding committees, task forces, and advisory bodies continues to be deleted because the subject is fully covered in the By-Laws.

b. The draft of a replacement for paragraph 7, prepared by Jim Trummel, was discussed. It is Attachment 2 to the minutes. This paragraph pertains to the establishment of an annual charge within the Association. Language in subparagraph a. regarding other documents recorded among the land records reflects the fact that there are two areas of the Association in which a Declaration of Restrictions does not control annual assessments. One is the Borderlinks I Condominium and the other involves a portion of Section 14C. In both cases, there is a recorded document on which the respective annual charges are based. The Committee also discussed the provision in subparagraph b. pertaining to publishing the names of members who are delinquent in the payment of the annual charge. This provision is in the current Charter and the Declaration of Restrictions of the various Sections. A question was raised as to whether there is a legal impediment to the publishing of delinquent member names. The Association President will be asked to authorize reference of this

question to Association counsel. Discussion of the annual charge provision will continue, to the extent necessary, at the next Committee meeting.

c. Jill Odierno will continue with the remaining paragraphs of Article THIRD.

d. Jim Trummel will begin consideration of Article SIXTH which includes provisions regarding non-profit status, distribution of assets in the event of dissolution or liquidation, and participation in general public issues.

e. In anticipation of being approved as a member of the Committee, Nelson Fenwick will begin consideration of Article SEVENTH which pertains to Association voting.

There were no Association member comments.

The meeting was adjourned at 10:45 am. The next meeting is February 14, 2012.

Jim Trummel
Chairman

Charter Amendment

Article III. Purpose

The purpose for the Corporation is to act as a Homeowners Association and to exercise and enjoy all of the powers, rights, and privileges conferred upon a non-stock corporation and/or Homeowners Association, and to engage in any other lawful activity permitted by the laws of the state of Maryland as set out more specifically in the clauses as follows:

1. To further and promote the community welfare of property owners in the residential community known as "Ocean Pines" (hereafter sometimes referred to as the "Subdivision"), located in Worcester County Maryland, as contained in the Declarations and Restrictions as recorded in the land records of Worcester County Maryland, as amended from time to time.

2. To administer and enforce covenants and restrictions applicable to the Subdivision, or any portion thereof, and any other restrictive covenants that have heretofore or may hereafter be recorded in respect of the Subdivision or any part thereof, and for preserving the architecture and appearance of the Subdivision.

3. To own, manage, maintain, rebuild, operate, improve, and repair and/or beautify all streets, rights of way, all parks, common areas, bulkheads and waterways designated on the Subdivision plats and pedestrian easements within the Subdivision, and all other community features of such land in the Subdivision as may be conveyed.

Proposals:

4. To provide for the payment of taxes, annual fees, and other charges, if any, that may be levied by any governmental authority upon any area in the Subdivision or conveyed to the Association.

5. To enforce taxes, annual fees, charges, easements, restrictions, conditions, covenants, and servitudes existing upon and created for the benefit of the property over which the Association may have jurisdiction; to pay all expenses incidental thereto; to enforce the decisions and rulings of the Association; and to pay all expenses in connection therewith.

6. Establish and enforce rules and regulations for the subdivision known as "Ocean Pines" and provide for the safety and welfare of the property and persons within the Subdivision therein establishing, maintaining and being further responsible for providing police and fire protection in conjunction with the county and state authorities of Maryland.

OR-

Provide, establish and maintain police and fire protection for persons and property within the subdivision in cooperation with the county and state authorities of Maryland.

Establish and enforce rules and regulations for the subdivision known as Ocean Pines and all persons and property therein.

(Agreed that Old Paragraph 6 should be stricken completely)

DRAFT

(Replacement for Article THIRD paragraph 7)

(ANNUAL CHARGE)

Article (NUMBER): The Association shall have the power:

1. to levy an annual charge upon the members of the Association;

(a) to fix the amount of the annual charge each year, as determined by the Board of Directors, after consideration of the current maintenance needs and future needs of the Association and is in accordance with the Declarations of Restrictions of the Sections of the Subdivision or any other document which establishes an annual charge within the Subdivision and is executed by the Association and recorded among the Land Records of Worcester County.

(b) to impose a late charge in accordance with the Maryland Homeowners Association Act as set forth in the Real Property Article of the Maryland Code; to file a lien, in the Land Records of Worcester County, which shall encumber the real property in respect of which the annual charge has not been paid, in accordance with the Maryland Contract Lien Act as set forth in the Real Property Article of the Maryland Code; to enforce such liens in accordance with the Maryland Contract Lien Act or any other law, rule, or regulation relating to the establishment and enforcement of same; to sue for unpaid charges, late charges, costs, and reasonable attorneys' fees in any court of competent jurisdiction as for a debt owned by the delinquent member or members to the Association; to publish the name of a delinquent member in a list of delinquent members, or by any other means of publication.