

BY-LAWS AND RESOLUTIONS ADVISORY COMMITTEE
MEETING MINUTES
EAST ROOM-COMMUNITY CENTER
NOVEMBER 8, 2011

The meeting was called to order at 9:00 am by the Chairman Jim Trummel. Present in addition to the chairman were Committee member Jill Odierno, and Board Liaison Dave Stevens.

There were no Association member comments

The agenda for the meeting was approved.

Newsletter Article: The Chairman reviewed the draft of a proposed article for the winter edition of the Association Newsletter. The article discusses Committee activities on Association Resolutions and current activity regarding the Association Charter. The draft will be submitted to the Newsletter staff.

Resolutions for Review:

- a. Resolutions F-01, F-02, and F-03 were previously selected for the two year review. No comments have been received and these Resolutions are considered to have been reviewed.
- b. Resolution F-04 Delinquent Assessments is passed the two year review interval, but a review was previously deferred. It was noted that some provisions of the Resolution may not accurately reflect actual Association practice or Maryland Code requirements. It was noted that the Board meeting of October 18, 2011 included an extensive discussion of delinquencies and the status of foreclosures and debt collection. The Committee discussed these efforts as well as the delinquency recovery alternatives in the Declarations of Restrictions and the Charter.
- c. The Chairman reported on the meeting of the Executive Advisory Council meeting of October 25, 2011. The various committee Chairs reported on the activities of their Committees during the previous year, October 1, 2010 to September 30, 2011. The Committee Chairs were asked to review their respective Committee resolutions and report any requested changes by 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. (Attachment 1 to these minutes)
 - (1) During discussion it was agreed that the term Subdivision would be used to indicate Ocean Pines as a physical community and the term Association would be used to indicate the homeowners association Ocean Pines Association, Inc.
 - (2) Consideration will be given to combining paragraphs 3 and 6 of the draft.
 - (3) Article THIRD, paragraph 6 of the current Charter is a provision for establishing committees and appointing members to such advisory bodies. This topic is covered in detail in the Association By-Laws and is deleted from the draft.

b. Attached is a draft, prepared by Jim Trummel, of a replacement for the current Article THIRD paragraph 7. There was limited time available to discuss this draft and the discussion will continue at the next meeting. It has been noted that Article THIRD is a mix of purposes and powers, with paragraphs 1 through 6 being purpose and 7 through 11 being powers. For that reason, the draft of the replacement for paragraph 7 is in the form of a new Article of powers. Such format considerations have not been discussed by the Committee. (Attachment 2 to these minutes)

There were no Association member comments.

The meeting was adjourned at 11:45 am. The next meeting is December 13, 2011.

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, and/or beautify all streets and their rights of way, all parks, common areas and facilities within the subdivision either not subject to or supplemented by maintenance through a governmental authority.

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 Subdivision.

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 Subdivision may have jurisdiction; to pay all expenses incidental thereto; to enforce the decisions and rulings of the Subdivision; and to pay all expenses in connection therewith.

6. To own, manage, maintain, rebuild, operate, improve, and repair and/or beautify the parks, recreational facilities, other community features of such land in the Subdivision as may be conveyed, bulkheads and waterways designated on the Subdivision plats, and pedestrian easements within the Subdivision either not subject to or supplemented by maintenance through governmental authority.

7. Establish and enforce rules and regulations of common areas of the Subdivision and provide for the safety and welfare of the Subdivision therein establishing and being further responsible for providing police and fire protection.

(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 in is 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.