

minutes sent
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Assateague Pointe Homeowners' Association

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March 12, 2005 Homeowners Meeting Minutes

- A. **Call to order and Welcome:** Present were President –Joe McGee, Vice President-Vince Castelli, Treasurer-Troy Purnell, Secretary- Elaine Davidson, Member at Large-Vince Miller, and Valerie Sharp to Record the minutes. There were 23 Assateague Pointe Homeowners that were also present.
- B. **Code Of Conduct:** Was read by Joe McGee.
- C. **Property Managers Report:** Troy Purnell said the grounds were in good shape over the winter. Several shingles have come loose, so homeowners need to check their roofs. Typically in our area 15 yr. shingles only last about 7 to 8 years. If you need to replace your roof you need to fill out an ECC form, available from the front office. Neil from the grounds crew will start back to work on April 1, 2005. There are several stop signs that have to be taken care of. The roof on the Clubhouse is to be started, Jimmy Lewis roofing gave us the lowest bid, and he is taking off the existing shingles and replacing with 15 yr. shingles. This was approved at the previous meeting.
- D. **Treasurer's Report:** Troy reported that we have last years audited Assateague Pointe Homeowners Financial statement. These are available in the front office. It was a good year. We had a \$40,000.00 surplus from last year that will be applied to the general fund. We will probably have another surplus this year, depending on the amount of rain, grass cutting and weather in general. The adopted budget for this years season, we would like to reduce in the categories of Repairs and Maintenance of equipment and Road Maintenance. Meters are to be read at the end of this month and bills should be out around April 8, 2005.
- E. **By-Laws Committee Report:** Al Taylor-Lot#41- Chairman . Joe McGee said he recommended a round of applause for this committee for the work they have done. They took on a task that was much needed. The board has made changes over the years but the By-Law book has never been updated. Everyone applauded. Al Taylor said in November his committee went through the By-Law book page by page. We addressed issues of all sections of the book. Including the Informational Statement, Declaration of Restrictions and Covenants, Articles of Incorporation, and the By-Laws. We met with the Board last night and had a lengthy discussion on vote requirements for each division of the By-Law book. Ray Coates elaborated on the difficulty of getting a majority of homeowners to actually turn in their votes. Examples were that you need a $\frac{3}{4}$ majority vote for the Articles of Incorporation. The Declaration of Restrictions requires a $\frac{2}{3}$ majority

vote. Al Taylor and his committee would like between now and the July meeting to have clarification and approval of the word changes and updates they have made to the Blue-Book.

- F. **Skate Board Ramp**-Joe McGee asked Ray Coates about HOA liability for having a ramp. Ray advised us that if we want one, we should have manufactured equipment rather than a home made ramp. From the stand point of, if someone was injured using the home made equipment the Association could be considered negligent and the injured person could prove we were negligent. They could receive damages from the associations insurance.
- G. **ECC COMMITTEE**: Bill Lefevre-Lot#20-Chairperson. Joe McGee addressed this committee for the hard work and outstanding job they are doing. The Homeowners and Board gave them a round of applause. Bill addressed Ray Coates for adopting and approving the fine system. Ray said that the ECC would send out 3 different violations letters. The first would give you 30 days to take care of the violation. The next would be sent out, if the first wasn't taken care of and you will have 14 days to respond. The 3rd letter will be sent certified mail. Ray said there are a series of procedures to be implemented. First the violation would be evaluated by the ECC committee and there recommendations for the fine. Ray advised discretion on implementing a maximum fine. These procedures have to be done because if the fine isn't paid they become a part of the assessments, then because they are an assessment a lien can be put on your land, then the land could be sold. Due process has to be awarded, notice of a fair hearing for the violator. Bill said that Valerie is typing up a complaint form to be used by the ECC. When she's finished she'll send it to Ray Coates for approval. The walk around evaluations will begin on April 11-May16, 2005. Follow up letter on May 25 and notices to go out. June 22, 2005 for the second letter to go out. July 6, 2005 will be the third letter. Joe McGee said he needed a motion to accept the ECC fine system as it was presented. Vince Castelli made the motion and Vince Miller 2nd it. The ECC fine system and the 3 violations letters will be posted in the next newsletter.
- H. **OPEN DISSCUSSION** – To ask Ray Coates questions. Vince Castelli-Lot 472-is concerned about his gas provider charging a Hazmat fee. Last year his gas company, Sharp Gas, said there would be NO hazmat fee and it is back this year. What can I do about this? Ray said he should contact the Public Service Commission. Bill Lefevre-Lot#20 suggested to homeowners who have had problems with Sharp for what ever reason, should have a back up plan. He recommended looking into other gas companies. Elaine Galeone-Lot447-From a financial point of view, any expenditures that are voted on. Should they be documented? Ray answered "yes". Elaine stated that Troy (Purnell Properties Accountants) got a raise and it wasn't documented in the minutes. Joe McGee said that it was an executive closed board meeting and should have been documented in the minutes if the Board approves it. In the future it will be documented in the minutes. Joe thanked Ray Coates for coming.
- I. **Mailboxes**- Valerie sharp reported that the mailboxes are installed and we are waiting for the paper work to be finished. They will be labeling each box soon. The U.S.Postal Service will send each PRE-EXISTING mailbox owner a notice to

go to the A.P. front office to pick up their keys for their new mailbox. This way there will be no interruption in mail service.

- J. **Cleaning Person**- Valerie got bids for cleaning from local cleaning services. They were very expensive, so Troy is going to look into a full time year round cleaning person.
- K. **Eastern Shore Gas**.- Valerie talked to Steve Ashcraft of E.S.G. and he told her that he would like to add a message in our newsletter concerning the most frequently asked questions about the pipe line coming into the community. He also let her know that E.S.G. is booked solid until next year, so A.P. can get more questions answered before making a decision.
- L. **Clubhouse Television**- Valerie reported that the service tech. told her the TV would have to be replaced when it breaks, he can't get any parts for it.
- M. **Insurance**- Troy reported a savings of \$4500.00 last year. One of the biggest expenditures in Assateague Pointe is Insurance. One alternative to cut costs would be to consider a higher deductible rather than a lower. That's a question for the Board and what do they want to risk? Our policy is due again in June. Joe McGee said over the years our budget increases have always been the insurance and trash collection. Cost comparison is one way the Board is trying to curtail expenses and save the Homeowners Association money.
- N. **Last Years Budget**- Joe McGee said Troy covered that in the Treasurers Report. Joe was happy about the surplus. At the time we did the budget, we had moved our meeting to November, and we had to prepare that budget with the anticipation of expenses. We did not anticipate a surplus that high. Hopefully we will have another surplus this year.
- O. **Umbrella's**- Vince Castelli said Carl Thompson had got the new umbrella's for the pools at a good price. We purchased 10 Double vented umbrella's and 10 stands plus 3 -13ft.umbrella's. Joe McGee let everyone know that this was approved by the Board to purchase these at the last Budget Meeting.
- P. **Year Round Occupancy**- Troy addressed this issue of people who live here year round. They are in violation of Worcester County Code and the By-Laws of Assateague Pointe. The Worcester County tax assessor's office contacted Troy about the FULL time YEAR round occupants. Troy told the A.P. owners they can claim A.P. as their primary residency. The Worcester County assessor's office said people were claiming that A.P. was their Primary residence. When people claim this as their primary residency, they would get a 7 % cap on their taxes. Assateague Pointe is not a development it is considered a camp ground in Worcester County. The Worcester County code states that if the county feels A.P. is in violation, they can place a county employee in the gate house to monitor 24 hours a day and 7 days a week at the Association's expense. Troy also stated he did not think they would do this but there is double the people staying here than in years past. The letters will be sent out this week. Please respond in a letter stating WHY you did this?
- Q. **Clubhouse Roof**- Joe asked for a motion to approve the roof bid. Vince Castelli made the motion to approve the newest and updated bid which included a complete removal of the old roof, the 3 out buildings, and a start and finish date.

Elaine Davidson 2nd the motion. Valerie will call Jimmy Lewis roofing to give the okay from the board.

- R. **Pool Committee**- Joe said that we need 3 more volunteers. If your interested please submit to any board member.
- S. **Nomination Committee**- Vince Castelli is chairperson and he would like Valerie to put in the newsletter the nomination letter. Joe said to write it up and submit it by April 7, 2005.
- T. **Electric**- Troy was addressing the electricity issue brought up by Donna King. Donna was at the annual meeting and volunteered her expertise on this issue and volunteered to look into it and give the board her results. She researched with Choptank Electric and was told since the lines in the ground were owned by the Homeowners Association, Choptank can't take them over to establish service and to read the meters themselves. The way it is currently being done is not only cost effective but it's the only way to do it. The Board of Directors would like to thank Donna King for her diligent work on this matter.
- U. **Next Board Meeting**-APRIL 16, 2005 at 9:00 am in the Clubhouse. The Annual meeting will be JULY 16, 2005.
- V. **Committee Reports**-Beautification committee chairman-Carl Thompson-Lot#108 -We are having our Work Day on April 30, 2005 at 9:00 am. I hope to see a lot of our homeowners that day- we have a job fit for everyone! Please give us a couple hours of your time to do the extra jobs in our community. We really want this to be the place to be in OC. Bring a rake, pruning shears, and gloves. Our committee has completed several jobs, 60 new caps for the pier posts to deter the seagulls. Several plants and shrubs were planted. The bridge was erected by the marquis. Screens were replaced at the clubhouse. Bricks for the Barbeque pit were installed for ventilation. Vince Castelli brought up the concrete work that has to be done at the rec. center. Bill Ritter-Lot#56 has volunteered to do the concrete work in the rec. center. AL Taylor-Lot#41-asked about the Recognition Award that Carl had previously suggested. Carl stated he still wanted to do that but hasn't pursued it as of yet. Mike Whaley-Lot#90-Floating Docks-If we can't get them from BJ's we have volunteers who will build them. The Association will pay for the building materials. Are we prohibited from putting kayak's or canoe's into the Bay? Joe McGee said we can not use any motorized vessel in the ponds. Which means yes you can put kayak's and canoe's into the bay. Cathy Ortel-Lot#338-We need a thin pathway to get out there. Joe responded by saying maybe we could put a couple of poles with a small landing, set over from the ladder on the pier. Troy will check our insurance to make sure we would be covered. Carl Thompson told the Board we need to order the 2, Board approved, paddleboats. What are we doing on the front pond as far as the 3-phase electric for the fountain? Troy answered by saying the 3-phase electric was to expensive. We need to look into a different fountain that doesn't require the 3-phase unit and could utilize a single phase unit.
- W. **Entertainment & Planning Session**-We need chairpeople to run the events. Elaine Galeone-Lot#447 thought it would be nice to have more youth oriented events. She suggested Saturday Night Movie complete with sodas and popcorn. Al Taylor said to give him a call and he would send down movies. The 2 nights

that are scheduled are July 9th and July 23rd. Andy Lapinski-Lot#408 will help Elaine on organizing this event. Linda Thompson-Lot#108-Her suggestion was to have a Murder Mystery Dinner at the clubhouse on a Saturday night. She was talking to Tony Matrona and he said he would do it.