

May 22, 2010 Approved

St. Martin's by the Bay Homeowners Association

Board of Directors' Meeting

Sunday May 2, 2010

3:30 p.m.

Worcester County Library, Berlin, MD

Board Members Present: Oliver Walsh, Chair; Mike Shutt, Treasurer; Joyce Timmons, Secretary; Craig Pohland; Craig Constantino; Russell Luzier; Joe Connors; Craig Pohland.

Call to Order: Chair Ollie Walsh called the meeting to Order at 3:30 p.m.

Minutes from April meeting: Joyce Timmons read the draft minutes from the April, 2010 meeting. After much discussion, the Board did not approve the minutes and asked Ms. Timmons to send them in electronic form to the Board members for their review prior to the next meeting. The Board also requested that in the future, all draft minutes be distributed electronically to the Board prior to the next month's meeting and that once approved, they be placed on the community website. Mike Shutt moved to prohibit tape recording of the meetings. The motion was seconded by Craig Pohland and approved by the Board. Mr. Walsh

advised the Board and the members of the legal opinion letter received from King Burnett, Esquire about the legitimacy of the two Board members which had previously been called into question, Mr. Luzier and Mr. Connors, and that the legal opinion confirmed that these two members are eligible to serve in the capacity as directors.

Letter from James Almand: Mr. Walsh advised the Board and members that it had that it had received correspondence from an attorney on behalf of some homeowners: Mr. and Mrs. Killinger, Melinda Jones and Joyce Timmons. This letter requested that these homeowners have access to the corporate records of the Association. Mr. Shutt made these records available at this meeting for any homeowner to inspect.

Treasurer's Report: Mike Shutt gave the Treasurer's Report. He discussed the need to cut pool expenses and mentioned that lawn cutting rates have stayed constant. The Board then discussed a member's request to increase trash collection to twice a week instead of the current schedule of once weekly. The Board had a lengthy discussion of the increased costs of this pick-up and decided to not take any action at

this time.

Postage Reimbursement: Joe Connors moved that the HOA pay the sum of \$22.00 representing postage incurred by Oliver Walsh in responding to anonymous letter of complaint. Russell Luzier seconded the motion which was passed.

Legal Expenses/Boat Dock: Ruth Waters (member) wanted an explanation of the history of the legal expenses during the prior few years and the revenue generated from the boat dock. The Board then ensued in a general discussion about the history of the common areas and the boat dock, the general terms of the settlement agreement and the popularity of the boat slips. Mr. Shutt also informed the Board that the shingles for the gazebo roof have been purchased and installation will occur at a later date.

Ollie Walsh moved to accept the Treasurer's Report which was seconded by Craig Pohland. The motion passed.

Board Vacancy: Mr. Walsh advised the Board that Nancy Wright left the Board. Mike Shutt nominated Patty Dukes to fill the vacancy on the Board which was seconded by Craig Constantino. Ruth Waters nominated Melinda Jones for

the open Board seat which was seconded. The Board went into Executive Session at 3:35. At 3:40 the Board resumed the meeting and elected Patty Dukes to fill the vacant Board seat.

Warehouse Update:

Craig Pohland provided an update on the repairs to the warehouse space behind the pool. He stated that completion of repairs is scheduled to be completed by June 1, 2010.

Wetlands Update:

Ollie Walsh advised the Board that he will meet with county officials and provide an update to the Board.

Boat Storage Fees:

Mike Shutt provided an update on the boat storage area and fees collected. We are trying to get a clear area for boat storage and noted that the bylaws seem contradictory as to the proper placing of boats for storage. The Board noted that it is looking into the issue of bylaws generally to make them current and consistent.

Bids for Projects:

The Board discussed that it has all projects for the community listed on the website and will attempt to obtain at least three bids for each project.

Due to the emergency nature

of the pump house doors being broken and the concerns for safety of the children in the neighborhood, the Board and members discussed a temporary fix of these doors to ensure safety. Mike Shutt moved to pay Craig Pohland the sum of \$40 to fix these doors until a contractor has been secured to replace them. Patty Dukes seconded the motion and it passed.

Riverview Island:

The Board noted that it needs to direct some attention to the island area on Riverview and it may need some landscaping work.

Mosquito Update:

Carol Wright provided an update on the cost of mosquito spraying. Once this information is definite, it will be placed on the community website.

Other Business:

The Board noted that it had addressed the letter from Melinda Jones. The Board also commented that the tree issue on Dr. Bahrami's property had been addressed. Mr. Walsh offered an apology to Mr. and Mrs. Killinger, who were in attendance, that he had mis-stated the number of complaints they had made against the HOA with government agencies.

Pool Bids:

The Board considered three pool bids for the upcoming season. Mike Shutt recused himself from the discussion and the vote and left the meeting during this time. Patty Dukes moved to accept the bid from Robin Shutt, based on the outstanding comments on her work last year by homeowners. Craig Pohland seconded the motion and it passed unanimously. Mike Shutt then rejoined the meeting.

Management Issues:

The Board and members discussed reaching our shared goal of transparency in the communications and work of the association. The Board stressed the competitive process needed for bids the ongoing debate over the use of proxies and communication issues of Board members and of members. The Board and members present agreed that this is an area which needs improvement. One member offered the use of a facilitator to help the communication process be more effective.

Adjournment:

Craig Constantino moved to adjourn the meeting at 6:00 p.m. which was seconded by