

RYE BEACH PROPERTY OWNERS' ASSOCIATION  
JANUARY 26, 2023, 2023 MEETING MINUTES

**Attended:**

**Board:** Mark Majoy, Marcy Barkema, Melanie Hartman, Linda Hebert, Kristi Jones, Brad Ruth,

**Members:** Bruce Jeavons, Ryan Doherty, Jan Jeavons, Karen Avery

**Absent:** Elaine Brock, Tim Dembinski, Elaine Dembinski, Samuel Ross, Jeff Dawson, Sharon McCormick, Olen Brock, Rebecca Stanton, Linda Miller, Katie DiFranco, Jeff Dawson, Mike Cartt, Ohlen Brock

The Meeting was called to order at 6:05 p.m. by Mark Majoy, president

**Approval of the November 17, 2022 Board Meeting Minutes and November/December 2022 Financial Reports**

Linda Hebert's motion for approval was seconded by Brad Ruth. Motion carried.

**November 2022 Treasurer's Report:**

- Checking Account Balance as of 11/30/22: \$28,974.88
- Reserve Fund Balance as of 11/30/22: \$ 4,994.12
- Total Ending Balance as of 11/30/22: \$33,969.00

**December 2022 Treasurer's Report as of 12/31/22:**

- Checking Account Balance as of 12/31/22: \$29,269.88
- Reserve Fund Balance as of 12/31/22: \$ 4,994.24
- Total Ending Balance as of 12/31/22: \$34,264.12

**Top 3 Priorities**

1. The results of the September 2022 Rye Beach Property Owners' Association annual election of officers:

President	Mark Majoy
Vice President	Marcy Barkema
Secretary	Karen Avery
Treasurer	Melanie Hartman
Trustees	Elaine Brock
	Elaine Dembinski
	Tim Dembinski
	Linda Hebert
	Samuel Ross
	Brad Ruth

The results have been posted on the website.

Thank you to all past and current members for your service.

2. Karen Avery resigned as Secretary in December 2022. The Board is currently looking for a new volunteer. **AI 1** Per the bylaws, is she allowed to become a Trustee?

3. The dues for 2022 did not meet expenses and we have two major expense for 2023, repair of the shore line and rewrite of the Bylaws that must be met. Consequently, the dues must be raised for 2023. Marcy presented a draft of a letter she proposed be sent to all property owners by Feb 15<sup>th</sup> announcing the increase. The fee increase will be revisited in 2024.

The board has retained a new law firm, Wickens, Herzer and Panza, effective January 1, 2023. Our new attorney, Brandon Leal, reviewed the Bylaws and other Association documents. Based on his review, it was determined that our Bylaws are out of date and should be rewritten. He has been paid a \$1,500 retainer to act as our "Agent of the State" and has agreed to a cap of \$15,000 for the rewrite. The Board hopes to have the new Bylaws ready for approval by Memorial Day. Brandon also suggested that we put a moratorium on attempts to collect past dues and just put a lien on the properties.

Bylaws discussion points:

- a. Two thirds (2/3) of paid members must approve. As of 2022 there were 271 dues paying members.
- b. The entire Board must commit to securing the required signatures or it will not be worth the expense of a rewrite.
- c. Proposed additions to the Bylaws include charging a higher fee for transient rentals (almost 1/3 of the transient rentals allowed by the city are in Rye Beach) and full time rentals. The state will enforce registered Bylaws. **AI 2** Brad Ruth offered to organize a zoom meeting in February with all transient and full time rental owners to discuss ways to support the community i.e., voluntary contributions, etc. to help offset the current budget deficit. (A \$500 donation by each of the 51 transient rentals would amount \$25,000.) Marcy Barkema and Ryan Doherty volunteered to help. A list of all contributions will be published on the website. **AI 3** Melanie will check with accountant to see if donations should be specific line item.

Budget/Dues discussion points:

- a. A lien can be put on a property with unpaid dues without going to court. Allow payment terms for hardship case. **AI 4** Marcy will contact Brandon Re: the process required.
- b. Unlike an HOA, dues in a POA can be adjusted according to the budget.
- c. **AI 5** Melanie will explore payment options other than mailing a check (e.g., electronic payment, outsourcing collections, etc.).
- d. **AI 6** Add total shore project requirements i.e., \$558,000, to the website.
- e. **AI 7** Marcy will check with our attorney to see if we are allowed to build/maintain a capital improvement fund by transferring a portion of the end of year balance.
- f. Increase dues to full amount required.
- g. Officer protection, i.e., Electronic Intellectual Properties, was added to the Association's insurance policy.
- h. The \$58,000 budgeted for erosion control is to reverse the rocks on the shore line to the east of the pier and add a fabric underlining in order to avoid future land loss. Innovative Excavating will complete the project. Mark contacted the city to move the light poles and received conflicting answers. **AI 8** He will contact the city again. Sawmill Creek is planning to revamp their marina. **AI 9** We should coordinate our project with theirs.
- i. **AI 10** Melanie make suggested changes to the proposed budget:

1. Delete donations and add statement (e.g., Due to the generosity, etc.).
2. Breakout Park Maintenance to Park Maintenance and Park Property.
3. Breakout Erosion Control to Erosion Control and Erosion Control Projects.
4. Transfer cash to Reserve Account to total \$20,000 and use the balance to reduce the rate increase.
5. Add BEC as a liability (\$8,000).
6. Show uncollected dues.

### **Committee Reports**

**Audit Committee:** Mike Cartt, Brad Ruth, Jeff Dawson, Olen Brock

The audit for 2022 should be conducted ASAP. **AI 11**  
Mike will be out of town for several months.

The remaining Committee Reports were not presented.

### **Other Business**

Blighted lots along Cleveland Road are up for sale the week of Jan 29<sup>th</sup>. A discussion was held to determine if the Association should purchase them. If the city buys them, they will most likely be declared wetlands. If ownership of the trailer park changes it could be an advantage to have property in the area. It was mentioned that it could be a good idea to purchase these as well as others that come up for sale, but only when the budget allows.

Meetings are usually held the fourth (4<sup>th</sup>) Thursday of the month.

**Next Meeting:** February 23, 2023 at 6 p.m.

Linda Hebert moved to end the meeting. It was seconded by Brad Ruth.

**The Meeting was adjourned at 8:10 p.m.**

Respectively submitted,

Secretary

President