



**SOUTHERN POINTE SHORES  
HOMEOWNER'S ASSOCIATION (HOA)**  
**Meeting Minutes**  
**October 24, 2020**

The meeting was called to by President Bill Krause at 123 Isaacs Shore Drive.  
Attendees in person:

101 ISD: Joe & Kate DePasquale & Son  
105 ISD: Tom & Linda White  
107 & 108 ISD: Cheryl Myers & Pam Schaefer  
115 ISD: Ed Serafin & Loretta Orzo  
119 ISD: Bob McKeon & Patricia Powers  
123 ISD: Bill Krause & Ellen Barag (2 voting lots)

Attendees via GoToMeeting:

104 ISD: Lisa Roddis  
111 & 113 ISD: Jerome & Karen Byrd  
117 ISD: Mike & Lela Maupin

By Proxy:

102 ISD: Steve and Rill Miller

There was a quorum of 13 votes of currently possible 16 votes. Larry Leese has a buyer for his 2 lots combined into one for address purposes and will create a possible 17 votes. Closing is set for November 2, 2020. The new owner, Megan Fabry, was sent the meeting information but could not attend.

- President Bill Krause opened the meeting with sharing updated information of general interest.
- Vice President Lisa Roddis did not have anything to add at this time.
- Secretary Linda White deferred comments until later in the agenda.
- Treasurer Ellen Barag presented an updated financial report and went on to detail difficulties in transitioning from the previous treasurer since many expenses were set up on autopay and the details of those accounts were not shared. She is working to resolve those issues. It was also determined that the HOA has probably never filed IRS form 1120H, a form that the IRS requires of non-profit homeowners associations to document their non-profit status. Linda White has submitted a request of a statement of account to the IRS to determine what is required to bring the account up to date.

- Secretary Linda White gave an update on the status of establishing a new registered address for the HOA. Mark Wells' address was originally used as the registered address and neither he nor any other of the developers have any interest in the subdivision and HOA. Mark gave his permission to change all addresses to 100 Isaacs Shore Drive, which is the 911 address requested for the common lot just inside the gate between Artesian Water Co. and Steve and Rill Miller's lot. As of the time of the meeting the request was still in process. As of these minutes, the address has been assigned and confirmed. The process to change the registered address can now begin.
- Road Repair Status Update: The road repair committee was Bill Krause, Ed Serafin, and Mike Maupin. After extensive research and voting on the various proposals, it was agreed to use a combination of stone base and clam shell finish. The road has had a resurfacing with CR stone at a cost of \$4100. Since there is still construction going on with heavy equipment usage it was decided to do a finish topping of clam shells later this year or early next year. It would be better to do the clam shells before the next warm weather as it takes some time for the smell to subside after spreading.
- Proposed Motion, Discussion, and Votes:
- Board Emergency Decrees on Fire Safety One: Slaughter Beach has had 3 catastrophic fires in the last 24 months. All 3 started fairly small but once the propane tanks got hot and exploded the house at the site of the fire was completely destroyed and the houses on either side were severely damaged. This decree required that all new propane tanks be buried or otherwise protected from fire/heat in the case of a nearby fire. The following proposal was added to the 3<sup>rd</sup> revision of the deed restrictions under paragraph 13: "Effective with the filing of this this Third Amendment, all new propane tank installations shall be buried. Existing above ground tanks shall be either replaced with buried tanks or enclosed by a fire/heat resistant enclosure adequate to protect against pressure relief valve operation for a minimum of 2 hours, such tanks to also be adequately secured to withstand flooding and waves to the 13 ft BFE within one year, that is November 1, 2021." After discussion a motion to adopt was seconded and brought to a vote and passed unanimously.
- Board Emergency Decrees on Fire Safety Two: Backup generators have become fairly common in Slaughter Beach but if the generator or the safety switch fails then the resulting fire can be catastrophic. The following proposal was added to the 3<sup>rd</sup> revision of the deed restrictions under paragraph 13: "All backup generators shall be equipped with automatic fuel shutoffs to ensure fuel is shutoff in the event of generator failure or high temperature within the generator cabinet. Existing generators requiring this safety measure to be retrofitted within one year, that is November 1, 2021." After discussion a motion to adopt was seconded and brought to a vote and passed unanimously.

- Signage for the Beach and the Gate: It was suggested to erect signage at the north end and the south end of Southern Pointe Shores close to the beach advising the public that “they are entering private property, SPS owners own to the mean low water line, courteous walkers are permitted to cross staying on the wet sand, there is no crossover to the road, all pets of non-HOA owners must be leashed and pet waste cleaned up, HOA pets may be off leash.” There was considerable discussion on this topic and the concept was generally accepted but with concerns about the wording. Pam Schaefer agreed to be a task force leader with the help of Bill Krause and Ed Serafin to look at wording and locations and present some proposals to the HOA for consideration.
- No Beach Access for the Four Lots on the West Side of ISD: With the recent sale of 106 ISD and the question of beach access for that lot, the topic was brought up for discussion by the HOA. The buyer’s agent and the lot listing indicated that the lot had direct beach access, which it does not. It may have been overlooked by the original developers but the only remedy at this point would be to grant some access via easement through bay side lots. The concept was discussed but was generally rejected, and the owners of those lots did not support any changes. It was also pointed out that the marsh side lots were priced significantly lower as a result of no direct beach access. Further discussion was not approved.
- Limitations on SPS Rentals: The officers discussed the possibility of SPS homeowners turning their properties into frequent rentals thus creating disruptions with party rentals or public rentals such as VRBO. It was decided to present an amendment to the deed restrictions limiting rentals to once per month, i.e. one rental period per month with the next eligible rental period the following month. The period could be any length but the limitation would discourage frequent rentals that would disrupt the neighborhood. The following proposal was added to the 3<sup>rd</sup> revision of the deed restrictions under paragraph 7 restricting use of temporary structures being used as a residence: “Lot owners may not utilize their unimproved property as a campsite, storage facility or any other use that involves erection or parking of a temporary or permanent facility. Homes constructed within the guidelines of these restrictions may be used as rental properties, but rentals are restricted to once a month.” A motion was made, seconded, and passed unanimously to add the limitation on rentals to the deed restrictions.
- Responsibility for Damages: It was suggested that a definition of liability for damage be added to the deed restrictions. There has been damage in the past to personal property and common areas caused by trucks, contractors, etc. during construction or remodeling. The following proposal was added to the 3<sup>rd</sup> revision of the deed restrictions under paragraph 2: Responsibilities of maintenance transferred to each new owner on a percentage basis: “Each lot

owner shall be responsible for any damage to the road, common areas, or personal property incurred by any employee, contractor, or any persons granted access by the lot owner. Such damage must be corrected or repaired within 30 days of the notice of damage presented by any lot owner or the SPS HOA." A motion was made, seconded, and passed unanimously to add the liability for damages clause.

- Gate Maintenance, Keypad Access, and HOA Beautification: There is currently \$2000 left from the 2019 for plantings, etc, along the road and common areas. No Parking signs were suggested for the cul-de-sac and other common road areas. The HOA is in more need of a Gatekeeper, especially with so many new owners. Bob McKeon volunteered as gatekeeper and needs all the appropriate information for that job.
- Website: It was suggested that the HOA update their website with the Bylaws and Deed Restrictions on a public page, and also update the site information. Pam Schaefer volunteered to update the site with info provided by the Officers.
- Bylaws and Deed Restrictions Review: Attached with the meeting agenda were proposals for revised bylaws and a third revision to the deed restrictions. The reasons for the bylaws and deed restrictions to be revised were:
  1. The bylaws and deed restrictions were originally written to give sole operating powers and responsibilities to the original developers until over 76% of the lots had been sold. 100% of the lots have been sold at this time.
  2. The bylaws were written as two tier system of Board of Directors and Officers. In 2017 the HOA voted to drop Board of Directors in favor of "Officers" with similar responsibilities.
  3. The original bylaws did not define the lots included in SPS and also did not define the number of votes per owner / lot.
  4. The original bylaws did not reflect the way the HOA ultimately functioned.
  5. Some of the deed restrictions did not reflect accurate use of the lots and did not include some necessary revisions.

It was agreed to send the revised documents to HOA members and to schedule and review and vote in late November.

- Election of Officers: It was agreed that the officers would remain in their current positions for the next year.
- The meeting was adjourned by President Bill Krause.