**Board Members Present:** Mike Snapp, Tony Spakauskas, Jack Andre, Bonnie Blades, Gina Swartwood, Asha Andreas, Ginny Rice (by phone) and Maggie Johnson

**Board Members Not Present:** Alyssa Holiday

**Staff Present:** Rhea Webster – Association Manager

**Property Owners and Guests Present:** None present

**Call to Order:** Mike Snapp, President of the Board of Directors for the Drum Point Property Owners' Association (DPPOA), called the meeting to order at 1:00 p.m. The meeting was held at 12835 Bay Drive, which has a space large enough to accommodate social distancing recommendations from Governor Hogan as a result of continued concerns over Covid19. All meetings are recorded and held in accordance with Robert’s Rules of Order.

**Approval of Minutes:** Bonnie Blades made a motion to approve the minutes from the November 10, 2020 meeting, previously distributed via email. The motion was seconded, and the minutes were approved as written.

**President’s Remarks:** Mike Snapp reported that, in addition to Jeff MacDonald’s decision to retire fully from his duties as Project Inspector and Manager, Gary Heal is stepping down as Chair of the Roads Committee. The following was noted:

* An announcement, regarding the need to replace Gary, was placed in the winter newsletter.
* Joe Bateman and Robert Oyaski, who work as day laborers on road issues, will be asked if they are interested in taking Gary’s place (as a paid position). Regardless of who replaces Gary, he will work under the guidance of both the Board and Rhea, and Gary is willing to guide this person through the first few months of transition.
* Chris Franklin, who works at the Calvert County Department of Public Works, will be asked if he is interested in taking Jeff MacDonald’s place. Contacts at the State Highway office in Prince Frederick will also be consulted. Another possible option may be a newcomer to Drum Point who owns a paving company in Bowie, and Mike will speak with him (if he is interested, his company would not be able to bid on any contracts).

**Office Update:** Rhea Webster reported as follows:

* With the ongoing Covid-19 pandemic and resulting job loss for some, no claims have been filed this year. Rather, mid-year statements were mailed. Any accounts significantly in arrears had the usual warning tag about the possibility of a claim being filed along with the actual, as yet unfiled, completed claim form attached. The mid-year statements and the inclusion of the claim form have resulted in a number of accounts being brought up to date. The budget for postage expenses will likely be over for the year as a result of the mid-year mailing of statements.
* The tractor and hand tools are scheduled to be picked up tomorrow for yearly maintenance.
* The rebate check from SMECO (for pickup of the old refrigerator) in the amount of $50.00, has been received.
* The newsletter will go to the post office tomorrow.

**Committee Reports and Roundtable:**

**Operational/Roads Committee:** In Gary Heal’s absence, Rhea reported that Karl Bowen and Gary spoke about the work being done on Lake Terrace. According to Mr. Bowen, the pipe is badly clogged at the output and will need additional work to clear. In addition, the area will have to be “dug out” deeper than expected, which means more stone will be needed for fill the trench. The cost of the project will increase as a result.

Maggie Johnson reported the following:

* Several trees at the end of Barreda Boulevard (as it turns into Overlook Drive) are in need of maintenance. Two trees are leaning toward the street and are covered with ivy. The other, which may be on Barreda is in need of trimming. Rhea will contact Karl Bowen. If the tree is on the County-portion of Barreda Boulevard, they will be notified.
* The River View Causeway pipe may be clogged as the water is quite high, and there is tree debris (pine needles, leaves etc.) at the inlet. Gary Heal will be asked to investigate, but it was noted that a high tide can make it appear as though water is not flowing as it should.

**Finance Committee:** The Balance Sheet and Profit and Loss Statements were distributed via email and made available at the meeting. Jack reviewed the reports and noted the following:

* Most expense line items are as expected for the time of year with the following exceptions:
  + The line item for legal fees is overbudget due to our request for a written opinion regarding Quit Claims.
  + The office maintenance line item is overbudget, as the roof was replaced, and flooring was updated. Funds were transferred from the reserve account in the amount of $8,000 for these expenses (money set aside for office building maintenance).
  + The paving expense is also overbudget due to our paving an additional half mile of road (to include the money paid to Jeff MacDonald, who is paid on a percentage basis for each job).

**Environmental Committee:** No report

**Safety Committee:** In Peter Holt’s absence Mike Snapp reported that research conducted by himself and Rhea has shown that volunteers are covered for liability under our current insurance policy, which states volunteer workers are considered insured for any damage they may cause to a third party. In addition, a Volunteer Protection Act, similar to the Good Samaritan Act, was put into place a number of years ago and will offer some protection. Criminal and/or willful negligence, including injury to another employee, would not be included however, bodily injury may be (the insurance agent has been consulted on this, but a response has not been received). The option to add volunteers to our Workers’ Compensation policy does not seem practical.

**Welcome Committee:** Rhea reported that Gina and Asha assembled an additional six buckets, making a total of seven, three of which have been distributed. Enough supplies are available for the assembling of additional buckets.

**Planning Committee:** Mike Snapp reported that approval to begin the study to address erosion at the community beach was sent to Scott Hardaway at Coastline Design, but a response has not been received.

**Unfinished Business: Quit Claims:** The following was noted:

* The wording of the deed of transfer of property to the Association, states that a strip of land along all waterfronts is owned by the Association. Calvert County requires that a Quit Claim for Riparian Rights be granted by the Association prior to the issuing of a permit for construction of any structures along these strips of waterfront property.
* The deed of transfer of property includes the phrase, “subject to the interest of others.” Tom Schild (Attorney for the Association) interprets this phrase to mean that, regardless of the type of Quit Claim granted, these strips of land, which were included in order to give all property owners and residents in Drum Point access to the water, remain the property of the Association. Access to this strip of land must be gained via one of the easements to the water or some other means and does not allow for trespass over private property.
* In addition, Mr. Schild states that the Association owns any structure emanating from these strips of land, unless a Quit Claim of Ownership is requested and granted. Therefore, the wording of both types of Quit Claims will include the following statement:

All other property rights, including the easement rights of all Drum Point property owners, are retained by the party of the first part and require that any piers or other structures built in the above identified area include a step or other access point as appropriate for traverse by Drum Point property owners. The party of the second part acknowledges full responsibility for maintenance and liability for any pier or other structure built on said property.

* A suggestion was made that anyone requesting a Quit Claim should be informed that there are two types: Riparian Rights and Ownership. The Quit Claim for Riparian Rights can be granted by the Board (per the motion made at the General Membership Meeting, held December 15, 2007). Per the By-laws, a Quit Claim of Ownership must be approved by the General Membership and can be done at a duly called meeting (Article XI, Line 8).
* A letter will also be sent to each waterfront owner, explaining that the Association accepts no responsibility for maintenance or liability of any structure.
* John Norris, Attorney for Calvert County, stated that the County does not make decisions on property rights and could offer no opinion. He will be consulted as to whether the County includes these structures and waterfront area when calculating taxes on these properties.
* The insurance agent for the Association was consulted with regard to any liability the Association might incur. According to the underwriter, “they would have liability coverage for the additional piers attached to community land.” That being said, the agent recommends we send letters to all waterfront property owners (including new owners as properties transfer).

**General Membership Meeting:** The meeting is scheduled for 10:00 a.m., Saturday, December 12th at the Drum Point Club. Masks will be required and available at the door. Seats will be placed in such a way as to be in compliance with recently issued social distancing guidelines. If a quorum is not met, a vote can be held to hold an additional meeting, at which the number of people attending will constitute a quorum, regardless of how many people are in attendance.

**New Business:**

**Signs:** The Covenants state that signs are not allowed to be posted in yards, although an exception is made for real estate signs and others of a temporary nature. A community-wide email will be sent reminding people of this Covenant.

**Property Condition:** Owners of properties that are not being maintained cannot be forced to make any changes. Drum Point Covenants do not address this issue. Therefore, we have no enforcement ability. A letter can be sent to a property owner and Calvert County Zoning Enforcement can be notified, although their ability to address these situations is limited to the issuing of a warning and the imposing of a fine, which cannot be collected until a lien is filed and the property sold.

The next Board meeting will be held on Tuesday, January 12, 2021 – tentatively off site at 11:00 a.m. With no further business to discuss, Tony Spakauskas made a motion to adjourn into Executive Session. The motion was seconded, and the regular meeting adjourned at 2:19 p.m.