**Board Members present:** Gary Heal, Dennis Baker, Max Munger, Amy Rispin, Duane Heidemann, Dan Mathias and Larry Reich

**Board Members not present:** Dale Maxwell and Aubrey Mumford

**Staff present:** Rhea Webster – Manager and Jeff MacDonald – Project Inspector

**Property owners present**: Art Facemire, Maria Miller, John McCall and Peter Holt

Gary Heal, President of the Board of Directors for the Drum Point Property Owners' Association (DPPOA), called the meeting to order at 7:00 p.m. He stated that the meeting is being recorded and Robert’s Rules of Order govern the proceedings. He reminded Board members and guests not to speak until recognized by the Chair.

Without exception, Gary Heal amended the agenda to allow Art Facemire to present a proposal regarding the transfer of common property at the beginning of the meeting rather than during New Business.

**Office Update:** Rhea presented the following:

1. The quarterly report for the reimbursement of 3rd calendar quarter Special Tax District (STD) administrative and operating expenses has been prepared and will be submitted to the County Finance Office once the STD Administrative Agreement has been finalized. The amount of the reimbursement request is $5,283.93.
2. The beach trash pick-up and porta-potty service have been discontinued for the season.
3. Robin Jones, our contact person in the Calvert County Finance Department, sent an e-mail stating that the Department of Public Works approved the invoice from Scaggs Site Development for the installation of rip rap channels at three locations [Lessin, Huron and Ottawa Drives]. The money will be transferred from the County-held STD funds to the Association STD checking account in the amount of $13,397.50.

**Public Comment:**

Art Facemire, a property owner on Laurel Way, presented his request to purchase a portion of the Drum Point right of way. Mr. Facemire distributed documents in support of his proposal (a plat of his lot and adjoining lots, including the rights of way). The following was noted:

1. Mr. and Mrs. Facemire wish to place a fence on their property and would like to purchase a portion of the Drum Point right of way in order to be able to place the fence squarely. The right of way in question is at the back of the Facemire property adjacent to Dove Court.
2. Two property owners who live on Dove Court sent e-mail correspondence voicing no objection. Mr. Facemire stated that he has spoken with the third owner on the Court.
3. It is not within the purview of the DPPOA Board of Directors to approve a transfer of common property; rather it must be approved by a vote of the property owners.
4. Dennis Baker made a motion to endorse the proposal as presented for purposes of discussion. The motion was seconded.
5. If a mail ballot is to be conducted, the cost cannot be borne by the Association.
6. Any fence that might be installed must be installed according to Drum Point and Calvert County fence guidelines.
7. There is a need to establish whether a vote for approval must be conducted according to DPPOA By-laws or Drum Point Covenants.
8. After discussion, Dan Mathias made a motion to table the motion made by Mr. Baker, pending inquiry into the procedure required to bring this before the property owners. The motion carried by a margin of six in favor (Gary Heal, Amy Rispin, Dan Mathias, Larry Reich, Max Munger and Duane Heidemann) and one against, Dennis Baker.
9. Site visits can be conducted by Board members on an individual basis.

**Approval of Minutes:** Dennis Baker made a motion to adopt the minutes from the September 5, 2012 Board meeting, previously distributed via e-mail. The motion was seconded and passed unanimously. The minutes were accepted as written.

**Round Table:** Gary Heal stated that he has been working with the County regarding the finalization of the STD Administrative Agreement.

**Committee Reports:**

**Action Items:** Jeff MacDonald reported the following:

1. The Road Rejuvenation project has been put on hold, pending the resolution of the STD Administrative Agreement with the County.
2. The installation of rip rap channels along three rights of way by Scaggs Site Development is complete [See Item 3 under Office Report above].
3. Three pipes near 12880 Bay Drive are in need of replacement (a temporary repair was done by Gary and Larry). The County Department of Public Works is being consulted as to which type of pipe should be used.
4. A proposal has been received from Scaggs Site Development for repair of the Gabion Channel on Calvert Drive.
   1. Water has been seeping beneath a 10’ section under the fourth basket from the bottom, and there is danger of erosion. Scaggs Site Development’s proposal is to inject grout beneath this section in order to stabilize the area under the channel.
   2. Scaggs installed the Gabion Basket originally and has offered to do the repair at cost. They will await payment for up to six months; pending the resolution of the STD Administrative Agreement. The cost of the proposal is $2,600.00.
   3. Dennis Baker made a motion to proceed with approval of the proposal as submitted. The motion was seconded and passed unanimously.

**Treasurer’s Report:** Max Munger reported the following:

1. The Balance Sheet and Profit and Loss Statement were distributed.
2. The DPPOA Account is down to approximately $1,200.00. A CD in the amount of $18,162.00 has matured and will be deposited into the DPPOA checking account.
3. There is currently $141,000.00 in STD funds held by the County on behalf of the Association. [A report received just prior to the meeting but not yet reviewed showed $243,233 available as of September 30, 2012. The increase is a reflection of taxes collected under STD IV.]
4. Less than two payments remain on the mortgage for the Association office. Max made a motion to pay the loan off early in order to save the interest (approximately $18.00 – $20.00). The motion was seconded and after discussion, failed by a margin of three in favor (Max Munger, Dan Mathias and Duane Heidemann) and four against (Gary Heal, Dennis Baker, Amy Rispin, and Larry Reich).
5. The Finance Committee will meet tomorrow at 11:00 a.m.

**Environmental Committee:** Amy Rispin reported the following:

1. A meeting of the Environmental Committee was held today.
2. As a result of the Sustainable Growth and Agricultural Preservation Act passed by the State, each County must create a map designating all public sewer planning for the foreseeable future (versus existing septic systems). Based on the maps and the size and nature of communities, four tiers will be created. Tier one will consist of communities such as North Beach, which has an existing septic system. Tier four will be agricultural and reserve conservation areas. Drum Point will likely fall in Tier Three. This may mean that the portion of the Drum Point community facing the Bay will be allowed to remain on private septic systems, with a requirement for very low-nitrogen producing systems. Planning for the area around Mill Creek is not clear on the map, and the Environmental Committee is consulting with County staff to obtain a clear planning map. A Public Hearing on the definitions of the Act will be held October 30, 2012.
3. Bob Boxwell and Dan Stallings of the Environmental Committee volunteered to plant a tree in the yard at 401 Lake Drive to replace the maple tree that had to be removed (Larry Reich volunteered to help with the planting).
4. A rain garden may also be planted in the yard near the site of a previously abandoned septic tank. The cost should be minimal as Mr. Boxwell has access to native trees and plants. A gentleman who is in the process of acquiring his Master Gardener certification, also volunteered to help. There may be a question of whether the area in question was designated for parking as a condition of the zoning variance received from the County which allowed the building to be rezoned and used as an office, so planting plans must take this into account.

**Planning Committee:** Gary Heal reported that a Planning Committee meeting was held today. The Committee agreed to bring forward the STD budget as drafted by the Finance Committee to the Board for review and approval. An alternative budget was also discussed and will be brought forward.

**New Business:**

**Finance Committee Member Appointment:** Ralph Swartwood has volunteered to serve on the Finance Committee. Dennis Baker made a motion to approve Mr. Swartwood’s appointment to the Committee. The motion was seconded and passed unanimously.

**Committee to Study Update of DPPOA By-laws:** John McCall, a former Board member and current property owner, suggested the creation of a committee to study the DPPOA By-laws in order to determine if there is a need to update the document. Dan Mathias made a motion to study the possibility of changes and modernization of the DPPOA By-laws. The motion was seconded for purposes of discussion. After discussion, the motion carried by a margin of six in favor (Gary Heal, Amy Rispin, Dennis Baker, Dan Mathias, Max Munger and Duane Heidemann) and one against (Larry Reich). It was noted that a Board member must serve on the Committee (Amy Rispin volunteered). Anyone wishing to volunteer for this committee must be approved by the Board.

**STD Budget:** The following was noted:

1. The STD budget as proposed by the Finance Committee, previously distributed via e-mail, was brought forth for discussion. A draft of the proposal was sent to County staff for review by the Board of County Commissioners (BOCC). No word has yet been received from the BOCC.
2. A revised version of the budget (from the Planning Committee) was also presented to this Board for review.
3. After discussion, Dennis Baker made a motion to accept the alterations as suggested by the Planning Committee as the final budget submission to the BOCC. The motion was seconded and passed by a margin of six in favor (Gary Heal, Amy Rispin, Dennis Baker, Larry Reich, Max Munger and Duane Heidemann) and one against (Dan Mathias).
4. Gary Heal requested the County staff arrange for the completion of the STD Administrative Agreement.

**Volunteer Committee:** Tabled until next meeting

**Approval of Snow Removal and Tree Removal Contracts:** The following was noted:

1. The contract for snow removal has expired. It is a cost-plus contract format. Based on performance, a percentage is added to the contractor’s labor cost. Grover’s Lawnscape has held the contract the past three years. This contract format has allowed the Board to review the performance of the contractor and pay them accordingly. Board members make the decision as to whether to have Grover’s Lawnscape come into the community.
2. The tree removal contract has been held by Karl Bowen at a cost of $150.00 per hour (with $450.00 per hour for emergency removal). Mr. Bowen has never charged the higher cost of tree removal (although he has removed trees during emergencies). If he did charge the higher cost, it would be solely for the time it would take to remove the tree from the road.
3. After discussion, Dennis Baker made a motion to renew both contracts. The motion was seconded and passed unanimously.

**Public Comment:**

Maria Miller commented on the requirement of the STD for Capital Expense contracts versus that of professional services such as snow removal.

John McCall noted that trees should not be planted near the septic field.

Peter Holt commented on the discussion he had with Commissioner Clark regarding the amount of the Special Tax District and the Administrative Agreement requirements. Mr. Holt also stated that a CERT meeting has been scheduled for October 24th at 7:30 p.m.

Max Munger commented on the recent actions of the BOCC.

The next meeting is scheduled for October 16, 2012 at 7:00 p.m. With no further business to discuss, the meeting adjourned at 8:30.