**Board Members Present:** Gary Heal, Dennis Baker, Max Munger, Amy Rispin, Duane Heidemann, Larry Reich and Aubrey Mumford

**Board Members Not Present:** Dale Maxwell and Dan Mathias

**Staff Present:** Rhea Webster and Jeff MacDonald

**Property Owners Present:** None present

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 others present not to speak until recognized by the Chair.

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

1. Peg Duffy as well as Bob and Joanne Boxwell have volunteered to serve on the Tally Committee for the 2013/2014 Board of Directors election. As required by the By-laws, the ballots will be counted during the June meeting of the General Membership.
2. An updated map of the Drum Point Community is nearly finished. It will be more readable and include all streets in Drum Point, as well as locations such as the beach steps, community beach, boat ramp and the Drum Point Club.
3. Arthur Dawson filed for a judicial review of the decision made by the Board of Appeals regarding his violation of the 25’ setback requirement. In order to be assured of receiving all updates on the case, a “Motion to intervene as an interested party” was filed by the DPPOA.
4. The written opinion, regarding changes to the Covenants, has been received from Thomas Schild, Attorney for the Association. The cost of the written opinion is $3,812.00.
5. The rights of way are in need of trimming (several areas in particular). Karl Bowen will be contacted for a proposal on trimming rights of way as needed, including causeways.

**Approval of Minutes –** Amy Rispin made a motion to approve the minutes from the May 7th Board meeting, previously distributed to the Board via e-mail. The motion was seconded, and the minutes were approved as distributed.

**President’ Remarks:** Gary stated that [with his departure from the Board] this is his last Board meeting; however, he will continue to volunteer to serve on committees and aide the Board as much as possible. He would like to continue his involvement with the Planning Committee, Environmental Committee and perhaps the Finance and Roads Committees.

**Committee Reports:**

**Action Items** – Jeff MacDonald reviewed the Action Item list and presented the following:

1. The following jobs are complete and have been inspected. Invoices have been received and submitted to the County Finance office for payment.
   1. Lessin Drive – (Great Mills Trading Post) drainage improvement – cost $4,700.00
   2. Sky View Lane – (Great Mills Trading Post) drainage improvement – cost $1,600.00
   3. Chestnut Drive at Huron Drive – (Scaggs Site Development) drainage improvement – cost $2,250.00
   4. Eagle Drive – (Scaggs Site Development) pipe replacement in the right of way – cost $350.00 (cost to be reimbursed to the DPPOA by property owner)
2. The pre-bid meeting for the 2013 Rejuvenation project was held June 7th. Two contractors (Great Mills Trading Post and Asphalt Restoration Technologies) attended the pre-bid meeting, and a third, Total Asphalt Maintenance, requested a bid package. The bid opening is scheduled for Friday, June 14th.
3. A list of roads in need of asphalt overlay is being compiled. Lake View Drive, Bay View Drive, Lake Terrace and sections of Laurel Way, Chestnut Drive and Raine Road will be on the list. Some areas will require a layer of fabric beneath the asphalt, which will add to the cost. The approximate cost to pave all areas in need is $75,000.00. After discussion, Amy Rispin made a motion, “to commit $30,000.00 at this time in and have Jeff MacDonald prioritize the list of roads most in need of paving. The list will be approved as the budget allows.” The motion was seconded and approved unanimously.

**Treasurer –** Max Munger reported as follows:

1. The balance sheet and profit and loss statement were distributed.
2. Additional invoices (approximately $10,000.00 for tree trimming, bush hogging and legal fees) have been received and will be paid prior to the end of the fiscal year.
3. Expenses for snow removal and storm clean-up were minimal for this past winter. Therefore, the carryover to the next fiscal year will be greater than expected.
4. Funding of Capital Projects, under the Special Tax District (STD), is flexible, regardless of the approved budget. Therefore, funds carried forth from previous years can be spent as needed on Capital projects.
5. The monthly report received from the County Finance office on the current balance of STD funds held by the County on behalf of the Association is being reworked to more accurately reflect the actual amount available for disbursement.

**Environmental:** No report

**Planning Committee –** No report

**By-laws Committee –** No report

**Old Business:**

**Covenant Fees:** The opinion received from Thomas Schild, Attorney for the Association, regarding the authority of the DPPOA Board of Directors to increase the mandatory assessment for the maintenance and repair of the roads, beach and other common areas in the Drum Point community was discussed. The following was noted:

1. According to the opinion expressed by Mr. Schild, there is precedent for and modern courts are embracing an approach to the interpretation of Covenants which would “imply provisions to carry out the intent of the express covenant.” Mr. Schild stated, “…it is my opinion that:
   1. the existing DPPOA assessment covenant provides sufficient basis to authorize the Board of Directors to increase the assessment for road maintenance and repair to reflect current inflation-adjusted equivalent of $10.00 when the covenant was first established.
   2. the existing DPPOA assessment covenant may also provide sufficient basis to authorize the Board of Directors to impose an assessment for the maintenance and repair of other common areas.
   3. an assessment for the maintenance and repair of all common areas may be imposed by the Board of Directors based on the proportionate use of each lot owner.”
2. Max Munger made a motion, “to move forward to establish an amount for the Covenant fee, to be billed with the next billing cycle, thereby making all property owners who pay Covenant fees members in good standing, with all rights ascribed to membership in the DPPOA. A secondary goal may be to eliminate Association Dues and reduce the amount of the Special Tax District assessment.” The motion was seconded and passed by a margin of five in favor (Max Munger, Gary Heal, Amy Rispin, Aubrey Mumford and Duane Heidemann) and two against (Dennis Baker and Larry Reich).
3. Gary Heal made a motion, “to charge the Planning Committee with the task of creating a mechanism for determining the amount of the new Covenant fee, how it will be phased in, and an overall plan for implementation.” The motion was seconded and passed unanimously.

**New Business:**

**Fence request at 604 Lake Drive:** A property owner at 604 Lake Drive has requested a variance to Drum Point fence guidelines, which state that a privacy fence cannot be erected in the portion of one’s property which faces the street. The portion of the privacy fence in question is approximately 12’ in length and would serve to block the view of a neighbor’s fence (all required County permits have been obtained by the property owner). Max Munger made a motion to allow the variance. The motion was seconded and passed unanimously.

**Rocks on Bay Causeway:** Amy Rispin reported that rocks, which were placed along the Bay Causeway to discourage parking, have been moved. Rhea will ask Paul Chew to move the rocks back into place.

**Board Member Attendance:** Amy Rispin stated that Dale Maxwell has missed several meetings (three consecutive prior to tonight’s meeting). [According to the By-laws, Article X, Paragraph 2, Subparagraph b, “A Director shall be removed from office by the Board: for an unexcused absence from three consecutive general membership meetings or regular meetings of the Board.] Amy Rispin made a motion to remove Dale Maxwell from the Board, based on his missing three consecutive meetings. The motion was seconded and after discussion, passed by a margin of five in favor (Gary Heal, Max Munger, Amy Rispin, Duane Heidemann and Aubrey Mumford) and two against (Dennis Baker and Larry Reich).

The next meeting of the Board will be held on July 9, 2013.With no further business to discuss, Gary Heal made a motion to adjourn the meeting. The motion was seconded and passed unanimously. The meeting adjourned to Executive session at 8:30 p.m.