

**MINUTES**  
**OHCA BOARD OF DIRECTORS MEETING**  
**FEBRUARY 23, 2008**  
**BOATYARD BAR & GRILL**

*(Approved at the March 24, 2008 Board Meeting)*

**Board Members Present:**

Kathy Burk, Chair  
Joseph Butcher  
Danny Butler  
Dan Craig, Vice Chair  
Winston Dunkley  
Calvin Kidd  
Joanie Stone  
Brooke Doswell, President

**Citizens of Oyster Harbor Present:**

Patricia Cannon  
Carl Florentino  
Irving McConnell  
David King Wood

**Materials Distributed:**

- Agenda (Burk)
- FY 2009 Special Community Benefit District (OHCA) Budget Request to Anne Arundel County (Doswell)
- President's Report 2-23-2008 (Doswell)
- Summary of debate rules from Roberts Rules of Order, which guide OHCA board discussions (Burk/Craig)
- Community Association Board of Director Position Description (Butcher)
- Block Captain proposal 2/23/2008 (Stone)
- "Welcome .... [www.oysterharbor.org](http://www.oysterharbor.org) " (Stone)

**Call to Order** at 9:35 by the Chair with a moment of silence

- Note: venue moved from Eastport Yacht Club to Boatyard when no one showed at 9am to open the yacht club

**Agenda** accepted on motion by Craig, seconded by Burk

- Objection by Butcher to lack of minutes from previous meeting -- withdrawn

**Acceptance of Board Minutes** from January 10 meeting was deferred:

- Burk apologized for leaving printed copies of the minutes - which have been done - at home

- They will be circulated by email to board members and discussed at next meeting or approved on circulation by email

### **Comments by Chair**

- Extract from Roberts Rules of Order circulated to all re decorum and debate at board meetings
- Next meeting of board will be Monday March 24
- Dates for subsequent board meetings - which will be held at Hillsmere Public Library - to be circulated and posted on website

**President's Report** (written version, including Treasurers Report, circulated to all present). Oral highlights included:

- Gate installed successfully at boat ramp and repairs to fishing pier completed
- Budget/Treasurers Report
  - \$146,000 held by County will be released to community in November 2008
  - \$496,159 spent to date in FY 2008
  - \$392,736 cash on hand - will have to carry community through until November 2008
  - \$200,000 = minimum cost to run community each year (no special projects)
  - \$192,736 = balance left for special projects and \$75,000 emergency fund
- Swale maintenance: stopped pending cost reforecast and solicitation of bids from new contractors and Carroll Brothers
- Meeting held with McCrone Engineering, Roads Chair, and residents of Shore Drive 2-16-08 to go over Shore Drive drainage issues
  - Plans for wider swales with stones and new culverts under Howard and Washington to be drawn up
    - Will be reviewed and approved by engineer
  - McCrone will survey lots along Shore to permit swale widening between Ellis and Washington
  - A pipe will be placed under Shore at Washington to allow for future drainage into Bay
- Special Call meeting was held February 2 which released the board from strict adherence to the master plan for roads and drainage
- A new plan will be drawn up by the board within a year

There was discussion of this portion of the President's Report, with the Chair wanting assurances that the new work proposed for Shore Drive would be reviewed by an engineer. It was noted that the community meeting on February 2 released the Board from strict adherence to the master plan although the community could continue to use elements of the plan in maintaining swales. Butler expressed concern about the cost and planning procedures for the work on Shore: it was explained that this is part of ongoing maintenance that had already been approved in the community's budgets for FY 2008 and 2009. Butcher sought assurances on how the board was selecting and using engineers. McConnell reiterated his interest in serving on the Roads Committee and his frustration at not being notified of Roads Committee meetings. Burk restated for

the record the policy of the board that anyone in the community who wishes to serve on a committee may do so and that the President would work with committee chairs to ensure that committee meetings are publicized so that all who wish to attend can do so.

With regard to the swale maintenance, Burk and Doswell explained that Carroll Brothers had been operating under a contract signed two years ago and that this contract had recently been terminated by the President so that the work could be rebid. (75% of the swale maintenance budget for FY 2008 has already been spent). Swale maintenance in the community will continue to be done section by section - funds permitting -- with Shore Drive being next. All contracts for the new work will be submitted to the Board for approval, per the community's procurement guidelines which require board consent for all contracts over \$2,500. It was agreed that a special board meeting would be called to approve the new contracts and that this new work would not be approved on circulation by e-mail.

The President continued her Report by noting:

- The new security arrangement using off-duty Anne Arundel County Sheriffs continues to work well
  - There are no new security incidents to report
- There will be a Special Meeting March 29 to put to the OHCA community the question of recalling Board Member Danny Butler
  - Issue being he signed OHCA's name to various permit and variance applications without the knowledge or approval of OHCA
- A future special call meeting will be held on whether OHCA should sign variance applications to allow road work to proceed on the extension of Creek/Cross

There was discussion of who was issuing the recall notice and whether it was appropriate for the board to be involved. It was agreed that citizens and not the board have a right to vote on a recall since it is the citizens of OHCA who elect board members. It is also within the rights of the President to call a special meeting to put the question of a board member's recall to the community, with 30 days notice, as specified in the Constitution.

It was agreed that OHCA's board should not be in the business of approving one citizen's building permits but not another. However, there was recognition that variances are a different matter and according to legal counsel, the OHCA board is not compelled to join individuals in asking for variances to existing laws - such requests should be put to the general community on a case by case basis. Butcher asked about the source of this legal opinion and requested that copies be made available to all board members, which Burk agreed to pursue.

### **Community Property/Compliance Committee Report**

Stone updated the board on the status of creating a block captain system and distributed a formal "Block Captain Proposal" dated 2-23-2008. She also distributed a new "Welcome to Oyster Harbor" kit for use by the Welcome Committee (Jo Burkholder,

Chair) and future block captains. Butcher moved and Kidd seconded that the kit be printed and distributed to all Oyster Harbor households. After a discussion of the cost of such a publication/ mailing, the motion was withdrawn and it was agreed that the kit would be put on the website and be available from OHCA on an "on demand" basis.

Stone then advised the board that with regard to compliance, 12 untagged vehicles are located in Oyster Harbor and that letters would go out to the vehicle owners requesting that they remedy the situation by registering their vehicles or removing them (possibly by donating them to charity) by May 1. Otherwise the derelicts will be reported to the county for further action by Anne Arundel authorities.

### **Old Business**

- Repair of circuit breaker at entrance to OHCA - pending visit by electrician
- Revising OHCA Charter to allow ownership and development of property - mailing to community and vote is pending
- Website policy
  - Butcher requested that counsel review materials on site and access policy
  - Burk noted that some communities have a password-protected zone for residents
  - Property Committee will examine materials on and policies governing the existing web site

### **New Business**

Craig asked for the Board's reaction to his proposal that leashed dogs be allowed on the beach to help control the presence of geese during the summer months. McConnell, an expert on animal-human disease transmission, discussed the problems with the proposal, as did others who were concerned about dog waste, bites, liability, and whether the solution was worse than the problem. After a discussion of alternatives, it was agreed that the beach committee would pursue traditional commercial goose control mechanisms in 2008.

**Adjournment** at 11:05am