

The Oyster Harbor Community Association UNAPPROVED DRAFT 2 MINUTES

General Meeting

November 28, 2023

Hillsmere Elementary School

7:30 pm – 8:45 pm

OPENING: The meeting was called to order and a moment of silence was observed.

APPROVAL OF MINUTES: Minutes for May and September Association Meetings were approved and the monthly Board of Directors Meetings from May to October were reviewed. These documents can be found on the website.

- It was noted that while the agenda or minutes may be on the website, it is difficult to locate attachments and supporting documents. We need to prioritize re-vamping and improving the website.
- A request was made that an explanation be sent to members explaining how to access minutes and supporting documentation.

TREASURER'S REPORT

Special Tax Treasurer, William Blakefield

- Truist Operating checking at end of October had \$68,700.
- Truist reserve money market accounts has approx. \$150,700 in it.
- Morgan Stanley investments are now at \$275,332.39.
- Total cash flows for reserves is \$494,757.
- A few other miscellaneous assets that are being held: 275 K that's invested in Morgan Stanley and CD 100 K that will insure in January 75 K doesn't insure in April and the last 100 K that will insure in July.
- For January meeting, we should discuss what we want to do with \$100,000 if we just want to invest it or not, the total interest income expected from those investments in total \$7500.
- Total cash expenditures for October were \$18,000. Interest earned was \$278. Notable expenditure was \$1000 for the MD settlement.
- BUDGET CONCERNS: We should review expenditures vs. budget for beach cleaning, security, and other areas.
- PNC account for October had a beginning balance of \$8836.65 and ending balance of \$8812.36.
- Bills such as the BGE bill were discussed.
- POLICY REVIEW: Questions were raised about approval for expenditures over \$2500. The new contracting procurement policy to require board approval for expenditures over \$2500 went into effect last year.
- What is happening with monitoring the legal expenditures we have, particularly in light of the fact we don't always get invoices for several months after the expenses was incurred? We have spent about \$80,000 for legal. We are

working with the attorney to a make sure that we don't have to incur additional legal fees and that he's billing on a more consistent basis. Attorney admitted he had been late in sending every month and will allow us to spread payments, if we need to, over the course of the next 5 to 6 months without late fees.

- The Finance Committee can look at what has to be done if we are approaching our budget limits and what is the exact process for the board approval to go over the budget in general and/or in specific areas of the budget.
- Suggested agenda item for next meeting is legal fees. Can community members see details on what the lawyers are doing for us? Further clarification was asked if community members want to see the bills to look at billing hours or wants to see the work product associated with those hours? Big difference.
- We can see what details the finance committee can release, as in some cases there are ongoing activities that may not be appropriate to release to the members. It may be helpful to have the finance committee come up with some further information for the next meeting. The goal here is to be transparent, while being legally and fiscally responsible. The Board of Directors is being kept apprised on status of legal issues.
- There was in depth discussion by a community member and others regarding what specifically is being done on the legal issues, who's paying for what, criminal cases, claims for theft, what was known by and voted on by the board, conflicts, fraudulent activities, the audits, which audits are needed and when, who is providing what information to the county,
- Diana and others pointed out they have not seen anything in writing from the county that is forcing us to do an audit, much less a forensic audit. They have seen no order from the county for this to occur every year. We currently have an audit.
- The chronology for the events were discussed from multiple sides and differing opinions.

Association Treasurer

- The annual regular SCBD audit has been submitted to the county.
- We are getting ready for fiscal 2025.
- Budgeting. We have all the materials from the county as of this week. We will be submitting a recommendation to the board on the 19th. The budget recommendation will be sent to property owners by 12/22 via hard mail as well as email.
- The OHCA Budget Meeting will be held on Tuesday, the 23rd of January and the budget will be submitted to the county by the end of January.

COMMITTEE REPORTS

Communication: This isn't really a committee, but the following updates were given.

- The new corresponding secretary has really been working hard to develop a communications calendar and working with the website company.

- There's a full committee trying to look at what we can do to streamline the website, make it be more manageable, easier to access, and most importantly update the information in the site.
- We are also working to define strategies and purposes for all communication channels. Trisha is working hard on all of that.

Finance Committee:

- Finance Committee met in early November for the first time.
- Brandon: I think a lot of us getting to know each other a little bit. We did some high-level math and talked about next year; spending and big ticket items. We have put aside something for reserve allocation. We will wait for the reserve study to be complete before we act any further.
- We just talked about the next year, fiscal year and how we are going to be money-wise, some extra money we'll have next year, possible capital improvements um to the public spaces, nothing formal just ideas.
- The next meeting in December will take that all further and develop recommendations for FY24.
- The committee will be looking at internal controls and perhaps evaluating the contracting procedures.

Security:

- We still have the ICS working for us. They work several days a week. We've had no major incidents reported. Barrett had mentioned that there are some incidents have been reported on several boats, but there's been nothing monumental to report during the summer.
- There were a few incidents of people on the beach that were asked to quiet down.
- As mentioned earlier, we were a little bit over budget. We budgeted \$35,000 and went over by about \$6,000. We really don't need the full security that we have several nights a week, so are reducing the hours beginning in January and we'll see about increasing them in springtime or maybe later into May.
- John Kerster, our neighbor gave a good report last April, looking into some camera systems for us. At that time, we decided we would keep the present cameras that we had on primarily Fishing Creek. They were backed up so you could go look at them. I think several people had access to them. But when we had the incidents at the beach, we realized the images were too grainy and we were unable to identify some people.
- John K has been working in the security system installation space and Pete and Jody from the committee met with him recently about options.
- As a community, we're all going to have to get together and discuss what people think their needs are. Reach out to members of the board, Kathy, Pete, Jody, Barrett who is Piers and Harbors and let us know what kind of things you want.
- We have five major areas for which we have concerns; the Fishing Creek Marina and parking lot, the Booker Pier and parking lot, the boat ramp, the community beach and Harbor Playground and parking lot.

- We will get three separate bids for the security system. We need to confirm our specs we want first so that we can properly develop and RFP. We need to evaluate issues such as where the poles would be, what to do with any obstructions such as trees there, how high should poles be, should they view broadly or narrowly focused, how long should the recordings be kept, etc.
- We have mapped areas of coverage in the five areas. We encourage community input if someone feels that's an area not covered.
- We want to look at starting some kind of system for 2024. If that's what the board decides to do, then the main thing needed is to have a good discussion about the issues surrounding the security system as it will be a large investment in the community.
- The security system may be able to replace some, but not all manned coverage. Both will work to ensure our community is safe.
- The committee will work on this issue, so let us know your thoughts.

Community Properties:

- Tightening up procurement process.
- Community Property will bid out snow removal, landscaping, dog wash stations, leaf raking (in progress), clean up, replacing gravel on Washington Drive / Booker pier.
- The pump at Booker Pier may have a leak. Please don't use. County is aware and came out over the weekend. No report yet of the findings.
- Parking Subcommittee: Policy will be sent out again to community members.
- Winston indicated that he believes the recommendation from the committee is that for street parking and on community lots, if you're parked for more than 36 you would get a warning on your windshield. The monitors would notify you and ask you to move the car after that time. We want to make sure that our lots are free for kids to be playing basketball, short term parking, for boaters to be able to come and go with their boats. Send your thoughts. We'd have to set up a mechanism if a resident was having long-term care, for instance, who do they contact to ensure their vehicle isn't towed. Will be discussed at January meeting.

Piers and Harbor – Barrett:

- Slip renewal in January
- Cleaning out racks of equipment. Received many pictures and emails so far. If you have a kayak or something in the rack which doesn't have a sticker yet, send Barrett an email and pic to put on it so it is not removed.

Beach Committee:

- Beach Committee still looking for volunteers.
- It was a good year with very heavy usage. The downside of that was more expense with trash hauling and beach raking. We had a lot of storm debris that had to be taken up. The geese were very high in population this year, which meant we had six over EPA recommended levels. It didn't test out two weeks in a row. The water was swimmable all year.
- Tanks and washes haven't been winterized.
- Some minor vandalism.

- Do we keep the jellyfish net in place? They are a pain to maintain, they break, they need to be replaced every three years or so. At a cost of 2 to \$3000 the pros are, they do keep some jellyfish but not all out. It's also psychologically comforting to know what the defined swim area is. The downside is they catch wildlife snakes, bullnose rays, regular fish. They also trap the seaweed, which is a real problem on the Oyster Harbor beach inside the jellyfish enclosure.
- Do we want to replace the nets next year or should we do without and maybe do a trial for a year or two? Do we want to spend money on replacing them next year when they will be due for replacement? Informal vote and we need to formally decide. Would members like the nets to go and try it for a year or two without to see how that works?
- Rafts – interest in keeping the inflatable rafts? Kids love them, they got dirty/icky, broke loose and blown around by wind. Do we want a hard platform?
- Let Brandon, the POC for the Beach Committee know your thoughts.

Roads Committee:

- The pumping station in Washington Drive is having work done to replace components and will probably not happen until December or January.
- Line replacement has been pushed back.

Recreation Committee:

- Picante FoodTruck will be here this Saturday
- Sunday, December 10th is the Santa Run

OLD BUSINESS

Forensic Audit:

- Concern over if receipts exist and are being collected, if not already obtained. We are carefully documenting and will determine if any are questionable.
- Preliminary draft audit report shouldn't have been posted as it was only preliminary and wasn't complete. There was some discussion over a community expenditure of \$50,000.
- What happened and when. Who approved and when? Some discussion included above in Treasurer's Report.
- The audio file of the meeting is available, which will include the nuances and specifics as to some of the points debated.
- We need to somehow get past these issues and get back together with a strong sense of community. That is why people want to move here.

Constitution:

- We are going to review the constitution and recommended changes to ensure it fits our current needs; has strong indemnification clause; and abides by state, county, and applicable laws.
- After the budget process in January the board will be reviewing. There will be no select committee, it will be addressed by entire board. If you have thoughts,

questions, concerns, share them with all board members online. This will be discussed at the upcoming meetings, so value your input.

Peter Vail filed the following amendments:

- That OHCA follows the rules and regulations of the Maryland Open Meetings Act
- The second one that OHCA follow the rules and regulations of Maryland code 11 B, the Homeowners Association Act
- That a member may only serve nine consecutive years as a board member and/or officer and must wait three years before again holding any association position.
- That a community meeting will be held 30 days before the annual election meeting.

There was a recommendation that we have a committee for reviewing the constitution.

Brief discussion held about process for filing/recording amendments: no formal vote or proposal necessary; amendments just required to be submitted to Secretary; to be voted on at future meeting, with 30 days notice of proposed amendments to all community members.

NEW BUSINESS / GOOD AND WELFARE

- Should we add a public comment section on the agendas?
- We should make sure meetings are held where the buildings aren't locked not allowing some community members to access at beginning of meeting.
- Are we going to replace the bench on Fishing Creek Pier?

ADJOURNMENT: Motion made and accepted to adjourn.