

March/April 2005

Drum Point Property Owners' Association
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410.326.6148



Three crafty painters from Patina Productions, a local business specializing in decorative painting pause for pictures. The tree ladies, Joe Ruggieri, Denise Weller and Deb McClure donated their time and talent in faux painting the walls of the DPPOA Office. In addition to the three, June McCall helped in applying the base coats and trim painting. New flooring has been installed in the conference room and hall. See Related Article on Page 5 Photo by June McCall

March General Meeting Approves Budget Change, And Dues Increase

Nearly 50 property owners, spouses not included, attended the March 26 General Membership Meeting. At the meeting, the community voted to approve changes in the Drum Point Property Owners' Association Budget for the remainder of this fiscal year. This change was necessary to reflect the change in funding stream from the STD Funds to DPPOA Funds. In addition, changes were made to reflect the use of DPPOA funds for the down payment, closing costs and various fees associated with the purchase of the property at 401 Lake Drive. The vote was 38 in favor, 3 opposed.

DPPOA membership dues will be \$25 for next year, an increase of \$10. The increase was proposed by Joe Ruggieri in order to provide funding for items not provided for in the current **Continued on Page 4**

The President's Page



Kitchen tables don't work today.

We hear the stories of the Drum Point Property Owners' Association handling the needs of the community from a member's kitchen table. Just as we have all heard the tales of Don Randall going door to door for contributions to repair potholes since the \$10 per lot per year road fees did not provide enough money. Yet, much was accomplished, causeways and seawalls were built and the community began to grow by leaps and bounds.

Can you imagine getting all of roads paved by collecting donations? What about repairing the Bay Drive Causeway? How many of us would be willing to shell out the estimated \$100,000, or about \$100 from every home in the community?

We now have a Special Tax District to handle these kinds of expenses and to plan for the future. Through the hard work of the Board, Drum Point was able to qualify for Federal Emergency Management Agency emergency funds.

The remainder of the roads in Drum Point are being paved as the newsletter goes to press. We are in contact with the Calvert County Public Works Department to begin negotiations to turn over more of our roads to the county.

Our office is open 20 hours every week, providing services to the community and its residents. It now takes two meetings a month to handle the board's responsibilities.

In the past year, we have begun a total review and analysis of all our governing documents to bring them up to the standards required by a growing community. An attorney, experienced in Property Owner Associations, has been retained to show us the best procedures for writing documents that answer the questions left open by our present documents.

We publish an 8 to 12 page newsletter every two months and hold four general meetings a year. In addition board members attend county meetings and keep the community apprised of the happenings in our town center.

No, the kitchen table just doesn't hack it today.

By-Laws Review Article IV Membership Voting

This is another in the series of excerpts from the present By Laws. These excerpts are designed to allow the community to become better informed about our present governing documents.

editor

To be eligible to vote on subdivision matters, at all meetings or by ballot, property owners must be in good standing with all assessments, fees and dues paid as outlined in these by laws, the binding covenants and as otherwise approved by the membership.

An eligible membership in good standing entitles the property owners to one vote. Residential lots owned by the association will not be voted. Common areas and areas not designated for residential purposes are not entitled a vote unless dues and assessments are assigned and paid.

A method of assuring accurate vote counting will be adopted for all open meetings. Counting of hands or voice estimates will not be used for tallying votes. The board will decide if voting will be at a duly called meeting or by mail ballot sent to all eligible members.

All mail ballots shall have a minimum of 30 days to be returned after the mailing postmark. The maximum return date will be clearly shown on the ballot. Unsigned, unsealed, or late returned ballots will not be counted nor will ballots returned by those who are not in good standing.

Except as otherwise specified in these by laws or in other pertinent directives, and either at a duly called meeting or by mail ballot, a majority of the votes cast shall carry.

See related articles on By Laws Change Review and Attorney's Recommendation of pages 6-7. Need a copy of the By Laws? Contact Rhea at the Drum Point Property Owners' Office, 410.326.6148

Self-Help Disaster Assistance

County Forms Citizen Corps

Citizen Corps is a part of the U.S.A. Freedom Corps, an initiative launched by Pres. George Bush to create opportunities for individuals to volunteer to help their communities prepare and respond to emergencies. The goal is to have all citizens participate in making their communities safer, stronger and better prepared.

The Citizen Corps main objectives are:

- Match needs of first responders with the skills and abilities of volunteers to make their communities safer from crime, disasters and terrorism.
- Educate the public on safety, teach citizens what to do in the event of a crisis.
- Spearhead efforts to offer citizens new and existing volunteer opportunities.
- Promote all Citizen Corps programs and activities throughout the community.
- Identify innovative practices and report accomplishments that can be replicated.
- Survey the community to assess increased awareness and participation.

Major disasters in the community can overload the capacity of first responders, especially during the first 24-72 hours. Having citizens who are better prepared to take care of themselves and their neighbors allows first responders to focus their efforts on the most critical areas.

Part of the plan is for the Citizen Corps to bring together all segments of the community involved in first responder efforts and to encourage ongoing working relationships in time of emergency.

The Calvert County Citizens Corps Council currently meets on the first Monday of each month. If interested in attending, contact Sandy Simmons at 410.535.1600, extension 2302 or simmonsr@co.cal.md.us.

The Drum Point Property Owners' Association is looking for a volunteer to spearhead this program. If interested, contact Rhea at 410.326.6148.

Lusby Connector Road Approved

The Calvert County Board of County Commissioners approved the road alignment of the proposed "Southern Connector". This road will connect the intersection of Rousby Hall and Olivet Roads with the southern end of H. G. Trueman Road.

The Calvert County Department of Public Works and consultants from Wallace, Montgomery and Associates presented the \$6.1 million project to the commissioners in February. The proposed route met with unanimous approval of all state and federal regulatory agencies. County commissioners gave the project their approval to get the project moving. Included within this project is a traffic circle at the Rousby Hall Road and Olivet Road intersection and new entrances to Patuxent High School and Mill Creek Middle School.

The county must still obtain an approved construction design and the needed rights of way before construction can begin.

Bob Taylor, Director of Public Works said that present hopes are to have the project completed in 2007. The department is in the process of scheduling a public meeting on the new road alignment in order to accept public input.

The purpose of the connector is to eliminate or minimize the gridlock at the intersection of Routes 760 and 765 at Lusby Town Center. A consultant reported that the gridlock is a bad situation now and is only going to get worse in the future.

Governor Robert L. Ehrlich previously pledged \$1 million to extend the connector from H.G. True-

Budget Vote Set For June 29

Each June, the Board of Directors must present a budget for community approval.

The total budget for the Drum Point Property Owners' Association must be presented at this meeting. At that time, questions may be asked and changes requested in the funding amounts suggested by the Board. There is no By Laws requirement to submit the STD Budget for community approval. This year is the first year that the STD Budget and the DPPOA Budget will both follow the July 1 to June 30 fiscal year.

Volunteer Committee

“Delinquent Road Fees Could Result in Liens”

Discussion of delinquent road fees at the March General Membership Meeting resulted in the forming of a volunteer committee to collect these debts.

One member of the committee, who has worked on Road Fee indebtedness collection previously, said statements being sent to all property owners in the near future will show the total fees due.

He stated that if it becomes necessary to file liens on property, the cost of lien fees, court costs and legal fees will be added to the delinquent amounts. “It’s much cheaper to pay now rather than later,” he stated.

Real estate closing attorneys and Title Insurance Companies should include a search for any indebtedness on the property before transferring title. Maryland Law allows the collection of these debts.

Is it a Bird, A Plane, A Scooter, A Motorcycle or an ATV? Is It Legal Here?

In the past months, there have been many questions concerning the operation of various types of vehicles on the Drum Point Roads.

We contacted the Calvert County Sheriff’s Department and asked, “In addition to cars and trucks, just what is street legal in our community? The answer resulted in more questions than answers. One Board member reviewed the current Maryland Law and was still not sure of the answer. The Board of Directors recommends interested persons should check the Calvert County Sheriff’s Department Website at: <http://www.co.cal.md.us/Sheriff/mopedlaw.htm>.

If you are concerned and feel that vehicles are being illegally operated in Drum Point, call the Sheriff’s Department at 410.394.2800.

General Meeting

Cont. From Page 1

Special Tax District. The issue was seconded by Sam Bergeson-Willis and passed by a 36 to 4 vote.

In the President’s Remarks section of the agenda, John Gray reported on the “bush hogging” being done in the community. He reminded homeowners that our roads *generally* are 20 feet wide and have an additional 15 foot right-of-way from the edge of the paving. The contractor’s guidance is that anything within 10 feet of the road is right-of-way and must be cleared of any overhanging limbs, trees or underbrush.

Max Munger, chairman of the Documents Review Committee, reported the committee is moving ahead with its review and rewrite processes and does not feel there is any emergency need to vote on specific changes at this time.

Maria Miller, a member of the Documents Review Committee, stated that she had been working on the By-laws since September 2004, before the committee was formed.

She reiterated her opinion that the vote on the transfer of property at the September meeting did not allow for the full membership to vote on issues since the By-Laws do not permit a mail ballot on this issue. She also restated her opinion that all members of the association who pay the Special Tax District tax should be permitted to vote for the Board of Directors. Munger then restated to Ms Miller that these changes are being considered as a part of the review process and there is no overriding need to vote on the issues at this time.

The Nominating Committee, chaired by Bob Pattison, reported eight candidates for the six vacancies on the board; Carolyn Ebel, John Gray, Rich Haag, Dawn Jaeger, John McCall, Maria Miller, Trish Powell and Dan Stallings.

In addition to the biographies included on the mail ballot, you may review the candidates personal information on Pages 6-8 of this newsletter

**If you do not exercise
your Right To Vote
You don’t have a right
To complain!**

Patina Productions Faux Finishes DPPOA Office

Written by Patina Productions

What is a faux finish? It's a paint job that appears to be other than a paint job! In this case it feels as if you have walked into the clouds when you walk into the newly painted Association office.

How did this happen? Jo Ruggieri, resident and active participant in the Drum Point Association, helped to form Patina Productions about a year ago, after having worked with her partners, Denise Weller and Deb McClure.

Jo knew the Association office needed a face lift so Patina Productions volunteered to help bring it up to a professional office appearance.

Patina Productions' expertise lies in the realm of painted furniture and murals, as well as the many and varied techniques used on walls, both interior and exterior. Walls become very interesting and an endless variety when redone with paint and special tools.

Murals are especially popular, ranging in subject matter from familiar Maryland-type land and water-scapes to the tropics with coconut trees and birds of paradise.

Children's rooms can be made colorful with scenes from favorite storybooks. Trompe l'oeil is a two dimensional depiction of a three dimensional scene object, such as the wrought iron balcony painted on a

blank exterior wall

Patina Productions can turn any piece of furniture into a work of art. Jo has made beautiful tuftets, combining her painting skills with considerable woodworking and sewing talents. The group has painted many custom tables, with chairs to match. They have also painted large rugs directly onto wooden floors, as well as creating canvas floor cloths that are durable and portable area rugs.

Everything can be a canvas! The women are multi-talented and between them have done it all! They have worked with Italian plaster finishes, giving a stucco look, and many smooth applications that create a sense of texture and depth without actual texture. Signs and logos have been done as well. If you can imagine it they can do it, and are happy to help with ideas too.

The three of them have done work in restaurants, night clubs, beauty shops, and many homes. They are happy to do a color and texture consultation if you want to brighten up your home.

Patina Productions can be reached at

Board of Directors Ballots In Mail By May 1

Ballots for the election of six persons to the Drum Point Property Owners' Association Board of Directors should be received by May 1. Every member in good standing i.e. all road fees and current association dues., will receive the ballot as part of their regular mail. .

If you are a member with a past due balance and wish to vote in this election, you may stop by the office, pay all past due balances and receive a ballot.

The nominating committee for the Board of Directors included; Bob Pattison, Dan Mathias, Starla Maurer, Jimmy Nelson and Curt Larsen. The candidates for the board include four incumbents: Carolyn Ebel, John Gray, Richard Haag and John McCall. Other nominees are Dawn Jaeger, Maria Miller, Trish Powell and Dan Stallings. For more information, see the nominees biographies on pages 6-8 of the newsletter.

Since there is a total of six vacancies, three of which are for three year terms, the three candidates with the most votes will be selected for the full three year terms and the remainder for the remaining terms of office.

Carolyn Ebel

I am currently on the Board of Directors of DPPOA. I moved to Drum Point five years ago and coordinate the College of Notre Dame of Maryland's Graduate Management Program in Southern Maryland.

I consider the revision of the DPPOA By Laws to be the most important project for 2005; it would be a privilege to be able to continue to be a part of this effort. I love the outdoors, particularly hiking, biking and kayaking and the opportunities in Drum Point to pursue these hobbies are thrilling. If elected, I hope to contribute something along these lines, to assist residents in pursuing outdoor activities and in enjoying this extraordinary environment.

I am from a small town on the Erie Canal in western New York, a place with no boundaries, where everyone's yard was your yard and everyone's farm your farm. I lived in Lancaster (PA) for 20 years, worked in northern Virginia for 12 years (Sidwell Friends School, Georgetown University, National Association for Bilingual Education, American Newspaper Publishers' Association), and directed a Levi Strauss & Co. skills training program in 38 plants across the country. I have also directed an English as a Second Language program for 29 school districts in Pennsylvania. I have my Master's and Doctorate degrees from Temple University.

**Make Sure Your Vote
Counts!!
Ballots Must Be Post-
marked By June 1**

John Gray,

I have been on the Board of the Drum Point Property Owners' Association for three of the four years I have lived here. For the last two years, I have been privileged to be its President. During that time, your DPPOA has been very active.

In addition to the routine day to day office activities, your Board has been involved in managing the recovery from Isabel, applying for and obtaining FEMA assistance, establishing a Third Special Tax District, and purchasing a permanent office with a Sheriff's substation.

I have enjoyed working with the dedicated volunteers who so unselfishly donate their time and energies to improving this beautiful community.

Much remains to be done. For example, the Board of Directors is now deeply involved in assessing the Association's controlling documents and will be recommending changes to the community membership in the future. I would appreciate very much your vote to allow me to continue to serve on the Board.

Richard Haag

I have lived in Southern Maryland for 15 years and have been a Drum Point homeowner for 12 of those years. I support all of the major decisions of the current board and I would like to continue the opportunity of being a part of the team that has put the present agenda in place. I have a financial interest in this

community and wish to help every homeowner to increase the property value of their land. My wife and I have a baby daughter and want to ensure this community remains family oriented.

I was raised in an Air Force community and later joined the Navy where I was a submariner on the USS John Adams in Charleston, SC. I have been a Control Technician at Calvert Cliffs Nuclear Power Plant for the past 15 years. I studied mathematics and engineering for three years at the University of North Carolina at Wilmington and am currently working on my Electrical Engineering Bachelor's Degree. I will endeavor to use my experience to help this community

John McCall

For the past two years, I have served on the DPPOA Board of Directors.

In these two years, Drum Point has changed. House prices have skyrocketed, the community has obtained a Federal Emergency Management Agency grant to repair Hurricane Isabel damage, a new Special Tax District has been approved and a new office purchased.

The present board has accomplished much and I am proud to have been part of these changes.

Personally, I have been the most proud of publishing the newsletter. The collecting, writing, editing and laying out of the newsletter has not only been enjoyable but an opportunity to see the larger picture of Drum Point

It is imperative that the community have more say in the preparation and submission of the STD packages. We must correct the perceived power of the Board of Directors by requiring a public vote on all budget submissions.

Maria Miller

Educational Background: Bachelor of Fine Arts and Bachelor of Arts from Seton Hall College; Master of Science from Western Maryland College

Work Experience: Visual Arts instructor for Calvert County Public Schools—16 years

I have been a resident of Drum Point since 1991. I moved down to Calvert County from Greensburg, Pennsylvania in 1989 and started my teaching career at Calvert High School. I transferred to Patuxent High School, when it opened in 1996, and have been teaching there since. I am currently teaching at Patuxent High School. I am the sponsor for the National Honor Society, and the Junior class. I am also member of the School Improvement Team, as well as the PTSA teacher representative. I have a vested interest in the school and its community not only because I teach there but also because my daughter, who is a senior, attends there.

I have been a regular attendant at the property owner's meetings since I became a resident of Drum Point. I worked on the planning committee for STD 3 to help further address concerns that I heard at community meetings. I recently worked on the bylaws committee and continue to do so. My views may have differed with the past and present board in regards to issues facing our community, but I recognize all the hard work that has gone into the running of our community. I hope to be elected as a board member so I can work toward the continue improvement of our community, and be a voice for those who want greater representation.

Dawn Jaeger

I have worked with the Department of Defense since 1988 and am a NAVAIR software engineer at Patuxent River. I have lived in Drum Point since July 1990, both as a renter and homeowner. I have been active on the Nominating, Bylaws, and Drum Point Day Planning Committees; I have also helped with the mailing of ballots and newsletters. I volunteer with Crisis Intervention helping abused women in Calvert County. In my professional society, I am on the Board of Directors of the local chapter, am the newsletter editor, and have co-chaired an international symposium for over 1,000 attendees.

The major issues facing Drum Point are the continuing theft of street signs, speeding in our community, and required changes to our covenants/bylaws. We need to make this community safer by reporting crime without fear of reprisals. If we don't report crimes, the criminals know they can get away with it and continue. I believe the covenants and bylaws need to be changed now, not in 1-2 years as stated by the current Board. The covenants are so outdated that county and state regulations override them. I also believe the bylaws need to be changed to correct the way votes are handled for such expenses as the purchase of property. Since not everyone can make the meetings to vote on important issues even though they have strong feelings about them, the use of ballots are a necessity. One of my goals is to allow our neighbors a greater voice on voting issues and who represents them on the requirements with Drum Point.

I am running for Board of Directors because I believe I can bring a fairer and more community-oriented outlook on issues that affect every member of Drum Point. I can represent every homeowner, including those that are struggling to get by on single/fixed incomes. I believe that those members are currently underrepresented.

Trish Powell

BA. University of California, Irvine (Majored in Human Development). Executive Master of Business Administration, University of Southern California, (Majored in Marketing and Organizational Development).

Licensed Nursing Home Administrator (State of California and State of Maryland); Tricia has run several long term care and acute care facilities including rehabilitation centers and nursing homes, physician practices and clinics, as well as psychiatric.

Extensive experience and knowledge in the following areas: organizational development, strategic planning, budgets, financial management and accounting. Has been successful in creating turn-arounds for various companies that included manufacturing, banking, health care (acute and sub-acute hospitals). Goal of working with troubled organizations has been to lead operation from a deficit condition to a positive cash-flow condition. Tricia is a writer and has published several articles in national journals.

Four years ago Tricia made a career change and became a Court-

Cont. Page 8

Trish Powell (cont)

Approved Mediator working throughout Southern Maryland. On May 29, 2003, Tricia received the ANNUAL Maryland MEDIATOR OF THE YEAR AWARD presented by The Honorable Chief Justice Vaughn of the Maryland District Court.

Tricia also does Arbitration that focuses on the working environment. Because of Tricia's exposure to various industries in her career, she is proving to be excellent in conducting Labor Arbitrations. Currently Tricia serves as a Court Appointed Advocate for Children (CASA) volunteer. She also serves on the Board of Alternatives for Youth and Families, and is Vice President of Calvert Healthshare Solutions in Calvert County

Dan Stallings

My wife and I chose Drum Point in 2001 as our home after living in Calvert County for about three years. My wife's grandparents have lived in the county for more than 35 years.

Drum Point was the best choice, offering a sense of community and access to the Bay and Patuxent River. At the present time, I work as a mechanic/ groundskeeper for a large estate. This job gives me the opportunity to become familiar with the requirements of the Department of Natural Resources and the Maryland Department of the Environment since it falls within a critical watershed area as does much of Drum Point.

Our community has many unusual and rare mini-environments—from the only remaining natural tidal lake on the western shore to bogs with 80 year-old high bush blueberry plants and wild beaver.

We must learn to live with this environment and protect it for the

Stallings (cont)

future. We must preserve these resources wisely. Green Space can be used as recreational areas and storm water runoff without disturbing the natural ecosystem.

I bring a different point of view to the community that will make an impact on the future. Serving on the Board will give me a chance to pay back to a community that offers

**Ballots for the
Directors' Election
In Mail by May 1**

ROADS SUBCOMMITTEE FORMED BY DPPOA BOARD

The Board of Directors has decided to establish a new subcommittee that will focus on turning our roads over to Calvert County. Craig Sellers has volunteered to chair this subcommittee.

The goals for the subcommittee are:

1. Prepare a plan for turnover of the roads. This plan will identify which roads we plan to turnover and a priority listing of those roads. The plan will be published in the DPPOA Newsletter and discussed at DPPOA General Membership meetings. The subcommittee will solicit community input on the plan to assure significant desires and needs are addressed.
2. Present the plan to the County. We will work with County staff as well as the Board of County Commissioners during development of the plan. When the plan is approved by the community, it will be formally presented to the County.
3. Implement the plan. This will be a long term effort in which the subcommittee will monitor the progress of road construction and County acceptance. We will continue to work with the County until the plan is fully implemented.

Many issues need to be addressed in order to turn the roads over to the County, including storm water management, negotiation of water discharge rights, clearing appropriate right of way and sight distances, traffic studies, and many others. Each of these issues will be addressed in the plan. Many of these issues will likely identify roads for which the community decides not to make the changes and thereby maintain ownership of the road.

This will be a challenging task but a very important one for the community. If this is important to you and you would like to volunteer to help, please contact Craig Sellers at 410.304.1504 or the DPPOA Office Manager.

Clean Up Day

Spring Clean Up Day was April 16. the opening day for the 2005 Rockfish Season.

Despite an apparent conflict of interest between fishing and working, three large dumpsters were filled by Noon, the official end of the Clean Up session.

Tom Gagnon, the volunteer organizer of the Clean Up Days for several years, said he was pleasantly surprised at the last minute rush by residents to get rid of their unneeded items.

Another Clean Up session is scheduled for October 15.

Invasive Reeds Now Found in Drum Point

Board Candidate Dan Stallings, a landscaper/mechanic reported at the last General Meeting that an invasive plant/ Phragmites has been found in Drum Point. Similar in appearance to Pampas Grass, an ornamental grass used in landscaping, it is extremely invasive and capable of taking over many of the marshy areas in our community.

Phragmites is an invasive reed found in a wide variety of areas surrounding the Chesapeake Bay area.

U. S. Fish and Wildlife Service (USFWS) aerial surveys over tidal marshes in Maryland and Virginia from 1995 to 1997 detected 8,500 acres of phragmites in 4,138 sightings in Maryland's wetlands along the Chesapeake Bay. The largest patches occur in dredge spoil areas. The greatest extent in natural marshes was in the lower Eastern Shore from the Nanticoke River south to the Pocomoke River, the northern Eastern Bay and Chester River area, Baltimore Harbor, C&D Canal, and Aberdeen Proving Grounds.

Maryland initiated a chemical control program in 1995 with state landowners. As part of a legislatively mandated program, landowners who have substantial stands of phragmites deemed to significantly threaten the preservation of valuable wildlife habitat are allowed to control it on their own property.

The state offers landowners a 50% cost share and coordinates the program through the Department of Natural Resources in cooperation with the Maryland Department of the Environment. In 1999, over 200 landowners participated in the program. Landowners cannot receive more than \$12,000/year and DNR cannot spend more than \$60/acre on control. Landowner's Guide is distributed by the Maryland DNR to encourage participation in the program (www.dnr.state.me.us/wildlife/phrag.html).

For more information on invasive species in our area of the Chesapeake Bay, Look at the Chesapeake Bay Net Website at: <http://www.chesapeakebay.net/exotic.htm>

*A Tip O' The Hat
To All Who
Helped In
The Office Remodeling*



*John Gray
June and John McCall
Deb McClure
Max Munger
Bob Pattison
Jo Ruggieri
Mark Webster
Denise Weller*

Calvert County Leash Law

Rules for Dogs and Cats

The Calvert County Animal Ordinance addresses all regulations set forth in regard to animals. A copy may be obtained from Animal Control.

Calvert County has a leash law for dogs, meaning if a dog is off the owner's property, it must be on a leash. There is also a control law for cats, meaning if a cat is off the owner's property, it must be under a person's control.

All dogs and cats must possess an animal license that must be purchased annually. Licenses are sold at Calvert Animal Hospital, Chesapeake Animal Hospital, Prince Frederick Animal Hospital, Calvert County Courthouse, Solomons Veterinary Clinic, and [Tri County Animal Shelter](#).

All animals must possess a current rabies inoculation.

For further information, call Calvert County Animal Control at the Sheriff's Office, 410.535.2800

Documents Review Report

While working to obtain eligibility for Federal Emergency Management Agency assistance after Hurricane Isabel, we learned the Drum Point Charter, By Laws and Covenants were not only out of date, but hampering our efforts in getting FEMA assistance

Members of the Board were able to convince involved officials that Drum Point was **NOT** a private community in the eyes of the law since the community was not gated and allowed free access to our roads. The only “private” areas are the beach and the property owned by the Drum Point Club. FEMA was able to provide assistance by eliminating these areas from any disaster assistance.

The Board drafted a new DPPOA charter. It was given to Thomas Pelagatti, our attorney of record for review. He said it would be more appropriate to involve an attorney “more experienced in these areas” to assist the community .

This review and update is required to eliminate any unintended consequences or accidental abrogation of duties to this community

Original Charter Unchanged Since 1972

The charter is the original filed in 1972 and not in compliance with MD annotated code for Home Owners Associations. The draft charter has criteria not mentioned in the current charter, and includes legal recommendations concerning changes to the covenants and bylaws.

In September, Mabel Kimrey made a formal motion to “immediately appoint a committee to review the Bylaws for update from this point forward, as required to reflect current needs of the community ...” Since a quorum was not present when the motion was introduced, the motion was tabled.

Board Response

Over the past nine months, the Board has taken steps toward a coordinated review of its infrastructure, community needs, sources of income, regulations, charter, by laws, covenants, association membership, documents, agreements, definitions, policies and procedures.

As described in several past newsletters, these are outdated and have significant legal flaws. They are long overdue for review and revision.

The current political environment of STD conflicts, lawsuits, petitions for special meetings and harassment makes it more difficult to focus on the future success of our community. The Board is just “getting its teeth” into this long-term review project.

Munger Named Chair

In December, Max Munger was appointed to chair this review committee. The membership was asked for volunteers to form the documents review committee. Only three members of the community have come forward to participate and sadly their goal has been only short-term with demands for immediate resolution. This group became known only as the “bylaws committee” and the name stuck.

In January 2005, the first meetings focused on the existing regulations, bylaws and covenants and possible directions for change. The consequences of such changes were discussed.

Recommended Approach

The Board feels it is inappropriate to approach such a task in an “ASAP” or “piecemeal” fashion. It is poor judgment to call for a vote on only one or a few views of such document revisions. This is especially true when items are taken out of context of an overall strategy or when recommendations are to be considered from other sources.

The best procedure is to have the full committee report its coordinated changes. After a legal review, the proposed “new” documents are presented to the full membership. This permits everyone to examine the overall implications and consequences of the changes.

This is the proper time for any remaining minority comments.

Committee Purpose

The original “bylaws committee” has not been disbanded. Other community members are invited to participate.

Food Lion Property Zoning Appeal Denied

The Food Lion shopping center has been denied a request by developer John Gott to allow drive-through facilities such as banks or restaurants at the center. Although no formal reason was given, it is widely believed that the volume of letters and complaints from local communities played a large part in the denial.

In a related issue, Chris Jakubiak, the coordinator of transportation planning section of the Planning and Zoning Commission has been invited to discuss transportation issues at the May 17 Board of Directors' meeting. Greg Bowen, director of Planning and Zoning has also been invited.

The major reason for the invitation is to discuss the impact of the new shopping centers on the traffic pattern of the Lusby Town Center. As of this date, many questions concerning the traffic pattern of the Food Lion anchored center, remain. Of special interest is the outlet on Rousby Hall Road, just west of CJ's. Road construction plans indicate traffic will be allowed to turn left from the shopping center on Rousby Hall.

If warranted, these individuals and other representatives from the remaining planned shopping areas will be invited to address the community, either at a special meeting or at a public meeting arranged by Planning and Zoning.

Documents Review from Page 6

Recommendations provide ideas which can be combined and unified into a long-term strategy for assuring a reliable and well understood governance of the community and for future planning, management of adequate funding streams and flexible rules for the community.

Possible Changes Under Review

Some of the issues being considered for possible inclusion in the Documents review include the elimination of Association Membership Dues, allowing all members of the community to vote on all issues, the role of the Special Tax District, 1, reviewing how many general membership meetings should be held and the role of the board in community affairs.

The By Laws must be reviewed to ensure a proper and valid system of checks and balances— allowing the board power to perform its mandated role while allowing more community input.

A Legal Opinion: Corinne Rosen, Esq.

Ms Rosen is the attorney who is providing the legal opinions and procedures for the Board of Directors and the Documents Review Committee. She is also the attorney representing Drum Point's interests in the Zalusky suit. She specializes in Homeowner Association Law and was recommended by the Maryland Homeowner's Association. She is also attorney of record for the Chesapeake Ranch Property Owners' Association.

editor

The Bylaws, Article XV, Amendment to Bylaws, requires that "all proposed changes" to the Bylaws must be "submitted to the members in writing 30 days prior to the vote".

By-Law changes should not be made piecemeal or haphazard manner. DPPOA's By-Laws Committee should prepare a draft - proposed amended by-laws and submit the draft to the BOD for review and revision.

The draft should be reviewed by counsel, revised if necessary, and returned to the Board of Directors and Committee for review. Only when the proposed amended by-laws are finalized should they be submitted to the members to vote pursuant to Article XV.

The piecemeal approach only increases costs to the members and the Association, time expended by all persons concerned, and increases the likelihood of ending up with By-Laws that are inconsistent, both within the document itself and with the Covenants and/or Maryland law.

WEBSITE OF INTEREST

In the recent weeks, there have been many articles and news stories regarding Sexual Offenders Registration in various states.

As a public service, information regarding Sexual Offender Registration in Maryland can be accessed at the following website: <http://www.dpocs.state.md.us/sor>. You may search this website by name, or zip code. The DPPOA Office will have copies of the Sexual Offenders Registered in Zip Code 20657. Please contact Rhea at 410.326.6148 and request a copy if you do not have access to the internet

Notice of General Membership Meetings

Meetings on Saturdays are at 10 am at the Drum Point Club. Wednesday Meetings are at 7:30 pm at the Drum Point Club.

Board Meetings are at 7:30 p.m. the First and Third Tuesday of Each Month at the DPPOA Office. These meetings are open to the general public.

Please stop in and learn what is happening in your community. Persons wishing to address the Board should contact the office at 410.326.6148 at least two days before the meeting.

General Meetings for the remainder of 2005 will be:

Wednesday, June 29, 7:30PM

Saturday, September 24, 7:30 PM

Saturday, December 10, 10:00AM

Special Meetings will be announced by mail or proper notice in this newsletter.

Office Hours

The office at 401 Lake Drive is open from 2 pm until 7 pm on Tuesdays. It is open from 9 am until 2 pm Wednesday, Thursday and Friday.

For further information, call Rhea Webster at 410.326.6148



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