



OCEAN PINES ASSOCIATION, INC.  
BOARD OF DIRECTORS  
REGULAR MEETING AGENDA

Saturday, March 23, 2024  
9:00 AM, Clubhouse Meeting Room

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MGM1OTlyMGQtNjJINy00MDdlWExNWEtMmE2Y2EzZmVhOGZi%40thread.v2/0?context=%7b%22Tid%22%3a%22625a6322-2b2f-40fa-94f8-d7dd44d78153%22%2c%22Oid%22%3a%225fa869f5-01ad-476a-9570-540fe1ce4736%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MGM1OTlyMGQtNjJINy00MDdlWExNWEtMmE2Y2EzZmVhOGZi%40thread.v2/0?context=%7b%22Tid%22%3a%22625a6322-2b2f-40fa-94f8-d7dd44d78153%22%2c%22Oid%22%3a%225fa869f5-01ad-476a-9570-540fe1ce4736%22%7d)

Call to Order – Rick Farr, President

Pledge of Allegiance

Approval of Agenda

Approval of Minutes –

February 17, 2024 – Regular Meeting

February 29, 2024 – Special Meeting

President's Remarks

GM Report – John Viola

Treasurer's Report – Monica Rakowski

Public Comments –

*Members wishing to make comments must state their name and address.*

Capital Requests –

Public Works – Cured In Place Pipes (CIPP)

Police Department – Police Vehicles

CPI Violations –

4 White Sail Circle

144 Ocean Parkway (2)

66 Battersea Road

16 Sandyhook Road

10 Birdnest Drive (2)

54 Bramblewood Drive

37 Liberty Street

76 Quarter Staff Place

27 Cannon Drive (2)

8 Canvassback Court

Unfinished Business –

None

New Business –

Motion to establish interest rate for delinquent assessment fees – Monica Rakowski

First reading of changes to Resolution C-01 (Committee General Policy) – John Latham

First reading of changes to Resolution C-03 (Budget and Finance Advisory Committee) –  
John Latham

First reading of changes to Resolution M-06 (Elections and Referendum Procedures) –  
John Latham

Appointments –

Lora Pangratz – 2<sup>nd</sup> Term - Bylaws & Resolutions

Gary Schnell – 1<sup>st</sup> Term – Recreation & Parks

Adjournment



OCEAN PINES ASSOCIATION, INC.  
BOARD OF DIRECTORS' REGULAR MEETING  
Saturday, February 17, 2024  
9:00 a.m., Clubhouse Meeting Room

PRESENT: Rick Farr, Stuart Lakernick, Monica Rakowski, John Latham, Elaine Brady, Jeff Heavner, and Steve Jacobs.

ALSO PRESENT: John Viola (General Manager), 20 Association members, and approximately 21 attendees through Microsoft Teams.

**Call to Order** – Rick Farr called the meeting to order at 9:00 a.m. with the Pledge of Allegiance.

**Approval of Agenda –**

Mr. Latham moved to accept the agenda, Dr. Lakernick seconded, all in favor.

**Approval of Minutes –**

Dr. Lakernick moved to accept the minutes from the January 20, 2024 Regular Meeting, Ms. Brady seconded, all in favor.

**President's Remarks – Rick Farr**

Mr. Farr thanked John Viola, department heads, and committee members for keeping Ocean Pines a great place to live.

**GM Report – John Viola (attached)**

**Treasurer's Report – Monica Rakowski (attached)**

**Public Comments –**

Tom Taylor – 75 Ocean Parkway  
Karen Kaplan – 32 Chatham Court  
Amy Peck – 109 White Horse Drive

**Capital Requests – None**

**CPI Violations –**

Ms. Rakowski moved to forward the violations to legal and suspend voting and amenity rights.

Discussion: Ms. Brady made the recommendation to have the contractor resolve 26 Carriage Lane, 298 Ocean Parkway, and 29 Boston Drive, and for 75 Ocean Parkway have the violation suspended until further review.

Dr. Lakernick seconded, all in favor.

## **Unfinished Business – None**

### **New Business –**

Motion to approve the FY 2024-2025 Fiscal Budget – Monica Rakowski

Ms. Brady moved to approve the budget, Dr. Lakernick seconded, and the motion passed 6-1, with Mr. Jacobs opposed.

First Reading of revisions to Resolution B-08 (Director Ethics and Conduct) – Steve Jacobs

After discussion, it was decided not to forward the Resolution to the Bylaws Committee for their review.

Corporate Resolutions to change the resident agent and signees on liquor licenses for OPA – Rick Farr

Ms. Rakowski moved to approve the resolutions, Mr. Heavner seconded, all in favor.

### **Appointments –**

Ms. Brady moved to accept the following appointments, Dr. Lakernick seconded, and the appointments were all approved unanimously:

Don Bonafede – 2<sup>nd</sup> Term – Budget & Finance

John Cacchio – 1<sup>st</sup> Term – Marine Activities

Connie Corbett – 1<sup>st</sup> Term – Communications

Cindy Hoffman – 1<sup>st</sup> Term – Communications

Camilla Rogers – 1<sup>st</sup> Term – Bylaws & Resolutions

**Adjournment** – Mr. Jacobs moved to adjourn, Dr. Lakernick seconded, all in favor.

The meeting adjourned at 10:20 a.m.

Respectfully submitted:

John Latham, Secretary



OCEAN PINES ASSOCIATION, INC.  
BOARD OF DIRECTORS' SPECIAL MEETING  
Thursday, February 29, 2024  
7:00 p.m., Clubhouse Meeting Room

**PRESENT:** Rick Farr, Monica Rakowski, John Latham, Elaine Brady, Jeff Heavner, and Steve Jacobs. Stuart Lakernick attended via Microsoft Teams.

**ALSO PRESENT:** John Viola (General Manager), 15 Association members, and approximately 15 attendees through Microsoft Teams.

**Call to Order** – Rick Farr called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

**Approval of Agenda –**

Ms. Rakowski moved to accept the agenda, Ms. Brady seconded, all in favor.

**President's Remarks – Rick Farr**

Mr. Farr thanked everyone for attending. He noted that what will be presented this evening was based upon the feedback received from association members, particularly after the budget town hall.

**Public Comments –**

Tina Vincent – 5 Links Lane  
Darryl Noble – 8 Carriage Lane  
Suzanne Russell – 12 Links Lane  
Amy Peck – 109 White Horse Drive

**New Business –**

Motion to adopt the revised fee structure for Racquet Sports – Rick Farr

Mr. Latham moved to adopt the revised fee structure for fiscal year 2024/2025, Mr. Heavner seconded.

Discussion: revised fee structure includes a 10% increase for all memberships and daily fees along with a 5% multi-sport membership increase.

The motion passed 6-1, with Mr. Jacobs opposed.

**Adjournment** – Ms. Rakowski moved to adjourn, Mr. Jacobs seconded, all in favor.

The meeting adjourned at 7:31 p.m.

Respectfully submitted:  
John Latham, Secretary



**OCEAN PINES ASSOCIATION, INC.  
BID REQUEST FORM**

DEPARTMENT Public Works DATE February 2, 2024  
 ITEM DESCRIPTION Cured In Place Pipes ( 18 Drainage Pipes Liners 12"to 18")  
 FOR REPLACEMENT OF (if applicable) \_\_\_\_\_  
 RESERVE STUDY - PAGE # \_\_\_\_\_ LINE# \_\_\_\_\_ BUDGET AMOUNT \$ 200,000.00

BIDDER	TOTAL PRICE EACH	DIFFERENCE FROM BUDGETED	COMMENTS
Pelican Underground, LLC 9110 Bocage Place River Ridge, LA 70123 504-400-8817	\$210,637.00	+ \$10,637.00	Pelican has done many pipes for OPA, last year they did a quicker curing process with a newer method. Staff Recommended. Perferred Vendor.
JW CIPP Services, LLC 188 Live Oak Street Mandeville, LA 70448 504-415-1050	\$267,780.00	+ \$67,780.00	

<u>[Signature]</u> DEPT. HEAD	<u>2/2/24</u> DATE	<u>[Signature]</u> GENERAL MANAGER	<u>2/14/24</u> DATE
<u>[Signature]</u> ACCOUNTING	<u>2/13/24</u> DATE		<u>        </u> DATE

## Cure In Place Pipes 2024

1223 Carrollton	18"
1221 Carrollton	18"
Golf Course	12"
White Horse Drive	12"
Capetown	15"
57 Ocean Parkway	18"
7 Pinehurst	15"
52 Pinehurst	15"
192 Teal Circle	15"
34 Lookout	12"
44 Lookout	15"
84 Lookout	15"
48 Seafarer	12" x 2
27 Seafarer	12" x 2
28 Admiral	12"
22 Harpoon	15"

Pelican Underground LLC  
5044008817  
9110 Bocage Place  
River Ridge, LA 70123



Prepared For  
Eddie Wells  
Public Works Director Ocean Pines  
239 Ocean Pkwy  
Ocean Pines, MD 21811

Estimate Date  
10/17/2023

Estimate Number  
368

Reference  
2023

Description	Rate	Qty	Line Total
UV CIPP Install lining scope of work including 18 liners from 12"-18"	\$210,637.00	1	\$210,637.00
		Subtotal	210,637.00
		Tax	0.00
		<b>Estimate Total (USD)</b>	<b>\$210,637.00</b>

**Notes**

- Liner on golf course will need bulkhead on the downstream end to dewater and berm on upstream side to keep line dry.
- Pipes will need to be cleaned prior to install and ends uncovered to accept CIPP.

**Terms**

1. Pelican Underground LLC ("Pelican") Proposal is conditioned upon customer's acceptance of the terms and conditions set forth herein. Customer's ordering of materials or services by purchase order or otherwise, shall be treated as Customer's acceptance of such terms and conditions. All terms and conditions in Customer's purchase order or in any other communication to Pelican, whether submitted previously or subsequently to this Proposal, which are additional to or inconsistent with the terms and conditions of this Proposal are not binding upon Pelican and shall not be applicable to this Proposal, except to the extent accepted in writing by Pelican. Any change or amendment to this Proposal, to be binding upon Pelican must be accepted in writing by Pelican.
2. This Proposal is valid for 15 days, unless otherwise extended by Pelican.
3. PAYMENT: A down payment of 25% is required for mobilization. Payment is due in full, without exception or retention, 30 days from invoiced date. Pelican will not accept a "paid when paid" provision or "paid if paid". Failure, by the Customer, to remit payment for services rendered shall be considered a material breach of this Proposal. Pelican reserves the right to terminate the contract in the event of a material breach and is entitled to collect reasonably close out costs associated with termination, including attorney's fees related to any



collection efforts.

4. Should Pelican incur costs or expenses to collect monies claimed due hereunder from Customer, Customer shall pay to Pelican, in addition to all other sums due to Pelican, reasonable attorney's fees, consultants' costs, and other expenses and costs actually incurred, including but not limited to litigation and/or arbitration expenses and arbitrator compensation, in connection therewith.

5. Force Majeure: Pelican shall not be responsible for any inability to perform work under this Proposal or for any loss or damage due to delays or disruptions resulting directly or indirectly from, or contributed to by, any act of God, act of civil or military authorities, fire, strike or other labor dispute, accident, flood, adverse weather, war, riot, terrorism, transportation delay, inability to obtain material or fuel supplies, or any other circumstances beyond Pelican's reasonable control (including those caused by the Customer, Owner, General Contractor, other contractors or subcontractors, Architect or Engineers), whether similar or dissimilar to any of the foregoing.

6. Delays: If Pelicans crews are delayed in site for reasons beyond the control of Pelican (including Force Majeure or acts, weather, errors or omissions of the Customer, Engineer, or their agents), then Pelican shall be entitled to an equitable adjustment to its contract price. In addition, Pelican's standby time will be invoiced to the Customer at an hourly rate of \$350.00 per hour based on a 10-hour day. The cost of rental equipment involved in the work to be completed will also need to be reimbursed for time lost due to delay. In addition, Pelican reserves the right to stop work if it considers the jobsite conditions unsafe or if another Contractor working near Pelican is deemed to be unsafe.

7. No Implied Warranty: Except for the express warranty forming a part of this Proposal, Pelican DISCLAIMS ALL EXPRESS AND IMPLIED WARRANTIES, INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY.

8. LIMITED WARRANTY: No warranties associated with this consultation

9. Changes in Scope: Customer must furnish a written purchase order or signed work order, addendum or other change order to Pelican for services outside of the scope of the original Proposal prior to Pelican commencing work outside of that scope. All such orders must be approved in writing by an authorized Pelican representative before becoming effective. Any engineering changes made by Customer of any kind, such as revisions of drawings, dimensions, or specifications, from information on which Pelican based its original quote, may be cause for revision in price, delivery, or other terms of this Contract. In that event, Pelican will submit a revised quote to Customer, which Customer must accept before Pelican proceeds with the work. In the event subsequent experience reveals that a previously accepted contract or change order has unexpected effects, Pelican reserves the right to stop work immediately and submit a revised quote to Customer.

10. Claims for Changed, Concealed or Unknown Conditions: If conditions are encountered at the site which are (1) materially changed; (2) subsurface or otherwise concealed physical conditions which differ materially from the information upon which this Proposal is based or (3) unknown physical conditions of an unusual nature, which differ materially from those ordinarily found to exist and generally recognized as inherent in construction activities of the character provided for herein, then the Proposal Price and Time shall be equitably adjusted to address the conditions, where prior notification and approval of claims exist. Pelican and/or our representatives will not be held responsible for any work being completed by the contractor utilizing the equipment. By signing this proposal, the client understands that some or all of the activities may not achieve the desired results and may in fact cause additional damage to property. The client acknowledges that Pelican will not be held liable for the results of any activities other than what is explicitly outlined in this proposal. No refunds, credits, or deductions from the quoted amounts will be issued.

11. Dispute Resolution & Governing Law: All claims, disputes and other matters arising out of, or relating to this Proposal or any breach which cannot be resolved through negotiation, must first be resolved through formal or informal mediation. If resolution is not reached, the parties may then elect to proceed to binding arbitration. The prevailing party shall be entitled to recover all costs and reasonable attorney's fees incurred to resolve this claim. This Proposal and the rights and obligations of the parties shall be governed by the law of Jefferson Parish, Louisiana.

12. Safety and Liability: By signing this proposal the customer agrees to take all responsibility for safety of

both their employees, the employees of Pelican, and any other individuals and property without limitations. The customer agrees all employees onsite are trained in working around lining equipment and are aware of the inherent risk associated with the presence and operation of this equipment.

13. Insurance: Pelican will provide evidence of Insurance which will include the Customer as a Certificate Holder with coverage and corresponding limits as follows: commercial general liability (\$1 million per occurrence/\$2 million in the aggregate)

The information contained in this letter is proprietary to Pelican Underground LLC and shall be retained by the recipient in confidence and shall not be published or otherwise disclosed to third parties without the express written consent of Pelican Underground LLC. The foregoing shall not preclude the use of any data which (i) was in its possession without restriction as to use prior to receipt as proprietary of the same or similar data from Pelican Underground LLC(ii) is or becomes available from a public source on or after such receipt from Pelican or (iii) is obtained by the recipient from a third party not under obligation of confidentiality or other restriction with respect to its use.

*GW* 2/2/24



JW CIPP Services LLC  
(504) 415-1050  
188 Live Oak St.  
Mandeville, LA 70448  
United States

Prepared For  
Eddie Wells  
Ocean Pines Public Works  
239 Ocean Parkway  
Oceans Pines MD 21811

Proposal Date  
12/01/2023

Proposal Number  
2032  
  
Reference  
2023 Phase 1

### Pricing

Description	Rate	Qty	Line Total
Install 20 Storm Drain Liners ranging from 12" - 24". The scope of work given by Ocean Pines Publix Works	\$267,780.00	1	\$267,780.00
		Subtotal	267,780.00
		Tax	0.00
		Proposal Total (USD)	\$267,780.00

### Terms

\*\* This is an ESTIMATE ONLY. Estimate is for completing the job described above, based on our evaluation. It does not include unforeseen price increases or additional labor and materials which may be required should problems arise. Estimate includes furnishing and installing all new materials, labor, permits, and equipment that may be incidental too and for the construction of sanitary sewer facilities/storm drains as specified and outlined above.\*\*The above prices, specifications and conditions are satisfactory and hereby accepted. JW CIPP SERVICES LLC is authorized to do the work specified. I/WE agree to PAYMENT IN FULL by the following:

Check \_\_\_\_\_ Credit \_\_\_\_\_ Other \_\_\_\_\_

Customer

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please feel free to contact me with any questions (504) 415-1050. Thank you for the opportunity.

Sincerely,

JW Bradford



**OCEAN PINES ASSOCIATION, INC.  
BID REQUEST FORM**

DEPARTMENT Police Department DATE March 19, 2024  
 ITEM DESCRIPTION Police Vehicles  
 FOR REPLACEMENT OF (if applicable) Ford Explorer (2)  
 RESERVE STUDY - PAGE # 40 LINE# 1.06.01 & 1.06.02 BUDGET AMOUNT \$ 110,000.00 (\$55,000 ea.)

83,698  
44,400 ACTUAL  
~~\$128,098~~ COMMENTS

BIDDER	TOTAL PRICE EACH	DIFFERENCE FROM BUDGETED	
Hertrich Fleet Services, Inc. 1427 Bay Road Milford, DE 19963 302-422-3300	\$41,849.00 x 2 = \$83,698.00	-\$26,302.00	FY 24/25 Capital Item Statewide contract pricing  Additional expenditures for both vehicles = \$44,400: \$24,000 - cage, sirens, geothermal printer \$10,000 - radios \$7,000 - computers \$3,400 - wrapping (lettering) of vehicles

DEPT. HEAD	APPROVAL	GENERAL MANAGER	DATE
<i>[Signature]</i>	<i>[Signature]</i>		<u>3/21/24</u>
ACCOUNTING	BOARD		DATE
<i>[Signature]</i>			

# HERTRICH FLEET SERVICES, INC.

1427 Bay Road Milford, DE 19963

Ford - Chevrolet - Dodge - Jeep  
Lincoln - Mercury - Buick - GMC - Toyota - Nissan

(800) 698-9825

(302) 422-3300

Fax: (302) 839-0555

## OCEAN PINES POLICE DEPT.

### MARYLAND STATEWIDE CONTRACT 2023 POLICE – BPO# 001B3600251

#### TYPE 4-9-P6: DODGE DURANGO POLICE PURSUIT UTILITY AWD V6

#### 2024 DODGE DURANGO PURSUIT AWD

Includes Standard Equipment - Front Bucket Seats with space between,  
3.6L V6 Engine, Power Windows/Locks, Vinyl Floor / Vinyl Rear Seat, Bluetooth, Rear Camera

✓	Code	Description	Amount
	WDEE75	2024 Dodge Durango PPV AWD with V6 OR	\$ 40,179
	LNF	Driver's Side LED Spot Light	\$ 640
	AHX	Trailer Tow Group	INCL
	ADL	Skid Plate Group	\$ 350
	CW6	Deactivate Rear Doors/Windows	\$ 90
	XCS	4 Key Fobs (programmed)	\$ 195
	Interior	Jet Black Premium Cloth	
	Colors	PSE – Triple Nickel	\$ 395
		<b>Total for Each Vehicle</b>	<b>\$ 41,849</b>

Please contact us with any questions or to place an order.

Susan Hickey - [shickey@hertrichfleet.com](mailto:shickey@hertrichfleet.com) - or call 800-698-9825





**OCEAN PINES ASSOCIATION, INC.**  
**Proposed Topic for Discussion**  
**by Board of Directors**

**DATE:** March 12th, 2024

**TOPIC:** Resolution C-01

**FOR INCLUSION IN MEETING HELD ON:** March 23rd, 2024

**SUBMITTED BY:** John Latham

**TOPIC:** First reading of proposed changes to resolution C-01.

**CONCISE STATEMENT:** Clarify qualifications for committee membership.

**BACKGROUND:** Effort to precisely document membership requirements and create a procedure for processing applications and approving committee membership.

## RESOLUTION C-01

### COMMITTEE GENERAL POLICY

1. **Purpose.** The purpose of Resolution C-01 is to set policy regarding Advisory Committees and other committees as may be necessary to assist the Ocean Pines Association Board of Directors.

2. **Authority.** The Charter of Ocean Pines Association, Inc. and the By-Laws of the Association direct the Board of Directors to establish and appoint the members of such committees and other advisory bodies as may be necessary to, or convenient in, the Association's discharging duties entrusted to it.

3. **Committee Policies and Functions.**

a. **Mission Statements, Tasking, and Initiative.** The mission statements for committees shall be issued for each committee by separate Resolutions. The role of each committee is to provide the Board of Directors with sound advice based upon committee members' expertise, research, and analysis. While specific missions and tasking will be provided for committees, committee members are encouraged to use their initiative and to make recommendations to the Board on any matter or issue within the committee's purview which will enhance the management and functioning of the Association. The OPA Advisory Committee Charging Document (Attachment 2) is to be used by the Board and committees to articulate specific tasks that are requested.

b. **Relationships.**

(1) **Board of Directors.** Each committee shall take its direction from and shall report to the Board of Directors. Unless specifically directed by the Board in writing, no committee member shall represent or claim to speak for the Ocean Pines Association in any discussion, negotiation, or communication with any organization, entity, or group.

(2) **Board Committee Liaisons.** The President of the Association shall appoint one or more Directors as liaison to each committee. Routine communication between the Board and its committees shall be through the committee liaison. This in no way prohibits chairpersons from direct communication with the President at any time the chairperson deems such communication necessary. A Director appointed as liaison to a committee is not a member of the committee and shall not direct the deliberations of the committee or the preparation of any committee report. Unless directed by the Board, the liaison shall not assign or modify tasks of the committee.

(3) **The General Manager and Staff.** Chairpersons or individual members shall not give orders to the General Manager or any other employee of the Association. They may, however, request routine administrative assistance and necessary office supplies. The President of the Association shall provide all instructions and directions to the General Manager concerning support of committee and ad hoc advisory body activities.

c. **Committee Functions.** Functions of a committee may include:

(1) assessing conditions and needs in the area of committee responsibility;



- (2) establishing goals, objectives, and priorities for committee activities;
- (3) proposing, for the Board's approval, changes in guidelines and terms of reference relative to the committee's area of operation;
- (4) developing budget requests for committee activities, if needed, for the annual budget; and
- (5) taking such actions as directed by the Board.

d. **Committee Chairpersons.** Duties and authority of chairpersons include:

- (1) coordinating and supervising committee activities and meetings;
- (2) preparing periodic reports for submission to the Board;
- (3) accounting for such funds as may be allocated to the committee;
- (4) establishing and discharging sub-committees as necessary with members from their assigned committees and appointing chairpersons; and
- (5) supervising sub-committee activities and reviewing their reports.
- (6) the chairperson may designate a vice-chairperson and a secretary from among the members of the committee.

4. **Committee Assignments, Terms, and Miscellaneous Procedures.**

a. **Assignment.** Committee members shall be appointed by the President with the consent of Board and shall serve at the pleasure of the Board of Directors. Committee members may serve on more than one committee.

b. **Qualifications for Committee Membership.** Members shall be eligible to vote **and must be the owner of record of Ocean Pines property as defined in section 1.11 of the Ocean Pines Association by-laws.**

c. **Terms for Members.**

- (1) **First Term.** The first term shall be for three years unless term limits are set by the Charter, the By-laws, or the Board during the establishment of the committee.
- (2) **Second Term.** The second term shall be for two years. Before the first term expires, a committee member may request to serve a second term.
- (3) **Third Term.** The third term shall be for one year. Before the second term expires, a committee member may request to serve a third term.
- (4) **Subsequent Terms.** Notwithstanding the term limit provisions above, the Board reserves the right, through a majority vote of the entire Board, to request a committee member continue to serve on the committee for a specified period of time.

d. **Request for Committee Membership.** Any member **meeting the qualification requirements noted in section 4(b)** is encouraged to send a letter or an application requesting membership on a committee. Application forms are available at the Ocean Pines Administration office **and can be downloaded from the OPA website.** The following information should be included in the letter or application: (1) name; (2)

address; (3) telephone number; (4) committee choice; (5) reason; (6) background; and (7) signature and date of application.

**e. The procedure for committee membership application and appointment is listed in Attachment 4.**

**f. Filling Vacancies.** Should a vacancy exist, the chairperson of the committee will request the letters and applications from the Ocean Pines Administration office of all those who are interested in serving on that particular committee. The chairperson will interview the prospective candidate(s) and submit the letters and applications with recommendations to the Board. The Board will review the applications recommended for appointment to a committee by the committee chairperson and vote either to accept or reject the candidate for a position on the committee. A letter will be sent to the new committee member with a copy to the chairperson, indicating the date of the appointment.

**g. Meetings.** Committees shall meet at the direction of the committee chairperson. Meetings shall be announced in advance and be open to all members of the association unless closed under the provisions of the Maryland Homeowners Association Act (11B-111). When there is a schedule change, including scheduling a special meeting, the committee chairperson shall notify all committee members, the committee liaison, and the General Manager. Agendas shall be prepared and sent to the Board President and Committee Liaison, and to the Association Assistant Secretary for posting on the website.

**h. Minutes.** The chairperson shall ensure the minutes of each meeting are prepared using the format in Attachment 3, approved by the committee. Approved minutes shall be submitted to the President of the Association and the committee’s liaison, and to the Association Assistant Secretary for posting on the website.

**5. Reports.** Committee chairpersons are authorized and encouraged to submit reports either in writing or in person to the Board on any matter of concern to their committee. Annual reports shall be submitted to the Board by October 31 of each year covering the previous year ending September 30. This report shall be submitted in the general format provided in attachment 1.

**6. Effective Date: xxxxx nn, 2024**

Adopted by the Board of Directors on **xxxx nn, 2024**

\_\_\_\_\_ President      Attest \_\_\_\_\_ Secretary

Review History:

General Manager: \_\_\_\_\_ Date: \_\_\_\_\_

Legal: \_\_\_\_\_ Date: \_\_\_\_\_

By-laws and Resolutions Advisory Committee: \_\_\_\_\_

Date: \_\_\_\_\_

ATTACHMENT 1

RESOLUTION C-01  
COMMITTEE GENERAL POLICY

Committee reports shall be submitted in the format below.

**Section I. COMMITTEE MEMBERS AND STATUS OF TERMS.** (Include any membership needs of the committee.)

<u>Name</u>	<u>Date appointed</u>	<u>On Term</u>	<u>Comments</u>
Smith, Tom	Jan 2008	3	will request spec extension
Jones, Bill	Feb 2010	1	

**Section II. SUMMARY OF MAJOR ACTIVITIES DURING REPORTING PERIOD.**  
(Number and underline each subsection)

- 1.
- 2.

**Section III. PROBLEMS ENCOUNTERED AND ASSISTANCE REQUIRED.**

(Number and underline each subsection)

- 1.
- 2.

**Section IV. REQUEST FOR ITEMS TO BE CONSIDERED FOR INCLUSION IN THE NEXT OPA BUDGET. CHAIRPERSONS SHOULD CONSIDER IMPACTS ON THEIR COMMITTEES RELATING TO THE OPA COMPREHENSIVE PLAN.**

(Number and underline each subsection) (Include rationale, justification, and cost data.)

- 1.
- 2.

**Section V. RECOMMENDATIONS FOR BOARD ACTION.** (Number and underline each heading. Each recommendation should be a single, numbered statement and be supported by the information contained in other sections of this report.)

1. That .....
2. That .....

**Attachments:** (Chairpersons may attach supporting documents, studies, and other materials as deemed appropriate.)

ATTACHMENT 2

RESOLUTION C-01  
COMMITTEE GENERAL POLICY

**OPA Board/Advisory Committee Charging Document**

Request for Performance by:  Board  
 \_\_\_\_\_ Advisory Committee

Date: \_\_\_\_\_

Submitted By: OPA Board Liaison \_\_\_\_\_

For Inclusion in Meeting to be Held on: \_\_\_\_\_, 20\_\_\_\_

Request:  The Board requests the \_\_\_\_\_ Advisory Committee to:  
 The \_\_\_\_\_ Advisory Committee requests the Board to:

Background: (Explain the environment of why the Board/Committee wants and/or needs the actions performed)

Discussion: (Topics for discussion by the Board/Committee to assure full understanding of what is expected)

Committee Chair: \_\_\_\_\_ Date: \_\_\_\_\_

Board Liaison: \_\_\_\_\_ Date: \_\_\_\_\_

Board Secretary: \_\_\_\_\_ Date: \_\_\_\_\_

**ATTACHMENT 3**

**RESOLUTION C-01**  
**COMMITTEE GENERAL POLICY**  
**Committee Meeting Minutes Format**

Committee minutes shall be submitted in the format below:

1. Call to Order
2. Present
3. Approval of Agenda
4. Approval of Minutes of Previous Meeting
5. Topics Discussed
6. Action Items for Committee
7. Recommendations for Board Consideration
8. Adjournment

ATTACHMENT 4

RESOLUTION C-01  
COMMITTEE GENERAL POLICY

**Application for Committee Membership**

**I. Administration Office (Pre-application)**

- a. A roster of all advisory committee members will be maintained in the Administration Office
- b. Vacancies on advisory committees will be advertised on the OPA web site and other OPA media platforms

**II. Administration Office**

- a. Application form is submitted by applicant to the Administration Office for review and processing
  - i. the date the application was received is recorded
- b. Confirm committee has vacancy
  - i. if there is no vacancy exists on the committee the applicant will be informed, and that the application will be kept on file for one year
  - ii. if there is a vacancy, the Administration Office will check to see if there are any applications already on file and contact that person to see if they are still interested
    1. the applications will be selected based on the date the application was received by the Administration Office sorted by oldest first
- c. Whether an existing application or new application, the Administration Office will check to see if applicant is member in good standing and a homeowner listed on the deed of his/her property within the Ocean Pines
  - i. if the applicant is eligible the application form will be sent to the committee chair for review and processing
    1. given the possibility of a temporary condition where the committee does not have a chair, the Administration Office will select a current committee member and send the application to that person for review and processing
  - ii. if the applicant is not eligible, he/she will be contacted by the Administration Office and informed that the application was not accepted

**III. Committee Chair**

- a. The Committee Chair (or designated committee member) will review the application and determine if he/she agrees or disagrees that the applicant should be appointed to the committee
  - i. the Committee Chair will interview the applicant in conjunction with the requirements noted in resolution C-04 section 4(e)
  - ii. the Committee Chair should also discuss the applicant submission with other committee members

1. this discussion can happen via formal committee meeting, special committee meeting or email among the committee members
- b. The Committee Chair will complete the application form with a designation of acceptance or rejection of the application
  - i. regardless of acceptance or rejection the application is sent to the Board Liaison for review<sup>1</sup>

**IV. Board Liaison**

- a. The Board Liaison will acknowledge receipt of the application via signature and inform the Committee Chair that the application will be forwarded to the Board for consideration at an upcoming meeting.<sup>2</sup>
- b. The completed application is sent to the President of the Association to have the application request placed on the agenda for the next Board meeting.

**V. Board of Directors**

- a. The committee application will be on the agenda for the Board meeting and will follow the standard process of having a motion submitted, having it seconded, engaging in discussion, and voting on the motion for appointment
- b. The Administration Office will note the outcome of the Board of Directors vote

**VI. Administration Office**

- a. If the appointment is approved by the Board of Directors, a notification in the form of a formal letter will be crafted, signed by the President of the Association and sent to the appointee informing them that they are now a member of the committee
- b. If the appointment was not approved by the Board of Directors, a notification in the form of a formal letter will be crafted, signed by the President of the Association and sent to the appointee informing them that they were not appointed as a committee member
- c. The OPA web site will be updated with the name of the new committee member

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<sup>1</sup> Be advised that the Committee Chair cannot make the decision as only the Board of Directors has the authority

<sup>2</sup> Be advised that the Board Liaison cannot make the decision as only the Board of Directors has the authority

## **Application for Existing Committee Membership Extension**

### **I. Administration Office**

- a. The roster of all committee members and their term dates will be kept on file by the Administration Office
- b. Two (2) months prior to the expiration of a committee member's term they will be notified
  - i. if the committee member wants to continue on the committee, he/she must submit the application form as noted in section II (a) of the New Application for Committee Membership procedure
  - ii. the process for renewing committee membership will be the same as noted in sections II through VI of the New Application for Committee Membership procedure
  - iii. If the committee member decides not to continue on the committee the Administration Office will note the vacancy on the committee and revert to section I of the New Application for Committee Membership procedure
- c. Existing committee member extension and the associated term length of the extension are governed by resolution C-01 section 4(c)





**OCEAN PINES ASSOCIATION, INC.**  
**Proposed Topic for Discussion**  
**by Board of Directors**

**DATE:** March 12th, 2024

**TOPIC:** Resolution C-03

**FOR INCLUSION IN MEETING HELD ON:** March 23rd, 2024

**SUBMITTED BY:** John Latham

**TOPIC:** First reading of proposed changes to resolution C-03.

**CONCISE STATEMENT:** Renumber sections in the resolution.

**BACKGROUND:** A review by the Budget and Finance committee noted sections were numbered incorrectly.

## RESOLUTION C-03

### BUDGET AND FINANCE ADVISORY COMMITTEE

1. **Purpose.** The Budget and Finance Advisory Committee advises the Board of Directors in the preparation of budgets, both operating and capital; reviews financial performance and updates financial forecasts throughout the year; reviews and provides recommendations regarding the annual audit of the Association's financial statements; and develops programs of asset management and investment policies and procedures.
2. **Authority.** The Charter of Ocean Pines Association, Inc. and the By-Laws of the Association direct the Board of Directors to establish and appoint the members of such committees and other advisory bodies as may be necessary to, or convenient in, the Association's discharging the duties entrusted to it. Resolution C-01, Committee General Policy, provides additional authority and instructions regarding committees of the Association.
3. **Functions.** In fulfilling its tasks, the Committee performs functions which include, but are not necessarily limited to, the following:
  - a. reviewing budget proposals as prepared by management and submitting recommendations to the Board;
  - b. reviewing and evaluating all financial statements and submitting recommendations and analysis to the Board;
  - c. advising the Board of Directors on the conduct of the Association's annual audit of financial statements, including meeting with the auditors as necessary and reviewing a draft of the audited financial statements before their finalization;
  - d. recommending changes in financial policies and in accounting or reporting procedures to the Board and General Manager;
  - e. advising the Board on the establishment of such reserve accounts, as required in the By-laws, or as the Committee deems appropriate, and aiding in the preparation of the necessary resolutions for their implementation;
  - f. assisting the Board and the General Manager, on request, in financial planning for major capital repairs and replacement or expansion of facilities;
  - g. conducting presentations on budget proposals, when requested;
  - h. assisting the Board of Directors, on request, in interpreting a proposed annual budget at the public hearing on the budget;
  - i. reviewing at least annually, all agreements entered into by the Association with any agent for the purpose of investing funds of the Association;
  - j. reviewing monthly, all investment accounts of the Association and submitting reports and recommendations to the Board of Directors and Treasurer, as deemed appropriate;

- k. reviewing at least annually, all established investment guidelines and procedures and recommending changes to the Board of Directors as deemed appropriate;
- l. assisting the Board of Directors and Treasurer in determining the distribution or method of handling income derived from investments;
- m. receiving periodic reports from the agents managing the Association's investments and reviewing and evaluating the performance of such agents, and meeting with such agents, as deemed appropriate, but at least annually; and
- n. performing other functions as directed by the Board of Directors.

45. **Membership.** The Committee shall have not less than five (5) or more than nine (9) members.

56. **Reports.** The Chairperson of this Committee shall submit by October 31 of each year the annual report of the status of the Committee in the format specified in Resolution C-01. This is in addition to any report the Chairperson may bring to the attention of the Board of Directors at any time on any matter deemed appropriate.

67. **Effective Date:** XXXXXXXXXXXX

Adopted by the Board of Directors on XXXXXXXXXXXX

\_\_\_\_\_ President    Attest: \_\_\_\_\_ Secretary

Review History:

General Manager: \_\_\_\_\_ Date: \_\_\_\_\_

Legal: \_\_\_\_\_ Date: \_\_\_\_\_

By-laws and Resolutions Advisory Committee: \_\_\_\_\_

Date: \_\_\_\_\_



**OCEAN PINES ASSOCIATION, INC.**  
**Proposed Topic for Discussion**  
**by Board of Directors**

**DATE:** March 12th, 2024

**TOPIC:** Resolution M-06

**FOR INCLUSION IN MEETING HELD ON:** March 24th, 2024

**SUBMITTED BY:** John Latham

**TOPIC:** First reading on M-06

**CONCISE STATEMENT:** Articulate election and referendum procedures in Resolution M-06

**BACKGROUND:** Effort to clarify the elections and referendum procedures in attachment 'A' of resolution M-06

RESOLUTION M-06  
ELECTIONS AND REFERENDUMS PROCEDURES

1. Purpose. This Resolution establishes the procedures for the election of members to the Ocean Pines Association (Association) Board of Directors and voting on Association referendum issues.

2. Authority.

a. Section 4.08 of the By-laws of the Association establishes the manner in which referendums are conducted.

b. Section 5.02 of the By-laws establishes the manner in which individuals become eligible candidates for the Board of Directors and their name placed on the ballot.

c. Section 5.03 of the By-laws establishes the manner in which elections to the Board of Directors are conducted.

d. ARTICLE III of the By-laws establishes the voting rights of Association members.

e. ARTICLE X of the By-laws gives the Board of Directors the authority to establish committees prescribed in the Charter and By-laws. Resolution C-08, Elections Committee, establishes additional instructions and authority for the Elections Committee.

f. Section 11B-113.2(a) of the Maryland Homeowners Association Act ("Act") authorizes voting by electronic transmission and provides: "Notwithstanding language contained in the governing documents of the homeowner's association, the board of directors or other governing body of the homeowner's association may authorize lot owners to submit a vote or proxy by electronic transmission if the electronic transmission contains information that verifies that the vote or proxy is authorized by the lot owner or the lot owner's proxy."

g. Section 11B-101(g) of the Act defines "electronic transmission" as follows: "any form of communication, not directly involving the physical transmission of paper, that creates a record that: (1) May be retained, retrieved, and reviewed by a recipient of the communication; and (2) May be reproduced directly in paper form by a recipient through an automated process."

3. Definitions:

a. Ballot. A ballot documents choices made by voters. A Ballot can be a paper Ballot or in an electronic format that allows the vote to be cast by electronic transmission.

b. Board Liaison. A member of the Board of Directors designated by the Board to act as liaison between the Elections Committee and the Board.

c. Chance. A game of chance conducted by the Election Committee Chairperson to resolve any final tie vote for a vacancy on the Board of Directors, consistent with Section 5.03 (e) of the By-Laws.

d. Contractor. A company contracted to perform services for the election and referendum process.

e. Elections Committee. A Board Appointed Committee with the operational responsibility of administering the elections and referendum processes.

f. Eligible Candidate. An eligible candidate is an Association member who meets the By-laws requirements for election to the Board of Directors and declares himself or herself to be a candidate.

g. Eligible Member. An eligible member is an Association member who meets the Bylaws requirements for voting in Association elections or' referendums.

h. Section. In this Resolution, the term Section refers to a section in the By-laws of the Association.

i. Secretary. The Secretary is a member of the Board of Directors and officer of the Association as defined in Article VI of the By-Laws.

4. General. Elections and referendums are conducted by the Elections Committee (Committee). The Chairperson of the Committee (Chairperson), assisted by Committee members, shall be responsible for scheduling and executing the effort required for elections and referendums. A schedule of events for an election and/or referendum shall be established and revised when necessary. The schedule shall be available to Association members. This effort shall be accomplished in a manner that supports the election and referendum processes established in the By-laws. The procedures used by the Committee are contained in three attachments to this Resolution.

a. Attachment A. This attachment establishes the procedures applicable to the elections to the Board of Directors and referendums.

b. Attachment B. This attachment identifies those procedures for referendums which supplement the requirements of Attachment A.

c. Attachment C. This attachment establishes the procedures for orienting candidates for election to the Board to the election process. It also includes the procedures for Association sponsored Candidates' Forums. This attachment supplements the requirements of Attachment A.

d. Attachment D. This attachment establishes the process for voting in the Board

election and on referendums by electronic transmission and supplements  
Attachment A.

5. Candidate Applications. The process through which members qualify for a place on the ballot for the election of directors is contained in Section 5.02 of the By-Laws.

a. When the list of eligible candidates submitted to the Committee is less than two more than the vacancies to be filled, Section 5.02(e) of the Bylaws directs the Board to attempt to solicit additional candidates. The Board shall announce that additional candidate applications may be submitted by those members who wish to submit their name as additional candidates for election to the Board of Directors. Only those candidate applications received by the Secretary prior to the end of Association regular business hours on the third Friday of June shall be considered as an eligible additional candidate.

b. The eligible additional candidates will be included in all of the Association election publications and materials produced by the Association following the business hours on the third Friday of June. Additional candidates shall receive from the committee the same package of election information as previously accepted candidates.

6. Storage of Election Materials Records and Voting Equipment. Unless otherwise required, election materials and voting equipment shall be stored in a manner that is accessible only to the Committee as well as those Association staff personnel designated by the General Manager. The General Manager is responsible for making suitable storage space available.

7. Elections Report. The Chairperson shall submit to the Board of Directors, within thirty (30) days of any voting by ballot, a written report, which includes the following:

a. Detailed results of the voting.

b. Problems encountered with the tabulating and reporting system and any assistance required.

c. A summary of Committee activities during the reporting period and any recommendations for improving the election or referendum process.

d. Recommendations , if any, for the calendar of events for the next election if the balloting was for the election of directors.

e. Comments on the capabilities of the contractor used and a recommendation regarding future use of the contractor or suggested alternatives.

Effective Date: \_\_\_\_\_

Approved by the Board of Directors on: \_\_\_\_\_

\_\_\_\_\_ President Attest: \_\_\_\_\_ Secretary

Review History:

General Manager: \_\_\_\_\_

Legal: \_\_\_\_\_

By-Laws & Resolutions Adv. Committee: \_\_\_\_\_



## ATTACHMENT A ELECTIONS AND REFERENDUMS VOTING PROCEDURES

1. Purpose. This Attachment establishes the procedures for the election of members to the Board of Directors and/or voting on referendum issues by members of the Association.
2. Voting by Mail and Electronic Transmission. The voting for directors and on issues submitted to a referendum is conducted by mail-in ballots and/or electronic transmission.
  - a. Only a single voting package is sent for each lot or unit eligible to vote. This applies to all joint owners of a lot or unit, including co-tenants, joint tenants, and tenants by the entireties.
  - b. The voting package shall be addressed to all owners of record at the billing address used for the Association annual assessment mailing or, for the purpose of voting by electronic transmission, at an email address provided by the owner of record of the Lot if authorized under Attachment D.
  - c. If an owner submits a vote by electronic transmission, any paper Ballot submitted by that owner will be invalidated. If an owner submits a paper Ballot and also votes online, only the first-received Ballot will be counted.
3. Voting Deadline. The deadline for returning Ballot envelopes or submission of the Ballot by electronic transmission for the election of directors, and for referendum issues being voted on at the same time as same Board election, shall be prior to the end of Association regular business hours on the Wednesday before the annual meeting of the members in August.
  - a. The annual meeting is held on the second Saturday in August of each year. The deadline for any other referendum vote will be established by the Committee.
4. Elections Materials. The By-laws (Section 4.04) require that the Secretary send a notice of the Annual Meeting to all Members, and Election materials to all eligible members. The Committee, with the Secretary, shall prepare elections materials. This includes, but is not limited to:
  - a. Establishing the information required to be on the ballot for both Board elections and/or referendums. Separate ballots shall be used for the election of directors and referendum issues when both are being voted on at the same time. Ballots shall be suitable for counting using the tabulating and reporting system.
  - b. Ballots for the election of directors will not make provision for write-in candidates.
  - c. Other materials that may be included in the voting package.

i. For a Board election, each candidate will provide a written informational/biographical statement not to exceed two hundred (200) words to be included in the voting package. To be included in the election materials, candidates must submit their statement in hard copy and electronically as a Microsoft Word format or PDF file.

ii. Proxies, when included in voting packages, shall comply with Section 3.03 of the By-Laws. Directed proxies shall be used for voting on issues included in the meeting notice. Only those proxy forms approved by vote of the Board of Directors are valid.

iii. Proxy forms for establishing a quorum, once approved by the Board of Directors, do not require re-approval for subsequent elections.

iv. The voting package shall include the ballot and instructions which indicate the marking and return of ballots including the date and time when ballots must be received.

v. The voting package shall include instructions on how to obtain a duplicate ballot.

vi. The voting package shall include an elections telephone number through which Association members may communicate with the Committee.

d. The Committee shall approve all materials for inclusion in voting packages that have been prepared by the Contractor. Copies shall be retained by the Committee for one (1) year,

5. Elections Contractor. The Association will employ an independent contractor, via a written contract, to provide services during the election and/or referendum processes. The written contract shall be approved by the Election Committee and signed by the Association General Manager or Association Board President. The Committee shall be responsible for supervising the performance of these services in a manner that supports the election or referendum process. If there are delays or events that may have an adverse effect on the election process, the Board Liaison shall be promptly notified.

#### 6. Balloting Process.

a. The Committee shall submit election materials to the Secretary no later than the first Friday in July, prior to the end of Association regular business hours (Section 5.03(b) of the By-laws).

b. The Chairperson shall be responsible for delivering to the Contractor the

information necessary to mail voting packages to eligible members. This information shall be obtained from the Association's Assessments and Membership Office. The information shall be in a form that supports the mailing of ballots to a member who owns multiple properties. The Committee shall retain a copy of the mailing information delivered to the Contractor.

c. The Secretary, assisted by the Chairperson, is responsible for ensuring that voting packages are timely mailed by the Contractor in accordance with Section 5.03(b) of the By-laws for elections of directors and referendum issues in the same election and Section 4.08(b) of the Bylaws for referendum issues only.

d. An elections telephone number shall be established through which Association members may communicate to the Committee their questions or concerns about the election or referendum process. The Committee shall maintain a log of communications received and action taken.

7. Receipt of Ballots by Contractor. The Contractor shall open all envelopes returned by the deadline and separate the ballots from the envelopes, except for those marked as duplicate (see paragraph 8 below). Ballots shall be stored in a manner that prevents identification of the ballot to the envelope in which it was returned. Envelopes marked as duplicate shall be delivered to the Committee, unopened and separate from other ballots, when ballots and opened envelopes are delivered to the Committee after the deadline for return of ballots.

a. At the time designated as the deadline for return of ballots, the Contractor shall make a final collection of ballot envelopes and prepare all ballots for ~~return to~~ the counting.  
Committee.

b. Ballot envelopes returned after the deadline, or in envelopes other than those provided in the voting package, will not be opened or counted toward any vote. These late envelopes shall be date stamped by the Contractor, bundled separately, and delivered to the Committee.

c. The Committee may establish secure boxes at Association facilities where ballot envelopes may be deposited without the need for return mailing. These ballot envelopes shall be ~~collected by~~ express mailed to the Contractor.

8. Issues Requiring a Duplicate Ballot. Reports that a voting package has not been received shall be promptly addressed by the Committee. If warranted, a duplicate voting package shall be mailed to the member by first class mail or picked up and signed for at the Association's  
administrative office. The return envelope shall be marked to indicate that it is a duplicate. A record of the duplicate voting packages, whether mailed or picked up by the member, shall be maintained by the Committee for one (1) year.

9. Counting Ballots. It is the responsibility of the Committee to count the ballots either by the Committee itself or the Committee may delegate this responsibility to an independent contractor hired pursuant to Section 5. ~~A. The ballot counting operation may be observed above.~~

~~remotely~~

a. If a hand-count is performed by the Committee, the Committee shall ensure that the ballot counting may be observed by any ~~association member.~~ Association member, either in person, remotely, or both, as determined by the Committee. Although Association members may witness the ballot counting

~~process remotely but, they~~ will not be privy to vote totals during the counting process nor engage in any way with the ballot counting process, Election Committee, consultants, or Association staff. The ballot counting will be conducted in a room of sufficient size to accommodate the process and onsite or remote viewing of the process for Association ~~Members~~ members.

~~wishing~~

b. If ballot counting is delegated to observe the an independent contractor, and if that contractor can and is willing to provide an observable count, said room shall provisions may be ~~properly equipped to allow clear-made in the Committee's discretion for~~ remote

viewing for and/or onsite observation by Association members ~~wishing to observe the count. The Committee may~~

~~request the assistance of a computer consultant and designated Association staff.~~

~~a~~

c. A tabulating and reporting system shall be used to count ballots.

~~bd.~~ Prior to ballot counting, the Committee (or contractor) shall verify that an original ~~mailing~~

ballot envelope has not been received ~~that matches the property on behalf~~ of a property for which a duplicate ballot. ~~If envelope has also been received.~~

~~there is no match, the~~

If an original ballot envelope and a duplicate ballot envelope is opened, and are received for the ballot included with

~~those to be counted. If there is a match same property,~~ the duplicate ballot envelope remains

unopened and is not counted, and the original ballot is ~~rejected.~~ counted.

If only a duplicate ballot envelope is received for a property, the duplicate ballot is counted.

e. In the event the tabulating and reporting system fails or a re-count is required under the provisions of Section 11.c. below, a manual count shall be

performed under the direction of the Chairperson. Ballots ultimately rejected by the system shall also be manually counted. When ballots are manually counted, only those on which the members' choice(s) are clearly indicated shall be

included in the results.

df. Ballots shall be voided for the following reasons:

i. There are votes for more Board candidates than vacancies.

ii. The use of an improper ballot return envelope.

iii. The ballot is not marked.

iv. Extraneous or non-relevant markings on the ballot that, in the discretion of the Committee, obscure the voter's intent.

eg. Two original copies of the final vote count shall be prepared, ~~certified~~certified (signed and dated) by the Chairperson. The final vote count will be attested to by the Election Committee members present. Upon attestation of the final vote count the results will be announced live on the OPA internet stream and/or TV, emailed to the Board of Directors, emailed to all candidates, and posted on the Ocean Pines Association website.

f.h. Electronic reports and paper Ballots shall be bundled and placed in a secure container with bundles of ballots not counted (clearly identified- as such). Ballots and return envelopes shall be retained for one (1) year from the announcement of the election or referendum results.

10. Voting at Meetings of Members of the Association. The Committee shall tally the votes at meetings of members in accordance with Section 3.05 of the Bylaws and report the results to the Presiding Officer at the Annual Meeting.

11. Presentation of Voting Results at the Association Annual Meeting.

a. At the annual meeting of members, the Election Chairperson or designated committee member shall present in person the results for the election of directors and any referendum issue on the ballot. A copy of the certified results shall be included in the minutes of the Annual Meeting. The act of presenting the election results will accomplish the validation required by By-laws 4.02(a).

b. If the annual meeting is not held for lack of a quorum or other reasons, the results of the election of directors shall be presented in person by the Election Committee Chairperson or designee to the Board of Directors (Section 4.02(b)). The act of presenting the election results will accomplish the validation required by By-laws 4.02(a).

c. Any candidate receiving countable votes (valid ballots per M-06 and

Attachments) in an election for the Board of Directors may request a recount. If a recount request is made to the Board of Directors in office on the day of the Annual Meeting, the Board will take the following action:

- i. A request for a recount must be received in writing from the Board Candidate prior to the Annual Meeting of the Association. This request must be provided to the Board President and to the Elections Committee chairperson.
- ii. A Director, currently completing their first term and a candidate for reelection will recuse themselves from any discussion, process and procedures related to the conduct of a recount. The Director who is a candidate for reelection may request the Board to authorize a recount.
- iii. The Board will request the Elections Committee chairperson to conduct a recount of the valid ballots cast for the election.
- iv. The Elections Committee chairperson will schedule an Elections Committee meeting, including the election committee members, contractor operating the scanner and Association staff as needed. This meeting will be on the day of the Annual Meeting or as soon as possible following the Annual Meeting.
- v. The recount will be completed in an open session that any Association member can attend in a manner like that specified in M-06 and Attachments.
- vi. The results of the recount will be communicated to the Association President and posted immediately after completion of the recount in the Administration Building of the Association.
- vii. The Board will hold a Special Meeting no sooner than 3 days after the completion of the recount, but as soon as possible.
- viii. The Elections Committee Chairperson or their designee will attend the Special Board Meeting and present the results of the recount for acceptance/validation by the Board on behalf of the Association.
- ix. The Election results will then be final, and the winning candidates will begin the process of joining the Board.

12. Tie Votes. A tie vote for a vacancy on the Board of Directors is to be resolved by chance (Section 5.03(e) of the By-laws), The method of chance used is as follows and shall be conducted by the Chairperson of the Elections Committee:

- a. One suit from a standard deck of cards, excluding jokers, shall be selected.
- b. The cards in the suit shall be shuffled and displayed by the Chairperson such that the tied candidates are unable to see the face of the cards.
- c. Each of the tied candidates shall select one (1) card.
- d. The candidate with the high card wins. Ace is high with the remaining cards descending down through deuce.

13. If voting by electronic transmission is implemented for a Board election or a referendum, this Attachment A shall be read with Attachment D.

## ATTACHMENT B REFERENDUMS

1. Purpose. This Attachment establishes Committee procedures for voting on referendum Issues.
2. General. Section 4.08 describes the manner in which an issue proceeds to a decision in a referendum. This Attachment identifies those parts of the referendum process which are in addition to the election process in Attachment A.
3. Election Materials. It is the responsibility of the Board of Directors to provide the Committee with information for referendums as specified in Sections 4.08 a and b.
  - a. Board Initiated Referendum. The statement of the Board of the action to be voted on shall be expressed in a manner that permits a vote of YES or NO. If the statement from the Board is not expressed in this manner, it shall be returned to the Board for action.
  - b. Referendum Initiated by Petition. The proposal, from the petition, to be placed on the ballot must be expressed in a manner that permits a vote of YES or NO. If it is not expressed in this manner, the petition shall be returned to the Board for action.
4. Mailing and Return Dates. When a referendum is not included in the materials for an election of directors, the dates for mailing referendum materials and the voting deadline shall be in compliance with the By-laws provisions for establishing member eligibility (Section 3.01 (c) of the By-laws) and referendum ballot mailing (Section 4.08(b) of the By-laws). The voting deadline date and ballot counting date shall be determined by the Committee.
5. Voting Results. If there is no meeting of members or Board meeting, the agenda of which includes announcement of referendum results, the results shall be announced in accordance with direction from the Board. Prior to any announcement, the Chairperson shall certify the results in writing to the President.



ATTACHMENT C  
CANDIDATES FOR ELECTION TO THE BOARD OF  
DIRECTORS

1. Purpose. This Attachment establishes the procedures followed by the Committee in the preparation for, and conduct of, election events directly involving candidates.

2. General.

a. The Committee is responsible for scheduling Candidates' Forums to occur before the mailing of voting packages for Association members.

b. The Committee will work with designated Association staff in obtaining and publishing information about the Candidates and the Candidates' Forums.

3. Information for Candidates.

a. Upon receipt of the list of eligible candidates (Section 5.02(d)) from the Secretary, the Committee shall provide to each candidate:

i. A schedule of important dates relating to the election.

ii. A request for the following to be included in the Ocean Pines Association Board of Directors Election Edition:

1. A two hundred (200) informational/biographical statement for serving on the Association Board in a Microsoft Word electronic format or PDF format.

2. Answers to 3 questions provided to the candidates by the Elections Committee. Answers shall be limited to two hundred (200) words maximum per question and provided in a Microsoft Word format or PDF format.

3. A request that the candidates arrange to have a photograph taken by the Association staff.

iii. A copy of Resolution M-06 Election and Referendum Procedures.

iv. Excerpts from ARC Guidelines regarding sign regulations.

b. Within ten (10) days of receipt of the list of eligible candidates the Committee shall meet with the candidates or their representatives for the following purposes:

i. (l) Answer any questions the candidates may have concerning the election process and Candidates' Forums.

ii. Conduct a blind draw that determines the position of the candidates on the ballot and seating position at Candidates' Forums.

1. Candidates shall draw numbered slips. Number I (one) shall be the first position on the ballot, number 2 the next position, and so on through the full list of candidates.

2. Seating of candidates at the forum will be assigned by the elections committee and may vary if multiple forums are conducted.

iii. Each candidate shall be asked to specify how he or she wants their name to appear on the ballot, including its spelling.

iv. Each candidate shall be asked to specify a phone number and e-mail address for publication in Association media.

v. Additional Candidates (Section 5.02(e)), if any, shall be placed on the ballot below the prior list of eligible candidates (Section 5.02(d)) in the order their applications were received by the Secretary. Additional Candidates, if participating in the Candidates' Forums, shall be seated in positions following the previously identified eligible candidates in the order their applications were received by the Secretary.

4. Candidates' Forums. The Committee shall organize, conduct, and supervise the Association Sponsored Candidates' Forums. Each Forum shall be at an appropriate location, with ample seating, within Ocean Pines.

a. Chairperson. The Chairperson shall conduct the Candidates' Forums. It is the responsibility of the Chairperson to coordinate room setup and other necessary facilities and equipment with Association staff designated by the General Manager.

b. Candidate Seating. Candidates shall be seated as determined in 3.b. (2) (b) of this Attachment.

c. Opening Statement. Each candidate may make an opening statement limited to three (3) minutes, Statements shall begin with the candidate seated in the first position.

d. Candidate Questions.

i. The Committee shall develop questions to ask the candidates. The number of questions asked, including those from member attendees, shall at least

equal the number of candidates, The Chairperson may set aside a period of time in which the Candidates have equal opportunity to question each other.

ii. The Committee shall announce in Association media that questions from members are being accepted either on the elections telephone number or an email address designated in the announcement. These questions will be asked of the candidates as time permits.

iii. Question responses shall begin with the candidate seated in the first position and proceed in order through all the candidates. Subsequent question responses will start with the candidate in the next position and the rotation of the first candidate to respond shall continue in that order and from question to question.

iv. Question responses shall be limited to two (2) minutes.

e. Closing Statement. At the conclusion of questioning, each candidate may make a closing statement limited to three (3) minutes in the same order as the opening statement.

f. Timekeepers. Prior to the start of the forums, the Chairperson shall appoint one or more timekeepers to time the opening and closing statements and the question responses. The candidates will be advised of how they will be signaled when thirty (30) seconds remain in their allotted time. The candidates may not reserve or accumulate time allotted for question responses or opening and closing statements.

ATTACHMENT D  
ELECTIONS AND REFERENDUMS VOTING VIA ELECTRONIC  
TRANSMISSION PROCEDURES

1. Purpose. This Attachment establishes the procedures for the use of electronic transmission for election of members to the Board of directors and/or voting on referendum issued by members of the Association.
2. Voting by use of a web-based Contractor. The voting for directors and on issued submitted to a referendum conducted by electronic submission/online voting.
3. Except as modified in this Attachment D, procedures of M-06 and attachments A, B and C will remain the same.
4. Mailing:
  - a. All eligible voters will be provided with a random number to be used to access their personal Ballot on the Contractor's website.
  - b. Paper Ballots and return envelopes will be provided in the mailing which will include instructions for the paper Ballot or online Ballot (electronic transmission) as their choice.
  - c. Ballots returned by mail, drop-box or marked "duplicate" will be verified via the online contractor before the mail contractor separates the Ballots from the return envelopes.
  - d. If an owner submits a ~~vote on line, any~~ paper Ballot submitted by that owner and votes on-line, only the first-received Ballot will be counted.  
~~will be invalidated.~~
  - e. The Elections Committee will have access to how many voted online, but not how they voted. The EC, after verification of no vote entered, can provide the identifier number if an eligible voter reported not receiving the voting package.
  - f. Return envelopes will be declared invalid if the section/lot/identifier numbers are obscured by the property owner and will not be opened nor counted.
5. The OPA website, oceanpines.org, will post links to the online contractor instruction videos and links to the online voting website.
6. The results of the ballots returned by mail, scanned by the Elections Committee, will be provided to the online Contractor who will then provide the final results to the Elections Committee.

## OCEAN PINES ASSOCIATION ADVISORY COMMITTEE APPLICATION

1. Name of Applicant: Lora S Pangratz

2. Address: 2 Harpoon Road Berlin, MD 21811

3. Email: lora.pangratz@gmail.com

4. Telephone: 443-987-2907 Property Owner for 9 1/2 yrs (years)

5. Committee in which you would like to be involved:

- |   |                |                                     |
|---|----------------|-------------------------------------|
| <input type="checkbox"/> Aquatics                     | Re-Appointment | <input type="checkbox"/>            |
| <input type="checkbox"/> Architectural Review         | Re-Appointment | <input type="checkbox"/>            |
| <input type="checkbox"/> Budget & Finance             | Re-Appointment | <input type="checkbox"/>            |
| <input type="checkbox"/> By-Laws & Resolutions        | Re-Appointment | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Clubs                        | Re-Appointment | <input type="checkbox"/>            |
| <input type="checkbox"/> Communications               | Re-Appointment | <input type="checkbox"/>            |
| <input type="checkbox"/> Elections                    | Re-Appointment | <input type="checkbox"/>            |
| <input type="checkbox"/> Environment & Natural Assets | Re-Appointment | <input type="checkbox"/>            |
| <input type="checkbox"/> Golf                         | Re-Appointment | <input type="checkbox"/>            |
| <input type="checkbox"/> Marine Activities            | Re-Appointment | <input type="checkbox"/>            |
| <input type="checkbox"/> Racquet Sports               | Re-Appointment | <input type="checkbox"/>            |
| <input type="checkbox"/> Recreation & Parks           | Re-Appointment | <input type="checkbox"/>            |
| <input type="checkbox"/> Search                       | Re-Appointment | <input type="checkbox"/>            |
| <input type="checkbox"/> Strategic planning           | Re-Appointment | <input type="checkbox"/>            |
| <input type="checkbox"/> Other _____                  | Re-Appointment | <input type="checkbox"/>            |

Potential Term: 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup> ~ Term will expire: April 24, 2024 (current) 2nd (4/2026)

6. Why do you want to be on this Committee? Would like to continue working to help maintain The By Laws and Resolutions. Would like to continue as Chairperson during a 2nd term.

7. What knowledge/input can you offer to this Committee? \_\_\_\_\_  
Have completed 3 years on the committee and two years as Chairperson.

Signature Lora S Pangratz Date 3/8/24

1<sup>st</sup> Endorsement from Committee Chairperson:  
Comment: \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

2<sup>nd</sup> Endorsement from Board Liaison to Committee:  
Comment: WONDERFUL MEMBER / EXCELLENT chair  
Stephen L. Paul Date 3/8/24

Board Action: \_\_\_\_\_ Date: \_\_\_\_\_

President's Signature \_\_\_\_\_ Date \_\_\_\_\_

## OCEAN PINES ASSOCIATION ADVISORY COMMITTEE APPLICATION

1. Name of Applicant: Gary Schnell

2. Address: 16 Watertown Rd, Ocean Pines, Md 21811

3. Email: gschnell56@gmail.com

4. Telephone: (301) 237-2978 Property Owner for 2.5 (years)

5. Committee in which you would like to be involved:

<input type="checkbox"/> Aquatics	Re-Appointment	<input type="checkbox"/>
<input type="checkbox"/> Architectural Review	Re-Appointment	<input type="checkbox"/>
<input type="checkbox"/> Budget & Finance	Re-Appointment	<input type="checkbox"/>
<input type="checkbox"/> By-Laws & Resolutions	Re-Appointment	<input type="checkbox"/>
<input type="checkbox"/> Clubs	Re-Appointment	<input type="checkbox"/>
<input type="checkbox"/> Communications	Re-Appointment	<input type="checkbox"/>
<input type="checkbox"/> Elections	Re-Appointment	<input type="checkbox"/>
<input type="checkbox"/> Environment & Natural Assets	Re-Appointment	<input type="checkbox"/>
<input type="checkbox"/> Golf	Re-Appointment	<input type="checkbox"/>
<input type="checkbox"/> Marine Activities	Re-Appointment	<input type="checkbox"/>
<input type="checkbox"/> Racquet Sports	Re-Appointment	<input type="checkbox"/>
<input checked="" type="checkbox"/> Recreation & Parks	Re-Appointment	<input type="checkbox"/>
<input type="checkbox"/> Search	Re-Appointment	<input type="checkbox"/>
<input type="checkbox"/> Strategic planning	Re-Appointment	<input type="checkbox"/>
<input type="checkbox"/> Other _____	Re-Appointment	<input type="checkbox"/>

Potential Term: 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup> ~ Term will expire: 1st

6. Why do you want to be on this Committee? I would like to contribute to the Ocean Pines Community and have a strong interest in fitness and recreation

7. What knowledge/input can you offer to this Committee? 29 years as a hs athletic Director involved in programming, facility and fields upkeep and development

Gary Schnell 2/27/24  
Signature Date

1<sup>st</sup> Endorsement from Committee Chairperson:

Comment: \_\_\_\_\_  
W S Board March 11, 2024  
Signature Date

2<sup>nd</sup> Endorsement from Board Liaison to Committee:

Comment: I endorse; SDAT report attached.  
Jeffery W. Heavner 03-18-24  
Signature Date

Board Action: \_\_\_\_\_ Date: \_\_\_\_\_

President's Signature \_\_\_\_\_ Date \_\_\_\_\_