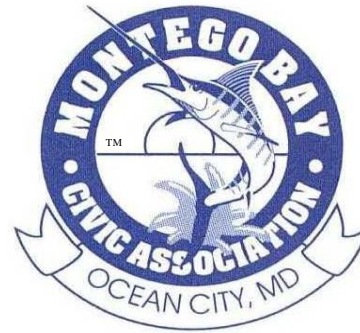


**MBCA Board of Directors Meeting**  
**MBCA Meeting Room**  
**April 9, 2011**  
**Agenda**



9:00 am	Call to Order and Pledge of Allegiance	President																																																
9:02 am	Meeting Protocol – Reminders	President																																																
9:05 am	Roll Call <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="6" style="text-align: center;">President Vera McCullough</td> </tr> <tr> <td colspan="2" style="text-align: center;">13 PRESENT - P = Present</td> <td colspan="2" style="text-align: center;">Voting Members</td> <td colspan="2" style="text-align: center;">A = Absent</td> </tr> <tr> <td>Sue Frankowski, VP</td> <td>P</td> <td>Sandy Kvech, Treasurer</td> <td>A</td> <td>Tony Kendrick, Secretary</td> <td>P</td> </tr> <tr> <td>Eileen Furnari</td> <td>P</td> <td>Bill Hastings</td> <td>P</td> <td>Linda Herzberg</td> <td>P</td> </tr> <tr> <td>Larry Holdren</td> <td>P</td> <td>Dennis Julian</td> <td>P</td> <td>Bob McCluskey</td> <td>P</td> </tr> <tr> <td>John McDermott</td> <td>A</td> <td>Bill Neimiller</td> <td>P</td> <td>Barbara Reniak</td> <td>P</td> </tr> <tr> <td>John Shifflett</td> <td>A</td> <td>Alin springer</td> <td>A</td> <td>Paul Svoboda</td> <td>P</td> </tr> <tr> <td>Bill Trumpler</td> <td>P</td> <td>Al Weber</td> <td>P</td> <td>(vacant through 8/2011)</td> <td>X</td> </tr> </table>	President Vera McCullough						13 PRESENT - P = Present		Voting Members		A = Absent		Sue Frankowski, VP	P	Sandy Kvech, Treasurer	A	Tony Kendrick, Secretary	P	Eileen Furnari	P	Bill Hastings	P	Linda Herzberg	P	Larry Holdren	P	Dennis Julian	P	Bob McCluskey	P	John McDermott	A	Bill Neimiller	P	Barbara Reniak	P	John Shifflett	A	Alin springer	A	Paul Svoboda	P	Bill Trumpler	P	Al Weber	P	(vacant through 8/2011)	X	Secretary
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--	No scheduled Owner or guest presentations	-																																																
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9:15 am	Review/Approval of March 12, 2011, Board Minutes	Secretary																																																
9:17 am	Treasurer's Report	Treasurer																																																
9:20 am	President's Report	President																																																
9:30 am	Good of the Association – (Owner participation) <ul style="list-style-type: none"> <li>General Meeting Updates -</li> </ul>	Open Vice-Pres																																																
9:40 am	Old Business <ul style="list-style-type: none"> <li>Volunteer of the Year Nominations</li> <li>Montego Bay Yard Sale – yes/no, if yes, when</li> </ul>																																																	
9:50 am	Committee Reports – <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Committee</th> <th style="text-align: center;">Announced</th> <th style="text-align: center;">Conducted</th> </tr> </thead> <tbody> <tr> <td>Advisory &amp; Strategic Planning (Standing)</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Architectural Review (Standing)</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Budget &amp; Finance (Standing)</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Bylaws &amp; Declaration (Standing)</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Communications (Standing)</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Parks &amp; Pond (Standing)</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Permit Process (Standing)</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Pools &amp; Recreation (Standing) <ul style="list-style-type: none"> <li>ADA Chair Lift - update</li> </ul> </td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>City Hall</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Contracts</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Neighborhood Watch</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> </tbody> </table>	Committee	Announced	Conducted	Advisory & Strategic Planning (Standing)	n/a	n/a	Architectural Review (Standing)	n/a	n/a	Budget & Finance (Standing)	n/a	n/a	Bylaws & Declaration (Standing)	n/a	n/a	Communications (Standing)	n/a	n/a	Parks & Pond (Standing)	n/a	n/a	Permit Process (Standing)	n/a	n/a	Pools & Recreation (Standing) <ul style="list-style-type: none"> <li>ADA Chair Lift - update</li> </ul>	n/a	n/a	City Hall	n/a	n/a	Contracts	n/a	n/a	Neighborhood Watch	n/a	n/a													
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10:30 am	New Business <ul style="list-style-type: none"> <li>Motions to add to a referendum ballot (response date of August 20, 2011) for issues to be decided by the General Membership: <ol style="list-style-type: none"> <li>Restore the proposal to have a Discretionary Budget to be approved by the General Membership. The Discretionary Budget would contain employee salary, bonus, and pay raises; amount of charitable contribution; special contracts for services such as aerobics instructor and summer patrol; increases in the annual fee amount; new amenities; Officer stipend (compensation); miscellaneous expense amount, and similar line items.</li> <li>Revise 1.5.7.2 to delete the second sentence (that electronic participation cannot count to establish a quorum)</li> <li>Revise 1.4.6 as – Board members and Officers who miss four meetings (Regular, Special, or General Membership) in a term-year will be automatically removed from the Board or their Officer position. (Removes limitation on electronic participation – if you participate and vote then you are present.)</li> <li>Add 1.11.2.10.16 “Signature” in the context of “signing a petition” includes the same definition of “in writing.” (The General Membership is widely disbursed [80% of owners live outside of Montego Bay] and some petitions require signatures of more than 20% of owners.)</li> </ol> </li> </ul>	Open																																																
10:55 am	Closing Comments	Open																																																
11:00 am	Adjournment	President																																																

**EXECUTIVE SUMMARY MINUTES**  
**Board of Directors Meeting**  
**April 9, 2011**



**Approved by the Board: April 12, 2011**

*[Full Minutes of the meeting, including the discussion of the motions, will be approved at the May 14, 2011, Board meeting.]*

President Vera McCullough at 9:01 A.M, called the meeting of the Board of Directors of the Montego Bay Civic Association to order. The President led the Pledge of Allegiance.

**Roll Call:** The President and 13 (of 17) voting members were present. Three owners attended.

President Vera McCullough – Present					
P = Present		Voting Members		A = Absent	
Sue Frankowski, VP	P	Sandy Kvech, Treasurer	A	Tony Kendrick, Secretary	P
Eileen Furnari	P	Bill Hastings	P	Linda Herzberg	P
Larry Holdren	P	Dennis Julian	P	Bob McCluskey	P
John McDermott	A	Bill Neimiller	P	Barbara Reniak	P
John Shifflett	A	Alin Springer	A	Paul Svoboda	P
Bill Trumpler	P	Al Weber	P	(vacant through 8/2011)	X

**Secretary's Report:**

Motion: Tony Kendrick Seconded: Larry Holdren	<b>Waive the reading of the minutes of the February 26, 2011, Special Meeting of the Board and accept them as written.</b>	<b>Passed</b>
Voted in Favor: 13	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

DISCUSSION: The minutes were provided the February 26, 2011, in advance. No responses or corrections were received.

Motion: Tony Kendrick Seconded: Bill Trumpler	<b>Waive the reading of the minutes of the March 12, 2011, Board of Directors meeting and accept them as written.</b>	<b>Passed</b>
Voted in Favor: 15	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

DISCUSSION: The minutes were provided for the March 12, 2011, in advance. No responses or corrections were received.

**Treasurer's Report: None**

**President's Report:**

- **Police Horse Patrol:** Officer Levy explained the importance of the mounted patrol is for protection of the community. Officer Levy explained that if the Police Officer is aware of the horse droppings they will pick it up. The President remarked that protecting the community comes with certain inconveniences. The President asked the Directors and Officers to help inform the community about the job of the Police patrol. Tony Kendrick remarked that part of the message that the horse patrol is here for their protection could be that "being a good neighbor means if there are horse droppings in the road in front of your property, please take your shovel and pick it up and dispose of it."
- **Lights Out:** The President reported that some lights were out in the park because the weather has prevented repair work on the lines to be done. The ground is too wet and when a string is out the electric line has to be repaired underground and not just a light bulb changed.

- Vandalism: The President mentioned in her meeting with Officer Levy that he stated that the problem with vandalism in Montego Bay is not the “June bugs” but residents who cause domestic and public disturbances and decide to take it out on community and personal property.

**Good of the Association:**

Motion: Bill Trumpler Seconded: Linda Herzberg	<b>Have 150 double-sided copies of the Bylaws and Manual produced for the General Membership Meeting.</b>	<b>Passed</b>
Voted in Favor: 13	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

**Old Business:**

- Volunteer effort to help Owner’s move items out to the curb on April 15<sup>th</sup> and 16<sup>th</sup>:

Motion: Tony Kendrick Seconded: Paul Svoboda	<b>On April 15 and 16, 2011, we assist owners who ask for help moving bulk items to the curb and no action will be taken regarding those in violation of Montego Bay restrictions.</b>	<b>Passed</b>
Voted in Favor: 13	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

**Committee Reports:**

The President announced her nominations for Chairman of the new committees established by the new Bylaws. Her announcement was seconded by Linda Herzberg. The Board agreed to take her nominations individually rather than as a group.

Nomination by: Vera McCullough Seconded: Linda Herzberg	<b>Nomination of Bill Trumpler as Chairman of the Advisory and Strategic Planning Committee</b>  <b>Nomination of Barbara Reniak as Chairman of the Architectural Review Committee</b>  <b>Nomination of Kathie Kendrick as Chairman of the Budget and Finance Committee</b>  <b>Nomination of Tony Kendrick as Chairman of the Communications Committee</b>  <b>Nomination of Alin Springer as Chairman of the Parks and Pond Committee</b>  <b>Nomination of Barbara Reniak as Chairman of the Pools and Recreation Committee</b>  <b>Nomination of John McDermott as Chairman of the City Hall Committee</b>  <b>Nomination of Barbara Reniak as Chairman of the Contracts Committee</b>  <b>Nomination of Bill Neimiller as Chairman of the Neighborhood Watch Committee</b>	<b>Approved</b>
Voted in Favor: 13	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

Nomination by: Vera McCullough Seconded: Linda Herzberg	<b>Nomination of Tom Seibold as Chairman of the Permit Process Committee</b>	<b>Approved</b>
Voted in Favor: 6	Eileen Furnari, Bill Hastings, Linda Herzberg, Dennis Julian, Tony Kendrick, Barbara Reniak	
Abstained: 2	Larry Holdren, Bill Trumpler	
Voted Against: 5	Sue Frankowski, Bob McCluskey, Bill Neimiller, Paul Svoboda, Al Weber	

**New Business:**

• Referendum Issues:

Secondary Motion: Bob McCluskey Seconded: Paul Svoboda	Remove from consideration to a referendum ballot (response date of August 20, 2011) an issue to be decided by the General Membership: Restore the proposal to have a Discretionary Budget to be approved by the General Membership. The Discretionary Budget would contain employee salary, bonus, and pay raises; amount of charitable contribution; special contracts for services such as aerobics instructor and summer patrol; increases in the annual fee amount; new amenities; Officer stipend (compensation); miscellaneous expense amount, and similar line items.	<b>Passed</b>
Voted in Favor: 7	Sue Frankowski, Larry Holdren, Bob McCluskey, Bill Neimiller, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 1	Bill Hastings	
Voted Against: 5	Eileen Furnari, Linda Herzberg, Dennis Julian, Tony Kendrick, Barbara Reniak	

Secondary Motion: Paul Svoboda Seconded: Bob McCluskey	Remove from consideration adding to a referendum ballot (response date of August 20, 2011) an issue to be decided by the General Membership: Revise 1.4.6 as – Board members and Officers who miss four meetings (Regular, Special, or General Membership) in a term-year will be automatically removed from the Board or their Officer position. (Removes limitation on electronic participation – if you participate and vote then you are present.)	<b>Passed</b>
Voted in Favor: 10	Sue Frankowski, Eileen Furnari, Linda Herzberg, Larry Holdren, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 1	Dennis Julian	
Voted Against: 2	Bill Hastings, Tony Kendrick	

Secondary Motion: Eileen Furnari Seconded: Barbara Reniak	To add to a referendum ballot (response date of August 20, 2011) an issue to be decided by the General Membership: Add 1.11.2.10.16 "Signature" in the context of "signing a petition" includes the same definition of "in writing." (The General Membership is widely disbursed [80% of owners live outside of Montego Bay] and some petitions require signatures of more than 20% of owners.)	<b>Passed</b>
Voted in Favor: 8	Eileen Furnari, Bill Hastings, Linda Herzberg, Tony Kendrick, Bill Neimiller, Barbara Reniak, Bill Trumpler, Al Weber	
Abstained: 1	Bob McCluskey	
Voted Against: 2	Sue Frankowski, Paul Svoboda	

*[Note: Larry Holdren departed the meeting.]*

*[Note: Dennis Julian departed the meeting.]*

Primary Motion (as amended): Tony Kendrick Seconded: Barbara Reniak	Add to a referendum ballot (response date of August 20, 2011) the following issues to be decided by the General Membership: ii. Revise 1.5.7.2 to delete the second sentence (that electronic participation cannot count to establish a quorum) iv. Add 1.11.2.10.16 "Signature" in the context of "signing a petition" includes the same definition of "in writing."	<b>Passed</b>
Voted in Favor: 11	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0	0	
Voted Against: 0	0	

**Adjournment**

Motion: Bill Trumpler Seconded: Barbara Reniak	<b>Adjourn</b>	<b>Passed</b>
Voted in Favor: 11	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

The meeting adjourned at 11:05 p.m.

Submitted By:  
Tony Kendrick, MBCA Secretary

**MINUTES**  
**Board of Directors Meeting**  
**April 9, 2011**

**Approved by the Board: May 14, 2011**



President Vera McCullough at 9:01 A.M, called the meeting of the Board of Directors of the Montego Bay Civic Association to order. The President led the Pledge of Allegiance.

**Roll Call:** The President and 13 (of 17) voting members were present. Three owners attended.

President Vera McCullough – Present					
P = Present		Voting Members		A = Absent	
Name		Name		Name	
Sue Frankowski, VP	P	Sandy Kvech, Treasurer	A	Tony Kendrick, Secretary	P
Eileen Furnari	P	Bill Hastings	P	Linda Herzberg	P
Larry Holdren	P	Dennis Julian	P	Bob McCluskey	P
John McDermott	A	Bill Neimiller	P	Barbara Reniak	P
John Shifflett	A	Alin Springer	A	Paul Svoboda	P
Bill Trumpler	P	Al Weber	P	(vacant through 8/2011)	X

**Secretary's Report:**

Motion: Tony Kendrick Seconded: Larry Holdren	<b>Waive the reading of the minutes of the February 26, 2011, Special Meeting of the Board and accept them as written.</b>	<b>Passed</b>
Voted in Favor: 13	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

DISCUSSION: The minutes were provided the February 26, 2011, in advance. No responses or corrections were received.

Motion: Tony Kendrick Seconded: Bill Trumpler	<b>Waive the reading of the minutes of the March 12, 2011, Board of Directors meeting and accept them as written.</b>	<b>Passed</b>
Voted in Favor: 15	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

DISCUSSION: The minutes were provided for the March 12, 2011, in advance. No responses or corrections were received.

**Treasurer's Report: None**

**President's Report:**

- **Police Horse Patrol:** Officer Levy explained the importance of the mounted patrol is for protection of the community. Officer Levy explained that if the Police Officer is aware of the horse droppings they will pick it up. The President asked the Directors and Officers to help inform the community about the job of the Police patrol. Tony Kendrick remarked that part of the message that the horse patrol is here for their protection could be that "being a good neighbor means if there are horse droppings in the road in front of your property, please take your shovel and pick it up and dispose of it." There were two complaints about the horse patrol. She provided an example of a complaint: "The police officer got a call about a disturbance and it was easier to go through a property with the horse than to go all the way around. They didn't gallop through; they just walked through the yard. The owner came out and tried to stop them." The other complaint was about horse droppings in the street (not on personal property). Officer Levy spoke with the owner complaining about the horse droppings and the Owner asked that the horses wear diapers. The President added that the horse patrol will also be here at night. Paul Svoboda also mentioned that the police bike patrols will also be starting up for the summer season. Bill Neimiller, Chairman of the Neighborhood Watch Committee, agreed with the President's statement that Montego Bay is one of the better protected neighborhoods in Ocean City. Larry Holdren remarked that officers on horseback are more observant than officers in police cars. Linda Herzberg remarked that she believes that the horse patrol can take the place of the recommendation that the Association hire a guard at night."

- **Lights Out:** The President reported that some lights were out in the park because the weather has prevented repair work on the lines to be done. The ground is too wet and when a string is out the electric line has to be repaired underground and not just a light bulb changed.
- **Vandalism:** The President mentioned in her meeting with Officer Levy that he stated that the problem with vandalism in Montego Bay is not the “June bugs” but residents who cause domestic and public disturbances and decide to take it out on community and personal property.

**Good of the Association:**

- **Update on General Meeting preparations:** The Vice President reported, “I don’t have any idea of doing anything right now but it will be done by next week.” She indicated that copies of the new Bylaws and Section 1 of the Operational and Procedures Manual would be put out. When asked who was making the copies, she responded, “I have no idea.”
- **Bylaw Distribution:**
  - Sue Frankowski and Bill Trumpler commented that not everyone had gotten a copy of the new Bylaws. Mr. Kendrick responded that Owners have access to the new Bylaws the same as they had access to the previous Bylaws – they can come to the Office and pick up a copy, they can call or e-mail the Office and request a copy, they can go to the website and download a copy.
  - There was agreement that the Board did not find it necessary to mail out a copy to every Owner.

Motion: Bill Trumpler Seconded: Linda Herzberg	<b>Have 150 double-sided copies of the Bylaws and Manual produced for the General Membership Meeting.</b>	<b>Passed</b>
Voted in Favor: 13	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

DISCUSSION: It was agreed that the Secretary, Tony Kendrick, would request bids for double-sided copies of 150 sets of the Bylaws and the Manual.

- Bids would be requested from Germantown Copy Center, Ocean Copy, UPS, and MinuteMan Press.
  - Sue Frankowski asked if it was a conflict of interest to ask Germantown Copy Center because it was owned by a Montego Bay Owner. There were general remarks from the Board that it was not a conflict of interest.
  - Mr. Kendrick responded, “The conflict of interest issue was brought to the Association attorney when Dennis [Julian] was nominated to be chairman of the Finance Committee. The attorney said that the Association should take advantage of the expertise and talent and economic savings within the community.”
  - There was agreement to the proposal by the President and Mr. Trumpler that the Secretary would get the bids and go with the most economical one.

**Old Business:**

- **Nominations for Volunteer of the Year:** Bernie Herzberg was nominated by Barbara Reniak. James Goff was nominated by Vera McCullough. Kathy Trumpler was nominated by Tony Kendrick.
  - It was clarified that any member of a household may be nominated to be Volunteer of the Year.
  - It was agreed that the Board would take time to consider the nominees and a vote will be taken at the July Board Meeting and the announcement will be made at the August General Membership meeting.
- **Yard Sale:** It was agreed to table the recommendation for a yard sale until the May meeting.
- **Bulk Pick-Up Volunteers:** Paul Svoboda, and others, expressed concerns about going onto the properties of those in violation of the Restrictions and moving their bulk items out in the yard to the curb.
  - Tony Kendrick reminded everyone that letters had been sent out to the five owners in violation but, due to the shared concerns that the volunteers will not remove any property from those five homes without verification that the owners received the letter of notification and have no objection.
  - The Office Secretary will follow up by contacting the five owners.

Motion: Tony Kendrick Seconded: Paul Svoboda	<b>On April 15 and 16, 2011, we assist owners who ask for help moving bulk items to the curb and no action will be taken regarding those in violation of Montego Bay restrictions.</b>	<b>Passed</b>
Voted in Favor: 13	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

- **Meeting Notifications:** Clarification was requested whether the newsletter was also serving as the meeting notification of the General Membership Meeting, which should be issued at least 30 days in advance of the meeting.
  - The newsletter may be used as a means of notification but is not required to be the method of notification.

- There was general discussion with agreement that the notice of future April General Membership Meeting will go out with the annual assessment mailing.
- And the notice of the August General Meeting will go out with the election ballot.

**Committee Reports:**

The President announced her nominations for Chairman of the new committees established by the new Bylaws. Her announcement was seconded by Linda Herzberg. The Board agreed to take her nominations individually rather than as a group.

Nomination by: Vera McCullough Seconded: Linda Herzberg	<p><b>Nomination of Bill Trumpler as Chairman of the Advisory and Strategic Planning Committee</b></p> <p><b>Nomination of Barbara Reniak as Chairman of the Architectural Review Committee</b></p> <p><b>Nomination of Kathie Kendrick as Chairman of the Budget and Finance Committee</b></p> <p><b>Nomination of Tony Kendrick as Chairman of the Communications Committee</b></p> <p><b>Nomination of Alin Springer as Chairman of the Parks and Pond Committee</b></p> <p><b>Nomination of Barbara Reniak as Chairman of the Pools and Recreation Committee</b></p> <p><b>Nomination of John McDermott as Chairman of the City Hall Committee</b></p> <p><b>Nomination of Barbara Reniak as Chairman of the Contracts Committee</b></p> <p><b>Nomination of Bill Neimiller as Chairman of the Neighborhood Watch Committee</b></p>	<b>Approved</b>
Voted in Favor: 13	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

Nomination by: Vera McCullough Seconded: Linda Herzberg	<b>Nomination of Tom Seibold as Chairman of the Permit Process Committee</b>	<b>Approved</b>
Voted in Favor: 6	Eileen Furnari, Bill Hastings, Linda Herzberg, Dennis Julian, Tony Kendrick, Barbara Reniak	
Abstained: 2	Larry Holdren, Bill Trumpler	
Voted Against: 5	Sue Frankowski, Bob McCluskey, Bill Neimiller, Paul Svoboda, Al Weber	

**DISCUSSION:**

- Bob McCluskey requested “an explanation for why I am being replaced as Chairman of the Permit Committee.” The President responded, “Because it is time.” Mr. McCluskey did not accept that response as an explanation. The President responded, “In the past year we have come close to being sued three times because of mistakes that you made.” Mr. McCluskey denied that he had made any mistakes.
- The President explained that the Bylaws give her the authority to nominate chairman and that is what she is doing. “I have made my decision. I stand by my decision to replace you.”
- Mr. McCluskey asked, “Where do the Bylaws state that you can replace people without cause?” Tony Kendrick, Bylaws & Declaration Committee Chairman, responded, “She nominates who will be committee chairman. She is now nominating somebody new.” Mr. McCluskey responded that the nominations are done at the start of the President’s term. Mr. Kendrick responded, “Nominating chairman is done at the pleasure of the President. There is no time-limit on when the President can change committee chairman.” Mr. McCluskey responded, “We are setting a very dangerous precedent if we accept that thought.” Mr. Kendrick responded, “No. The President should have the flexibility to nominate people she can work with. You have a pattern of being against Vera. You have been rude to her in public. You have been caustic to her. You have demonstrated your anger toward her. You even had the Board vote to give you permission to cut locks off of doors, to spite her. So, I don’t think there is a good

working relationship between you. That may not be the reason she is choosing someone else, but that is the reason why I will vote for who she nominates.”

- Mr. McCluskey stated, “The reason I am being cited, I think, is because last month I made an issue out of a deck that is still standing illegally according to our policies. I made an issue of that and one month later I find myself walking the plank.”
- Paul Svoboda asked for information about the nominee, Tom Seibold. The President introduced him and stated that he has attended Board meetings and they have spoken about the committee responsibilities. Others mentioned Mr. Seibold has a construction background and is familiar with zoning and codes. Mr. Seibold responded, when he was asked, that he is a full time resident in Montego Bay. Sue Frankowski asked if he would have Bob McCluskey on the Permit Process Committee and Mr. Seibold replied that he would have no objection to that.
- Bill Trumpler commented that the President could have conveyed her selection decision to Mr. McCluskey in the Office rather than while departing a social event. Mr. McCluskey stated, “I personally have no complaint about where it was done. That is immaterial to me.”
- Mr. McCluskey also stated, “I do have a strong objection to the notion that Tony voiced earlier; that Committee Chairman simply serve at the whim of the President. If we adopt a precedent whereby every committee chairman can only serve as long as they curry favor with the President I think that is very dangerous. We need to give our committee chair people the autonomy to do their jobs which is what I have been doing and I know I have butted heads with Vera and she and I have not seen eye-to-eye on some of the permits that have come before this community. But I’ve been doing my job in enforcing those rules as they are written and that is what has brought me into conflict. It is not a case of where I have failed to do the job and if we adopt the position where only people who please the President can serve as chair people we are taking a step on the road to autocracy.”
  - The President said the President speaks for the people here. “I listen to what the people tell me and then I act on it. What I have done is not just because you and I don’t get along.” She further stated, “I have been hearing that people do not want to have Montego Bay to have one set of rules and the Town of Ocean City have another set of rules. And they say it is time for a change.”
- Mr. McCluskey repeated, “I have been following the written rules of this community and applying those rules to the permits that come in.”
  - Mr. Kendrick responded, “There are instances where you have not followed the rules. You did bring the deck issue to the Board, even though there is an exact same thing on Yawl, and you wanted to establish a rule. But I don’t know if the Association or the Board realizes that you signed off on a second-story balcony. So now, you have set the precedent, without the Board approving it, that we now have balconies in Montego Bay. How are we going to deny the second one? You never brought it to the Board and that is a judgment issue, it is not you and Vera getting along.”
  - Mr. Kendrick added: “You signed off on a balcony. Something that has never appeared in the community and I think you should have brought it to the Board.”
- Mr. McCluskey responded that he was not aware of any restriction regarding balconies and that he was applying “the restrictions that we have. It violated no restriction.”
  - Mr. Kendrick pointed out that there is nothing in the restrictions document regarding the placement of decks either, but Mr. McCluskey went ahead and approved a second-story balcony without giving the Board an opportunity to consider the impact on the community. Mr. Kendrick stated that for the first balcony in Montego Bay it should have been brought to the Board for the Board’s consideration, and, “we can’t go back. So you have set a precedent. Charlie Herbert was strongly against balconies. That was one of his reasons for not wanting [attic] habitability. And he sat here at one of these Board meetings and shouted, ‘The next thing you know we’re going to have balconies!’”
- Paul Svoboda nominated Bob McCluskey to be chairman of the Permit Process Committee. Mr. Kendrick pointed out that the bylaws only allow the President to nominate someone to be a committee chairman.
- Mr. McCluskey asked again where the bylaws state that committee chairmen serve only at the pleasure of the president and can be replaced at any time, “with the approval of the Board.” He continued: “Once the Board has given its approval, then that should be brought back to the Board. The President doesn’t have the authority to override the Board.”
  - Mr. Kendrick pointed out that the President is coming back to the Board with a new nomination for Board approval. The President is not overriding the Board.
  - Mr. McCluskey agreed that bringing the new nomination to the Board is not overriding the Board.

### **New Business:**

Mr. Kendrick remarked that since the passage of the new Bylaws and the issuance of the newsletter, he has received many comments from Owners that they want to participate in some of the decisions of the association. The new Bylaws allow for issues to be placed on a referendum ballot by either a majority vote of the Board or by a petition of the Owners. The four items listed on the agenda are some of the items that some Owners have requested be changed in the new Bylaws or Section I (Bylaws) of the Operational and Procedures Manual. The initial motion (made by Tony Kendrick and Seconded by Barbara Reniak) was for all four items to be voted on to include in a referendum ballot that would be sent to all

Owners with the election ballot and notification of the August General Meeting, for the General Membership to make the decision. The issue would be stated and include an opinion in favor of the proposed change, an opinion against the proposed change, and a recommendation of the Board to approve or reject the proposed change. Tony Kendrick stated that he saw no harm in letting the Owners decide these four issues and putting them on a referendum ballot and announcing it at the General membership Meeting on April 16<sup>th</sup> and the Owners would not have to go through the petition process. The Board ultimately discussed and voted on each item individually.

Secondary Motion: Bob McCluskey Seconded: Paul Svoboda	<b>Remove from consideration</b> to a referendum ballot (response date of August 20, 2011) an issue to be decided by the General Membership: Restore the proposal to have a Discretionary Budget to be approved by the General Membership. The Discretionary Budget would contain employee salary, bonus, and pay raises; amount of charitable contribution; special contracts for services such as aerobics instructor and summer patrol; increases in the annual fee amount; new amenities; Officer stipend (compensation); miscellaneous expense amount, and similar line items.	<b>Passed</b>
Voted in Favor: 7	Sue Frankowski, Larry Holdren, Bob McCluskey, Bill Neimiller, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 1	Bill Hastings	
Voted Against: 5	Eileen Furnari, Linda Herzberg, Dennis Julian, Tony Kendrick, Barbara Reniak	

**DISCUSSION:**

- Bill Trumpler stated that in his 6 years on the Board he has never seen anything, in his opinion, that seems to be so complicated, yet it is not. To the average person I hope they'll understand exactly what we're doing.
- Paul Svoboda commented that the control was being taken away from the Board to set salaries. He stated, "We are the Board of Directors elected to make decisions and we can't send everything out to the membership."
  - Barbara Reniak responded that she took exception to his statement, "because that is a major decision and that money comes out of the Association. I think that people in this community have a right to weigh in on major decisions. They do that in other Associations and there is no reason we can't do it here. I think you may feel differently if you weren't on the Board. I know I think they should whether I'm on the Board or not. When it comes to major decisions that people in this community need and have the right to weigh in on it. They weighed in on the habitability issue because the Board didn't want to take the responsibility of doing that themselves. And look at the positive response that came in over a period of three weeks. And they will weigh in on this and I think it should be brought before the general membership. Remember, we are spending the people's money. And there are many in this community who do not know that Officers are getting paid and there are many people who resent it. We are on this Board to represent the people in this community and if we don't carry out their wishes by at least giving them the opportunity to weigh in on issues – it may be voted down or it might not. The point is we need to give them the opportunity to vote."
- Mr. Svoboda responded, "We were voted on the Board to make decisions."
  - Eileen Furnari responded, "I disagree. The first thing we are going to do is make people aware that we are paying the Officers and then if they agree with that, fine. The same with the aerobics instructor, let people know that she is paid \$27 per hour and has no credentials. If the Owners want to do that, that is fine. But first we're going to give them a chance to know these things. I have been here 20 years and I did not know that anyone was getting paid until I got involved with the Board."
  - Mr. Kendrick added: "We are elected to carry out the responsibilities that the Owners give us. The Owners are re-defining the power and authority they want us to exercise. One of those is they want a Discretionary Budget so that there are no 35% across the board raises for Officers. I think that was in 2007. If this is in the Discretionary Budget and the Owners vote for it, then great. They [the Owners] give us the authority and power and this defines what they want us to do and what the Owners will do."
- Mr. Svoboda asked Mr. Kendrick, "How would you do that? Are you are going to break down each little thing that we spend money for?"
  - Mr. Kendrick responded, "This is a discretionary budget that would be approved once a year. You have the Reserve Budget and the Operational Budget and this would be the Discretionary Budget."
  - Bob McCluskey remarked, "I am afraid we are asking people to vote on this who don't really have an insight into what they are voting for. People do not know how hard the Office Secretary works or how many hours our Officers put in. And yet we're giving them the authority to set the salary. I agree with Paul that this should be kept within our realm because we are better aware of the issues at hand."
    - Bill Hastings responded, "We just agreed that we are giving them the pros and the cons so that they will know – give them an estimate of the hours being worked and the work involved and if they [the Owners]

think that is an unreasonable compensation in return for those hours then make your decision. The Owners should be advised of the whole situation. And the person can also say they decline their stipend.”

- Mary Jane Maxell commented that the items should be broken out independently because she felt that setting an employee’s salary should be the Board, and setting the annual fee amount should be explained to the Owners based on the Reserve Budget and the Operational Budget.
  - Kathy Trumpler expressed a concern of including the annual assessment in a Discretionary Budget and we would lose the ability to plan for the future.
  - Ms. Maxwell continued, as far as Officers getting paid – “how many homeowner associations in the state of Maryland the Officers are paid?” Many of the Board responded, “None!” Mrs. Maxwell concluded that paying the Officers is ridiculous. Some Board members pointed to Board Members of the Ocean Pines Association are “paid” by having their amenity fees waived. Other Board members pointed out that that is not an exchange of money (“No money changes hands.”) such that they are paid to pay their fees.
  - Barbara Reniak shared the results of carrying out the request of the Board to conduct a search for a new attorney, “I talked to three different attorneys and not one said that any association that they represented paid their Officers. And they said they hadn’t heard of that happening in the state of Maryland.”
- Paul Svoboda stated he is against the motion because there are petition procedures that the Owners can follow and he is against the Board putting it on a referendum.
  - Based on the discussion, Mr. Kendrick revised his motion regarding the Discretionary Budget to remove employee salary, charitable contribution, annual fee amount, and miscellaneous expense amount and similar line items.
  - The Discretionary Budget would therefore contain: special contracts, new amenities, and Officer compensation.
- Mr. Svoboda remarked, “We have so much confusion in this room and we have knowledge of what is going on. We send this out to the community; they’re not going to understand it at all.”
  - The President responded that she resented that statement on behalf of the community, “we have an awful lot of people in this community who are pretty smart.”
  - Mr. Svoboda agreed, “We do. We have a few people who are very smart about it. I’m just saying there are a lot of people who don’t care about it and they’re going to say, ‘You’re an elected Board, make these decisions. We can’t make every decision for you.’ Or, just do away with the Board, which might be an option.”
  - Bill Hastings suggested retaining the first sentence of having the General Membership approve a Discretionary Budget. A general discussion followed about what items would be in a discretionary budget.

Secondary Motion: Paul Svoboda Seconded: Bob McCluskey	<b>Remove from consideration</b> adding to a referendum ballot (response date of August 20, 2011) an issue to be decided by the General Membership: Revise 1.4.6 as – Board members and Officers who miss four meetings (Regular, Special, or General Membership) in a term-year will be automatically removed from the Board or their Officer position. (Removes limitation on electronic participation – if you participate and vote then you are present.)	<b>Passed</b>
Voted in Favor: 10	Sue Frankowski, Eileen Furnari, Linda Herzberg, Larry Holdren, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 1	Dennis Julian	
Voted Against: 2	Bill Hastings, Tony Kendrick	

**DISCUSSION:**

- Bob McCluskey questioned the result of the change, which “if you participate electronically that it doesn’t count as one of the four absences.”
  - Mr. Kendrick responded that this change is cleaning up the participation requirement by stating that if you participate and vote electronically then you are “present” for the purpose of attending a meeting.
- Mr. McCluskey asked, “Theoretically, does this allow someone to sit at home all year? And do we want that?”
  - Mr. Kendrick answered, “Theoretically, yes. And why would we not want it? If they want to participate in the community and they are house-bound and the only way they can participate is electronically – then why not? What does being here in the room, to borrow Sandy’s [Kvech’s] words, what does being here in the room have to do with your qualification to listen to the issues and to vote? What difference does that make in making a decision on the issues that come before the Board? What makes the difference between their perspective and someone else’s? They are an Owner and pay their dues; they are entitled to the same rights as anyone else.”
- Linda Herzberg stated that if you are not able to be here then you should not run for the Board. It is a personal choice.
- Paul Svoboda reinforced his opposition to electronic participation.
- Barbara Reniak agreed with Linda and Paul that a few electronic participation meetings are okay but you should attend meetings in person.
- Bill Trumpler agreed that being at a meeting in person makes a difference.

Secondary Motion: Eileen Furnari Seconded: Barbara Reniak	To add to a referendum ballot (response date of August 20, 2011) an issue to be decided by the General Membership: Add 1.11.2.10.16 "Signature" in the context of "signing a petition" includes the same definition of "in writing." (The General Membership is widely disbursed [80% of owners live outside of Montego Bay] and some petitions require signatures of more than 20% of owners.)	<b>Passed</b>
Voted in Favor: 8	Eileen Furnari, Bill Hastings, Linda Herzberg, Tony Kendrick, Bill Neimiller, Barbara Reniak, Bill Trumpler, Al Weber	
Abstained: 1	Bob McCluskey	
Voted Against: 2	Sue Frankowski, Paul Svoboda	

**DISCUSSION:**

- Bob McCluskey asked for clarification of the difference between a signature for a petition and signing 'in writing.' Mr. Kendrick responded that in the definitions of Section 1 of the Operational and Procedures Manual signature authority can be delegated "in writing" by sending an e-mail. For the purpose of signing petitions, there is no definition for signature and the proposal is to add one that would be the same as the "in writing" definition, meaning, an e-mail identifying the Owner can count as signing a petition.
- Mr. McCluskey stated that before e-mail he worked with petitions and signatures had to be verified. He stated he was opposed to allowing e-mails to count as a petition signature because there would be no way to verify the e-mail as coming from that Owner.
  - Mr. Kendrick responded that it was unfair and an unnecessary barrier to having the community participate in a decision by requiring they physically present themselves to sign a petition. *[Note: Larry Holdren departed the meeting.]*
  - Mr. Kendrick added that a petition that requires 25% of the Owners to sign and only 20% claim Montego Bay as their primary residence it will be kind of hard to get the 25% and we need to recognize that we are a geographically dispersed community of Owners and we should take advantage of our communication systems. *[Note: Dennis Julian departed the meeting.]*
    - Mr. Svoboda questioned the source of the 20% number for those who are full-time residents. Mr. Kendrick responded that it is from the Maryland Taxation records for all of Montego Bay and there are 335 property owners claiming Montego Bay as their primary residence.

Primary Motion (as amended): Tony Kendrick Seconded: Barbara Reniak	Add to a referendum ballot (response date of August 20, 2011) the following issues to be decided by the General Membership: ii. Revise 1.5.7.2 to delete the second sentence (that electronic participation cannot count to establish a quorum) iv. Add 1.11.2.10.16 "Signature" in the context of "signing a petition" includes the same definition of "in writing."	<b>Passed</b>
Voted in Favor: 11	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0	0	
Voted Against: 0	0	

**DISCUSSION:**

- Sue Frankowski questioned whether the General Membership would even be concerned with what a quorum is for the Board. Mr. Kendrick responded that in order to have a change in the Bylaws the Owners have to vote on the change. It is no longer up to the Board.
  - The President responded that if somebody had asked to put it in a referendum "the Board doesn't have a right to question whether the people are smart enough to understand it."
  - Mrs. Frankowski questioned whether it is worth the cost to send these out for a vote. Mr. Kendrick responded that the referendum ballots would be piggy-backed with the mailing of the General Membership Meeting announcement, which have to be sent anyway.
- Paul Svoboda stated he was against the motion and that the Board should make the decision for what is a quorum and not the General Membership.
  - Mr. Kendrick asked for clarification from Mr. Svoboda because, under the current Bylaws it says that any member participating electronically in a meeting cannot be counted toward achieving a quorum. He indicated that the Bylaws also call for downsizing the number of Board members and that there should be consideration for allowing those participating electronically to be counted toward achieving a quorum.
  - Bob McCluskey agreed that participating electronically and voting, the member should be counted toward a quorum.
  - Mr. Svoboda clarified that he agreed with that but did not agree that it needed to be voted on by the General Membership, that the Board can make that change. Mr. Kendrick reminded everyone that the Bylaws are now only changed by vote of the General Membership.

**Adjournment**

Motion: Bill Trumpler Seconded: Barbara Reniak	<b>Adjourn</b>	<b>Passed</b>
Voted in Favor: 11	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

The meeting adjourned at 11:05 a.m.

Submitted By:  
Tony Kendrick, MBCA Secretary