



Chesapeake Haven Homeowner's Association, Inc.

158 Ohio Avenue

Earleville, MD 21919

Chesapeakehaven.com

**Fall 2019 General Meeting & Board Election Ballot Tally – November 16, 2019**

This Fall's meeting was held at the Cecil County Public Library – Chesapeake City Branch located at 2527 Augustine Herman Highway, Chesapeake City, MD 21915. This venue was reserved at no cost to the Association.

President Jan Bickford-Morrow called the meeting to order at 10:32 a.m. President Bickford-Morrow went over a few housekeeping rules as the meeting was being held in the Public Library.

The minutes of the April 26, 2019 Spring General Meeting of the Association were approved as a call to modify the minutes was announced and there were no comments from the meeting attendees. President Bickford-Morrow announced that there was not a need to approve the meeting minutes for 90 days had passed since the Spring General Meeting. These meeting minutes were posted on the ChesapeakeHaven.com website and filed with the Cecil County repository and the Board of Directors did not receive any written responses from any of the members of the community.

A guest in attendance was recognized at this time. Mr. Bob Meffley, Council President First District – R.

Mr. Meffley was elected in 2016 to serve as the Council Member from the First District, which includes Chesapeake City, Cecilton, Earleville, Warwick and Fredericktown. He was appointed as Council President in 2018. Mr. Meffley is a Cecil County businessman who has owned and operated H&B Plumbing & Heating for 36 years. As a lifelong resident of Cecil County, he lives in Chesapeake City.

1. **Treasurer's Report:**

Copies of the most recent Treasurer's report were mailed with the Fall General Meeting Newsletter and ballots. The only change was the use of the remaining road maintenance budget for 2019 and that amount exceeded the budget by a minimal amount. Jan Bickford-Morrow informed the meeting attendees how the Treasurer's duties were being managed while Galina McKee was absent. Jan advised that all deposits are made timely due to the ease of technology and if anyone wishes to see the books, they are welcome to contact her. Jan advised that she had prepared a binder that contains all the historic CHHOA deeds, covenants and restrictions, plats, etc. along with the documented Board activities of the past two years that were also filed with the Cecil County Repository. The binder also includes all other historic filings. Jan stated that if anyone was interested in viewing the documentation, they should contact her. Jan then went over the budget which is outlined below:

**2019 budget status:**

Jan Bickford-Morrow, President, reviewed the report; that report reflected any expenses or debts recorded through 10/09/2019 which was a month and one week prior to the meeting date.

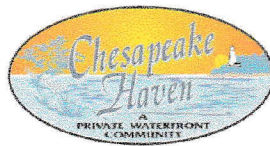
Operating Funds: \$23,726.20

Reserve Funds: \$ 6,250.00

Total on hand: \$29,526.20

**2019 Budget:** \$15,815.00      **2019 actuals YTD:** 9,510.00 (not including last stone delivery)

**b/(w):** \$6,305.00 (not including last stone delivery)



Chesapeake Haven Homeowner's Association, Inc.  
158 Ohio Avenue  
Earleville, MD 21919  
Chesapeakehaven.com

**Fall 2019 General Meeting & Board Election Ballot Tally – November 16, 2019**

2. **Proposed 2020 Budget:**

The 2020 proposed budget was reviewed. A discussion about Road Maintenance took place and much was discussed. Vice President, Ted Heath stated that during this year, he obtained quotes from (2) other contractors to spread and rake the stone. Ted advised that the costs were about the same but Mike Zang was cheapest and remained our contractor for the upkeep of our roads. Ted stated that Mike Zang charges about \$700.00 to rake the roads and the rest of the cost is the cost of the stone. Ted stated that we were able to have Mike Zang come through (3) times this year and that we budgeted for \$10,000. Ted stated that we went over by a bit this year and this is the reason for the increase in the proposed budget. This would allow us to do the roads (4) times a year in order to keep the roads in good shape. Rae Ann Matherly asked if we needed to lay stone every time. Ted stated that in order to keep the roads in good shape, Mike Zang needs to rake the roads and that Mike Zang advised that if we all drive on the stone and not the compacted areas of the road, this would help not to cause potholes, etc. Rae Ann then asked how many people have complained about the condition of the roads. Jody Matherly then stated that there is a piece of equipment that we could use instead of what Mike Zang uses that would bring up the old stone and allow it to be raked. Both Kay Kehler and Rae Ann Matherly stated that we have to have a Plan B as Mike Zang is in poor health and may not be able to assist us in the maintenance of the roads much longer. Rae Ann asked if could look at taking on things ourselves (meaning individual homeowners). Bob Meffley inquired whether the roads are private or county owned. The Board advised Mr. Meffley that our roads are private. Mr. Meffley then stated that if the roads were brought up to county code, then the county could look at taking care of our roads in the future. President Bickford-Morrow advised that a lawsuit from a prior homeowner brought up that possibility, but it did not develop. Dave Cross asked if we could rent equipment. Ted Heath advised that renting equipment might pose a liability to the association. Dave Cross then mentioned if we could rent the equipment for Mike Zang to use. Kay Kehler then stated that the roads should be our #1 priority.

A discussion about the increase in the Legal Fees proposed budget then took place. Rae Ann Matherly asked why the need for the legal fees budget to increase. President Jan Bickford-Morrow explained in detail about the threshold needed in order to take legal action against an owner for non-payment of dues and/or the properties that are behind due to members passing away and the need for us to contact the Register of Wills to file paperwork to recover monies owed when the properties are sold. Ted Heath explained that Lawyers are not cheap and at around \$300 per hour. Ginni Burns offered to help with her services to help collect past dues.

A discussion about the proposed Snow removal budget then took place. Rae Ann Matherly asked why snow removal was not included in the road maintenance budget or anything regarding the roads or common area. Rae Ann's example was this year's sinkhole or falling tree, etc. Francy Cross explained to all in attendance that in the past there were specific line items allocated towards snow removal, road maintenance, general maintenance, etc. This allowed all to see exactly where the monies were being spent. Dave Cross then asked about the dollar amount at the bottom of the Budget (\$3,490). Ted and Jan explained that that amount was the remainder of the road





Chesapeake Haven Homeowner's Association, Inc.

158 Ohio Avenue

Earleville, MD 21919

Chesapeakehaven.com

**Fall 2019 General Meeting & Board Election Ballot Tally – November 16, 2019**

maintenance budget that had not yet been spent until after the Fall General Meeting Newsletter / Ballots were sent out. It was an error on our part why there was not an entry for which it was allocated.

Rae Ann Matherly inquired about the Pro-Rated membership listed on the Budget. Jan explained that there are certain lots with the CHHOA that are not required to pay dues. This pro-rated amount listed only applies to (1) property on Connecticut Avenue and they pay voluntarily at a reduced rate. There is also a non-member that pays voluntarily and they do so faithfully for their share as our road is their access to their property.

Francy Cross inquired about the Reserve Account and the Association's 501(c) (3) status. Also, Francy Cross inquired about the 990 form and if it had been filed. Jan explained that our status on both are good and that the 990 was filed as required. For those members that do not know what a 990 is – "IRS Form 990 is the tax document that federally tax-exempt organizations file each year with the IRS. This includes charitable nonprofits".

**Old Business:**

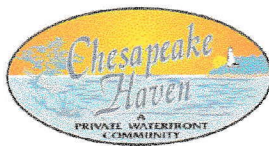
1. **Property Maintenance:** (Road Maintenance was discussed above)

Dave Cross asked about tree trimming and if any was scheduled? Ted Heath stated that there are not any plans at this time. Ted explained the associated costs with said trimming were astronomical and that members would have to approve such cost to have the work performed. Jan reiterated that she had reached out via Nextdoor and asked members to cut back / clean up their properties bordering the roadways and she had seen a noticeable difference with the members that had cleaned up their properties bordering our roads.

Rae Ann Matherly stated that negative comments on "Nextdoor" need to stop and that we all need to come together as a community so things like work days or clean up days can happen. Rae Ann stated that there is so much strife and negativity that this cannot happen. Mrs. Molyneaux asked how we are currently trying to get people to volunteer or gather together for a clean-up day. She advised what had taken place in the past and how we could once again try to materialize such events. Jan Bickford-Morrow stated that Dave Cross (prior President of the Association) had reached out to try to get members to join in on clean up days and had to cancel the clean ups on a couple of occasions.

**Beach Tags**

Ted Heath advised for those that need beach tags or keys to reach out to him and he would ensure that they are provided to those members in good standing.



Chesapeake Haven Homeowner's Association, Inc.  
158 Ohio Avenue  
Earleville, MD 21919  
Chesapeakehaven.com

**Fall 2019 General Meeting & Board Election Ballot Tally – November 16, 2019**

**New Business**

1. **Bylaw Amendments:**

Tony Meenan inquired as to the amendment to reduce the Board size from 11 to 7. Jan explained to Tony that this was covered during the last Spring General Meeting and approved at that time. Ted explained the reasoning for the change to Tony. Jan reiterated that all information regarding voted / approved bylaw amendments can be found on the chesapeakehaven.com website or by visiting the Cecil County repository website at mdlandrec.net. Ted advised that in the Spring of 2020 the board plans on revising the bylaws so they are current as well as providing all members an updated copy to include a copy of the covenants and restrictions that are on file.

President Jan-Bickford Morrow inquired from those in attendance if there were any questions to the proposed amendment bylaw changes. There was no response by those in attendance.

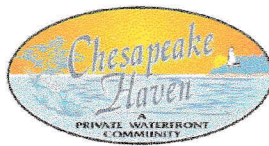
2. Road Maintenance Cost Increase was covered in the discussion above.
3. President Jan-Bickford Morrow thanked everyone for their help with clean-up in the community.
4. President Bickford-Morrow thanked those for helping out with the downed trees during this past year's storms.
5. New Neighbor welcome:
  - a. Rodney & Lynda Letts – 52 Ohio Avenue
  - b. Thomas & Diane Solimeo – 165 Connecticut Avenue
  - c. Casey & Tonya Gibson – 60 Rhode Island Avenue
6. Board Election Tally of Votes:

Ballots were tallied by Shirley Jones and Deb Heath (Thank You!) and the results are as follows:

Total ballots received (26), Total valid ballots sent out of (73) = (61). Total ineligible: (12)

All candidates ran unopposed as listed below.

<b><u>President</u></b>	Ted Heath	16 Yes	10 No
<b><u>Vice-President</u></b>	Jan Bickford-Morrow	15 Yes	11 No
<b><u>Treasurer</u></b>	Galina McKee	11 Yes	15 No
<b><u>Secretary</u></b>	Brian Bennett	13 Yes	13 No
<b><u>Director</u></b>	Marshall Leffew	21 Yes	5 No
<b><u>Director</u></b>	Sarah Jensen	16 Yes	9 No
<b><u>Director</u></b>	Open Position	(To be filled upon commencement of new term)	



Chesapeake Haven Homeowner's Association, Inc.  
158 Ohio Avenue  
Earleville, MD 21919  
Chesapeakehaven.com

Fall 2019 General Meeting & Board Election Ballot Tally – November 16, 2019

### **Ballot Amendment Results:**

#### **Ballots for Chesapeake Haven Homeowners Association By-Law Amendments**

1. Members who are unable to attend the CHHOA General Meetings miss out on opportunities to vote on items presented during the meeting that require a member vote. Additionally, it is difficult for the CHHOA Board to maintain confidentiality to any member who is not in good standing and ineligible to vote if they are identified during a public meeting. Therefore, the following amendment is proposed to support the members' rights.

**AMENDMENT:** In order to provide all members an opportunity to vote on any actions, all HOA business that requires a general membership vote must be conducted by written, mailed-in ballot.

**YES 28 No 2 (PASSED)**

2. One of the redeeming qualities of Chesapeake Haven is our deeded beach. Owning property that has water access has many benefits, including the increase in home values. In order to protect this deeded commodity in the interest of all members, the following amendment is proposed:

**AMENDMENT:** As Members of the community with deeded common area rights, at no time shall any person, contractor or entity be permitted to construct on or modify the platted area labeled as "Reserved for the use of Land Owners", better known as the beach. Any such changes must be managed through the CHHOA Board and a general membership vote by written, mailed in ballot. Legal Reference: "Revised Plan, Part of Chesapeake Haven, Section A", which plat is recorded among the Land Records of Cecil County in Plat Book W.A.S. No. 4, Folio 16, and also as shown on a plat entitled "Final Subdivision Plan, Revision of Blocks 34, 35, 36, Section A (Revised), Chesapeake Haven", which plat is recorded among the said Land Records in Plat Book W.A.S. No. 4, Folio 44.

**YES 24 No 5 (PASSED)**

3. Ballots are supposed to be managed in such a way as to eliminate any doubt on the validity and totality of submitted votes. To ensure the voting process is fair, yet transparent, a process will be implemented to support the voting process and maintain the credibility of the process. The following amendment is proposed.

**AMENDMENT:** All association voting requiring the tallying of votes will be handled via a 3rd Party as to protect the integrity of any election, potential bylaw change or any other CHHOA business requiring a membership vote.

**YES 21 No 8 (PASSED)**





**Chesapeake Haven Homeowner's Association, Inc.**

**158 Ohio Avenue**

**Earleville, MD 21919**

**Chesapeakehaven.com**

**Fall 2019 General Meeting & Board Election Ballot Tally – November 16, 2019**

**2020 Budget- Tally of Votes**

Ballot for the 2020 Operating Budget

**Yes 17 No 9 (PASSED)**

**71 Billable lots @ \$230**

**1 Prorated lot @ \$195**

The increase for the 2020 proposed budget is driven mainly by the costs of road maintenance and the anticipated legal fees. The cost of gravel and stone has increased over the past year. In order to maintain the roads, we must add the estimated increase to our 2020 operating budget.

The Board has been frugal over the past two years and legal expenses have been minimal. Several past due accounts were resolved over the past year. Unfortunately, there are some accounts that remain past due by more than two years. The board has made every attempt to resolve these open accounts and will need to engage legal counsel to resolve them.

To minimize the impact for the 2020 annual dues, a withdrawal from the reserve funds and an increase of \$10 per billable lot is proposed.

<b>Proposed 2020 Operating Budget</b>		<b><u>2020 Budget</u></b>	<b>\$19,828.00</b>
Mosquito Control	\$ 600.00	From Reserves	(\$3,303.00)
Insurance	\$ 628.00	Balance	\$16,525.00
Maintenance / Repairs	\$ 1,200.00		
Snow Removal	\$ 1,100.00	<b><u>71 Billable lots @ \$230</u></b>	<b><u>\$16,330.00</u></b>
Legal	\$ 3,000.00	<b><u>1 Prorated lot @ \$195</u></b>	<b><u>\$ 195.00</u></b>
Office Supplies & Postage	\$ 300.00	Total Billable Dues	\$16,525.00
Roads Routine Maintenance	\$13,000.00		
CHHOA Website & Software	\$ -		
Business Registration	\$ -		
Total Operating Budget	\$19,828.00		



Chesapeake Haven Homeowner's Association, Inc.  
158 Ohio Avenue  
Earleville, MD 21919  
Chesapeakehaven.com

**Fall 2019 General Meeting & Board Election Ballot Tally – November 16, 2019**

**Other:**

Rae Ann Matherly discussed personal thoughts about the community and how we need to come together to help one another and stop the fighting and bickering on Nextdoor. She offered her and her husbands (Jody) help if there is a need in the community.

Mrs. Molyneaux inquired as to the condition of properties on Connecticut Avenue. Mrs. Molyneaux expressed her view as to the unsightly conditions. Jan advised that Galina McKee went to them and asked them to clean it up. Jan also stated that the conditions of these properties have a negative impact of property sales within the community. Jan also stated that neighbors called the Board of Health on this issue as well but received no assistance regarding the large amount of trash piling up. Mr. Meffley suggested that we forward information to him the next time and he will pass it to the correct department on our behalf.

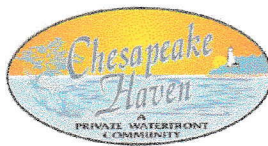
Jan stated that the Board made a decision to change the lock on the mailbox and explained in detail as to why this needed to be done. Jan stated that she checked the mail and there was a piece of mail that did not make its way into the mailbox by normal postal delivery. Jan stated that a ballot in the return envelope was placed in the CHHOA mailbox without a postmark. Jan also stated that to protect the integrity of the secret ballot process, the Board made a decision to have the mail held the day the ballots were mailed out due to suspicious activity with the CHHOA mailbox in the past. During the period of time the hold was placed, unposted mail was set in the mailbox on (2) occasions. The Post Office confirmed the only way that could be done if someone had a key. A cost of \$40 dollars is needed to replace the lock on the mailbox. The mailbox keys are not to be duplicated and it was pretty obvious that this was done in the past. Going forward, keys will not be duplicated and if the need should arise, a lock change would then take place, if necessary.

Kay Kehler asked Jan Bickford-Morrow how many ballots were sent out and how many invalid ballots were sent out as well. Jan advised that out of 73 properties, 12 properties received invalid ballots. Ted Heath explained the reasoning behind the balloting and the way the Board went about it this year. Ted explained that a deadline was given and that Brian Bennett had posted twice on Nextdoor about the need to receive names by the deadline to have one's name place on the ballot. Only one member from the community contacted the Board to have their name placed on the ballot.

Francy Cross requested that Board Meetings be announced with advanced notice to the members of the community. Ted Heath stated that moving forward, that the Board will announce all meetings.

Jan Bickford-Morrow stated that any open position on the Board will be addressed as to the position of Treasurer and Director.

Dave Cross questioned Brian Bennett as to this reply on Nextdoor in regards to HOA funding used for the Revetment that did not develop. Brian Bennett stated that monies were paid to Dave Cross without approval from members from the Association as the amount of the check written was over the \$500.00 threshold requiring membership approval. Jan Bickford-Morrow stated that during the 2018 audit, it was revealed that a payment was made and



**Chesapeake Haven Homeowner's Association, Inc.**

**158 Ohio Avenue**

**Earleville, MD 21919**

**Chesapeakehaven.com**

**Fall 2019 General Meeting & Board Election Ballot Tally – November 16, 2019**

that there were not sufficient receipts, statements or a community vote to approve payment. Dave Cross mentioned that he would try to come up with documents to provide the Board of Directors as to proof of said claim. Ted Heath explained that when the vote to approve the revetment plans took place, insufficient voting procedures took place to have the motion pass. Brian Bennett stated that his post did not identify any one person involved.

There were questions about the beach stairs and the urgent need to repair/improve the stairs in its entirety. Ted Heath explained that he sought out estimates from various contractors and did not hear back from any of them. We will continue to pursue estimates for this work to be done.

Tony Meenan proposed that we consult with government agencies and the MD Dept. of Natural Resources in regards to protecting the beach/cliff areas. Tony suggested that a small committee of members to include professionals from Universities to try and find solutions to the erosion problem that we have been dealing with in regards to the beach/cliff areas. Ted Heath explained his view and expressed that if anyone wants to come forth and help out and form a committee, please do. Tony stated that if anyone has interest, please contact him via email.

There was a brief discussion about unwanted cars or untagged vehicles on properties within the community. Jan Bickford-Morrow asked Council President Meffley if there was anything the county could do. Mr. Meffley stated that if we had any issue, to contact him and he would forward our complaint to the right department to see if the situation could be rectified. Ginni Burns stated that she has an untagged car in her driveway that she has been trying to get rid of for quite some time. Ginni stated that the person she had to get rid of the car had not made it down this way as of yet.

Jan Bickford-Morrow asked John Molyneaux if he was okay with staying on as the representative for the County Mosquito Spraying program. John acknowledged and he stated that he would. Jan thanked him for his service as being our "Mosquito Czar".

President Jan Bickford-Morrow motioned for adjournment of the meeting, seconded.

Meeting adjourned at 1224 hours.

Respectfully submitted,

Brian Bennett

