

Minutes Meeting December 2nd 2008

The meeting was started at 8:00 PM

Board members present:

Renee Layshock, Don Wood, Gerry Ridgeway Steve Fletcher, Kathy Buller, Mike Frye, Rick Marsaleak, Mike Frye asks all to turn in their votes to the teams counting the votes.

Mr. Bill Johnson from the American Legion announced a program to the community where the Legion purchases electricity in a coop for reduced rates. Anyone that was in the military can join the American Legion. Anyone related to someone in the military can join an American Legion affiliate organization and enjoy the many community events the American Legion puts on. There are many reasons to join, and the electric coop is a great reason. Someone mentioned that 75 cent beers are also a nice benefit.

For current American legion members: Sign up time 10AM to 4PM Saturday Dec. 27 2008 to get the lower Electric rates. For eligible Veterans, after submitting your application, Members of the Legion will vote to approve your membership at their next meeting. A future sign up date will be announced. Mike Frye commented that we are trying to work closer with the American Legion.

Bylaws discussion:

There was a discussion about changing the bylaws. While the bylaws are clear about what it takes to pass a change in the tax, there was a discussion about what it takes to pass changes to the bylaws.

Mike stated that the last four presidents agreed along with two of the authors of the bylaws that to modify the bylaws takes a 2/3 of the voting community.

William Trepp, Linda Nann and several other residents argued that it takes 2/3 of the entire community. Mike stated that there has never been a vote or an issue where 2/3 of the 599 houses voted on anything in the last 15 years and the bylaws have changed several times since then.

At the meeting it was decided to wait and see how the vote turned out before further discussion.

What the board will likely do is to honor the bylaws vote, but do the following:

In March or April, we will send out the same voting form with the bylaw changes. In addition, we will also fix the vague language in the bylaws so that we don't have to cross this bridge again. We will give ourselves months of time to get the entire community to vote to fix the bylaws. This will be a door to door campaign.

Approval of the budget:

Mike Frye made a motion to approve the budget. Herb Stassie seconded the motion. The copy of the budget was handed out.

There was a question on why the accounting fees have increased. The answer given was that the price of accountants went up. In addition, the community asked that all the funds be reviewed by the accountant. This will cost more.

A vote was taken. The vote to pass the budget was unanimously approved.

Miscellaneous:

Marjorie Flinchum asked that someone attend the Severna Park Police commission meetings.

Nancy Rando commented that the budget was in a easy to read format and thanked the board.

William Trepp reminded the board that the Marina's board meeting was in early December. Bill Stark attended this meeting.

Mike Frye commented that it would be nice if there was a community Kayak that folks could take out for a paddle. Drew Paylor mention this may be a liability if someone drowns while going for a ride.

Drew and Leeann Paylor asked that community notices also get posted on the community center door or nearby suitable area. The comment was it's a bit difficult to stop and read the sign with traffic going by.

At this point, there were no more issues and we paused the meeting while the vote was checked and rechecked.

Mike Frye asked Bill Trepp if he wishes to make a motion to have the community discuss and vote on supporting the neighbors who have petitioned against the Alamo. Mr Trepp declined to bring this topic to the community as this time.

Voting:

We had a group of board members along with a group of volunteers from the community count the vote. So that it would be fair the teams count the votes and then exchanged batches so the other teams could verify the votes. The following is the tabulation:

Measure	COUNT	
	FOR	AGAINST
Tax Increase	165	57
Refund clause >65 and establish a grandfather date.	182	38
Refund clause #2 and establish a grandfather date.	178	42
More flexible meeting dates	182	35

Board Seats:

Mike Frye stated that Marcel Lee has resigned from the board and stated that we have two open positions. Paul Tonello volunteered to join. The vote to approve Paul Tonello was unanimous

Mike Frye stated that Mark Sheid may want to volunteer for the remaining board seat. Mike stated while he has very different opinions from Mark, he really likes the discourse and Mark's thought process.

Mark Sheid was unanimously approved by the members present

Alamo issue was not brought up for any type of vote

2. any proposed sale, purchase or trade of real property; and
3. any proposed increase or decrease in the annual assessment per tax account.

The Secretary shall mail the ballot to the entire membership no later than 30 days prior to a general meeting at which the vote is scheduled to be tallied. Completed ballots may be returned to the MBCA post office box, postmarked no later than 5 days prior to said meeting or individual members may present their completed ballots in person at the meeting prior to the count. Vote results shall be announced at the general meeting if available and published in the MBCA newsletter.

ARTICLE XIII - Quorum

Fifteen members shall constitute a quorum at a membership meeting. At a Board meeting, a majority of the board members shall constitute a quorum.

ARTICLE XIV - COMMITTEES

A. All standing committees shall be appointed by the Board of Directors. The President may, at his discretion, appoint ad hoc committees. The President may designate a Board member as liaison to each committee.

B. All committee meetings are open to association members, unless the Board determines that it is in the best interest of the community to close a committee meeting.

C. Each of the standing committees shall be responsible for a project or program and shall have the full support of the Association in such activity as approved by the Board of Directors or the membership.

D. The following are the standing committees:

1. Clubhouse

2. Nominating

3. Community Easements/Real Property

4. Recreation and Youth Activities

5. Community Development

6. Civic Affairs

7. Environmental

ARTICLE XV - AMENDMENTS

The Constitution and Bylaws may be amended by a two-thirds vote of the membership.

Approval By Board:

President Cliff Roop and Secretary Michelle Cattaneo on June 6, 1995

Approval By Membership:

THE CONSTITUTION AND BY-LAWS
of MANHATTAN BEACH CIVIC ASSOCIATION

ARTICLE I - NAME

The association shall be known as the Manhattan Beach Civic Association, Inc.

ARTICLE II - OBJECTIVES

To promote the general welfare of the residents of Manhattan Beach, Anne Arundel County, Maryland; to improve Manhattan Beach; and to regulate the community beaches, community piers and docks, the community property of Manhattan Beach, and the streets and sidewalks that are not within the control of the state, county or local governments. In addition, this organization seeks to promote social activities and community events within the community.

ARTICLE III - MEMBERSHIP

- A. Any owner of real estate within the boundaries of Manhattan Beach, (defined as that area bounded by Ritchie Highway on the West, Cypress Creek on the North, Dividing Creek on the South, and the Magothy River on the East) shall be a member of the Manhattan Beach Civic Association. This definition does not include any individuals that own storage units with associated slips in any marina within the boundaries of Manhattan Beach, unless they own other real estate in Manhattan Beach.
- B. Proof of membership shall be in the form of a current tax statement.
- C. Members are responsible for notifying Anne Arundel County and the MBCA Secretary of any change in their tax account status or mailing address.
- D One membership is allowed per tax account.

ARTICLE IV - Dues and Special Tax Benefit District

- A. There are no dues payable by any member of MBCA while the Tax Benefit District provides funds to the Manhattan Beach Civic Association.
- B. The following rules apply to the receipt of any funds by MBCA from the special benefit tax district:
 1. The Board shall recommend, and the membership vote, on the amount to be taxed per tax account and the budget of monies received;
 2. a. A 50% rebate will be provided by the MBCA to any member 65 years or older if that member: i) makes a written request within the year the rebate is being sought; ii) was a member prior to January 1, 2009; and iii) provides proof that they paid the tax bill for the year they are seeking the rebate. Provided that the Board first determine that sufficient funds exist to pay the rebate.
 - b. A refund of taxes will be provided by the MBCA to any member whose property is being threatened with foreclosure: i) upon written request received within the year the refund is being sought; ii) if the requestor was a member prior to January 1, 2009; iii) the member provides proof of the threatened foreclosure; and iv) the member provides proof of tax payment for the year they are seeking a refund. Provided that the Board shall first determine that sufficient funds exist to pay the refund.