

**OPPOA/OLDE POINT MEETING ON ROADS
MONDAY, JULY 27, 2009
HAMPSTEAD COMMUNITY BUILDING**

CALL TO ORDER

President Terry Peters called the roads meeting to order at 7:07 PM. Present at the meeting were board members Loretta Greenough, Mark Dodds, Bill Mueller, June Steiert, Treasurer Jim Fisher and Secretary Martin Kinney.

PRESIDENT'S COMMENTS

President Peters welcomed everyone and began by explaining that the intent of the meeting was to share information about Olde Point roads, and then hear questions and comments from residents. He said the OPPOA Board would not be advocating any position during the meeting. He then gave a brief history of Olde Point roads saying that there are 24 roads, 8 of which are state controlled, and the others private; in 1990 Olde Point Associates took over the development under Mr. Pinson; for the state to take over roads there have to be 2 residences per every tenth of a mile; in 2004 and 2006 OPPOA discussed repairing the roads, but Mr. Pinson ignored the requests; in 2006 the OPPOA Board approved road repairs for \$43,000. Mr. Pinson ignored the request to reimburse OPPOA. The board then approved a lawsuit to make Mr. Pinson pay; Mr. Pinson attempted to quitclaim the deed to the roads to OPPOA; OPPOA refused to accept the quitclaimed deed; it was determined that Mr. Pinson had foreclosed on his remaining 3 lots in Olde Point; Mr. Pinson had offered OPPOA \$5,000 as partial reimbursement for the \$43,000 road repair. The OPPOA Board decided to accept the partial reimbursement with no strings attached and decided not to pursue further legal action at this time; the OPPOA attorney believes the private roads still belong to Mr. Pinson.

ROADS CHAIRMEN REPORTS

Bill Mueller, former roads chairman, stated that DOT said to take over the roads in question across the bridge, there had to be no obstructions within 7.5 feet from the roads; they will not take over the roads piecemeal; they have taken over Coots Trail; people can re-apply to have DOT take over roads; OPPOA spent \$3,500 last year to repair private roads; and there must be 70 feet radius in a cul-de-sac for DOT to take over the road.

Larry Crane, current roads chairman, stated that there is no issue of DOT taking a road over if the road comes up to standard; some roads were not originally constructed to state standard; the OPPOA lawyer says that Mr. Pinson still owns the private roads; OPPOA could do small repairs or inquire about how much it would take to bring all roads up to standard; OPPOA could have a special assessment for roads, but it would be brought to members first.

President Peters said Coquina and Gull are not up to standard. Donations were used to make the minor road repairs last year.

QUESTIONS, COMMENTS, AND RESPONSES

Resident (R): Do any private roads meet state standard? Mr. Mueller said yes, and that residents on some private roads did the prep requested by DOT, but they were still not up to standard.

R: County statutes say that the HOA is responsible for liability. OPPOA: Mr. Pinson is.

R: Can residents sue Mr. Pinson? OPPOA: Yes, but collecting anything would be very doubtful.

R: OPPOA should be careful to ensure that they can afford to own the roads, if it comes to that.

Ms. Greenough pointed out that on the property disclosure form, it asks if there is a roads maintenance agreement.

R: Is Shearwater thick enough for DOT? OPPOA: Yes.

R: If it was such a battle to go from \$35 to \$50 dues, how can we raise the money to repair the roads?

OPPOA: The Coots Trail HOA has collected money for years for road repair.

R: Can you make a special assessment for roads you do not own? OPPOA: No

R: The obstructions on Cordgrass keep changing. Can we believe DOT? OPPOA: DOT standards change, similar to how building codes can change.

R: If OPPOA takes over the roads they need to be careful. Did Olde Point Estates own the roads before the state took over? OPPOA: Yes, and our lawyer says OPPOA needs to own the roads before improving them.

R: We should not assess the public roads people to improve private roads.

R: Please clarify whether Mr. Pinson's quitclaim deed is in effect. OPPOA: Our attorney says that OPPOA does not own the private roads.

R: Some people would not mind putting in to a kitty for roads on a volunteer basis. OPPOA: We would be liable if we repair the roads.

OPPOA: It takes a 50% plus 1 vote for a dues increase; but the board could decide on an assessment.

R: We should get in writing from DOT what is needed for them to take over the roads, and we need a cost estimate of what it would cost to prepare the roads for takeover.

R: Residents on private roads should pay for their own roads repairs.

R: The \$35 donation from Section VI should be dues.

R: The bylaws of 1990 gave OPPOA authority over all Olde Pont residents.
OPPOA: Our attorney says that is not the case.

R: We should own the roads and the board should get on with it.

R: We need a show of hands to see how many people want OPPOA to own the roads (a majority voted yes). Another resident pointed out that there were many more people attending the meeting who lived on private roads.

R: Would OPPOA develop some standards to take over the roads?

R: Would there be a problem collecting assessments?

President Peters thanked everyone for attending.

ADJOURNMENT

At 8:45 PM the meeting was adjourned.

Roads that will never be owned by the state.

1. Ridge Rd.
2. Golf View Rd.
3. Wedge Rd.
4. Mill Dam Rd.
5. Marshview Rd.
6. Coquina Rd.
7. Sea Turtle
8. Skimmer Cove
9. Button Bush
10. Osprey Dr. Cul-de-sac
11. Gull Cul-de-sac

Roads that need to be brought up to standard.

1. Oyster Catcher. Dr.
 2. Osprey Dr.
 3. Cordgrass Rd.
 4. Shearwater Dr.
- Gull Rd.