



# White Horse Park Times



January 2020

HAPPY NEW YEAR !!!

\$ PRICELESS

## Wishing Peace, Health and Happiness to All in W.H.P.

### PARK MANAGERS REPORT

I hope that everyone had an enjoyable holiday season. Just a reminder, please do not use the dumpsters that are off on the side. We are only paying for four cans once a week. The next BOD meeting is scheduled for March 21, 2020 at 10AM. The location will be in the next newsletter. We are searching for an alternate location, and we are considering cost and capacity. This is an important meeting, as the budget will be discussed and approved. The budget draft will be in the next newsletter.

I must earnestly apologize for my miscalculation concerning the recent water/sewer increase. I realize this has caused a great deal of confusion among the membership. Mistakes were made and I attempted to reconcile them (see November and December Newsletters). The actual charges should be water 46\$ + dues 97\$ = 143\$. HOWEVER, I asked everyone to pay 30\$ for water and sewer. I misinterpreted 4\$ increase to be monthly, when it was actually quarterly. After consulting with the BOD and Baker & Associates, we have decided to keep the dues at \$135 per month to avoid any further confusion. The 30\$ that I billed for water and sewer is also due as a one-time charge.

Please pay 135\$ per month, and please pay 30\$ one-time charge, and this will take us through the end of the fiscal year. We will adjust for any short-comings in April.

I also wanted to let everyone know that, in an effort to help Baker and Associates to transition smoothly into their position as our new accountants, the BOD decided to provide web hosting so that we could have read-only access to Quickbooks in the office. We are able to see your account, and we will be able to print anything that you may need.

Finally, I have verbally suggested that I will be submitting my resignation to the BOD. I am planning on staying until the end of March.

### President's Corner

Dear WHP Community,

The BOD wishes you a Happy, Healthy 2020! We are looking forward to better days ahead for White Horse Park.

As you know, our BOD voted unanimously to respect our attorney's advice and join, as a defendant, the suit the full-time group filed against Worcester County. Our Park is entering our 4<sup>th</sup> year of the occupancy controversy, and this Board's goal is to resolve the matter so that we can work even harder to restore our community.

There are differences between County Law and our Park Declaration, and in terms of enforcement, we are relying on the court for clarification. At this point, our BOD is compelled to enforce our Park Declaration, as required by the Declaration, By-Laws, and by Worcester County.

WHP By-Laws Article II Definitions Page 2 "Member in Good Standing" means a member who is not delinquent in any Association assessment or other obligations, who follows WHP rules and regulations, and whose actions are not detrimental or inappropriate to the Association. WHP Declaration XII 12.2 state; The Board may suspend all voting rights, all rights to use the Association's common areas, and all other rights or privileges of membership of any owner for any period during which any Association Assessment or other obligation remains unpaid, or during the period of any continuing violation of the provisions of this Declaration by such owner after the existence thereof has been declared by the Board.

The Board would like to thank all of those members who have provided the prescribed forms of proof of Primary Residency. As a reminder, those members who live in White Horse Park and use that address as your primary residency are in violation of the Declaration 3.1. It is necessary to correct that infringement in order to remain a Member in Good Standing.

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IF YOU HAVE CONCERNS ABOUT YOUR MEMBER IN GOOD STANDING, PLEASE CONTACT THE OFFICE. TED AND JANICE HAVE A LIST AND CAN LET YOU KNOW. OUR HOPE IS THAT PEOPLE WILL COME INTO COMPLIANCE. PLEASE SEND YOUR DOCUMENTS TO THE OFFICE. KEEP ACCOUNTS CURRENT. THANK YOU FOR YOUR COOPERATION!

According to Article IV Section 1 of the By-laws, any person who desires to attend a meeting of the members may be required to furnish such evidence of his or her identity, such as, a driver's license, or another piece of identification, to be admitted and to vote. The Association shall maintain adequate records showing the names of the members and the date of their membership.

**We will be requesting to see ID for each lot owner desiring to attend the Open Board Meeting. It will be used to verify ownership in our community as well as to verify "Member in Good Standing" status.**

**\*\*PLEASE BRING YOUR ID TO BOARD MEETINGS \*\***

**We have decreased the number of meetings; our plans are to be productive. In March members can meet Baker and Associates, hear from Matthew Chance, our auditor, and get an update about what we have been working on in the off season. Our Park Manager Ted Gajewski has notified us of his plans to retire and by the March meeting we hope to have the next park manager in place to introduce to the membership. There will also be an opportunity to weigh in on the upcoming budget. PLEASE PLAN TO ATTEND THE MARCH 21, 2020 meeting at a location TBD.**

**\*\***

PLEASE SEE THE Q & A ATTACHED TO THIS NEWSLETTER FOR CLARIFICATION ON MATTERS THAT CAME TO US THROUGH THE SECOND HALF OF DECEMBER 2019.

Please also visit the community updates section of the website. The welcome letter from Baker & Associates, LLC has been posted to address questions about payments. The letter was attached to the December newsletter, but we wanted to make sure all are aware of the information!

**Cont..**

We have attached another article, with payment information, in with this newsletter. Please send your payments directly to the addresses that Bob and Vonnie Baker suggest. This is the most efficient way to handle the payment. Otherwise, your payment is held in the office until the Bakers pick it up and take it to the location that they specify on their payment information sheet. A few folks have had issues with checks getting lost. We want to decrease potential for this problem. Thank you!

Please be sure that you have a current email address, on file, with the WHP office, so that you can receive communications in a timely fashion.

Ted and Janice have mailed a letter, to you, from our Park Attorney. You should have received this communication via snail mail. The letter is also posted on our website under Community Updates. If you have not seen the letter, please call the office to request a copy.

We are looking forward to Boat Show season and the anticipation of the spring and summer season of 2020. It is our sincere hope we can reconcile the division in White Horse Park and that each and every member and their guests will not only be able to enjoy our beautiful community but will be comfortable and happy doing so.

Finally, if you have been silent, now is the time to get involved. Our hope is that people will feel safe, peaceful, and relaxed in their own vacation community. Be part of the solution in 2020! Please reach us through the website at [whpca.org](http://whpca.org) with any questions or concerns.

Sincerely,

Your WHP BOD

*White Horse Park Community Association*

c/o Baker & Associates, LLC \* P.O. Box 5429 Ocean City, MD 21843 \* 410-723-9495

- Pay Online by visiting [www.revopay.com/whw](http://www.revopay.com/whw):
  - By Electronic Check/ACH (No Fee) – Same as writing a check, but more efficient!
  - By Credit Card (2.95% Fee will be added)

Online Payment can be set up as one-time or recurring, for your convenience

- Pay by mail by enclosing your check or money order and sending to

White Horse Park  
c/o Farmers Bank of Willards  
P.O. Box 3624  
Ocean City, MD 21843

- Use your personal on-line banking. Just make sure you reference your lot number and make it payable to "White Horse Park" and use above mailing address.

## **Curious Questions from Lot Owners**

*This list has been compiled from emails to the BOD and questions posed during the week of 12/16/19 and through 12/29/19.*

*\*\* Please note, we will not be reading or responding to e-mails again until January 7, 2020.*

### **Merry Christmas and Happy New Year!!!!**

#### **Why is the BOD taking action against full-time residents?**

In September, the Worcester County Staff reported on the WHP full-time residency, outlining prohibitive costs and recommending off-season closure. In an effort to prevent WHP closure (which would have had a negative impact on all owners) the Board initiated communications with Worcester County. The Board's intention IS to bring the Park into compliance with WHP Declarations/County Law. WHP was approved only for seasonal occupancy.

#### **Why didn't the Board leave the decision between the Full-time group and the county?**

465 owners within WHPCA have a vested interest in any decision which might allow any portion of its Declaration to be substantially altered, ignored and/or neglected without input from the entire community.

#### **Why has the Board Meeting Schedule been changed?**

The BOD hopes to encourage community members to become more active and involved. We hope to decrease the travel and time demand on Board Member Volunteers. Other seasonal community associations meet when more members can be in attendance without having to travel exclusively for the purpose of meeting. With technology as it is, our hope is that we can maintain open communication without having to meet every month in the spring and summer. Our website and newsletter add to this communication.

#### **Who authorized the Board to hire an accounting firm. How much do they cost?**

The WHP CA By-Laws Article VI Section 1 (a-j) states the BOARD shall manage and control the affairs of the Association. Discrepancies pointed out in a recent audit indicated a need for outside professional accounting. In addition, the cost to obtain full-service professional accounting and relieve the Park manager of that responsibility will **save the park money** with the elimination of an office assistant position and with no more need to pay our previous accounting company.

**Are the Bakers going to provide Property Management Services to our community?**

No. The Board decided to employ Baker and Associates to handle only our accounting needs based on the audit report and recommendations. Our community is a multi-million-dollar entity. Our decision is in line with our fiduciary responsibility to the community. The Board's goal is to have a park manager who will work collaboratively with Bob and Vonnie Baker to improve the financial health of WHP.

**Who Authorized Melissa to serve as Acting President? Why isn't Barb Price President?**

In July, Brian Fenstemacher resigned. This was immediately following the 2019 election. Tom Molyneaux resigned a few minutes before he was due to preside over the August Board Meeting. These resignations left three newly elected board members (Melissa Peters, Norm Ross, and Tim Mummert). Melissa Peters (who received the highest votes in the recent election) was elected Acting President by the other Directors of the Board, *unanimously*. In an effort to respect the wishes of the membership, the three maintained the business of the BOD until a whisper to appoint new members became a cry. Barbara Price offered her experience and mentorship to the BOD with the caveat that she would not desire to serve as president. With Melissa Peters in place as Acting President and with the ruling by park attorney Mr. Almand that her position was appropriate, the BOD respected Barbara Price's desire and accepted her offer to assist.

**How is it possible to use the Park Attorney to file the intervention against the county?**

The attorney is representing the Association, the rights of all 465 members, at the Board's direction. His goal is to protect our Association while bringing the residency matter to a swift conclusion.

The BOD *unanimously* approved WHP attorney's recommendation.

**Why are dues being raised before the end of the fiscal year?**

The WHP CA By-Laws Article VI Section 1 (a-j) states the BOARD shall manage and control the affairs of the association. The BOD must do what is fiscally responsible at a time they see a need. In concert with the By-Laws and Declarations, the amount of the increase, up to 15%, and its timing, is at the discretion of the BOD in good business management decision making.

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In order to pay for additional costs related to the operation and function of WHP, money is being taken from our reserves. Depletion of the reserve to cover operating expenses is

damaging to the financial health of our association. We are currently in a position where our reserve is very low compared to future need.

**What will joining the lawsuit cost homeowners?**

We have not been billed for this service. The final cost will depend upon how contested the case becomes.

**What was the vote tally, on the Board, to decide to intervene in the lawsuit?**

The decision was *unanimous* (fully in agreement). This means that 5 out of 5 Board Members agreed to follow the advice of our attorney.

**Who has stated that the Association wants the Park to remain seasonal?**

The survey that was conducted in April 2019 demonstrated that the majority was not willing to financially support a special assessment for infrastructure upgrades. Calculations on the survey compilation also show that the Association needed 26 more “NO” votes and 136 more “YES” votes to amend our Park Declaration in favor of full-time residence (under the premise portrayed by the full-time group that there would be no cost associated with permission). A question was presented at the meeting of the planning commission. Is the community willing to pay for the upgrades required? The community representative advocating for the “full-time group” stated that she could not speak on behalf of the community regarding their willingness to pay. The Worcester County Staff power point report, on the whpca.org, addresses water and sewer upgrades that would cost approx. 4.2 million dollars. It is the Board’s understanding that infrastructure upgrades would also be needed in order for zoning to permit full-time residency. According to the survey, only 57 people indicated willingness to consider a special assessment. One person indicated a willingness to pay \$10,000.00. Most others were extremely lower. The average of those 57 responses was a willingness to pay \$1087 for each of the 57 lots, with a median of \$500.00. We don’t have the funding to support the initiative to convert White Horse Park into a community that will allow full-time residence.

**What does it mean to be a “Member in Good Standing”?**

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assessment or other obligation remains unpaid, or during the period of any continuing violation of the provisions of this Declaration by such owner after the existence thereof has been declared by the Board. In addition, under WHP By-Laws ARTICLE III Association Membership, Section 5. the Board may suspend the rights of (c) any member whose action or conduct is detrimental or inappropriate for the Association's welfare, and (d) a period to be determined by the Board, for repeated violations of the By-Laws or of the rules and regulation of the Association.

*Regarding False Statements that have caused concern:*

*1. The Audit Was Not Budgeted, yet it was ordered by the prior BOD. It was due to be completed in JUNE, and the new BOD had to work hard to facilitate responses from our park manager and accountant. The audit was completed in OCTOBER. The delayed responses caused an added charge to our community of \$1,000.00.*

*2. Bob and Vonnie Baker were hired as a result of the Audit Report Commentary. In summary, the accounting was improper, there were no internal controls, and there was no oversight. Our books haven't been audited in approximately 5 years.*

*3. Dues Increase was known by prior BOD. At the June 2019 Annual meeting, the Park manager specifically stated the need for an increase (see minutes).*

*4. WHP has a choice- Increase dues to maintain the quality of WHP, or let the assets deplete & depreciate in condition, diminish the amenities for the membership, and require large special assessments annually.*

*Please consider, the BOD are members as well. We are all impacted by decisions made for our community. We do read all emails, website responses and Facebook comments. We try to reply in a timely fashion. Please don't hesitate to reach out to us with questions. We will address your concern.*

*Positivity is the route to a healthy WHP. Thank you for the opportunity to serve.*

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