

**DPOA Open Board Meeting
1 September 2009**

President Mario Feola called the meeting to order at 3:05 PM in the Diamondhead Country Club in accordance with the Bylaws Sections 5.5 and 5.7.

Board Members present: President Feola, Vice President Jim Hunt, Secretary Nicole Boisdore', Treasurer Gordon Walker. Directors: Don Crosby, Stewart Nutting, Durell Pellegrin, Bert Schnadelbach and John Yarbrough, and Gerald Ward. Ex-Officio: Don Kraemer

Guests: General Manager John Enxing, Comptroller Pam Tomasovsky, A&E Director Darrell Kinchen, Betty Blakeney, administrative assistant. Approximately 20 POA members in attendance as well.

Minutes: Secretary Boisdore': Meeting minutes of 4 August 2009 meeting were submitted to the DH News on schedule for publication in the September edition but were omitted due to lack of space, according to the editor. The Board unanimously approved notifying the public by eblast that the minutes are available at www.diamondheadms.org

General Managers Report: Mr. John Enxing

Department Updates: Below are updates since the August board meeting.

Golf Course Maintenance: *all greens aerated and top dressed. Cardinal being prepared for the MS Senior Women's Amateur Championship next week. Raising mowing heights on fairways, tees and greens in preparation for winter. Rough height remains the same. Catching up mowing on secondary rough due to wet weather. Getting quotes on fall pre-emerge for application in the first week of October. Waterways: Board awarded dredging contract to Pink Marine who is securing permits. Contract is under legal review. Pink marine advises they should be permitted and beginning dredging operations by mid October (45 days).***Country Club:** *There is a slight buckling on the dance floor in the Ballroom. The installer is due back to inspect the defect and resolve. They have given us a new floor which will be installed at zero cost to DPOA. Until further notice, Fine Dining will be on the FIRST Saturday of each month ONLY.***Marketing:** *Booking new golf groups including TN Seniors Golf (40 members) for April 2010. First Annual Ace of Hearts tennis tournament to be held in February 2010. Looking into the possibility of bring "murder mystery" dinners to the club. South MS Living will review the restaurant at the club this Saturday for the October issue. DHCC will participate in Toast to the Coast, an annual food and wine event in Pass Christian with 300-350 attendees on October 16-2009.*

Comptroller's Report: Pam Tomasovsky.

The full financial report will follow the minutes.

Old Business:

1. **Checking Account Procedures:** Crosby moved that the delegation of authority for committing the corporation financially shall be as follows: All checks will be signed by the DPOA Comptroller with single signing authority up to 5,000. Any commitment

above \$5000 requires dual signatures of the Comptroller and the addition of one of the following Board Officers in the order of the President, VP then Treasurer. Any amount \$50,000 or over shall require the approval of the DPOA Board before disbursement. Payment of any commitment by the DPOA shall be first authorized through normal purchasing procedures. **Boisdore' second.** Discussion ensued. Ward offered amendment to reduce amount limit for Board approval to \$25,000. Hunt second. Vote was called.

Yeas: Hunt, Walker, Crosby, Kraemer, Nutting, Pellegrin, Ward Yarbrough

Nays: Feola, Boisdore' Crosby

Amendment passed 8-3.

Vote called on amended motion:

Motion passed unanimously.

2. **Legal Invoices/Newton mediation: Kraemer moved to take the issue from the table. Boisdore' second. Motion passed unanimously.** Kraemer reported that he had spoken with attorney Newton and several board members in order to request a reduction in Newton's invoice for \$6776.95 at \$400 per hour. Newton would not reduce the hourly fee. He reduced his bill by \$1200. This amount covers the Page Mannino bill of \$1239.32 at \$129 per hour. **Kraemer moved to pay both invoices immediately for a total of \$\$6816.27. Boisdore' second.**
Motion passed unanimously
3. **Attorney Retention Procedure: Walker and Kraemer: moved to Executive Session**
4. **Payment of Newton Covenant Check: Walker: Removed from the agenda**
5. **Pier House Update: VP Jim Hunt: Pushing contractors for an October 1st opening date.**

New Business:

1. **Amend/clarify Treasurer's role: Feola: removed from the agenda.**
2. **Tidelands Grant for Boat Ramp: Feola moved to accept the 2007 DMR grant money of \$36,133.38 for the reconstruction of the boat ramp. Yarbrough second.**
Discussion ensued with Feola explaining the boat ramp must now be open to the public and expressing his opinion that we should accept this money as a stepping stone to applying for dredging money. Nutting expressed concerned of further obligations to the state. Kraemer asked that the money go into the Pier House fund. Boisdore' informed the Board that as a South Side resident, she sees the Public using the boat ramp and frequently creating serious security problems and legal liability for including drunkenness, fighting, swimming in the alligator occupied canals, and speeding through the no wake zone. She would rather see an electronic cross bar gate for DH members only. Both the sheriffs dept. and the DHFD in large numbers have been called down to the ramp after dark in the past 2 weeks. Hunt informed the Board that we had not taken this money previously because we had 3 appeals pending to FEMA in the million dollar range. FEMA denied us 3 times due to the waterways being privately owned recreational facilities. If we take this money, we are obligating ourselves to government regulation with little hope of any future funds. Walker expressed similar concerns and noted that we have had serious reservations about officially opening to the Public. Ward asked to institute a parking fee. Boisdore' added that this will exacerbate our existing parking problem and that a full time security guard will cost more than the amount gained from the DMR and that accepting this motion without further Board education on the DMR and FEMA process is an extremely shortsighted action.
Walker moved to table the motion for further study. Hunt second. Feola stated that there is a deadline to accept that had passed but that state Rep. Jessica Upshaw has stated she will get the date extended 60 days and then assist on the dredging request.

On tabling the motion:

Yeas: Hunt, Boisdore', Walker

Nays: Feola, Kraemer, Crosby, Nutting, Pellegrin, Schnadelbach, Ward, Yarbrough.

Motion to table failed 3-8

On motion to accept the DMR funds:

Yeas: Feola, Kraemer, Crosby, Nutting, Pellegrin, Schnadelbach, Ward, Yarbrough.

Nays: Hunt, Boisdore' Walker

Motion passed 8-3

3. Ethics policy consideration: Feola moved to accept Jan Menker's draft proposal for guidance and consideration by the Board. Boisdore' second. The Board will hold workshops and add or delete as desired or as necessary. The Board is not adopting the policy as written at this time.

At 3:50 Hunt moved to adjourn the meeting, Boisdore's second. Motion passed unanimously. Meeting adjourned.

At 4:00 the board went into Executive Session.

At 6:15 the board came out of Executive Session.

**Respectfully submitted,
Nicole L. Boisdore'
DPOA Secretary**