

Diamondhead Country Club and Property Owners Association Board of Directors Meeting
Agenda
6pm, September 21, 2020
Diamondhead Country Club Ballroom

Call to Order

Roll Call, Verify Quorum

Pledge of Allegiance

Approval of Minutes – Minutes of 8/17/20 approved by e-mail vote on 8/20/20

Approve/Amend Meeting Agenda

Presentations

1. Elliott Homes

President's Report

General Manager's Report

POA Members Comments on Agenda Items (limit 3 min. per person-must sign up ahead of time to speak)

Unfinished Business

Consent Agenda

Regular Agenda

1. Code of Ethics and Social Media Policy – Motion to reaffirm that the Code of Ethics and Business Conduct Policy and the Social Media Policy, passed by the Board in 2019, continues to be the official policy of the Diamondhead Property Owners Association.
2. Draft of proposed letter from the General Manager to residents – Motion to discuss and possibly approve a letter to every POA member outlining the benefits of remaining a POA Member in good standing. Attachment "A"
3. Request for Information – Motion to ask the Treasurer to inform the Board what illegal acts she was asked to perform as stated in an email she sent to all Board members and the GM on 9/5/20.

4. Live Oak trees on the Cardinal Course – Motion to approve a total of \$195.00 for the Diamondhead Garden Club to register 12 Live Oak trees on the Cardinal golf course with the Hancock County Historical Society and Garden Clubs of Mississippi, mounting a plaque on each tree, and invoicing the POA for the cost. Attachment “B”

5. Supplemental Agreement Revision – Motion to authorize the Board President to take such actions as are necessary to amend the Amendment to the Supplemental Agreement (aka Takeover Agreement or Purcell Agreement) and the attached Exhibits A through E-Special Warranty Deed compatible with one another. Attachment “C”

POA Members Comments on Non-Agenda Items (limit 3 min. per person)

Adjourn

Executive Session – to address personnel and legal issues

Attachment "A"

PROPOSED LETTER TO PROPERTY OWNERS

Dear Diamondhead Property Owner,

In anticipation of the expiration of Covenants specific to your property the following information is presented for your consideration. Regardless as to whether or not your property is under the guidelines as presented by Covenants, the Property Owners Association has an obligation to ensure that the amenities are retained, maintained and enhanced where possible.

For this obligation to be met, the fundamental requirement of financial support remains. History indicates that with the support of the property owners in the form of POA Membership Dues the amenities will remain desirable. Although the Covenants will expire, you are encouraged to continue with the payment of the POA Dues. As a POA MEMBER IN GOOD STANDING you will enjoy benefits in the form of discounts , preferred pricing related to Club Social Functions , food and beverage, rental of event space , as well as having access to various recreational amenities such as (4) swimming pools , walking trails , playgrounds , ball fields, volleyball , basketball, marina , airport , RV storage area, etc. The opportunity to apply for Golf and/or Tennis Memberships will be offered to POA MEMBERS at a preferred price.

MOST IMPORTANT, YOUR DECISION TO CONTINUE TO PAY POA ANNUAL DUES WILL ASSIST IN DERIVING THE REVENUE NECESSARY TO MAINTAIN THE AMENITIES. MAINTAINING THE AMENITIES IS AN IMPORTANT FACTOR IN PRESERVING AND ENHANCING THE QUALITY OF LIFE AND ENSURING THAT PROPERTY VALUES WILL REMAIN STRONG.

The POA Board of Directors is prepared to present a motion for vote by the Board whereby it is concluded that during the next ten (10) years the POA Board is not to increase the Annual Dues beyond \$53 /month per property owner. If set not to exceed \$53 /month /property owner, that would equate to your cost being

ONLY \$1.75 /day

Effective January 2021, all POA Members in Good Standing will also:

- a. Retain the right to attend POA Meetings and vote in elections
- b. Be granted access to the Club and Club sponsored Events
- c. Be included in social programs that the Club provides
- d. 15% discount on Food & Beverage purchased thru the Club
- e. 15% discount on Golf Shop and Tennis Shop (apparel and soft goods)

- f. A Gift Voucher (Dinner for Two) at the Club
- g. Access to the golf practice facility, plus (4) tokens for range balls
- h. Four nine holes of golf including cart and club rentals
- i. Four play days of Tennis including use of racquets and tennis balls
- j. Eligible to apply for Golf &/or Tennis Membership
- k. Have the knowledge that as a POA Member they are doing their part to protect and enhance the quality of life in Diamondhead

The POA and the Club will extend an Invitation to Membership to the next owner of your property, on the basis that you as the current owner retains the status of being a POA Member in Good Standing. Properties whereby the owner is NOT a POA Member have no assurance that a POA Membership will be made available to the potential purchaser of your property

Attachment "B"

LIVE OAK TREE IDENTIFICATION

One of the Diamondhead Garden Club's projects is to identify and register live oak trees that are approximately 100 years old or older and are located on private property within the city of Diamondhead. Last year the club registered 40 trees and plan to register additional trees during the 20/21 club year. In November 2019, the POA Board approved measuring live oak trees on POA property. In January 2020, the POA approved \$190.00 to register 10 live oak trees on the Pine golf course and 1 tree at the Community Center. The Garden Club was asked to name each tree based upon the tree age, i.e., 160-year-old tree would be named BORN IN 1860.

The Garden Club is requesting \$195.00 to register 12 live oak trees on the Cardinal course. The trees range from approximately 105 years old to 160 years old. This \$195.00 fee includes the total cost of registering 12 trees with the Hancock County Historical society and with the Garden Clubs of Mississippi. The fee includes a 4" x 6" green, engraved plaque for each tree containing the tree name. The Diamondhead Garden Club will mount each plaque on a cedar board and attach it to the tree using 1-inch stainless steel screws.

The Garden Club anticipates identifying 6-8 additional trees near the walking trail and circle in the front of the Clubhouse in the future. After identification is completed, an additional request for funds will be made to officially name each tree that meets the qualifications.

Supplemental Agreement Revision

The goal of this revision is to clarify the Contractual obligations of the POA Board. While the new **Amendment To Supplemental Agreement**, approved in June, 2019 by the Purcell Company and the POA Board, removes the requirement for exclusive use of the Amenities by members and provides for Amenity use by the general public, it did not remove the same stipulation in the Attachments to the Supplemental Agreement. Specifically, Exhibit B still stipulates that the Amenities are for the “... benefit of the owners...” Exhibit E – Special Warranty Deed, Item 5, still stipulates that “... property hereby conveyed are for the exclusive use by the owners of real property...” Obviously, the POA Board cannot meet its contractual obligations when the contract itself contains contradictory requirements.

This revision would assure a “clean” title to POA properties. The POA may wish to transfer title of some Amenities to other entities in the future if/as dues decline prevents the POA from maintaining all the current Amenities. Hopefully, questions about a clean title or whether or not the transferred property would require restricted use would not exist to prevent or impede the transfer of an Amenity to another entity.

The Diamondhead Amenities have never been used exclusively by the residents regardless of what the Title Instruments stipulate. The road Amenity, when it was the property of the POA, was used by nearby residents to travel thru Diamondhead daily. Trash haulers, mail carriers, delivery vans and other non-residents constantly used this Amenity to provide residents with services. Non-residents use the airport Amenity. Years ago, the POA committed to make the boat ramp and dock Amenity open to the general public in return for a government grant. Further, residents themselves organized fun events like Mardi Gras Parades and Balls, Charity Golf Tournaments, Memorial Day Events, Arts & Crafts Fairs, Boat Parades, etc. in which both residents and non-residents enjoyed Amenities. The POA has long provided non-resident governmental authorities the use of Amenities for voting as well as for meeting and planning.