

History of OPPOA
Good Faith
Mediation
Attempts with
HVYC

2009 Letter from OPPOA to HVYC

February 15, 2009

Board of Directors
Harbour Village Yacht Club
P.O. Box 786
Hampstead, North Carolina 28443

Dear Board of Directors:

I am writing this letter at the suggestion of one of your members, Karen Saari, in an effort to obtain some clarification concerning the "Right to Deny Use" paragraph contained in your 2009 Boat Ramp Registration for OPPO.

Earlier this year, as in years past, I filled out the forms you requested to be able to launch my boat at the ramp. I will admit that in years past I did not read the form very closely, and probably would not have again this year if another Olde Point resident, Mark Dodds, had not voiced concerns about various problems he had with this form. Before you judge me through "guilt by association" please understand that I have no problem with any of the rules, regulations, or fees assessed by the Yacht Club, and appreciate your efforts to maintain the property.

In fact, I signed the form, paid the fees, and thought that the comment I put at the end of form, referring to the first sentence of the Right to Deny Use paragraph, "If facility includes the boat ramp I do not believe you can deny me use as long as I comply will all rules" was only pointing out to the Yacht Club that the first sentence of that paragraph was not needed. The second sentence of that paragraph, "Harbour Village Yacht Club reserves the right to deny the privilege of continued use of the facilities to anyone who does not comply with all above policies and procedures", in my opinion, completely speaks to the Right to Deny Use issue.

I was somewhat surprised when Paul Saari contacted me and asked me to sign that same document again without putting any comments on it. I say "somewhat surprised" only because Karen had mentioned previously that, based on another incident, altered forms would not be accepted. I did not, and still don't, consider this an altered document.

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However, now that I have been asked to resign a document I already signed, without any comments, it has raised some concern, probably needlessly, that the Yacht Club could or would deny me use of the boat ramp for some reason other than a violation of the rules and regulations for the use of the ramp.

It is with those thoughts in mind that I would ask the Board, or one of its designated officers, to clarify for me what specific issues or offenses outside your stated rules and regulations as set forth in the Ramp Registration form might cause me to be denied use of the ramp. I can certainly think of a few things, such as malicious damage to the property, inappropriate behavior, etc. that might be reasons, and completely understand the need for them.

My main concern, as I explained to Karen, is, for example, that someone decides to deny me access to the ramp because of the way I part my ever-diminishing hair, or because they don't like the size or color of my boat. I realize those are extreme examples, but use them to point out the vagueness and loose interpretation that could be attributed to the Right To Deny Use paragraph.

Thank you for listening to my concerns, and if someone will provide me with the other issues or problem areas that the board would consider grounds for denial of use of the ramp I would be more than happy to sign a new form deplete of any comments.

Sincerely,



Terry Peters

Cc: Paul Saari