



Welcome to the 2024 OPPOA Annual Meeting

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at oldepoint.net

ALLEGATION OF UNACCOUNTED FUNDS



David M Whitaker

4d · 🌐



Olde Point Property Owners Association, Fiduciary Duty – 1/16/23 Update

As members of OPPOA, we must rely on our Board of Directors (BOD) and the groups that report to them to bear the responsibility of their fiduciary duty, faithfully and without bias. Please read this in its entirety and form your own opinions.

The following are details from records produced by the OPPOA BOD.

OPPOA Legal Fees and the Harbor Village Yacht Club Law Suit

Overview: 2021, 2022 & 2023 Totals

1. Total Budgeted Legal Fees - \$36,000
2. Total Legal Fees Invoiced (per invoices provided) - \$35,985.98
3. Total Monies allocated/spent for Legal fees (per Treasurer's Report, includes two Cash withdrawals (>\$25k) and an undocumented anonymous donation (>\$1k)) - \$41,355.78
4. The total funds still unaccounted for: \$6,221.28

“unaccounted” funds \$6,221.28?

Mr Whitaker's Claimed Unaccounted Legal Funds -\$6,221.28

	Budget	OPPOA Legal Invoices	OPPOA Payments	Donated Payments	Total Payments
OPPOA Actual Invoices/Payments	\$36,000.00	\$41,225.78	\$39,972.98	\$1,252.80	\$41,225.78
Mr. Whitaker's Social Media Claims	\$36,000.00	\$35,985.98	\$41,355.78	\$1,252.80	\$41,355.78
Differences	\$0.00	-\$5,239.80	\$1,382.80	\$0.00	\$130.00



Mr. Whitaker's own numbers only show a \$130.00 difference in actual monies spent.

Invoice	Payment	Amount	Paid
13125	RF	259.07	12/27/21
13342	RF	5,262.50	12/27/21
13433	RF	2,477.50	12/27/21
Total paid in 2021 \$7,999.07			
13433	#2494	1,130.89	5/27/22
13530	#2499	721.48	6/27/22
13733	#2505	487.50	8/24/22
13734	#2506	2,348.93	8/24/22
13242	#2504	206.50	8/24/22
13799	#2507	5,463.03	8/24/22
13981	#2514	2,962.11	12/20/22
13895	#2513	1,171.06	12/20/22
14062	#2515	376.83	12/16/22
Total paid in 2022 \$14,868.33			
14126	<i>Anonymous donation</i>	<i>97.50</i>	1/13/23
14062	<i>Anonymous donation</i>	<i>379.81</i>	1/13/23
14127	<i>Anonymous donation</i>	<i>775.49</i>	1/13/23
14495	CC	1,365	4/21/23
14404	CC	552.50	4/21/23
14575	CC	718	4/21/23
14496	CC	1,007.50	4/21/23
14405	CC	13,397.58	4/21/23
14577	CC	65	4/21/23
Total paid in 2023 \$17,105.58			

\$7,999.07 cashiers check was a retainer fee written on 12/27/21 and applied to #13125, #13342, and \$2,477.50 towards #13433 with a remaining balance of \$1,130.89 left on invoice #13433

RF- Retainer Fee

CC- Cashiers Check

Anonymous donation- Not from OPPOA funds

ANONYMOUS DONATION

OPPOA DOES NOT HAVE A CREDIT CARD

**Receipt for your payment to
Hodges & Coxe LLP**

\$1,155.30 USD
01/11/2023 02:42:06 PM
HODGES & COXE LLP

Your payment has been approved

Payment VISA 40*****7823
Transaction ID 110123O3B-
F658A248-45CE-4035-8936-2723ABC04F9F
Approval Code 06191C

HODGES & COXE LLP
3907 WRIGHTSVILLE AVE STE 100
WILMINGTON, NC 28403
910-772-1678

Total **\$1,155.30**
USD

HODGES & COXE LLP
3907 WRIGHTSVILLE AVE STE 100 WILMINGTON, NC 28403
| 910-772-1678

**Receipt for your payment to
Hodges & Coxe LLP**

\$97.50
USD
01/11/2023 02:40:22
PM
HODGES & COXE
LLP

Your payment has been approved

Payment VISA 40*****7823
Transaction ID 110123O17-
E57557D5-8F4B-4495-
BBE2-5DAB1A085099
Approval Code 00692C

HODGES & COXE LLP
3907 WRIGHTSVILLE AVE STE 100
WILMINGTON, NC 28403
910-772-1678

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1115.30
+97.50
\$1,252.80

ALLEGATION OF CASH WITHDRAWS

PNC Online Banking

<https://www.onlinebanking.pnc.com/alservlet/ImageRequestServlet>

PNC Online Banking

Date	Description	Amount	Account
04/12/2023		\$17,105.58	XXXXXX8986

This is an image of a check, substitute check, or deposit ticket. Refer to your posted transactions to verify the status of the item. For more information about image delivery [click here](#) or to speak with a representative call: 1-888-PNC-BANK (1-888-762-2265) Monday - Friday: 8 a.m. - 9 p.m. ET, Saturday & Sunday: 8 a.m. - 5 p.m. ET.

PNC BANK Checking/Savings Withdrawal Ticket

ACCOUNT NUMBER: 5349958986 REGIONAL ID: _____ Date: 4-12-23

NON-NEGOTIABLE FORM162753 \$ 17105.58

William R. Keith Jr. Hereby Requests the
The Undersigned
Amount Of SEVENTEEN THOUSAND ONE HUNDRED FIVE AND 58/100 Dollars

Signature: _____

⑆7409⑆9909⑆



PNC BANK

040
HAMPSTEAD (905)
14615 US HIGHWAY 17
HAMPSTEAD, NC, 28443
Cashbox 04

Business Date APR 12, 2023
Calendar Date APR 12, 2023

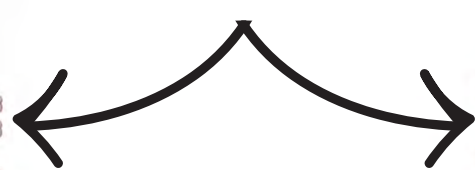
Purchase 12:33
Transaction Number 00046
Account Type Official Check
Account Number XXXXXXXXX
Document Number 00949509
Transaction Amount \$ 15,123.08
Funded by Check \$ 15,123.08

PNC BANK

040
HAMPSTEAD (905)
14615 US HIGHWAY 17
HAMPSTEAD, NC, 28443
Cashbox 04

Business Date APR 12, 2023
Calendar Date APR 12, 2023

Purchase 12:33
Transaction Number 00046
Account Type Official Check
Account Number XXXXXXXXX
Document Number 00949510
Transaction Amount \$ 1,982.50
Funded by Check \$ 1,982.50



Payee:
HODGES & COXE, LLP
Remitter:
OLDE POINT PROPERTY OWNERS ASSOCIATION

Payee:
HODGES & COXE, LLP
Remitter:
OLDE POINT PROPERTY OWNERS ASSOCIATION

This deposit or payment is accepted subject to verification and to the rules and regulations of this bank. Deposits may not be available for immediate withdrawal. Receipt should be held until verified with your statement.

This deposit or payment is accepted subject to verification and to the rules and regulations of this bank. Deposits may not be available for immediate withdrawal. Receipt should be held until verified with your statement.

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Law Invoices



INVOICE

Invoice # 14495
Date: 03/09/2023

3907-100 Wrightsville Ave
Wilmington, NC 28403
Phone: (910) 772-1678

Olde Point POA
P.O. Box 202
Hampstead, NC 28443

2015-02010-Olde Point POA

Olde Point POA (9019)

Type	Date	Description	User	Quantity	Rate	Total	Discount
Service	02/01/2023	Konar issue- receipt/review email and documents from Bill Mueller	BAC	0.60	\$325.00	\$195.00	-
Service	02/01/2023	(Konar) receipt/review additional documents and correspondence from Bill Mueller, prepare timeline	BAC	1.00	\$325.00	\$325.00	-
Service	02/08/2023	Contacted W. Mueller regarding conference	XS	0.20	\$85.00	\$0.00	100.0%
Service	02/16/2023	(Konar) prepare for conference with Bill Mueller	BAC	0.60	\$325.00	\$195.00	-
Service	02/16/2023	(Konar) jedi notice letter	BAC	0.20	\$325.00	\$65.00	-
Service	02/16/2023	(Konar) phone Bill reviewed chronology, proper procedure, options for Konar from conservative to risky.	BAC	0.30	\$325.00	\$97.50	-
Service	02/23/2023	(Yahweh Center) receipt/review/respond email from client re: Yahweh Center	BAC	0.30	\$325.00	\$97.50	-
Service	02/23/2023	phone Patrick Riley-company is delinquent, case will close soon, will "abandon" lot to yahweh, tax lien falls off in 3 years, only offer was \$1000, 1.5 acres, why open space? one of owners of Y bought it and used it as a tax write-off, failure to maintain, closed in the next two weeks, foreclose on it in the short to near future? adverse possession, can they just buy it.	BAC	0.50	\$325.00	\$162.50	-
Service	02/23/2023	(Yahweh Center property) outline issues and strategy	BAC	0.40	\$325.00	\$130.00	-
Service	02/23/2023	(Yahweh) phone Billy Keith-discussed status and options. Will probably just leave it as is.	BAC	0.30	\$325.00	\$97.50	-
Line Item Discount Subtotal						-	\$-17.00



INVOICE

Invoice # 14405
Date: 02/14/2023

3907-100 Wrightsville Ave
Wilmington, NC 28403
Phone: (910) 772-1678

Olde Point POA
P.O. Box 202
Hampstead, NC 28443

2021-06199-Olde Point POA

Olde Point POA (9019) Boat Ramp Easement Issue

Services

Type	Date	Description	User	Quantity	Rate	Total	Discount
Service	11/07/2022	edit discovery	BAC	0.60	\$325.00	\$195.00	-
Service	11/07/2022	Reviewed and updated discovery; updated exhibits; submitted to B. Coxé for review and signature; emailed client package and verification; drafted cover letter; prepared package for mailing	XS	2.00	\$85.00	\$170.00	-
Service	11/08/2022	Emails with client regarding verification	XS	0.20	\$85.00	\$17.00	-
Service	11/09/2022	Emails with M. Hamlet's office regarding mediation confirmation letter; received status from O. Rodriguez	XS	0.30	\$85.00	\$25.50	-
Service	11/10/2022	Emails with opposing counsel regarding discovery	XS	0.20	\$85.00	\$17.00	-
Service	11/16/2022	Reminder email client regarding mediation and pre-meeting	XS	0.20	\$85.00	\$17.00	-
Service	11/17/2022	prepare for mediation	BAC	0.60	\$325.00	\$195.00	-
Service	11/17/2022	conference with Billy Keith, William Mueller re: mediation	BAC	1.30	\$325.00	\$422.50	-
Service	11/18/2022	mediation	BAC	10.40	\$925.00	\$3,380.00	-
Service	11/22/2022	memo re: state of settlement after mediation	BAC	0.10	\$325.00	\$32.50	-
Service	11/28/2022	receipt/review/respond emails from Mark Hamlet, John Henry	BAC	0.10	\$325.00	\$32.50	-
Service	12/02/2022	Drafted cover letter; mailed letter and mediation fee to M. Hamlet	XS	0.40	\$85.00	\$34.00	-



INVOICE

Invoice # 14496
Date: 03/09/2023

3907-100 Wrightsville Ave
Wilmington, NC 28403
Phone: (910) 772-1678

Olde Point POA
P.O. Box 202
Hampstead, NC 28443

2021-06199-Olde Point POA

Olde Point POA (9019) Boat Ramp Easement Issue

Type	Date	Description	User	Quantity	Rate	Total
Service	02/02/2023	receipt/review/respond email from Andy McVey re: loan documents, dock language, newspaper article; email to clients	BAC	0.50	\$325.00	\$162.50
Service	02/06/2023	finalized last amendment	BAC	0.70	\$325.00	\$227.50
Service	02/06/2023	receipt/review/respond Billy Keith email re: HOA money; finalized edit to HVC attorney.	BAC	0.50	\$325.00	\$162.50
Service	02/15/2023	receipt/review/respond email from McVey re: edits to settlement agreement; review and edit of assignment; email to clients	BAC	0.30	\$325.00	\$97.50
Service	02/17/2023	receipt/review/respond email from Bill Mueller questions on loan and assignment	BAC	0.20	\$325.00	\$65.00
Service	02/20/2023	receipt/review/respond email from Billy re: joint statement and assignment; email to McVey	BAC	0.20	\$325.00	\$65.00
Service	02/22/2023	receipt/review/respond email from Keith; email to Andy re: successors language	BAC	0.20	\$325.00	\$65.00
Service	02/23/2023	receipt/review/respond email from McVey; email to client; review edits re: successors and assigns	BAC	0.10	\$325.00	\$32.50
Service	02/24/2023	phone Billy re: signatures	BAC	0.10	\$325.00	\$32.50
Service	03/01/2023	phone Andy--will send runner over to get documents	BAC	0.10	\$325.00	\$32.50
Service	03/03/2023	receipt/review/respond email from William Keith re: settlement and registration of boats, gag order; email to McVey re: registration and website.	BAC	0.20	\$325.00	\$65.00
Time Keeper						Total



INVOICE

Invoice # 14575
Date: 03/30/2023

3907-100 Wrightsville Ave
Wilmington, NC 28403
Phone: (910) 772-1678

Olde Point POA
P.O. Box 202
Hampstead, NC 28443

2021-06199-Olde Point POA

Olde Point POA (9019) Boat Ramp Easement Issue

Type	Date	Description	User	Quantity	Rate	Total	Discount
Service	03/03/2023	phone Billy--signed the wrong one; email to McVey; email to Billy with correct document	BAC	0.20	\$325.00	\$65.00	-
Service	03/03/2023	phone Andy McVey--left message	BAC	0.10	\$325.00	\$0.00	100.0%
Service	03/03/2023	Prepared release for pick up	XS	0.20	\$85.00	\$17.00	-
Service	03/06/2023	phone Andy--have not filed. They will fix it.	BAC	0.10	\$325.00	\$32.50	-
Service	03/06/2023	receipt/review/respond emails from client re: successors and assigns language	BAC	0.10	\$325.00	\$32.50	-
Service	03/06/2023	review of "final" v. Keith signed documents for errors	BAC	0.50	\$325.00	\$162.50	-
Service	03/06/2023	receipt/review/respond emails with Keith re: website, page initials	BAC	0.30	\$325.00	\$97.50	-
Service	03/07/2023	receipt/review/respond emails from Keith re: initials and online registration; email to McVey	BAC	0.30	\$325.00	\$97.50	-
Service	03/08/2023	receipt/review/respond email from Billy Keith re: settlement and Exhibit A	BAC	0.10	\$325.00	\$32.50	-
Service	03/20/2023	receipt/review/respond email from McVey; review assignment; email to client	BAC	0.20	\$325.00	\$65.00	-
Service	03/21/2023	receipt/review/respond email from mvey, filed assignment	BAC	0.20	\$325.00	\$65.00	-
Service	03/22/2023	Revised notice of voluntary dismissal; prepared copies; drafted cover letter to Pender clerk of court; prepared package for filing; mailed package to opposing counsel	XS	0.60	\$85.00	\$51.00	-

HODGES & COXE, LLP.
ATTORNEYS AT LAW

INVOICE

Invoice # 14404
Date: 02/14/2023

3907-100 Wrightsville Ave
Wilmington, NC 28403
Phone: (910) 772-1678

Olde Point POA
P.O. Box 202
Hampstead, NC 28443

2015-02010-Olde Point POA

Olde Point POA (9019)

Type	Date	Description	User	Quantity	Rate	Total
Service	01/05/2023	receipt/review/respond email from Keith re: annual meeting and proxy questions.	BAC	0.30	\$325.00	\$97.50
Service	01/11/2023	phone Bill Mueller-sent the wrong bylaws out. Ok to send out the correct ones. only difference was the change from 2 meetings a year to one. Did not change the proxy requirement	BAC	0.10	\$325.00	\$32.50
Service	01/11/2023	receipt/review/respond email from Billy Keith re: annual meeting, closed meeting.	BAC	0.40	\$325.00	\$130.00
Service	01/11/2023	phone Billy-discussed correct bylaws, ones I have and were sent to Misses are incorrect. Proper ones he will send, are not signed but were passed during 2019 meeting.	BAC	0.30	\$325.00	\$97.50
Service	01/19/2023	receipt/review emails from William Mueller re: Konar issue	BAC	0.60	\$325.00	\$195.00

Time Keeper	Quantity	Rate	Total
Bradley Cox	1.7	\$325.00	\$552.50
		Subtotal	\$552.50
		Total	\$552.50

Detailed Statement of Account

Other Invoices

HODGES & COXE, LLP.
ATTORNEYS AT LAW

INVOICE

Invoice # 14577
Date: 03/30/2023

3907-100 Wrightsville Ave
Wilmington, NC 28403
Phone: (910) 772-1678

Olde Point POA
P.O. Box 202
Hampstead, NC 28443

2023-06396-Olde Point POA

Yahweh Center Property

Type	Date	Description	User	Quantity	Rate	Total
Service	03/10/2023	(Yahweh Center) receipt/review/respond email from Patrick Riley, bankruptcy attorney re: tax liens and foreclosure.	BAC	0.10	\$325.00	\$32.50
Service	03/13/2023	receipt/review final bankruptcy decree; email to Billy	BAC	0.10	\$325.00	\$32.50

Time Keeper	Quantity	Rate	Total
Bradley Cox	0.2	\$325.00	\$65.00
		Subtotal	\$65.00
		Total	\$65.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
14577	04/14/2023	\$65.00	\$0.00	\$65.00
			Outstanding Balance	\$65.00
			Total Amount Outstanding	\$65.00

Invoice 14494		\$1,365.00
Invoice 14405	\$13,722.58 - (325.00)	13,397.58
Invoice 14496		1,007.50
Invoice 14575		718.00
Invoice 14404		552.50
Invoice 14577		65.00
		\$17,105.58

INSINUATES WRONGLY REMOVED

From: OPPOA oppoa_acc@oldepoint.net

Subject: Upcoming ACC Elections

Date: September 27, 2023 at 9:03 AM

To: Whitaker David david.whitaker@t[REDACTED], Paul Durant [REDACTED], [REDACTED]
[REDACTED]



Good Morning Committee Members,

At the direction of the Olde Point Property Owners' Association (OPPOA) Board of Directors, William Keith, President of OPPOA, has requested I alert you that in accordance with the Olde Point Covenants, Section 1 (k), your previously elected terms have expired.

Section 1 (k) reads:

*"Architectural Control Committee" shall mean the committee established by these covenants to review all building plans, plot plans, site improvements plans, and to approve or disapprove the same in accordance with the restrictions herein set forth and to perform such duties as may be delegated or authorized herein. The Architectural Control Committee (ACC) is a committee of the Olde Point Property Owner's Association, Inc. (Association), and as such **operates under the direction and control of the Board of Directors of the Association**. Said Committee shall be composed of six (6) members, three (3) of whom the Board of Directors of the Association may designate, and three (3) of which shall be elected by a majority of the members. **Members will be elected or designated for terms of up to three (3) years**. The Association will provide monetary and administrative support to the Committee as the Board of Directors of the Association shall determine to be prudent within the purposes and resources of the Association. In the event a decision by the Architectural Control Committee is split and decided by not more than a single vote majority, then the decision may be appealed within thirty (30) days to the Board of Directors of the Association which will then succeed to the powers and authorities of the Architectural Control Committee for the specific matter appealed."*

The OPPOA board is currently developing the process for a community vote to elect three Architectural Control Committee members. We anticipate this election will be held in the next two months. Prior to the election, there will be a notice sent out to the community encouraging individuals, who might wish to be on the committee, to step forward. If you are still interested in volunteering for the ACC, I encourage you to partake in the upcoming election. Whether or not you choose to seek election, on behalf of the OPPOA Board of Directors and as the ACC Chair, I want to thank you for your service to the community.

Regards,

Susan Christie
OPPOA ACC Chair

ALLEGATIONS OF CREATING LOOPHOLES

7. The very next item the ACC brought up to the BOD was a request to add a form to the website to allow for construction projects that are taking longer than the allowed 12 months to claim hardship and request an extension beyond what is allowed by the covenants. Essentially adding a loophole to cover for their mismanagement.

The Official OPPOA Bylaws State:

“Section 3 — The Association shall have all the powers, authorities, and privileges granted or which may be granted to a non-profit corporation under the laws of the State of North Carolina; except: (a.) as restricted or limited by the Articles of Incorporation.

*The Association **may** take any action within its powers, authorities, and privileges which in the judgment of the Board of Directors of the Association shall be deemed necessary or appropriate, and to be in furtherance of the purposes of the Association and in the interest of and of benefit to the majority of the memberships or of the property owners of the Olde Point Community, including but not limited to...”*





Dictionary

Definitions from [Oxford Languages](#) · [Learn more](#)



li·bel

/ˈlɪb(ə)l/

noun

- LAW**
a published false statement that is damaging to a person's reputation; a written defamation.

Similar: [defamation](#) [defamation of character](#) [character assassination](#) [calumny](#) [▼](#)

- (in admiralty and ecclesiastical law) a plaintiff's written declaration.

verb

- LAW**
defame (someone) by publishing a libel.
"she alleged the magazine had libeled her"

Similar: [defame](#) [malign](#) [slander](#) [give someone a bad name](#) [▼](#)

- (in admiralty and ecclesiastical law) bring a suit against.
"if a ship does you any injury you libel the ship"



OPPOA ANNUAL MEETING 2024

1. Welcome and Board of Directors Introduction
2. Approval of 2023 General Meeting Minutes
3. Committee Reports / Presentations
4. Roads Repairs Presentation
5. 2024 Budget Proposal and Approval
6. 2024 Motions to amend By-Laws
7. Question and Answer Forum

Board of Directors

The Officers:

President: **William Keith** Expired 2024

Vice President: **John Henry** Expired 2024

Treasurer: **Molly Nugent** Expired 2024

Secretary: Savannah Holman Expires 2025

Directors:

Susan Christie Expires 2025

Deb Fahey Expires 2026

Warren Harding Expires 2026

Cory Jobst Expired 2024

Mckenzie Johnson Expired 2024

Cindy Marker Expires 2025

William Mueller (Past President) Expired 2024

Austin Yoder Expires 2026

2024 Candidates

Stratton Lobdell

Robert Haradon

Water Rights

After 2 mediations the HVYC and OPPOA were able to reach an agreement, which was emailed to the membership on March 10, 2023. Some key points to note:

- The HVYC agreed and executed construction of a fence and kayak launch on the property without the use of OPPOA ramp user fees.
- OPPOA owners no longer have to provide registration or insurance information for your vessel or your trailer. A registered and insured automobile, along with ownership within Olde Point, is the only burden of proof you must provide to access your perpetually deeded easement.
- OPPOA owners who do not own a motorized watercraft or would like to access the property as a pedestrian have the ability to do so. You can no longer be turned away from accessing the perpetually deeded easement just because you do not own a motorized boat.
- Moving forward the fees will be factored as outlined in Section 3 [b (1)] of the settlement agreement. This financial equation will not only make certain that the HVYC has the financial ability to pay back the loans they took out for the 2022 ramp replacement, but it will also ensure that there is an ample reserve fund for future replacement costs after end of life use or after any catastrophic storm repairs. Both of these important details will ensure the preservation of our property owner's perpetually deeded easement and the unique value it brings to OPPOA property values.

Membership Report

2023 DUES

We have received 523 payments of 537 invoices sent.

Of the 523 - 113 were made electronically.

AS OF JANUARY 16, 2024:

We have received 199 payments of 537 invoices sent.

If you haven't already made your payment, you have until
March 1, 2024 to do so.

2023 Transfer Fee:

The BOD's voted on implementing a \$150 transfer fee for homeowners selling their home. This fee allows for the transaction of information to update the new homeowner's information in our system. It is also another source of income for OPPOA.

Other Committees

Community Relations - Trunk or Treat 2023

