

Minutes
Special Meeting of the HOA
September 26, 2015

BOD Members in Attendance: Clark Ackerman 16, John Lundberg 17, Tracy Usry 18, Michele Robinson 17, Dick Asbell 16, Dale Breer 16. Others Toni Ackerman.

The meeting was called to order by the President, John Lundberg, at 10:28 am. Attendance check in occurred at the entrance for each lot and proxy with voting ballots issued per lot. Seventy-nine (79) lots were represented establishing a voting quorum (38 lots required).

There was a brief introduction by the President stating the purpose of the meeting and that it would be run in accordance with the current Robert's Rules of Order. The Special Meeting was called by one quarter (1/4) of all members of the HOA in accordance to Article II Section 2 of the Bylaws.

A short presentation was made by guest speaker Ms Regena Bronson, US Army Corps of Engineers, Fredericksburg, VA Field Office. She provided an application for permits (others can be secured from the website). Presentation included information about Rivers and Harbors Act and Clear Water Act. She stated that wetlands were determined by soil type, topography and water flow. Applications for permits will follow governing documents listed above and additional laws. The RPA is not regulated by US Army Corps of Engineers, but rather the County, unless it is a wetland or stream or carries a flow to the Potomac area. A discussion, question and answer session followed.

Review of Easements within The Meadows at Dahlgren

- Sign and landscaping easement on Lot 98A
- Access and Utility
 - Unimproved - Crooked Creek
 - Paved Roads
- Recreational Easement on Lot 37

Call for special session: Basis and Purpose

Chronology of Events was presented:

- June 2011 BOD prohibits vehicular traffic inside the gate
- February 2015 A committee was formed to make recommendations to the BOD to address the issue of the locked gate
- April 2015
 - The recommendations from the Committee was delivered to the BOD.
 - BOD determines more information is required before making any decisions; more discovery is required.
 - Prohibition on vehicular traffic is to remain in place for now.
- June 2015 Newsletter
 - After discovery, BOD propose a set of rules for HOA consideration and refinement.
 - Adopted rules to be presented to owners of Lot 37 as a basis for agreement on reasonable use.
 - BOD to resolve any issues that may arise.
- Petition was received by the BOD requesting a special meeting of the HOA
- July 2015 Newsletter HOA should take the initiative to define "reasonable use" of the easements
- August 2015 Newsletter
 - Notice of Special Meeting
 - Draft of proposed rules for the HOA to consider
- BOD action of discovery
 - Requested a legal opinion
 - Arranged for a survey of easements
 - Discuss issues with the King George Sheriff's Office
 - Will arrange for delineation survey of the wetlands and RPA
 - Propose rules to manage easements
- Legal opinion was received
- Response from King George Sheriff's Office was received
- Survey of Crooked Creek Easement completed
- Survey of Recreational Easement has been started. West side is completed.
- Delineation Survey of wetlands and RPA is ongoing
- Adoption of Rules and Regulations presented at Special Meeting

Review of Legal Opinions

- Crooked Creek Easement
- Recreational Easement

Comments and Discussion

- **A motion** that the gate to the dock be unlocked with vehicle access restored to members of this association, was made by Dave Fedorchak, Lot 49, 2nd by Patti Shippee, Lot 28,29.
An extensive discussion followed. The question was called and a vote was taken. The motion passed: 45 YEA; 34 NAY
- **A motion** to accept the rules as proposed by the BOD for the Recreation Area was made by Dick Asbell Lot 96A, 2nd by Gail Gulotta, Lot 72.
A discussion followed. → **A friendly motion** to amend the rules to allow for a handicapped parking spot at the dock, beyond the gate was made by Lewis Davidson, Lot 78, 2nd by Tracy Usry, Lot 25, and passed unanimously.
- **A motion** to table the original motion and let the Dock Committee review and forward to the BOD a set of recommended rules to be presented by the BOD to the HOA at the annual meeting, was made by Jim Buckley, Lot 103, 2nd by Tyrone Tarlton, Lot 59A. A ballot was taken and this motion to table the original motion passed: 46 YEA; 30 NAY.
- **A motion** that the proposed rules for the Crooked Creek Easements be sent to the Crooked Creek Committee for review and forward to the BOD a set of recommended rules to be presented by the BOD to the HOA at the annual meeting, was made by Michele Robinson, Lot 83, 2nd by Dale Breer, Lot 13.
A discussion followed. Tracy Usry stated that he is still researching requirements for work on this easement, but that it will require a delineation survey before any work can be started. The survey will cost up to \$2,500. He asks that no work/clearing be started until delineation approval is received because the HOA will risk a fine up to \$20,000. A voice vote was taken and this motion passed unanimously.

A **motion** to adjourn the meeting was made by Tracy Usry, Lot 25, 2nd by Dick Asbell, Lot 96A and passed unanimously by voice vote.

Respectfully Submitted,
Toni Ackerman
Secretary