

**Minutes**  
**Board of Director's Meeting**  
**9:00 AM, December 5, 2015**

**Board Members in Attendance:** John Lundberg 17, Clark Ackerman 16, Dick Asbell 16, Mark Bostjanick 17(departed prior to the completion of the BOD meeting), Michele Robinson 17, Dale Breer 16, Tracy Usry 18.

**HOA Members in attendance:** Jim Buckley, Lot 103 (departed prior to the completion of the BOD meeting); Dave Fedorchak, Lot 49 (departed prior to the completion of the BOD meeting); Bob Rogers, lot 60 (Departed at 10:30 AM, prior to completion of the BOD meeting); Sharon Poole, Lot 106; and Keisha Ann Higley, lot 107.

**Review of Minutes:** A *motion* to accept the October 10, 2015 minutes of the BOD was made by Tracy Usry and seconded by Michele Robinson. Minutes passed unanimously.

**Review of Minutes from Special Meeting:** A *motion* to accept the Minutes from the Special Meeting held September 26, 2015 was made by Tracy Usry and seconded by Dick Asbell. Minutes passed unanimously.

**Financial Report:** (Dick Asbell) the financial report presented and discussed.

- Liens have been established on properties that have not paid their 2015 Home Owners' Dues
- HOA received a \$100 refund from King George Parks and Recreation because of the delay in making the Middle School cafeteria available for the HOA special meeting in September
- \$105 spent for the HOA party to provide porta-potties
- \$459 expended for replacement of street signs
- \$80 spent for upkeep of Monte Vista entrance way
- Not budgeted is the fee to Dave Deputy for survey of Recreational Easement on Lot 37 and Crooked Creek Access and Utility Easement.
- Not budgeted is the cost for the Delineation and Rural Protective Act
- Not Budgeted is the cost for the Legal Opinion provided to the BOD regarding the Crooked Creek Access and Utility Easement issue.

**Road Committee Report:** (Jim Hanson) Not present. Discussion within the BOD disclosed that the "Roundabout" repair is not holding up. When trucks use it, tailings spread on it spread out. Probably needs to be repaired in the spring of 2016.

**ACC:** (Michele Robinson) On October 14, 2015 a letter from owner of Lot 17 was received requesting a change in an earlier decision regarding painting the fence surrounding his property. Earlier decision was to paint it white. Owner requested he be able to apply a natural color waterproofing sealant. All three members approved. Reply letter was sent October 21, 2015.

**Website:** (Dave Fedorchak) indicated that everything to date provided by John Lundberg had been loaded onto the website.

**Covenants and Bylaws:** No one assigned this responsibility since Harry Meese resigned.

### **Old Business**

- Annual Meeting for the HOA to be held on February 20, 2016 at King George Middle School, February 27 is the backup date.
- Discussion regarding the King George County Sheriff's Department (KGSD) to patrol HOA roads and enforce traffic laws. This was initially discussed by a representative of the KGSD at a special meeting of the BOD held previously. John Lundberg will follow up.

### **New Business**

- Dick Asbell discussed the draft contract he prepared and provided to the BOD regarding snow removal for this year. He indicated he utilized some of the language from an earlier draft provided by Jim Buckley in the 2015 annual HOA meeting. He also stated that the contract is simply a formalization of the work to be done this snow season by Grasshopper. He went on to state the draft was not circulated to the HOA as it is contract: between the BOD and Grasshopper.

A ***motion*** was made by Tracy Usry and seconded by Clark Ackerman to forward the proposed contract to Grasshopper for further discussion. Motion passed unanimously.

- Tracy and Michele indicated they would review and change suggested guidelines for operation of a meeting of any appointed committee or subcommittee of the HOA.
- Dick Asbell brought up the issue regarding the storage of privately owned canoes on the Recreational Easement, which he considers outside the authorized use of the recreational easement. If the canoes were the property of the HOA it would not be a problem. He also indicated that the storage of gravel leftover from road repairs stored on the Recreational Easement might also be a violation. [Gravel stored is HOA property, however, not in line with recreational use.] Same could be said when contractor stores road machinery/equipment in the parking lot of the recreational easement when staging to repair common area roads.
- A ***motion*** was made by Tracy Usry and seconded by Clark Ackerman for the BOD (Tracy and Michele) to work with the Recreational Easement and Crooked Creek Access and Utility Easement (Trail) to properly identify rules regarding use of the trail and recreational easement. Motioned passed; Tracy, Clark, Michele, John, and Dick voted in the affirmative. Dale voted no. Mark B. did not vote as he left prior to the completion of the BOD meeting. Motion passed.
- There was a discussion of the working relationship between the Board of Directors and the Architectural Control Committee.

### **Complaint Resolution**

#### **Complaint**

The Board discussed the official complaints received by Keisha Anne Higley, Lot 107. The basis for the two complaints were as follows:

The two complaints addressed essentially the same issues. The complaint stated that the Recreational Easement Committee and the Crooked Creek Trail committee failed to provide timely notification to all members of the committees as well as the HOA for maximum participation. Additionally, that a draft resolution prepared by a member of one of the committees did not allow for maximum review or comment prior to being voted on and passed by a quorum of the two committees.

### **Resolution**

The position of the board was that the process utilized to author and present the single resolution prepared by both committees and presented as a single document was flawed. The resolution as presented encroached on the responsibilities of other formed committees, i.e. Roads committee and the responsibility and authority of the Board. End result was the resolution as submitted was invalid and needed to be addressed in a different manner. Additionally, the minimum time required to provide the draft of the proposal for review to the HOA and the stated time of the meeting was not posted in sufficient time to allow for maximum review of the resolution and possible attendance at the committees meeting.

The complainant was present during the complaint review and resolution process and was advised that the complaint was valid and action to resolve it as stated above in the resolution would occur.

Next BOD meeting to be held on either January 9<sup>th</sup> or 16<sup>th</sup> at 9:00AM. Dale indicated meeting could be held at present location at Coldwell Banker office in Food Lion strip mall.

A motion was made by Tracy and seconded by Clark to adjourn meeting. Unanimous agreement to adjourn meeting. Meeting adjourned at 12:20 PM.