

Runaway Bay Homeowner's Association, Inc.

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General Meeting

A special Board of Directors meeting was held to complete actions which were begun during the December 13, 2008 meeting. President, Herbert Miller asked for a motion to convene; Dave Skeen made the motion, and Bill Wither seconded after which all attending concurred.

To begin, Herbert explained that there were documents to review, such as the proposal by Barry Swinehart to allow Black Powder rifles during the deer thinning; this will be discussed further into the meeting.

Herbert asked for a motion to approve the minutes from the 13 December 2008 Board meeting: Bill Wither made the motion and Dave Skeen made the second. Discussion on the issue of the Boat Slip Association resulted in a slight change at the beginning of the statement adding (*Assuming that members of the Dock Slip Association*). With the change the Minutes were approved as amended by the five-member board and the attending membership.

Dave Skeen gave the Treasurers Financial Report: The 2008 Financial Books are to be closed by Feb 15. To date, 2008 expenses equaled 79.4 percent of the budget with some line items actually not having expenses, but were included in the budget in case of a need, i.e., tree removal. Taxes to be paid will equal \$2,303.

The \$6,768.55 expenses for December required an approval by the board. Richard Jenet motioned to accept the Financial Report and Bill Wither seconded the motion, with approval by all board members.

Dave noted that the property owner's annual dues deadline was this day, January 31st and currently we have 79% collected compared to 75% for the same period last year. A second letter will go out during the first week in February to those who have not yet sent in dues. Only two property owners did not pay in 2008 and liens have been placed on their property. Unfortunately the economy affected the bonds and certificates of deposit and interest returns were lower than expected, and with the state of the economy they may be low again this year.

Bill Wither asked why the HOA did not carry more over in the budget. Herb explained that we did have a balance to use to offset higher dues; some of this had been added to

budget at the beginning of 2008, but when not used, monies were put back in the contingency fund at the end of the year. At any time \$40,000 would be earmarked for legal fees, should that be necessary.

Bill Wither made the motion to approve the Treasurer Report and Richard Jenet seconded with all five board members concurring.

Herbert reported on a required five year review. Mason and Mason has provided a proposal amounting to \$3,265.00 to conduct an update from the original Reserve Study. Mike Lobue mentioned that it would be useful to have an additional copy. Dave Skeen noted that we have \$4,000 set aside for the study. The study provides four bound hard copies and one unbound copy. We can request an additional compact disk for \$30. Steve Richter asked why the board can't get a soft copy of the report. Bill Wallace asked if this Study could be paid from the reserve fund account. Mike Lobue suggested that Mason & Mason could tell us if we can use the reserve fund to pay for the study and we could negotiate extra copies. Herb will discuss with Mason and Mason about obtaining a CD of the entire report for no additional charge. Richard Jenet asked if the road system was included in the original review and it was not because the plan was that the State Road system ultimately would take over these roads. Richard Jenet made the motion and Dave Skeen seconded the motion that payment would not exceed \$3,265.00 and was approved by all board members.

The Mowing Service Contract was presented for review. Bill Wither suggested adding in to the requirements of the contract that each mowing cycle is to be completed within five workdays of the start time. George Lacombe said that there was a 3-week cycle for mowing and that sometimes schedules were set so that the Pavilion Park could look good for holiday weekends and weather often changes the cycle. Perhaps the new contract could ask for three-week intervals until the July 4th weekend then go to four weeks between mowing while the grass is dry in the hot months. The Grounds and Maintenance Committee has tried different versions on grass planting and will continue to work to get a good cycle. The fact that vendors should mow within a certain number of workdays will be added to the request for proposals. Herbert motioned for approval for advertising for bids and Dave Skeen seconded with all board member's approving.

George Lacombe said that regarding a Landscape Service, the requirement is to work at the area around community entrance and possibly some seeding may need to be done. Work is to be accomplished on a per request basis. It is hard to plant scrubs because the deer eat most any thing that has been set in the ground. George is looking for recommendations on maintaining slopes. Richard Jenet suggested perhaps decorative stone would be an option. It was also suggested that perhaps local folks would be interested in a landscape committee for upkeep. Bill Wallace offered to take the lead in determining if there was significant interest within the community to landscape the entrance to the subdivision. Herbert asked for a motion to send this request for proposal out for bid: Richard Jenet made the motion, Dave Skeen seconded and all board members concurred.

Herbert announced that the Administrative Contract would also go to bid and asked if there had been a formal request for proposal used in the past to use as a base. Mike Lobue, former board member, was to look for the document and the goal is to have the Request for Proposal ready for the next Board meeting.

Regarding the Architectural Review Committee proposal discussed during the December meeting, Herb noted that it had been placed on the Website and there has been enough time for responses. The FAQ's will be posted. With that said, the board will vote on this at the March board meeting.

Regarding the review of the financial books, an "Agreed Upon Procedures" will be prepared and bids requested. It was noted that perhaps there should be a review of accounts receivable. Mike Lobue suggested perhaps using the internal review format and he will send Herb a copy to see if he wants to use it. Because the contracts need to be completed, reviews will be sent electronically to board asking for comments.

Regarding the Deer Herd reduction – Herb placed a call to a Game Warden asking for the VA Game and Inland Fisheries Department to analyze where we stand, but he has not received a call back. We have deer eating trees, shrubbery and flowers, a great concern to homeowners. Carmen Perri asked if there is a program for birth control and it was noted that studies show this not effective. The current policy is to allow bow only, the request is for muzzle loading. Karen Bragg is not in favor of rifles and is concerned that black powder might ignite, harming someone or causing a fire in the community. Bill Wither agreed that we should not allow rifles. Bill Wallace stated that he had read that when Roanoke brought in a sharp shooter only fifty deer were brought down. Any such action would be tightly controlled if that ever occurred, but right now that is not an option. Herbert asked for a Motion on Muzzle. Richard Jenet felt that we need more information before voting. The motion was tabled for further review. Herbert then asked for a motion to continue the policy which was recognized in 2008. Bill Wither seconded Herbert's motion and the motion passed by all board members. Herbert hopes that by the March meeting the Game Warden will be available to speak on this issue. (*Note: The Conservation Officer visited Runaway Bay and determined that there was significant property damage and issued an Official Kill permit to extend the hunting season within Runaway Bay until the 30th of April 2009.*) It was stated that homeowners must know when someone is out with the bows. The archer must notify an adjacent property owner when someone is thinning the herd. Herb hopes that we may possibly get several undeveloped lots defined as thinning sites.

Regarding the Status of the Ponds – a local contractor was requested to submit a proposal to repair both ponds. The Mason and Mason study states that the fountains, etc., should last approximately 5 years. We have now reached the 5 year mark. The fountains and lights continue to short and blow circuit breakers. Once the proposal is received, we may find the repairs to be very expensive and other options may need to be presented. Regardless, the community must have some type of drainage system. The Boat Storage area has experienced severe erosion and a local contractor was requested to submit a

proposal to repair. George hopes to have a local repair person managing the work instead of depending on the original installer from North Carolina.

Herb mentioned that River Oaks is sending the documentation for the Dock Slip Association to include the financial reports. Hopefully River Oaks is reaching the point where they will be able to turn the association over to the dock owners.

Regarding the Safety and Security Committee – Carmen Perri noted that the combination on the lock was changed at both the launch and the boat storage area. Herbert noted that property owners must contact our Property Owners Services Manager for the combinations. At which time she will verify that Dues are paid. Lock combos will not be given out if dues are in arrears. Richard Jennet suggested spraying the gate pipes at both locations, as wasps have been making nests inside them. Carmen Perri took the lead on the action and will plug the ends of the pipes.

Herbert noted that the board will begin looking for Picnic caterers and that requests for proposals will go out to at least three vendors for the May23rd event.

Herbert then made the motion to permanently increase the number of board members from five to seven. Bill Wither seconded the motion and all board members concurred.

Herbert then noted that HOA Bylaws required general membership approval (as stated in the bylaws) whenever there might be a need for change. There is some thought that the Board should not all be elected in the same year. Under the current bylaws, the entire board is up for election every year and can be replaced every year which does not afford for any continuity in the Board. With the Commonwealth statutes getting more and more restrictive each year, it really takes more than a year to get a good understanding of how a HOA should and is required to operate. With this in mind, Herb is going to research if it is possible to have board members serve one, two and three year terms which will provide some continuity and be beneficial to the property owners. The HOA can now pass amendments by a 60% affirmative vote of those voting for an issue. He also mentioned that Board application forms are on a table for anyone interested in applying.

The response to the 2007 financial review as presented. Herbert motioned to approve these conclusions, Dave Skeen seconded and the five-member board approved. This response will be added to the website.

The various committees were reminded that meetings must be placed on the community calendar at least 10 days prior to a meeting. It was mentioned that it would be hard to host a committee meeting if many folks attended because most meetings are held in homes. A suggestion was made to schedule monthly meetings, with the option of canceling if there were no issues. Bill Wither mentioned that, while the ARC has historically been able to respond to an application in a very short timeframe, it would be hard for the ARC to in less than the 30 days allowed, if this committee must comply with meeting this time constraint. He also brought up an issue where a property owner did not

ask for a return on a road bond. It was decided to send a simple letter to request information from this owner based on a Virginia Abandoned Property Law.

In General Information:

Campbell County maintains an ordinance on noise, which prohibits excessive noise from 10pm to 6am.

Property Owner Services Manager should be given any changes in addresses, phones, or email info.

Mailboxes are available for purchase by contacting the Property Owners Services Manager. Property owners are responsible for installation.

Richard Jenet motioned to adjourn, Bill Wither seconded, and the board approved adjournment.

The next meeting, the General Election Meeting, is to be held on March 14th, 2009.

Submitted by,
Karen Bragg
Secretary