

**2018 ANNUAL MEMBERSHIP MEETING MINUTES
FOR THE
APPLE MOUNTAIN LAKE SOUTH PROPERTY OWNER'S
ASSOCIATION**

Agenda

- Roll Call
- President's Announcements
- Reading/Acceptance of Minutes from September 10, 2017 Membership Meeting
- President's Report
- Road Report
- Treasurer's Report
- Auditor's Report
- Bylaw/Covenant Changes
- Proposed Budget 2018/2019
- Election of Officers for New Board
- New Business

Apple Mountain Lake South POA
Membership Meeting Minutes
September 09, 2018
Linden Church

ROLL-CALL --- VOTING RECORD – September 09, 2018

Lot No.	Property Owner	Present to Vote	Voting by Proxy	Proxy Given to: (Name / Lot #)
1	Mansur INACTIVE \$2,241.22 (Payment Plan)			
2	Mansur INACTIVE \$2,241.22 (Payment Plan)			
3	Makely INACTIVE \$420.00			
4	Tinsdale\Hibbs			
5	Warner	X		
6	Resendiz			
7	Taber		X	Mail-in
8	Eggers			
9	Hattom/Byrne			
10	Crawford	X		
11	Neufeld	X	`	
12	Nejadian		X	Mail-in
13	Becker			
14	Burke			
15	Chandler INACTIVE 4,871.36			
16	Sackett INACTIVE 761.60			
17	Wentz			
18	Gyurvo & Petrov	X		
19	Christen\Sylvia	X		
20	Atanasov	X		
21	Hatfield	X		
22	Chatterton \$750 –			
23	Chatterton \$750			
24	Dickens			
25	Smallwood			
26	Black			
27	Kelly			
28	Hales	X		
29	Wisch			
30	Kilby	X		
31	Bussells/McGowan			
32	McNey		X	Mail-In
33	Chapman			
34	Schuldt			

35	Mooney		X	Mail-In (Wishes to Run for Secretary)
36	Griffith			
37	Budwash			
38	Donovan			
39	Dagorn		X	Turner
40	Turner	X		
41	Overholt		X	Board
42	Cortes			
43	Ashby			
44	Conley			
45	Ashby			
46	Spottswood		X	Kilby
47	Rivera			
48	Atkins			
49	Ewell			
50	McClung			
51	Thompson		X	Hales
52 & 53	Heflin			
54	Heflin			
55	Perry			
56	Mercer-Moore			
57	Burt			
58	Shokes			
59	Lose			
60	Rogers		X	Allen
61	Hirmer			
62	Chroust			
63	Canales & Corriher			
64	Dawson	X		
65	Cicolini	X		
66	Bush			
67	Giles			
68	Golden		X	
69	Golden		X	
70	Horn		X	Mail-In
71	Golden		X	
72	Allen	X		
73	Clark		X	Dawson

TOTAL ATTENDING VOTES:

13

TOTAL PROXY VOTES:

14

TOTAL VOTING AT MEETING: 27

TOTAL NON-VOTES 40 (MEMBERS NOT
ATTENDING AND NOT VOTING BY PROXY)

TOTAL IN-ACTIVE MEMBERS 5 (IN-ACTIVE
MEMBERS HAVE NO VOTES

Announcements

Webpage/Facebook:

The web address for the Association is www.amlspoa.org

To each Board Members by email:

Main Email (President) – amlspoa@gmail.com

Secretary – secretary.amlspoa@gmail.com

Treasurer – treasurer.amlspoa@gmail.com

VP of Architect – vpofarchitech@gmail.com

VP of Roads - vpofroads.amlspoa@gmail.com

Please let us know if you have suggestions on things you would like to see on our website.

The Association can also be found on Facebook at <http://www.facebook.com/pages/Apple-Mountain-Lake-South-Property-Owners-Association/232184429908>

Complaints:

The Board requests that all Association complaints and questions be mailed to the Association, emailed or leave a message on the Association cell phone. Please allow 3 to 4 days for someone to return your calls. *The Complaint Form is located on our website. There is an entire process that we have to follow (we voted this in last year) and the form includes a timetable.*

AMLSPOA

P.O. Box 171

Linden, VA 22642

Cell: 540-305-9781

AMLSPOA@AMLSPOA.org

Please do not call board members at their homes with complaints. Board members are volunteers to our community and should be able to enjoy their personal time without interruptions. If there is a true emergency, please call the Warren County Sheriff's Department or Warren County Fire and Rescue. Note. We tend to respond quickly to email.

Gayl Hales, President 2017/2018

2017 Annual Membership Minutes

Motion made and past to waive reading of the minutes.

2017/2018 President's Report

I'd like to thank the Board members for their hard work last year on the many projects throughout the year. It has been a pleasure working with them throughout the year.

Notable Accomplishments for 2017/2018

Past Due Accounts: The Association was successful in collecting \$3,947 in past due accounts. Mr. Pond is currently working on obtaining judgments on 3 members with past due 2018 Road Maintenance fees. Current amounts that are past due are as follows:

\$ 4,871.36	Chandler (Apple Jack Circle) <i>Mr. Pond is currently obtaining Warrant in Debts for 2017 and 2018. We have already been awarded Warrant in Debts for prior years. Mr. Chandler does not show for interrogatories.</i>
\$ 761.60	Sackett (Apple Jack Circle) <i>Currently in breach of Payment Plan. Account has been turned over to Mr. Pond for Warrant in Debt.</i>
\$ 2,331.22	Mansur (Newton Dr) <i>Currently on Monthly Payment Plan.</i>
<u>\$ 420.00</u>	Makely (Newton Dr) <i>Mr. Pond is currently obtaining a Warrant in Debt.</i>
<u>\$ 8,384.18</u>	Total

This is the 12th year the Board has offered Payment Plans to all members with many members taking advantage of the program.

Firewise:

Our community did not participate in the Virginia Department of Forestry's "Firewise" fuel reduction program this year. We will apply again in January of 2019.

IMPORTANT: Please make note of how much time you spend working on cutting or dragging branches, clearing brush, maintaining your property and lawn, etc and send a quick email summary to Gayl Hales. Worksheets are available, if needed. However, you can simply send a note similar to this example:
From John and Jane Smith, 1234 Apple Jack Road, spent 2 hours each on 12/9/11 gathering branches.

We need to report our volunteer work hours to Firewise to help us get future grants. If you have already spent time working on clearing and cutting brush or please report those hours as well, and any future hours – we could use all the volunteer hours we can get!
There is also a form on the Association website you can use to track your hours.

We will continue to participate in the Firewise program in future years in order to help reduce the risk of wildfire in communities like ours.

Attached is a list of items that count toward our in-kind hours, as well as the form to track your hours.

2017/2018 Road Report

Presented by Jeff Allen, Vice President of Roads, AMLSPOA

I'd like to start by saying it's been a pleasure to continue my service to the board of directors and to our community by serving as Vice President of Roads. Fortunately, we had a mild winter, which saved the community a lot of money. However, the extraordinary amount of rain we received this spring exacted a heavy toll on our fragile roads.

We were in a fairly strong financial position this spring and we were able to perform an elevated level of maintenance on the road this spring. This maintenance included the usual grading and we were able to add many loads of stone to the road. The unexpected and extraordinary amounts of rain, though, washed out our roads and bridges, badly. We are still working to repair all the damage. We have also taken steps to spur some of our neighbors to finally repair their driveways and culverts so as not to exacerbate the erosion of our roads. We are also, once again, working to provide dust control to our roads.

Many residents in our community are doing a nice job of maintaining their roadsides. However, there are still those who don't feel the need to keep our roads clear of overgrowth. We are seeking to implement stronger means of motivating our neighbors to help keep our neighborhood looking welcoming and cared for. I feel this is something that each homeowner should be taking responsibility for, instead of expecting the association to maintain your property for you.

As we look to the future, I hope that more of our neighbors recognize the need to take responsibility for their own community and for the roads they drive on every day. We should all take pride in our neighborhood and try to keep it clean and well maintained. Additionally, it is critical that we all take a long look at how we drive on our roads. SLOW DOWN! The money you save WILL be your own.

2017/2018 Treasurer's Report

Presented by Joetta Kilby, Treasurer AMLSPOA

During fiscal year 2017/2018 the HOA collected \$29,159 in revenue, \$154 in interest and spent \$15,642 in expenses, resulting in a profit of \$13,671. This profit that was almost \$10k higher than budgeted due to two main reasons. First, the lighter snowfall last winter and the hard work of Jeff Allen and others helped us to save almost \$8k from our road maintenance fees. Second, we had an additional \$2k in revenue mainly from the collection of past due accounts and from road impact fees received for new construction on two lots.

The Association was able to meet the required amount needed in the reserve fund this year. This is important, as the Property Owners Association Act (55.1514.1 et seq) requires an audit of all associations to determine their financial readiness in case the need for major repairs arises. In our case, our largest expenditure is road maintenance.

Payment plans will be offered again this year to all residents. Payment plans allow residents some financial relief while allowing the HOA to collect all dues as we continue our partnership in closing our reserve gap.

As a reminder, any ATV's used on community roadways must register with the association.

Profit and Loss
July 1, 2017 - June 30, 2018

	2017-2018	
	Actual	Budget
<u>Income</u>		
2018 Road Fees- 65 lots @ \$375	21,540	24,375
<i>Board credit</i>		<i>(1,000)</i>
CCC Road Fees - 7 lots @ \$165	990	1,155
Prior years Road Fees	3,947	2,000
ATV Registration Fees	160	120
Disclosure Packets	600	100
Impact Fees	3,000	
Interest Income	155	
Late Fees	532	150
Total Income	\$ 30,924	\$ 26,900
<u>Road Maintenance Expenditures</u>		
Snow Removal		\$ 8,000
Road Maintenance	10,530	10,000
Total Road Maintenance Expenditures	\$ 10,530	\$ 18,000
<u>Administrative Expenditures</u>		
Accounting/Review Fees	850	1,500
Bank Charges	12	20
Community Day		
Dues & Subscriptions	421	360
Insurance	731	750
Legal & Professional Fees	1,898	2,000
Meeting Expenses	50	
Office Supplies & Expenses	703	800
Postage	325	450
Taxes & Licenses	122	200
Telephone		100
Total Administrative Expenditures	\$ 5,112	\$ 6,180
Net Profit/Loss	\$ 15,282	\$ 2,720
<u>Cash, Savings and CD's as of June 30, 2018</u>		
BB&T Checking Account	\$ 49,573	

BB&T CCC Road Escrow Account	3,350
CapOne Savings/Reserve Fund	24,947
ING CD	7,000
ING CD	7,000
Total Cash, Savings and CD's @ 6/30/18	\$ 91,870

2017/2018 Auditor's Review

*Joetta Kilby read the auditor's Review.
A copy of the Auditor's Review is available on the website at amlspoa.org*

CAST VOTE FOR THESE AGENDA ITEMS:

AMLSPOA 2018-2019 PROPOSED BUDGET WITH A BOARD:

	<u>Proposed 2018-2019</u>
<u>Income</u>	
2018 Road Fees- 65 lots @ \$375	24,375
<i>Board credit</i>	<i>(1,000)</i>
20\$3,94718 CCC Road Fees - 7 lots @ \$165	1,155
Prior years Road Fees	2,000
ATV Registration Fees	160
Disclosure Packets	100
Impact Fees	
Interest Income	
Late Fees	300
Total Income	\$ 28,090
<u>Road Maintenance Expenditures</u>	
Snow Removal	8,000
Road Maintenance	10,000
Total Road Maintenance Expenditures	\$ 18,000
<u>Administrative Expenditures</u>	
Accounting/Review Fees	800
Bank Charges	20
Dues & Subscriptions	450

Insurance	750
Legal & Professional Fees	2,000
Meeting Expenses	50
Office Supplies & Expenses	800
Postage	450
Taxes & Licenses	200
Telephone	100
Total Administrative Expenditures	\$ 5,620
Net Profit/Loss	\$ 4,470

Proxies YES 11 NO 3
 Member's Present YES 10 NO 3

Budget was Passed as Written.

AMLSPOA 2018-2019 PROPOSED BUDGET WITH A MANAGEMENT COMPANY:

The Board has obtained several estimates from Management companies. If there are no new volunteers for the open Board positions, a special meeting will be held 45 days after the Annual Meeting to vote on a Management company

	<u>Proposed 2018-2019</u>
<u>Income</u>	
2018 Road Fees- 65 lots @ \$475	30,875
Board credit	(1,000)
20\$3,94718 CCC Road Fees - 7 lots @ \$265	1,855
Prior years Road Fees	2,000
ATV Registration Fees	160
Disclosure Packets	100
Late Fees	300
Total Income	\$ 34,990
 <u>Road Maintenance Expenditures</u>	
Snow Removal	8,000

Road Maintenance	10,000
Total Road Maintenance Expenditures	\$ 18,000

Administrative Expenditures

Accounting/Review Fees	800
Bank Charges	20
Management Company	7,000
Dues & Subscriptions	450
Insurance	750
Legal & Professional Fees	2,000
Meeting Expenses	50
Office Supplies & Expenses	800
Postage	450
Taxes & Licenses	200
Telephone	100
Total Administrative Expenditures	\$ 12,620
Net Profit/Loss	\$ 4,370

Proxies YES 3 NO 11

Member's Present YES 3 NO 10

Item Failed. – There was a lot of discussion on hidden fees charged by a management company.

COVENANTS SECTION VII
Dwelling and Maintenance of Lots
 Section VII – J of the Covenants currently states “An owner of any Lot or Lots who develops an undeveloped Lot where such work requires the use of heavy equipment or heavy good vehicles for the delivery of materials and service to the Lot(s) shall pay to the Association a non-refundable fee of \$1,500, to defray the costs of road damage from construction. “

Proposed Changes:
 Section VII – J of the Covenants currently states “An owner of any Lot or Lots who develops an undeveloped Lot where such work requires the use of heavy equipment or heavy good vehicles for the delivery of materials and service to the Lot(s) shall pay to the Association a non-refundable fee of \$1,500, to defray the costs of road damage from construction. “

If the Lot or Lots are sold prior to completion of work, the new owner is required to pay an additional non-refundable fee of \$1,500 to continue work.

Proxies YES 7 NO 7

Member's Present YES 8 NO 4 One Member Present did not vote

Item Passed as Written – There was a discussion on the wording of this section of the Covenants. Mr. Hatfield wanted to know whether this meant if he brought a roller up to grade his driveway if he would have to pay this. Jeff Allen explained he probably would not. This caused a whole new set of questions. Mr. Allen explained this was different than the section below this in the Covenants. Mrs. Hales provided Mr. Allen with the Covenants. There was still a lot of questions and it was finally cleared up and voted on.

BYLAWS ARTICLE V SECTION 1:

Annual Charges

Article V, Section 1, Paragraph 5 of the Bylaws

“An owner of any Lot or Lots who develops an undeveloped Lot where such work requires the use of heavy equipment or heavy good vehicles for the delivery of materials and service to the Lot(s) shall pay to the Association a non-refundable fee of \$1,500, to defray the costs of road damage from construction. “

If the Lot or Lots are sold prior to completion of work, the new owner is required to pay an additional non-refundable fee of \$1,500 to continue work.

It is proposed that the Bylaws be changed to reflect the same wording as the Covenants in order to remove any confusion. (see proposed change above).

Proxies YES 11 NO 3

Member's Present YES 13 NO 0

Item Passed as Written – There was a brief discussion explaining this was just to make the wording in the Bylaws match the Covenants.

COVENANTS SECTION VII

Dwellings and Maintenance of Lots

Section VII - H of the Covenants states “Each property owner agrees to maintain his or her roadside ditches and driveway culverts. Such maintenance shall include regular removal of leaves, limbs, trash, and any other debris that may block culvert pipes or cause water flow diversion and erosion. Ditches and culverts shall be maintained regularly and all year long. Property owners with blocked, crushed, or in any way deficient culvert pipes shall have them replaced. Any property owner who fails, refuses or neglects to maintain their ditches and culverts in the described manner, after receiving 30 days’ notice to do so from the Apple Mountain Lake South Property’s Owners Association, shall be subject to a fine not to exceed \$100.00; In addition to said fine, the Board of Directors may have the ditches and culverts cleaned, replaced, or restored by its own agents or a hired contractor, in which event the cost thereof shall be chargeable to and paid by the owners of such property and may be collected by the Association as fines. Every charge authorized by this section with which the owners of any such property shall have been assessed and remains unpaid shall subject the lot owner to any collection remedy available to the Association. See Bylaws Article V Charges Section 1.

Proposed Changes:

Section VII - H of the Covenants states “Each property owner agrees to maintain his or her roadside ditches and driveway culverts. Such maintenance shall include regular removal of leaves, limbs, trash, and any other debris that may block culvert pipes or cause water flow diversion and erosion. Ditches and culverts shall be maintained regularly and all year long. Property owners with blocked, crushed, or in any way deficient culvert pipes shall have them replaced. Any property owner who fails, refuses or neglects to maintain their ditches and culverts in the described manner, after receiving 30 days’ notice to do so from the Apple Mountain Lake South Property’s Owners Association, shall be subject to a fine not to exceed **\$500.00**; In addition to said fine, the Board of Directors may have the ditches and culverts cleaned, replaced, or restored by its own agents or a hired contractor, in which event the cost thereof shall be chargeable to and paid by the owners of such property and may be collected by the Association as fines. Every charge authorized by this section with which the owners of any such property shall have been assessed and remains unpaid shall subject the lot owner to any collection

remedy available to the Association. See Bylaws Article V Charges Section 1.

Proxies YES 4 NO 10

Member's Present YES 3 NO 10

Item Failed – There was a discussion on whether the Board has every fined anyone for violating the Covenants. Mrs. Hales explained we never fined anyone because Mr. Allen would use his own equipment and spend his time fixing the damage to the roads caused by members clogged culverts and improperly graded driveways. However, letters were recently sent to members who were in violation and everyone seemed to be addressing the issue.

COVENANTS SECTION VII

Dwellings and Maintenance of Lots

Section VII - H of the Covenants states - No residence smaller than 1200 finished square feet exclusive of garage shall be permitted on any Lot in our Development. Prior to construction, plans for all dwellings and outbuildings shall be approved in writing by an Architectural Committee to be comprised of three persons appointed by the Board (one of which will be a Board Vice-President). Any residence constructed prior to these Covenants will be allowed to stay at their current size until sale of property or probate of said property at which time these requirements must be met.

Proposed Change:

No **New** residence smaller than 1200 finished square feet exclusive of garage shall be permitted on any Lot in our Development. Prior to construction, plans for all dwellings and outbuildings shall be approved in writing by an Architectural Committee to be comprised of three persons appointed by the Board (one of which will be a Board Vice-President).

Removal of the follow section: "Any residence constructed prior to these Covenants will be allowed to stay at their current size until sale of property or probate of said property at which time these requirements must be met. "

After consulting with an attorney, this is section of the Covenants is not enforceable.

Proxies YES 6 NO 8

Member's Present YES 13 NO _____

Item Passed – Mrs. Hales explained that after a member complained that houses within the POA sold that were in violation of the Covenants. Mrs. Hales had the Association Attorney Daniel Pond III look into the matter. Mr. Pond pulled the records of all the homes in question, only 2 of them where under the square footage. Mr. Pond explained this section of the covenants was not enforceable as it was not legal. You cannot force someone to add on to their home, if their home was built prior to the Covenants. This information cost the Association \$1600 in attorney fees. Mr. Hatfield spoke up and said he was the member who brought up this issue and wanted to know if we got case law, since we spent \$1600.

COVENANTS SECTION X

Safety and Security

Section X – E of the Covenants states – The discharge of fireworks is prohibited without proper Warren County permit and permission from the Board, with the exception of minor fireworks; such as sparklers.

Proposed Changes:

Section X – E: The discharge of fireworks is prohibited without proper Warren County permit and permission. ***The Warren County Permit shall be submitted to the Board 30 days prior to use. Any person who refuses to submit the required permit shall be subject to a \$100 Fine. Any unpaid fines shall be subject to any collection remedy available to the association. See Bylaws Article V Charges Section I.***

Robey Hatfield suggested the wording be changed to "The Warren County Permit shall be submitted to the Board 30 days prior to use. Any person who refuses to submit the required permit shall be subject to a \$100 Fine. Upon approval of a Warren County permit, the Board has 3 days to approve the permit. Any unpaid fines shall be subject to any collection remedy available to the association. See Bylaws Article V Charges Section I.

Proxies YES 5 NO 9

Member's Present YES 11 NO 2

Item Passed – There was a brief discussion on the matter and after we changed the wording, the item was voted on.

COVENANTS SECTION VII

Dwellings and Maintenance of Lots

Section VII – G of the Covenants States - Each property owner agrees to maintain the roadside in such a manner as to prevent grass, weeds, limbs, vines, and trees from impinging the road in any way. Roadside shall be trimmed of the aforementioned growth to a minimum of four (4) feet from the discernable edge of the gravel road and shall include the removal of any trees four (4) inches in diameter and smaller. Trees, tree limbs, vines, and any other foreign growth shall be cut back to provide a vertical clearance of a minimum of eighteen (18) feet high, not to overhang the road. Any ornamental plants or trees, if planted within the described margin, shall be maintained such as to not overhang the road in any way. Trimming and maintenance of the roadside vegetation shall be maintained regularly and year-round. Any person who fails, refuses, or neglects to cut or remove such grass, weeds, limbs, vines, trees, and other foreign growth, in the described manner, after receiving 30 days' notice to do so from the Apple Mountain Lake South Property's Owners Association, shall be subject to a fine not to exceed **\$500.00**; In addition to said fine, the Board of Directors shall have such grass, weeds, limbs, vines, trees, or other foreign growth which might endanger the health and safety of other residents of the Association, cut by its own agents or a hired contractor, in which event the cost thereof shall be chargeable to and paid by the owners of such property and may be collected by the Association as fines. Every charge authorized by this section with which the owners of any such property shall have been assessed and remains unpaid shall subject the lot owner to any collection remedy available to the Association. See Bylaws Article V Charges Section 1.

Proxies YES 5 NO 9

Member's Present YES 3 NO 10

Item Failed – Again it was asked how many times have we fined a member. Mrs. Hales said we never fined anyone as Mr. Allen always would take it upon himself and take care of the issue.

COVENANTS SECTION V

Compliance with Declaration

Every Lot owner, and all those entitled to occupy a Lot, shall comply with all lawful provisions of this Declaration. Any lack of such compliance shall be grounds for an action or suit to recover sums due, for damages or injunctive relief, or for any other remedy available at law or in equity, maintainable by the Association, or by its Board, or in any proper case, by one or more aggrieved Lot owners on their own behalf or as a class action. The prevailing party shall be entitled to recover reasonable attorneys' fees and costs expended in the matter.

Proposed Changes:

Every Lot owner **and/or Tenant**, and all those entitled to occupy a Lot, shall comply with all lawful provisions of this Declaration. Any lack of such compliance shall be grounds for an action or suit to recover sums due, for damages or injunctive relief, or for any other remedy available at law or in equity, maintainable by the Association, or by its Board, or in any proper case, by one or more aggrieved Lot owners on their own behalf or as a class action. The prevailing party shall be entitled to recover reasonable attorneys' fees and costs expended in

the matter.

Proxies YES 7 NO 7

Member's Present YES 10 NO 3

Item Passed – There was a discussion on whether the Association had the authority to come between tenant and landlord. A few members felt this is something the landlord should include in his or her lease with the tenant. Mr. Hatfield proposed this item should be tabled until we consulted an attorney. After more discussion, the members presented agreed to go ahead and vote on the item.

**BYLAWS ARTICLE III
MEETING OF MEMBERS**

Section 8: Minutes/Members currently states - The Board shall ensure minutes of every meeting to include, but not limited to annual, special, Board, committee, etc., will be filed with the Association records along with a packet of that meeting. Subject to the law for exceptions, all books and records kept by or on behalf of the Association, including, but not limited to, the Association's membership list and addresses, which shall not be used for purposes of pecuniary gain or commercial solicitation, shall be available for examination and copying by an Active member so long as the request is for a proper purpose related to his membership in the Association. A fee may apply. Access to the records will be made available to the Active member within five (5) days of written notice identifying the purpose for the request.

Proposed Changes:

1. The Board shall ensure minutes of every meeting to include, but not limited to annual, special, Board, committee, etc., will be filed with the Association records along with a packet of that meeting. Subject to the law for exceptions, all books and records kept by or on behalf of the Association, including, but not limited to, the Association's membership list and addresses, which shall not be used for purposes of pecuniary gain or commercial solicitation, shall be available for examination and copying by an Active member so long as the request is for a proper purpose related to his membership in the Association. ***A fee of \$150 will be charged for copying of any Association Records.*** Access to the records will be made available to the Active member within ***ten (10) days*** of written notice identifying the purpose for the request.
2. ***All Records of the Association will be stored in a storage unit rented by the Association.***

Proxies YES 6 NO 8

Member's Present YES 3 NO 10

Item Failed – Mr. Hatfield suggested the Board consult an attorney, as he does not believe the POA act allows the Board to charge to copy records. The members agreed to tabled item one (1) until an attorney is consulted. There is a discussion on item two (2) on whether the Board got an estimate for a storage unit. Mrs. Hales said that the Board did not get an estimate and she had 14 tubs of documents from the Association dating back from 1972. Ms. Christen suggested we get an estimate to hire someone to scan the documents in. Mrs. Hales said we got an estimate about 5 years ago from a college student for \$500. The members felt that would be cheaper than a storage unit. Mrs. Hales said she no longer had the information on the student, however the Association owns a scanner and the Board started storing all its documents on a google drive. Mr. Turner and Mr. Atanasov volunteer to each take tubs of documents and scan them to the google drive.

**BYLAWS ARTICLE IV
BOARD of DIRECTORS**

Section 2: Number, Tenure, and Qualifications Currently states - The affairs, activities, and concerns of the Association shall be vested in a Board consisting of five (5) officers. The members of the Board shall, upon

election, immediately enter upon the performance of their duties and shall continue in office until their successors have been duly elected. The term of the officers shall be one year. New officers will be elected each year at the annual meeting. Any officer may be re-elected. No more than two people from any family may serve as an officer at the same time. However, the President and Treasurer may not be from the same family or household. Each officer must be an Active member in the Association.

Proposed Changes:

The affairs, activities, and concerns of the Association shall be vested in a Board consisting of five (5) officers. The members of the Board shall, upon election, immediately enter upon the performance of their duties and shall continue in office until their successors have been duly elected. The term of the officers shall be one year. New officers will be elected each year at the annual meeting. **No Officer shall serve more than two consecutive terms in any one position.** No more than two people from any family may serve as an officer at the same time. However, the President and Treasurer may not be from the same family or household. Each officer must be an Active member in the Association.

Proxies YES 10 NO 3

Member's Present YES 13 NO 0

Item Passed as Written – There was a brief discussion that this was not going to work. It was motioned to be voted on as written.

**BYLAWS ARTICLE IV
BOARD of DIRECTORS**

Section 6: Notice currently states - Monthly Board Meetings will be held on the 3rd Thursday at 7 PM every month. If the 3rd Thursday falls on a Holiday the Board Meeting will be held on the 4th Thursday of that month. Notice special meetings of the Board shall be typed or legibly written on an 8 1/2" x 11" piece of paper with the date, time and place of the meeting and posted at the entrance to AMLS at least five (5) days prior to said meeting or in the event of an emergency meeting as soon as it is known about.

Proposed Changes:

Monthly Board Meetings will be **held once a month with a quorum of Board Members. If a Quorum of Board Members is not available, the meeting will be rescheduled to the next month. Notice of all meetings of the Board shall be posted on the Association website at AMLSPOA.ORG and on the Association Facebook page at <https://www.facebook.com/amlspoa/>** with the date, time and place of the meeting, **15 days prior to the meeting.**

Proxies YES 11 NO 3

Member's Present YES 13 NO 0

Item Passed as Written

**BYLAWS ARTICLE IV
BOARD of DIRECTORS**

Section 7: Resignation currently states - An officer may resign at any time by giving written notice to the Board, the President, or the Secretary of the Association. Unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof by the Board, and the acceptance of the resignation shall not be necessary to make it effective.

Proposed Changes:

An officer may resign at any time by giving written notice to the Board either by **electronic or printed means**, the President, or the Secretary of the Association. Unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof by the Board, and the acceptance of the resignation shall not be

necessary to make it effective.

Proxies **YES** 13 **NO** 1

Member's Present **YES** 13 **NO** 0

Item Passed as Written

**BYLAWS ARTICLE IV
BOARD of DIRECTORS**

Section 12: Number, Title, and Function Letter C #3 currently states – Prepare requests for estimates of road maintenance, snow removal, etc. A minimum of (3) three written estimates will be obtained for any maintenance costs exceeding \$500

Proposed Changes:

Prepare requests for estimates of road maintenance, snow removal, etc. A minimum of (3) three written estimates, *when possible* will be obtained for any maintenance costs exceeding \$500

Proxies **YES** 12 **NO** 2

Member's Present **YES** 13 **NO** 0

Item Passed as Written

**BYLAWS ARTICLE VIII
ENFORCEMENT OF RULES**

SECTION 1: FINES Currently reads - The Board has the power to set and assess fines against any member for any violation of these Bylaws, the Covenants and Restrictions, and the rules and regulations, if any. The amount of any fines so assessed shall not be limited to the expense or damage to the Association caused by the violation but shall not exceed \$100 dollars for a single offense or \$10 per day (for a maximum of 90 days) for any offense of a continuing nature and shall be treated as an assessment against the member's lot.

Proposed Changes:

The Board has the power to set and assess fines against any member for any violation of these Bylaws, the Covenants and Restrictions, and the rules and regulations, if any. The amount of any fines so assessed shall not be limited to the expense or damage to the Association caused by the violation but shall not exceed **\$500** dollars for a single offense or **\$25** per day (for a maximum of 90 days) for any offense of a continuing nature and shall be treated as an assessment against the member's lot.

Proxies **YES** 3 **NO** 11

Member's Present **YES** 3 **NO** 10

Item Failed – There was another discussion on how many times the Board has fined someone. The Board stated it has never fined anyone and it was discussed if we have never fined anyone, why raise the fines.

**BYLAWS ARTICLE VI
STANDING COMMITTEE**

SECTION 5: AUDIT COMMITTEE currently states:

The Audit Committee shall have as its purpose:

1. Audit Treasurers records to ensure Board financial records are maintained in accordance with general accounting principles. Provide Board with results of audit by written report within three months.

Proposed Changes:

The Audit Committee shall **be a 3rd party (non-Board member) review with a full audit review to be done by an outside company every 3 years.**

1. Audit Treasurers records to ensure Board financial records are maintained in accordance with general accounting principles. Provide Board with results of audit review by written report within **two** months.

Proxies YES 8 NO 5

Member's Present YES 3 NO 10

Item Failed – There was a discussion on why members of the Association with no accounting experience should not be on the audit committee. It was discussed how an outside audit review done every year protects the Association from fraud and catches it before it gets too far out of hand.

Election of Officers for New Board

- Nominations from the floor for open Board positions:
 - Marg Christen nominated Gayl Hales for President, Mrs. Hales respectfully declined and asked for other nominations from the floor. Marg Christen nominated Michael Ciccolini for President, Donald Hales seconded the nomination. Mr. Ciccolini was appointed in as president.
 - Marg Christen nominated Joetta Kilby as Treasurer, Mrs. Kilby respectfully declined. Donald Hales nominated Marg Christen for Treasurer. The motion was seconded and Mrs. Christen was appointed Treasurer.
 - Barbara Mooney was unable to attend the meeting but sent in an email to the Board saying she would like to be Secretary. Mrs. Mooney was appointed Secretary.
 - Donald Hales nominated Claude Dawson as VP of Roads. The motion was seconded, and Mr. Dawson was appointed VP of Roads.
 - Marg Christen nominated John Neufeld for VP of Architecture. The motion was seconded, and Mr. Neufeld was appointed VP of Architecture.

- Selection for Road Committee
 - No one stepped up to volunteer for this committee

- Selection for Audit Committee
 - It was discussed to continue paying a third party to do an audit review every year.

- Selection for FireWise Committee
 - No one stepped up to volunteer for this committee

- Selection for Communication Committee
 - Johnson Turner Volunteered to be on this committee

- Selection for Community Day Committee

- ❑ No one stepped up to volunteer for this committee. Marg Christen suggested that we not have this Committee anymore. Stating people are too busy with their lives to participate in a Community Day.

REMINDER:

Community Update & Reminders

Roads:

Please remember that the speed limit throughout our Community is **15 MPH**. Residents are responsible for guests so please remind them of our speed limit. There are many people walking and biking our roads, let's keep them safe.

Please remember **those traveling up the mountain have the right of way!**

ATV Registration:

All ATV's operating on Association roads, **MUST** be registered with the Association. The registration fee is \$15 a year per ATV.

The Association has obtained new ATV registration stickers, All ATV owners who have previously registered is asked to re-register to obtain a new sticker.

The ATV registration form is located on the website at -
<http://www.amlspoa.org/forms.html>