

**ANNUAL MEMBERSHIP MEETING
SEPTEMBER 9, 2018 AT 3:00PM
LINDEN UNITED METHODIST CHURCH**

**PLEASE NOTE THAT ONLY ACTIVE MEMBERS
ARE ELIGIBLE TO VOTE OR PARTICIPATE IN MEETINGS**

PROXY VOTE

Date: _____

I hereby give my proxy vote to:

_____ Lot No: _____

My proxy vote is to be cast only on issues that are presented at the Membership Meeting of the Apple Mountain Lake South Property Owner's Association to be held on Sunday, September 9 2018 at 3:00pm. **THIS PROXY SUPERSEDES ANY OTHER PROXY FOR THE CURRENT**

YEAR OF 2017/2018 Further, I have read the agenda items to be discussed at the Membership Meeting on September 9, 2018 and wish to vote accordingly on each agenda item below. Otherwise, the lot owner named above is directed to vote on my behalf.

Lot No. _____ Signature: _____

Printed Name: _____

Note: Fifteen percent (15%) of the Active member votes of the Association present in person or represented by written proxy shall constitute a quorum. If there is no such quorum, a majority of the members present shall reconvene the next meeting at 3:15pm on Sunday, September 9, 2018.

If you can not attend the Member Meeting on September 9, 2018 please sign and vote accordingly for each agenda item below and return your signed proxy to the AMLSPOA: P.O. Box 171, Linden, VA 22642 or give to any Lot Owner you wish to Vote on your behalf.

CAST VOTE FOR THESE AGENDA ITEMS:

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.		YES <input type="checkbox"/>	NO <input type="checkbox"/>
	<u>Proposed 2018-2019</u>		
<u>Income</u>			
2019 Road Fees- 65 lots @ \$475	\$30,875		
<i>Proposed Board credit</i>	<i>(1,000)</i>		
2019 CCC Road Fees - 7 lots @ \$265	1,855		
Prior years Road Fees	2,000		
ATV Registration Fees	160		
Disclosure Packets	100		
Interest Income			
Late Fees	300		
Total Income	<u>\$34,490</u>		
<u>Road Maintenance Expenditures</u>			
Snow Removal	8,000		
Road Maintenance	10,000		
Total Road Maintenance Expenditures	<u>\$18,000</u>		
<u>Administrative Expenditures</u>			
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	<u>\$12,820</u>		
Net Profit/Loss	\$3,670		

<u>Cash, Savings and CD's as of June 25, 2018</u>			
BB&T Checking Account	49,553		
BB&T CCC Road Escrow Account	3,350		
Capital One Savings/Reserve Fund	24,997		
ING CD	7,000		
ING CD	7,000		
Total Cash, Savings and CD's @ 6/25/18	\$91,870		
AMLSPOA 2018-2019 PROPOSED BUDGET WITH A BOARD:		YES	NO
	<u>Proposed 2018-2019</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Income</u>			
2019 Road Fees- 65 lots @ \$375	\$24,375		
<i>Proposed Board credit</i>	<i>(1,000)</i>		
2019 CCC Road Fees - 7 lots @ \$165	1,155		
Prior years Road Fees	2,000		
ATV Registration Fees	160		
Disclosure Packets	100		
Interest Income			
Late Fees	300		
Total Income	\$27,290		
<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		

<p>Net Profit/Loss \$3,670</p> <p><u>Cash, Savings and CD's as of June 25, 2018</u></p> <p>BB&T Checking Account 49,553</p> <p>BB&T CCC Road Escrow Account 3,350</p> <p>Capital One Savings/Reserve Fund 24,997</p> <p>ING CD 7,000</p> <p>ING CD 7,000</p> <p>Total Cash, Savings and CD's @ 6/25/18 <u><u>\$91,870</u></u></p>		
<p>COVENANTS SECTION VII</p> <p>Dwelling and Maintenance of Lots</p> <p>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. “</p> <p>Proposed Changes:</p> <p>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. “</p> <p><i>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.</i></p>	<p>YES</p> <input type="checkbox"/>	<p>NO</p> <input type="checkbox"/>
<p>BYLAWS ARTICLE V SECTION 1:</p> <p>Annual Charges</p> <p>Article V, Section 1, Paragraph 5 of the Bylaws</p> <p>“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. “</p> <p><i>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.</i></p> <p><i>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).</i></p>	<p>YES</p> <input type="checkbox"/>	<p>NO</p> <input type="checkbox"/>
<p>COVENANTS SECTION VII</p> <p>Dwellings and Maintenance of Lots</p> <p>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</p>	<p>YES</p> <input type="checkbox"/>	<p>NO</p> <input type="checkbox"/>

<p>shall subject the lot owner to any collection remedy available to the Association. See Bylaws Article V Charges Section 1.</p> <p>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.</p>		
<p>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.</p> <p>Proposed Change: No <i>New</i> 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.</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>
<p>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.</p> <p>Proposed Changes: Section X – E: The discharge of fireworks is prohibited without proper Warren County permit and permission. <i>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.</i></p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>
<p>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. Roadsides shall be trimmed of the aforementioned growth to a minimum of four (4) feet from</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>

<p>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.</p>		
<p>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.</p> <p>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.</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>
<p>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.</p> <p>Proposed Changes:</p> <ol style="list-style-type: none"> 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 	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>

<p>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.</p> <p>2. All Records of the Association will be stored in a storage unit rented by the Association.</p>		
<p>BYLAWS ARTICLE IV BOARD of DIRECTORS</p> <p>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.</p> <p>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.</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>
<p>BYLAWS ARTICLE IV BOARD of DIRECTORS</p> <p>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.</p> <p>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.</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>
<p>BYLAWS ARTICLE IV BOARD of DIRECTORS</p> <p>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.</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>

<p>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.</p>		
<p>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</p> <p>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</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>
<p>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.</p> <p>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.</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>
<p>BYLAWS ARTICLE VI STANDING COMMITTEES SECTION 5: AUDIT COMMITTEE currently states: The Audit Committee shall have as its purposes:</p> <ol style="list-style-type: none"> I. 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. <p>Proposed Changes: Section 5: 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.</p> <ol style="list-style-type: none"> I. 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 two months. 	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>

Community Update & Reminders

Volunteers Needed:

Volunteers are needed for the 2018/2019 fiscal year. The current positions that need to be filled are President, Treasurer, VP of Roads, Secretary, and VP of Architect. If there are no volunteers for these positions, the Board has obtained estimates from several Management Companies. The Board will then bring the estimates to a special meeting for a vote.

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.

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>