

Minutes of Merrymount Property Owners' Association Meeting

June 4, 2012

The annual meeting of the MPOA was held on June 2, 2012 at Jerusalem UMC at 10am. In attendance were: James & Lisa Handy (Lots 38 & 16); Jay & Judy Stephens (Lot 3); Ken & Mary Ann Nagle (Lot 53); Carl & Lissa Wissing (Lot 25); Brian & Patty McHenry (Lots 26 & 27); Bob & Carol Jamison (Lot 9); Bob Sorensen (Lot 28); Rich & RoseAnn Heycock (Lot 37); William Powell (Lots 62, 63 & 64); Larry Uhl (lot 32); Janet & George Epps (Lot 29); Ray & Keri Merritt (Lot 24); Paulette Sabo (Lot 1); Denise & Art Buckner (Lot 2); Nan & Keith Wampler (Lot 73); Cindi Emory (Lot 40); Jessie Hale (Lot 65); Wilma Poole (Lot 123); Doug Sobey (Lot 74); Marjorie Skidmore (Lot 18); Lois & Harvey Powers (Lot 67). Proxies were received from: Wesolowski (Lot 126); Johnson (Lot 206); Iles (Lot 92); Young/Matto (Lots 98 & 99); Fisher (Lot 17 & 97); Shupe (Lot 120).

Wilma Poole, Chair called the meeting to order and asked attendees to introduce themselves.

Michele Mulligan, attorney retained by MPOA gave a presentation on the "Sixth Amendment to Declaration of Protective Covenants for Merrymount Property Owners' Association" that had been approved at previous annual meetings and will be filed in NC & VA courts as amendments to the covenants. She also discussed the Grandfather Clause that will be implemented as of June 2, 2012 and appears on the Merrymount website (www.merrymount.net) under "A Guide for the New Property Owner" in section 10.1 as follows: "Non-conforming fences, sheds, outbuildings, hard landscaping, and other existing, non-complying "improvements" may be excluded from these current "Architectural Review Committee (ARC) Guidelines", with proof of prior Architectural Review Committee approval. Non-approved, existing fences, sheds, outbuildings, hard landscaping, and other existing "improvements", shall not be grandfathered", and shall be removed from said property or brought into compliance with the current Architectural Review Committee guidelines at such time that the current lot owner sells such property. The expense of such compliance or removal of non-conforming fences, sheds, outbuildings, hard landscaping, and other "improvements" shall be incurred by the current lot owner and/or the new owner." Michele also discussed the issue of enforcement of the covenants and explained the board's obligation to the Association, including notification by letter of non-conforming issues. If the Board fails to get cooperation on an issue of non-compliance, other options include attendance at a hearing of the violation, assessing a monetary penalty of \$10 per day fine for each infraction up to a maximum of \$900, going to court to get non-conformance issue rectified. She also indicated that the General Assembly of Virginia didn't have significant legislation passed this year as related to home owners' associations.

One ballot per lot was distributed for voting on the election of MPOA officers. Nan Wampler and Ray Merritt were on the ballot for two three-year terms. On the ballot also was a "Proposed Amendment to Article V. Section 5A Declaration as follows: An Impact Fee to offset wear on the roads from construction traffic, shall be imposed on each Residential Lot and is payable to the Association when the building permit is issued on any unimproved Residential Lot. The Board shall set the amount of the impact fee on a uniform basis. The Board may modify the amount of the Impact Fee on a yearly basis."

This amendment required either a Yes or No for the proposed amendment. Wilma and Larry explained the need for the Board to have the authority to increase the Road Impact fee as opposed to coming to the general meeting each year to have that done.

The minutes of the 2011 annual meeting were read by the Secretary and approved.

Harvey Powers gave the treasurer's report and explained the Audit Committee had reviewed and approved the MPOA financial records. Harvey submitted the budget expenditures for 2011-2012 as of June 2, 2012, acknowledging there are some bills to be posted for June 2012. Harvey explained the movement of funds from the Smith Barney account that was generating very low interest revenue. The money was moved as follows \$50,000 to a 1-year CD; \$75,000 to a 2-year CD and the balance in a passbook savings account. Richie moved and Keith second the motion to accept the treasurer's report which passed unanimously.

Jessie Hale gave the Road Committee report in a Power Point presentation. The committee members were John Bergland, Debbie Ortiz, Jessie Hale and Carl Wissing. The issue of continual road maintenance vs. special road assessment was discussed. Jessie presented two road maintenance options for the period 2012-2032 for discussion. Harvey moved and Denise second the motion that the Road Committee be commended and moved to authorize the Road Committee and the Board proceed with a chip and seal cul-de-sacs and alligator cracking and test seal coat at the front entrance for an approximate cost of \$6000. The motion passed with unanimous approval.

Larry Uhl explained the need to have \$40 added to the Mowing & Plowing line item of the budget to cover the maintenance and mowing of the trailer lot each month. Carl moved and Ray second the motion to authorize the Board to have the maintenance of the trailer lot added to the Mowing and Plowing expense, adding \$40 to the \$650 currently being charged for mowing the development. The motion passed unanimously.

James Handy gave the Hydrilla Report and indicated that 39 lots were participating this year. PLM will treat near the end of June when the hydrilla has reached a four-inch growth. There was concern expressed over the growth of lymphia and the lily pads on Hawtree Creek. Ken noted individuals could contract with treatment companies for lymphia if owners are having a problem at their docks. Larry Uhl volunteered to check on the lily pad problem.

Harvey presented the 2012-2013 budget with projected earned interest of \$1500 on CD's and the savings account. He also projected \$1000 road impact fee being collected, along with \$37,200 being collected for the annual dues assessment for a total \$39,700 total income. Harvey projected \$18,500 of the total income would be set aside for the road maintenance fund and projected \$39,700 in total expenses for the year. Doug Sobey moved and Carl Wissing second the motion to accept the 2012-2013 budget as presented. The motion passed with unanimous approval.

Harvey asked that someone else volunteer to be the Treasurer. He said that although he would be willing to give up the job immediate, he really wanted to have someone else take over by June 2013. Keri Merritt has volunteered to be the MPOA Secretary and asked that serious consideration be given

to the purchase of a lap top for the Secretary's use. Wilma indicated that the Board was in the process of evaluating various lap tops for purchase.

Denise Buckner brought up the topic of the Fox Run Water sale to Aqua VA and asked if there was anything that could be done. After general discussion, the consensus was that nothing could be done for the water issue and Aqua VA in Merrymount.

Harvey Powers moved and Ken Nagle second the motion to commend the Board and the Secretary for their work. The motion passed with unanimous approval.

Larry Uhl moved and James Handy second the motion to adjourn. The motion passed with unanimous approval. The meeting adjourned with a picnic to follow.

Respectfully submitted,

Margie Skidmore