

**LMOA BOARD OF DIRECTORS  
Open Session Minutes**

**DATE:** Thursday, June 24, 2010

**PLACE:** Terrace Room, LMOA

**DIRECTORS:**       **Present:**  
Leighton Cumming, President       John Platt, Vice President  
Mike Harrison, Treasurer       Don Fickes, Secretary  
Scott Meiss       Ray Gott  
Benita Ellen

**STAFF:** John Korhonen, General Manager  
Peggy Alexander  
Meg Gore

As a result of a power outage at the clubhouse, the meeting was not broadcast or recorded.

**1.       CALLED TO ORDER**

The meeting of the Lake Monticello Owner’s Association was called to order in Open Session by Pres. Cumming at 6.05 PM on June 24, 2010.

**MOTION by Director Ellen seconded by Director Gott “that the Board of Directors go into Executive Session to discuss legal, contractual, and personnel issues.”**

Motion carried 7-0-0

**2.       RECONVENE IN OPEN SESSION**

The meeting reconvened at 7:23 PM.

**3.       PLEDGE OF ALLEGIANCE**

**4.       EXECUTIVE SESSION REPORT**

Director Fickes reported that the Board of Directors met in Executive Session at 6:05 PM to discuss legal, contractual, and personnel matters. The Executive Session adjourned at 7:15 PM.

Action was taken during the Executive Session to authorize LMOA’s attorney to negotiate a pending legal matter.

**5. MINUTES AND CONSENT AGENDA**

**MOTION by Secy. Fickes seconded by Director Gott “that the Board of Directors approve minutes of the Executive Session, May 27, 2010, the Open Session, May 27, 2010, confirm the Consent Agreement for Dam Recertification June 2, 2010 and confirm the Consent Agreement for Clubhouse HVAC Split System June 7, 2010.”**

Motion carried 7-0-0

**6. LMOA REPORTS**

**6.1 President’s Report (Pres. Cumming)**

Pres. Cumming thanked the Election Committee and described the election process performed by the seven volunteers and staff. She described the 2009/2010 BOD accomplishments.

**6.2 Treasurer’s Report (Treas. Harrison)**

Treas. Harrison stated that he would wait until the Annual Meeting on June 26, 2010 to give a Financial Report.

**6.3 General Manager’s Report (GM Korhonen)**

GM Korhonen reported that the LMOA Dam Inundation Study has been submitted to the Virginia Department of Conservation and Recommendation. He said that an RFP for Engineering Services for the dams is being prepared.

**6.4 Citizens Water Committee (Richard Schwarz, LMOA Representative)**

No report.

**7. FLUVANNA COUNTY REPORTS (10 Minutes per Report)**

**7.1 Fluvanna County Board of Supervisors Report (Supervisor Chesser)**

No report.

**8. MEMBER COMMENTS #1 AGENDA ITEMS (5 minutes per member – Total 30 minute maximum)**

Kathy Briggs	162/2	Wake enhancers
Walter Parks	284/9	Thanks to the Board
Ray Agnello	216/12	Wake enhancers
Ralf Mann	39/12	Wake enhancers
Burt Marks	308B/4	Strategic Plan – Deer Management
Gary Hannifan	292/1	Wake enhancers
Tony O’Brien	355/1	Wake enhancers
Dave Bracket	403/3	Soil Erosion
Dave Sawyer	404/3	Speeding boats

**9. UNFINISHED BUSINESS**

**~~9.1 Board Goals 2009-2010 (Pres. Cumming)~~**

**9.2 Lake Reserve Account (Treas. Harrison and Director Ellen)**

**MOTION** by Treas. Harrison seconded by Director Meiss *“that the Board of Directors authorize the President and General Manager to open a Lake Reserve Account with Morgan Stanley/Smith Barney including the resolutions as listed on the application.”*

**MOTION** to amend the motion by Director Ellen seconded by Director Meiss *“to include the phrase ‘and add internal controls as presented by the Investment Committee and provide a copy to Smith Barney’ ”.*

Motion carried 7-0-0

Motion as amended carried 7-0-0

**9.3 Independent Auditors Report (Treas. Harrison)**

**MOTION** by Treas. Harrison seconded by Director Gott *“that the Board of Directors accept the 2009 LMOA Independent Audit with the recommended amendments to modify Note 4 setting the Current Principal of the ERA at \$6,652,886 as of December 31, 2009 and amend page 2 balance sheet and page 5 Statement of Changes in Association Equity to reflect this number.”*

Motion carried 7-0-0

**10. BYLAW AND POLICY CHANGES – SECOND READING**

**10.1 Amend PM 16.17 Committee Charters: Solicitation and Contract Review Committee Charter and PM 16.00 Committees to clarify committee membership of staff contracts administrator (Dick van Nierop, Chair Solicitation and Contracts Review Committee)**

**MOTION** by Pres. Cumming seconded by Secy. Fickes *“that the Board of Directors approve amendment to 16.17 Committee Charters: Solicitation and Contract Review Committee Charter to remove text allowing the part-time Director of Contracts to be a permanent voting member of the Solicitation and Contracts Review Committee identified as Option 2 in the June 24, 2010 Board packet.”*

Motion carried 7-0-0

**10.2 Amend PM 4.02A Financial Management: Financial Management Policy as recommended by the Ad Hoc Committee for Legislative Review (Treas. Harrison)**

**MOTION** by Treas. Harrison seconded by Director Meiss *“that the Board of Directors approve amendments to PM 4.02A Financial Management: Financial Management Policy as recommended by the Ad Hoc Committee for Legislative Review as presented in the June 24, 2010 Board packet.”*

Motion carried 6-1-0 Director Ellen dissenting

**MOTION** by Director Ellen seconded by Director Meiss *“that the Board of Directors make available to the Property Owners for inspection and copying pursuant to document release procedures, the two legal opinions received from Frank Buck in 2010 regarding the Improved Property Fee.”*

Motion carried 7-0-0

**10.3 Amend PM 06.05 Facilities Rules and Regulations: Boats, Marina and Boat Slips to prohibit wake enhancers (Rob Beck, Lake Preservation Committee)**

**MOTION** by Pres. Cumming seconded by VP Platt *“that the Board of Directors approve amendments to PM 06.05 Facilities Rules and Regulations: Boats, Marina and Boat Slips to prohibit wake enhancers as presented in the June 24, 2010 Board packet.”*

**Motion** by Secy. Fickes seconded by VP Platt to table the issue.

Motion failed 2-5-0 VP Platt and Secy. Fickes assenting

Motion failed 2-5-0 VP Platt and Secy. Fickes assenting

**The Board recessed from 8:40 PM to 8:45 PM.**

**11. NEW BUSINESS**

**11.1 Improved Property Fee (Treas. Harrison)**

**MOTION** by Treas. Harrison seconded by Director Gott *“that the Board of Directors adopt a new Improved Property Fee in the amount of \$167 effective January 1, 2011.”*

Motion withdrawn

**11.2 2011 Budget Calendar (Chad Brown, Chair Finance Committee)**

**MOTION** by Secy. Fickes seconded by Director Gott *“that the Board of Directors approve the 2011 Budget Preparation Schedule.”*

Motion carried 7-0-0

**11.3 Committee Appointments**

**MOTION** by Secy. Fickes seconded by Director Gott *“that the Board of Directors appoint Helena Arouca, Jean Demarco, Jerry Passer, Burt Marks, Nancy Avers and Chris Roberson to the Ad Hoc Committee for Deer Contraception and appoint Patrick O’Rourke, Eugene Rella, Valerie Palamountain and Page Gifford to the Ad Hoc Committee for Deer Herd Control.”*

Motion carried 7-0-0

12. **MEMBER COMMENTS #2 ANY LMOA TOPIC (5 minutes per member)**

Craig Depiazzy      100/05      Fishing regulations

13. **STATUS REPORTS**

None

14. **REMARKS FROM THE BOARD**

None

15. **BYLAW AND POLICY CHANGES – FIRST READING**

15.1 **Amend PM 4.02A Financial Management: Financial Management Policy to include the Lake Reserve Account (Treas. Harrison)**

15.2 **Amend PM 06.02 Recreational Facilities Rules and Regulations: Beaches and Swimming to restrict beach swimming to the roped areas (Meg Gore, Asst. Secretary for Policy Review)**

15.3 **Amend PM 06.06 Facilities Rules and Regulations: Fishing to restrict areas available for fishing (Meg Gore, Asst. Secretary for Policy Review)**

15.4 **Amend PM 04.02M Financial Management: Payment of Dues, Fees and Assessments to allow semi-annual payment of dues and IPF (Treas. Harrison)**

16. **ADJOURNMENT**

Pres. Cumming adjourned the meeting at 9:07 PM.

by:

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Don Fickes, Secretary