

**LMOA BOARD OF DIRECTORS
Open Session Minutes**

DATE: Thursday, November 19, 2009

PLACE: Terrace Room, LMOA

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

STAFF John Korhonen, General Manager
Peggy Alexander
Meg Gore

1. **CALLED TO ORDER**

The meeting of the Lake Monticello Owner's Association was called to order in Open Session by Pres. Cumming at 5:59 PM on November 19, 2009.

MOTION by Director Gott seconded by Treas. Harrison "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 7:12 PM.

3. **PLEDGE OF ALLEGIANCE**

4. **EXECUTIVE SESSION REPORT**

Secy. Fickes reported that the Board of Directors met in Executive Session at 6:00 PM to discuss legal, contractual, and personnel matters. The Executive Session adjourned at 7:06 PM. No action was taken during the Executive Session.

5. **MINUTES AND CONSENT AGENDA**

MOTION by Secy. Fickes seconded by Director Gott “that the Board of Directors approve the minutes of the Executive Session, October 22, 2009 and the Open Session October 22, 2009.”

Motion carried 6-0-1 Director Meiss abstaining

6. **LMOA REPORTS**

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

Pres. Cumming reported that the Association faces significant challenges for dam repairs and future costs are not yet determined. She said that long term needs for roads, the lake and MR&R presently have inadequate reserve funding. She reminded residents that Aqua VA should be contacted for water line issues, not LMOA.

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

Treas. Harrison stated that the October financials were not yet available due to the workload of establishing the 2010 budget. He reminded everyone of the upcoming budget public meetings on November 21, December 3, and December 10. A summary of the Investment Accounts was presented.

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

GM Korhonen reported on the status of a water main break that resulted in low pressure and a mandated state order to boil water. He said that LMOA is in the process of applying for state dam certifications. He noted that there has been some deterioration of the 2005 repairs made to the Low Level Drain. A time extension will be requested by the WEG engineers. GM Korhonen said that the dredging program is removing about 300 cu. yards per month. Leaves are being removed from the composting site and it will hopefully be reopened in early December. LMOA’s trash removal contract must be renewed in June 2010.

6.4 **Report on Erosion and Sediment Control (Joy Bauserman, Lake Health Project Manager)**

Joy Bauserman stated that a sediment and erosion plan is required by Fluvanna County for every 10,000 square feet of earth that is moved. She said that we have big erosion problems at Lake Monticello. She recommended replacing top soil, planting grass, shrubs and trees and mowing grass to a 4 inch level.

6.5 **Lake Monticello Beautification Corps (Ron Ritter, Vice President for Projects)**

Ron Ritter reported that the LMBC has 75 members including 20 master gardeners. 2009 accomplishments were pool landscaping, club house steps, trees & shrubs at Tufton Pond, planting annuals, pruning and holiday decorating. He described a similar plan for 2010. Ron reminded everyone of the December 5 Christmas Home Tour, 12:30 to 5:00 PM.

6.6 **Report (Britt Johnson, Chair Building, Roads, and Grounds Committee)**

Brit Johnson stated that the BR&G committee has prepared a report that describes implementations recommended by the LMOA Reserve Advisors. He asked for more volunteers to step forward to participate in committees and projects. He requested the BOD better utilize the assistance of the committees and to improve communication between the BOD and committees.

7. FLUVANNA COUNTY REPORTS (10 Minutes per Report)

7.1 Fluvanna County Board of Supervisors Report

None

Pres. Cumming announced that agenda items 10.2, 10.3 and 11.3 are deferred.

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

Ted Makrancy	9/12	Fishing Pier
Wayne Schmidt	370/3	WM contract, Lake Monticello Service Company sale
Denny Avers	63/1	Emergency Reserve Fund
Cathy Neelley	102/11	Investment Policy Language
Jean Burns	431/3	LMOA dams status

9. UNFINISHED BUSINESS

9.1 Board Goals 2009-2010 (Pres. Cumming)

Director Gott – Director Gott described Golf course work needed, 5,6,&8 greens rework, T boxes using in house labor, crabgrass control, and purchase of a deep tine aerator. Eagle's Nest quotes are due in December.

Treas. Harrison – The Ad Hoc Committee recommended policy changes. Some changes are among the agenda items deferred at this meeting. The goal is to address all sections of the Policy Manual affected by any changes.

VP Platt – Meetings will be convened to develop surveys for determining Capital Improvements for the 2011 budget.

Secy. Fickes – Secy. Fickes recommended updating the Wildlife Management Committee Charter to emphasize research and education and continuing to keep the BOD informed of available viable alternatives. He stated that the BOD will have to make the decisions regarding what actions are to be taken.

Director Meiss – Director Meiss stated that future major amenity improvements may have to be linked to special assessments.

9.2 James River Water Authority and Pipeline (Treas. Harrison)

Treas. Harrison said that there are concerns regarding the location of the pipeline along Rt. 600 and whether the existing right of ways are adequate. He suggested that a new pipeline at the base of the main dam may subject LMOA to more stringent state dam regulations than the present regulations. He announced that Director Gott has agreed to become the LMOA BOD liaison to the James River Water Authority.

10. BYLAW AND POLICY CHANGES – SECOND READING

- 10.1 Amend PM 4.02A Financial Management: Financial Management Policy, 4.02D Financial Management: Cash Receipts, 15.06 Special Policies: Donations to LMOA, 15.12 Special Policies: Donations by LMOA to define the process for fund raising donations (Treas. Harrison)**

MOTION by Treas. Harrison seconded by Director Gott “that the Board of Directors approve modifications to PM 04.02A to establish donation accounts, PM 04.02D managing cash receipts, PM 15.06, Donations to LMOA, and PM 15.12 Donations to LMOA so as to clarify policies on donations and enable sponsor led fundraising activities as presented in the November 19, 2009 Board packet.”

Following debate, Treas. Harrison called the Question to end debate, vote 5-2-0, VP Platt and Director Ellen objecting.

Motion failed 3-4-0 Pres. Cumming, VP Platt, Secy. Fickes and Director Ellen dissenting

**The Board recessed from 9:25 PM to 9:37 PM.
Director Ellen left the meeting during the break.**

- 10.2 Amend PM 4.02Q Financial Management: LMOA Investment Policy to clarify language and purpose of the Emergency Reserve Account (ERA) and restore language consistent with restrictions of 1998 vote of the membership (Treas. Harrison)**

Deferred

- 10.3 Amend PM 4.02Q Financial Management: LMOA Investment Policy to restore language consistent with restrictions of 1998 vote of the membership (Director Ellen)**

Deferred

- 10.4 Amend PM 13.03 LMOA Environmental Controls: Construction and Property Maintenance Requirements to clarify regulations for decorative fencing (Carol Cavanaugh, ECC Administrator)**

MOTION by Director Gott seconded by VP Platt “that the Board of Directors approve the amendments to PM 13.03 LMOA Environmental Controls: Construction and Property Maintenance Requirements to clarify regulations for decorative fencing as presented in the November 19, 2009 Board packet.”

Motion withdrawn

MOTION by Director Gott seconded by VP Platt “that the Board of Directors approve the amendments to PM 13.03 LMOA Environmental Controls: Construction and Property Maintenance Requirements to clarify regulations for decorative fencing so that fencing along any Lake Monticello street, lake, pond or golf course shall be prohibited as presented in the November 19, 2009 Board packet.”

Motion was defeated 1-5-0 Pres. Cumming, Secy. Fickes, Treas. Harrison, and Directors Meiss and Gott dissenting

MOTION by Treas. Harrison seconded by Director Gott *“that the Board of Directors approve the amendment to PM 13.03 LMOA Environmental Controls: Construction and Property Maintenance Requirements to add to 13.03 VII, C,1.b “On property lines bordering a Lake Monticello street, lake, pond or golf course it may be installed only on 35% or less of the adjoining property line.” as presented in the second option in the November 19, 2009 Board packet.”*

Motion carried 5-1-0 Director Meiss dissenting

10.5 Amend PM 19.10 Security: Vehicle Identification to remove reference to paper passes for visitors’ vehicles (Meg Gore, Asst. Secretary for Policy Review)

MOTION by Treas. Harrison seconded by Director Gott *that the Board of Directors approve the amendments to PM 19.10 Security: Vehicle Identification to remove references to paper passes for visitors’ vehicles as presented in the November 19, 2009 Board packet.”*

Motion carried 6-0-0

11. NEW BUSINESS

11.1 Appeal of Compliance Committee Decision Lot 292 Section 1 (GM Korhonen)

MOTION by Director Gott seconded by VP Platt *“that the Board of Directors deny Gary Hannifan’s appeal of the September 23, 2009 Compliance Committee decision for the storage shed for Lot 292 Section 1.”*

Motion tabled

Motion by Treas. Harrison seconded by Director Gott to extend the meeting time to 10:45 PM.

Motion carried 5-1-0 Director Meiss dissenting

Tabled motion carried 4-2-0 Secy. Fickes and Director Meiss dissenting

11.2 Employee Holiday Bonus (GM Korhonen)

MOTION by secy. Fickes seconded by Director Gott *“that the Board of Directors approve a Holiday Cash Bonus in December 2009 of \$108.28 to full time employee and \$54.14 to part time employees.”*

Motion carried 6-0-0

11.3 Transfer of \$280,000 from the ERA to the Operating Account (Treas. Harrison)

Removed from agenda

11.4 Committee Appointments

MOTION by VP Platt seconded by Director Gott “that the Board of Directors

appoint to the Golf Committee

Wayne Murphy for a one year term beginning January 1, 2010 and ending December 31, 2010 as representative to the Senior Men's Golf Association, Bill Scanlon for a term beginning January 1, 2010 and ending December 31, 2012, and Rick Walz, for a term beginning January 1, 2010 and ending December 31, 2012;

reappoint to the Storm Water Management Committee

Jim Kabat for a term beginning January 1, 2010 and ending December 31, 2012;

reappoint to the Wildlife Management Committee

Jean DeMarco, Elaine Hagley and Patrick O'Rourke for terms beginning January 1, 2010 and ending December 31, 2012;

to the Solicitation and Contracts Review Committee

reappoint Dick van Nierop and Richard Schwarz for terms beginning January 1, 2010 and ending December 31, 2012 and appoint Linda Adams, LMOA Solicitation and Contracts Administrator to a permanent position;

to the Environmental Control Committee

reappoint Permanent Member Robert Creed for a term beginning January 1, 2010 and ending December 31, 2012 and reappoint Alternate Members Gerald Guske, Bob Gordon and Bob Sorenson for terms beginning January 1, 2010 and ending December 31, 2010;

to the Compliance Committee

reappoint Permanent Members Scott Marshall, Gary Rice and Kim Schwarz for terms beginning January 1, 2010 and ending December 31, 2010 and reappoint Alternant Members Bill Anderson, Jean Burns, Al Colville, Kirt Doersch, Everett Hannah, Chuck Johnson, Wayne Schmidt, William Smith, Bob Strassheim and Donald Wilberger for terms beginning January 1, 2010 and ending December 31, 2010;

to the Finance Committee

reappoint Bill Smith and appoint of David Johnson for terms beginning January 1, 2010 and ending December 31, 2012;

and

to the Election Committee

reappoint Ferne Picinich and appoint Ron Krauss for terms beginning January 1, 2010 and ending December 31, 2012.”

Motion carried 6-0-0

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

None

13. **STATUS REPORTS**

None

14. **REMARKS FROM THE BOARD**

VP Platt reminded everyone of the Holiday Home Tour on Sat Dec. 5. Prices are \$10.00. Also, the Kid's Holiday Party will be held on Sat. Dec. 12 with details to follow in the Friday Flier.

Treas. Harrison reported results of a traffic count at Rt. 53 & Tufton gate. In one hour, 650 cars were observed and 1/3 turned into Tufton Gate. There was an average backup of 5 to 7 cars on Rt. 53. He also presented advice on turkey frying.

Director Gott wished happy holidays to all.

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

15.1 **Amend PM 6.01 Recreational Facilities Rules and Regulations: Recreational Facilities and Activities and PM 06.07 Facilities Rules and Regulations: Golf Course to remove duplicate policy for alcoholic beverages (Meg Gore, Asst. Secretary for Policy Review)**

15.2 **Amend PM 4.02A: Financial Management Policy and PM 4.05C Official Records of the Association: Availability to LMOA Membership as recommended by the Ad Hoc Committee for Legislative Review (Treas. Harrison)**

16. **ADJOURNMENT**

Pres. Cumming adjourned the meeting at 10:35 PM.

by:

Don Fickes, Secretary