

**LMOA BOARD OF DIRECTORS
Open Session Minutes**

DATE: Thursday, December 17, 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 (arrived at 6:05)

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 6:02 PM on December 17, 2009.

MOTION by Ray Gott seconded by Mike Harrison "that the Board of Directors go into Executive Session to discuss legal, contractual, and personnel issues."

Motion carried 6-0-0

2. RECONVENE IN OPEN SESSION

The meeting reconvened at 7:10 PM.

3. PLEDGE OF ALLEGIANCE

4. EXECUTIVE SESSION REPORT

Secy. Fickes reported that the Board of Directors met in Executive Session at 6:02 PM to discuss legal, contractual, and personnel matters. The Executive Session adjourned at 6:59 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, November 19, 2009 and the Open Session, November 19, 2009, confirm the Consent Agreement for External Audit, November 19, 2009, approve the record of Work Session for 2010 Budget, November 21, 2009, and the Work Session and Public Hearing for 2010 Budget, December 3, 2009 and approve minutes of Special Open Session for 2010 Budget, December 10, 2009.”

Motion carried 7-0-0

6. **LMOA REPORTS**

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

Pres. Cumming reported that the BOD had approved the 2010 Budget at a special BOD meeting held December 10, 2009.

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

Treas. Harrison reported that as of October 31, 2009 LMOA experienced a Net Loss of \$144,721 and the November 13 value of the ERA was \$7,553,688 that represents a growth of the \$6,630,063 principal of \$683,012. He said that Administration, Maintenance, Marina and Security are meeting their targets. Golf, Eagles Nest, Pool, and the Pool Snack Bar all are experiencing losses.

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

GM Korhonen said that LMOA received a certificate of appreciation for hosting the Fire & Rescue Fund Raising Golf Tournament. He said that the Lake Dredging program is proceeding and averaging about two trips per day despite bad weather and the increased distance from the work site to the offload bulkhead. He stated that the bids to construct a new Clubhouse fire escape came in too high for the funds available so the project is currently deferred. He thanked the BR&G Committee for their work on this. He said LMOA will issue an RFP for dam studies this coming January.

6.4 **James River Water Authority (Director Gott)**

Director Gott reported that he met with Joe Chesser, Leroy McCampbell and Adrian Miller to obtain Water Authority information. He said the Authority is in recess until January and until funding is acquired to move forward. Also, the Louisa County Board of Supervisors has decided that if the Fluvanna County Board of Supervisors has not decided to fund the Authority by February 1, 2010, the Water Authority would dissolve. Director Gott is arranging to meet with Tom Payne, the Chair of the Water Authority early in 2010.

7. FLUVANNA COUNTY REPORTS (10 Minutes per Report)

7.1 Fluvanna County Board of Supervisors Report (Supervisor Ott)

Supervisor Ott said that a letter must be signed in January for the Water Authority to go forward. Meetings are planned with the Louisa County Board of Supervisors to discuss less expensive alternatives. He reported that Fluvanna County does not have any good telecommunication cell towers outside the Lake area. He stated that Fluvanna food stamps have drastically increased. He said we should expect a 3 or 4 cent tax increase as there will be real budget challenges this year.

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

Chuck Johnson	57/1	Investment Proposal agenda item 10.1
Lou Fusaro	493/3	Investment Proposal agenda item 10.1
Adrian Miller	156/5	Deer Management, Dam protection, Fishing Pier
Valerie Palamountain	57/11	Deer Management, Wildlife Management Committee
Steve Carney	385/2	Leaf Disposal Site, Trash Recycling methods

9. UNFINISHED BUSINESS

9.1 Board Goals 2009-2010 (Pres. Cumming)

Resolutions from the Ad Hoc Committee on Legislative Review (Treas. Harrison)

Treas. Harrison reported that the January 2010 BOD meeting agenda will contain the Second Reading for the update to PM 4.0 to provide more understandable language.

Committees and the Strategic Plan (Director Ellen)

Director Ellen said that she is very much aware of how much LM volunteers and committees contribute to the community. She suggested that reliance on committees should increase over the next several years. She recognized the need to increase communications with each committee. Director Ellen stated that the BOD/Committee Chair semi-annual meetings offer a layer of communication that has been somewhat effective but more is needed. She believes that the first step is to appoint a liaison-director to each committee and the second step is to establish a meaningful and timely dialog between the committee and the liaison-director. She said that increasing the expertise of each committee with continued communications can provide a system that will benefit all.

Eagles Nest Outsourcing (Director Gott)

Director Gott reported that the deadline for proposals was 5:00 pm on Wednesday December 9, 2009. All the proposals have been reviewed and an agreement ready for BOD approval is expected in January 2010. He said that a thorough cleaning of the restaurant is scheduled for the week between Christmas and New Years and the Virginia Department of Health has scheduled an inspection for January 5.

Improvements to the Golf Course (Director Gott)

Director Gott reported that with the approval of the deep tine machine, greens work will commence in the spring of 2010.

Strategic approach to fund major expenditures (Director Meiss)

Director Meiss said that long term plans will be formulated after a series of meetings with the Finance Committee.

Deer Management (Secretary Fickes)

Secy. Fickes reminded everyone of the upcoming Deer Management Seminars addressing Bow hunting and Sharp Shooting techniques. The Seminars are scheduled for Saturday January 9 from 1 to 3:30 PM in the Lake Monticello Terrace Room. He said they will be broadcast live on cable channel 10 and will be repeated at 9AM and 7PM daily, January 14 – 20.

Survey on need for capital improvements (VP Platt)

VP Platt reported that there will be residents meetings planned after the New Years Holidays to address capital improvements needs.

9.2 Community Fishing Pier (Pres. Cumming)

Pres. Cumming said that this subject will be discussed later in this meeting under agenda item 11.3 to Authorize Bo's Pier Group to receive funds and for LMOA to accept and accumulate donations.

The Board recessed from 8:27 PM to 8:37 PM.

10. BYLAW AND POLICY CHANGES – SECOND READING

10.1 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)

MOTION by Treas. Harrison seconded by Director Gott “that the Board of Directors approve changes to PM 4.02Q Financial Management: LMOA Investment Policy to modify language to be consistent with the restrictions of 1998 vote of the membership and to clarify withdrawal of dividends and interest as presented in the December 17, 2009 Board packet.”

MOTION by VP Platt seconded by Director Gott to “amend the motion to delete the last sentence of section VII-E.”

After discussion Treas. Harrison called the question. Carried 6-1-0 Secy. Fickes dissenting

Amendment carried 4-3-0 Treas. Harrison, Directors Gott and Meiss dissenting

MOTION by VP Platt seconded by Director Ellen to “amend the motion to add at the end of the first sentence in section VII - J ‘provided the value of the ERA after the withdrawal is greater than the original principal amount’ ”.

Amendment carried 4-3-0 Treas. Harrison, Directors Gott and Meiss dissenting

MOTION by Director Ellen seconded by VP Platt to “amend the motion in the first sentence of Section VII – F to change the word ‘Treasurer’ to the phrase ‘Board of Directors.’ ”

Amendment carried 6-1-0 Secy. Fickes dissenting

MOTION by Director Ellen seconded by VP Platt to “amend the motion by deleting the sentence beginning with ‘The ERA represents a reserve that supports two purposes:’ from Section VII-A.”

Treas. Harrison called the question. Carried 7-0-0

Amendment failed 2-5-0 Pres. Cumming, Secy. Fickes, Treas. Harrison, Directors Gott and Meiss dissenting

Original Motion as amended carried 6-1-0 Director Meiss dissenting

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

10.3 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)

MOTION by VP Platt seconded by Secy. Fickes “that the Board of Directors approve the amendments to 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 as presented in the December 17, 2009 Board packet.”

Motion carried 6-1-0 Treas. Harrison dissenting

11. NEW BUSINESS

11.1 2009-2010 Board and Committee Chair February Meeting (Pres. Cumming)

MOTION by Pres. Cumming seconded by Director Ellen “that the Board of Directors schedule a meeting with Chairs of the LMOA Operational and Advisory Committees on February 22, 2010 at 7 PM in the Crofton Room.”

Motion carried 7-0-0

11.2 Gate Barcode Scanners Purchase Order (GM Korhonen)

MOTION by VP Platt seconded by Director Gott “that the Board of Directors authorize the President and General Manager to issue a Purchase Order to ITC Solutions for the purchase of three (3) BA-220-24 Dual Beam Barcode Readers for the firm fixed price amount of \$12,743.67 to be funded from Item 2 of the 2009 Reserve Plan Requests.”

Motion carried 7-0-0

11.3 Authorize Bo's Pier Group to receive funds and LMOA to accept and accumulate donations (Treas. Harrison)

MOTION by Treas. Harrison seconded by Director Gott "that the Board of Directors approve the handling of donations being collected by Bo's Pier Group for the community fishing pier at Tufton Lake.

Bo's Pier Group shall:

- **Track individual and group donations by retaining the name, address, telephone number, and e-mail address for use in returning funds if the goal is not reached,**
- **Provide a monthly summary of progress in reaching the goal that can be reported by the Treasurer,**
- **Deliver receipts on a weekly basis to LMOA Staff for deposit in a savings account using the LMOA tax number,**
- **Develop with the Solicitation and Contract Review Committee an acquisition strategy for procurement of materials and services,**
- **Return to the Board with proposed actions if Bo's Pier Group fails to meet its goal,**
- **Meet requirements of the ECC and return to the Board for approval for actual positioning and construction, and**
- **Inform all donors that contributions are not tax deductible.**

LMOA Staff shall:

- **Receive receipts and a copy of the donor contact information,**
- **Open a local savings account identifying LMOA Fishing Pier Fund as the name; requiring two signatures to withdraw funds (Treasurer and General Manager),**
- **Deposit receipts in the local savings account,**
- **If the goal is not achieved, withdraw funds and close account, transferring the funds to the operating checking account for refund to donors,**
- **If the goal is met, withdraw and transfer the funds to the amenity account for use in paying costs for the pier, and**
- **LMOA is responsible for building and maintaining this pier.**

This motion covers handling of donations and does not represent approval of final placement or construction."

Motion carried 7-0-0

11.4 Committee Appointments

MOTION by Director Gott seconded by Director Ellen “that the Board of Directors

to the Audit Committee, reappoint Kellie O’Connor and Richard Payne for terms beginning January 1, 2010 and ending December 31, 2012;

to the Broadcast Committee, reappoint Jerry Steffel and appoint Julius Neelley for terms beginning January 1, 2010 and ending December 31, 2012;

to the Investment Committee, reappoint Chuck Johnson for a term beginning January 1, 2010 and ending December 31, 2012;

to the Lake Preservation Committee, appoint Steve Carney for a term beginning January 1, 2010 and ending December 31, 2012;

to the Planning Committee, reappoint Burt Marks and Doug Licks for terms beginning January 1, 2010 and ending December 31, 2012; and

to the Safety and Security Committee, reappoint Don Plautz and appoint Wayne Murphy for terms beginning January 1, 2010 and ending December 31, 2012.”

Motion carried 7-0-0

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

None

13. STATUS REPORTS

None

14. REMARKS FROM THE BOARD

Director Meiss wished all Happy Holidays.

Secy. Fickes thanked the Staff and all Committee members for their diligence and hard work throughout the year.

VP Platt wished all a Merry Christmas, a Happy New Year and safe travels. He reminded everyone to check the clubhouse schedules during the holidays and to remember the Christmas tree recycling site at Beach 5.

Treas. Harrison wished glad tidings to all. He reminded the owners that the 2010 dues bill will soon be arriving accompanied by an Extra-Extra explaining the 2010 budget. He warned against over exertion shoveling the coming snow. He said the New Trash Collection RFP’s are in process.

Director Ellen thanked all for their hard work and wished everyone a Merry Christmas, Happy Holidays and a Happy New Year.

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

None

16. **ADJOURNMENT**

Pres. Cumming adjourned the meeting at 9:46 PM.

by: _____
Don Fickes, Secretary