

BLUE MOUNTAIN ANNUAL MEETING MINUTES Aug 15, 2021

Minutes taken by POA Member Senie Byrne

**** The current board secretary was unable to attend the annual meeting. ****

- Meeting comes to order at 1:30pm BY Greg Young.
- Board members in attendance: Greg, Jim Cook, Mike Veasey, Carl Herz,
- Jonathan Morrison, Sean Pond.
- *Jim Critcher was absent from meeting*

- Greg brings meeting to order. He goes over what we will be discussing and about voting. He is telling everyone to not speak unless recognized. He also thanks everyone for coming and introduces himself.
- He tells everyone there is an info packet with the covenants etc. for those who didn't get them for their realtor

Treasurer report:

- Mike explains to all that there are 2 pots of money, BMSD funds, which is money we get from taxing the land, and BMPOA funds which are property owner funds generated primarily through renting out the lodge. BMSD funds are more regulated as to how they may be spent.
- He then says he will present the financial reports at a high level to not take too much time but, he will answer any questions and can meet with anyone personally.
- He went over what was spent. BMPOA has 54,454 left over. (Aka to spend).
- He states per the report, he has every check written and every deposit made. He says we're in very good shape.

- Question from resident about cleaning coming out of BMPOA and not sanitary. Mike explains, that we are trying to make the lodge self sustaining. Consequently, some expenses formerly paid by BMSD are now paid by BMPOA.
- Mike resumes going over sanitary funds after answering question, aka your tax money he says. He explained how it is used and thanked Walt Mabe for expediting the delivery delivery our tax money as the county collects it for us. He went over how much we set aside for the dam due to state regulations, that require us to make changes and keep it up to date, or they can condemn it.
- Mike says Maintenance gets 9% of the budget, which we overspent on due to the dam. Roads gets 59% of budget. You can see what was spent and what is left per what he handed out. Snow is 10% for budget. Mike says we had to get new security. Total expenses are: (see report he shared). He also went over reserves, and available assets. He went over the register he attached and there were no questions at that time. He explains that we are required to be audited and we pass every year with flying colors. We are in good financial condition with our funds he concludes.

- Member Harry Davis then says has a question about funds regarding maintenance and loading dock, where do the funds come out of that?
- Mike answered that the President has directed that the lodge be self-sufficient and pay for itself. Meaning it will be paid for out of BMPOA. Meaning if we can pay for the loading dock out of BMPOA funds we will, we may have to use some sanitary funds,
- Member Nanette asks if we expect to lower the sanitary tax.
- Mike answers, no but keep intends to keep it the the same.
- Nanette continues to ask about wedding revenue being used to lower sanitary tax.
- Mike goes over what we used from that. He also explains costs that increase yearly like audit, insurance policies etc. but we never raised taxes for that. Jim Cook comments about financials regarding snow and why we have a reserve for 24, 36 or 60 inch of snow type blizzards so we can get it cleared and bring in heavy equipment.
- We also have allotted money for wood chipping per Jim Cook. He states
- windstorm caused destruction and we didn't have an extra wood chipping.
- A few bad incidents and our reserves can be depleted quickly. He gave an example of raising or lowering a penny or so.
- Mike then said we have not raised taxes in 7 years
- Member Dan Zeeman then says he wants to know why the weddings revenue, and such can't be separated and wants to see it more clearly. Why can't it be isolated in the financials.
- Mike answers he isn't sure if quicken can do that, but he will see. He also went over the finances with him and points out how he can read the reporting for wedding expenses. He detailed what's he pays using wedding fund.
- Greg speaks and says why and how money received and they are trying t be as transparent as possible. They use wedding money as much as possible. He gave the example of the loading dock and how we will use some of the wedding money, but it won't cover all of it. But that they use money from weddings as much as possible and will continue to do that.
- Financials Concluded as there were no more questions and Mike was done with his report.

Roads Report: See below prepared report Carl emailed Senie for use with the minutes.

BMPOA Annual Meeting 8/15/21

Carl Herz, Director

Road Cmte, Dam Cmte, Misc Rec Reports, REC Herbicide

- **Road report:** Over the past year, road maintenance has been pretty typical as-needed, or corrective, maintenance which has been quite standard this season so far with only sporadic heavy rains. Of special note is last B, however.
- Last winter saw significant ice events that were quite difficult to rectify. These ice storms were major learning events for all of us and we have taken steps to prepare for these kinds of challenges in the future. We will ensure an adequate winter's supply of

grit and gravel, strategically placed throughout all areas. In times of severe ice formation on the roads, we will now be spreading road gravel instead of grit, using heavier equipment that can be effectively mobilized and is capable of the heavy lifting required. This will build a new layer of gravel directly on the ice, enhancing traction and is expected to remain in place far longer than grit. Its dark color will also provide some solar thermal gain that will assist in melting the ice, which is a huge help when possible. Of course, the blue barrels will continue to be maintained, and we have added over 20 new ones this past year alone, with several others being relocated to better spots. The bmppoa.org email service on the roads page continues to be a great tool for everyone to use to expedite and help coordinate our efforts, during all seasons. As a reminder, ice melting agents, no matter the formulation, are prohibited on our gravel roads. It ends up in the porous gravel roadbed where it absorbs all the water it can, freezing and thawing rapidly in the extreme cold temperatures, resulting in a frost heave that destroys the road bed. This winter, please don't forget to keep gloves, "yak-tracks" or other slip-on traction aids, blanket, shovel, tire chains or straps, and flashlight in the car at all times.

- This current season, outside of the as-needed maintenance I mentioned earlier, we have begun to experiment with new techniques that should allow us to make upgrades and improvements to many roads on a scheduled and preventive basis. This will reduce costs and increase quality of service by reducing the number of dispatches and equipment-hours for nuisance issues like pothole formations and clogged ditches on poorly-constructed roads, and it will allow us to schedule maintenance and budget more effectively, targeting seasonally appropriate periods. It also allows us to begin building up roads that aren't high enough to form a continuous drainage ditch on each side. A recent example of this approach was in Area 4, which is the area of Tomahawk to Woodthrush, where in two days we accomplished the grading and ditching of approximately 3,000 feet of roadway and applied one to two inches of new surface material, crowning it and for the first time in recent memory, used a roller to compact the properly crowned roadway. We expect this to drastically reduce the amount of gravel and/or equipment time previously spent on maintenance. Though we have yet to be able to calculate the tangible benefits of this approach, I believe that we can supplant more than half of our typical corrective maintenance with this approach and budget five cycles of this activity per year, which means that in approximately six years every mile of road in the association could receive this benefit. Of course, some areas have different characteristics and needs and won't respond the same to a standard prescription, so the importance of being proactive, responsive, and available for our residents' needs is still just as important. There is always a lot of work to be done on the roads and I encourage anyone with the interest, time and ability to research solutions and present productive solutions to pitch in and help on the roads committee. From conducting road condition surveys to coordinating multiple contractors and vendors, as well as planning improvement projects and looking into the future- there is much to be

done. Also, we will happily consider any qualified solicitations for local contractors who can be of service year-round. Thank you.

- **Deer Lake Dam:** As most are aware, a routine inspection back in 2013 identified the need to eventually upgrade the primary lake drain (standpipe and outflow pipes), as the corrugated metal originally installed many decades ago was corroding and will eventually fail. For several years, some ideas and designs were explored, but in 2016 the Virginia Dept of Conservation and Recreation updated regulations affecting dams of a certain size and configuration in the state, including Deer Lake Dam. This resulted in the need for us to have a “simplified inundation study” performed by a state-licensed engineering firm to evaluate the potential effects of several different modes of dam failure. The results of this study indicated that due to a single residential structure potentially in the drain path and several secondary roads, we would need to complete a more comprehensive and detailed mapping study. This requirement by the state was contested by Jim McManaway, but ultimately it was apparent that the more detailed mapping study was required to precisely quantify the effects of dam failure to the structure and the roads. This study was performed this year by an engineering firm selected by our cmte. and the results indicate a favorable outcome for us- Deer Lake Dam is considered to be a low hazard dam as the residential structure won’t be adversely affected by a dam failure, though it was very close. While many intuitively predicted that this would be the outcome, it is obviously crucial to prove it when involving matters of life and property safety. This low hazard classification reduces the regulatory burden on our community- but there is still much to be done. We are still working towards getting back into regular operational certification for our lake and dam, which we can all agree is a keystone feature of our community. In addition to the regulatory process, we are also continuing to work towards determining the best solution for the replacement of the lake’s aging drain and spillway systems.
- **REC and use of herbicides:** In 2019 and 2020, Rapp. Elec. Coop performed a component of their vegetation control program that involved the use of chemical herbicides. This board and many residents felt that the application was far too widespread and caused an extraordinary visual blight and left extremely obtrusive and vast swaths of dead vegetation throughout the community, not to mention left many feeling uncertain or uneasy with such obviously potent chemicals being used so close to our wells, the lake, and our homes. I’d like to clarify that there are other mechanical methods employed in the past to accomplish the same goals, and of which we would prefer. We have approached REC and they have been gracious in receiving and responding to our concerns, but it seems as if they are stalwart in conducting their vegetation control measures as they currently are designed, which includes the periodic use of chemical herbicides. We explored the approach of formally prohibiting them from the application of herbicides within the entire Sanitary District, but this may not be possible as they have agreements with each customer that grants them rights to maintain the

infrastructure as they see fit, within the customers private properties. Preliminary research into the agreements made during the initial development of the subdivision suggest these agreements are vague at best, and possibly incomplete or invalid on some other technicality. More research is required, and any volunteerism from any who can come up with solid answers and possible strategies moving forward would be most welcome. In the meantime, I would encourage anyone who is concerned about the matter to request an NHA (No Herbicide Allowed) status be placed on their properties- this is within your rights as individual property owners, and is simple- just call REC at 800-552-3904, the same number used to report outages, and request NHA status for your property. They will install little signs that say “NHA” on them on your adjacent utility poles, and this identifies the area to the crews performing the work.

- Member named Tom asks questions about his home with ditches and such on Woodthrush way. Carl states he will make time to come by and take a look at it.
- Member Donna Gray asks question about an owner putting driveway out into the road that wasn't approved.
- Carl answers and says it's a good question and goes over options from developers and etc. Then we have the opportunity that they make some improvement if we can foresee an issue., he says most of the time that doesn't happen. He says we can always try to implore a developer or property owner. Carl asks for house number.
- Greg mentions community website and how to submit roads issues and that it's the best way.
- Member Joey Giordano makes comment about developers and how they form new LLCs for each property and that it will be nearly impossible as the LLC will close when the home is sold. Greg mentions we are lucky that our neighborhood is mostly built out. Greg was able to contact the current builder on Mt. Oriole Lane.
- Walt Mabe mentions what the county is doing for building permit process. They will be putting the plans of homes septic's etc. on a topographical map. He says the county is doing a lot.
- Member Joey Giordano discusses the legal issues possible and Jim Cook mentions reaching out and letting BMPOA know. Jim mentions the lot of blue mountains is not BMPOA property
- Member Rhonda F asks about trees when pulling their RV out.
- Member Kris Collins Nelson mentioned we have lots of people moving in and they take care of trees themselves.
- Greg mentions it's a tough call and we can send a letter.
- Member Kris asks what to do and Jim tells her to send a message on the website. Jim goes over criteria for tree removal if it's near the house cars etc. Meaning it is a no “clear cutting” type of thing.

Recreations by Jonathan Morrison

- Jonathan goes over regular maintenance for the lodge and then turns it to Carl to talk about the Dam Deer Lake. (See above about the dam and the lake in Carl's typed and emailed report. It is all there.)
- Member Dan Z asks if there is a guaranteed period of time.
- Carl says we are dotting our Is and crossing our Ts and that's the best it's been in years.
- Bev Pond reads the Deer Lake statistics for the season.
- 2086 people have been admitted to use the lake, 36 people were denied, 28 forgot passes and only 1 person with a dog came to the lake.

Covenants Report by Jim Cooke

- Jim starts by thanking those he has received Covenants committee help from: Joey Giordano, Billy Orndorff, and Lorne Cooper.
- Jim then says the zoning violations we turn to county for help as we don't have that authority, but still go through the website, you can file complaints on websites
- A member then asked a question about follow up with county zoning
- Jim says a man named Jimmy is working on taking the classes to do the annual fireworks
- Joey has question about covenants and goes over the changing of them. 1 year from now it is time to renew covenants. It will be on the annual meeting for 2022 agenda.
- Joey gives example of financial obligation of issues violations and how the POA could become bankrupt quickly with legal fees.
- REC and use of herbicides by Carl- see report he sent.
- Questions/comments; Donna makes comment that REC says it was an enzyme. Greg says they did a presentation I and they are still arguing with REC. Carl said they can give the presentation to anyone who asks via email.
- Joey asks if we can draft a letter asking REC to come to meeting prior to spraying in the spring.

Annual Elections/Nominating Committee

- Mike mentions those who are up for re-election and who stepped up to volunteer. (Senie Byrne put her name in to run for Board secretary). No one else nominated anyone or themselves besides Senie. So, the vote will be by acclamation Mike states.
- Nanette asks about newsletters and who will do them.
- Greg says that is something the board can discuss at the next meeting and typically newsletters only go out about the lake passes.
- Donna Grey asks about microphone for future use at annual meetings and others. (There was chatter amongst the audience).
- Greg motions regarding the elections and Jonathan seconds the motion. All in favor say I. All present board members said I, there were no Ne's. (Senie did not answer, as she was not yet on the board, just taking minutes for Kelly Ludke who was the board secretary at the time).
- Greg then asks for a motion to approve last year's annual meeting minutes. Jim Cook motions to approve them, Jonathan seconds. All in favor said I. There were no Ne's. .

(Senie did not answer, as she was not yet on the board, just taking minutes for Kelly Ludke who was the board secretary at the time).

Open forum of members asking questions then begins.

- Board member Sean Pond asks Walt Mabe about tower issue going on regarding a member. There is a court appearance for Sept. 21st. This is regarding an illegal internet tower. Walt mentions the process takes a long time to get done and that he will keep the board updated.
- Elizabeth Owens brings out the issue she has with the air B&Bs and how she doesn't like them. She wants something done about it.
- Greg goes over what we can do, putting it on the annual agenda and we can vote on it then. He also says she can put together a proposal and present it at the next board meeting.
- Harry Davis- is it possible to get the newsletter on there (website) and get the names of the board members on the website too.
- Kris tells members how to go to the Board of Supervisors meeting to take it there instead of keep bringing it to the POA without taking other necessary steps. Greg goes over rubles for voting etc. to answer Billy's question.
- Rhonda asks for clarification as she owns an Airbnb. She wanted to know why the issue as she wanted to make sure there hadn't been issues with hers.
- Dan Zeeman says it's not ridiculous to bring to the board and he felt that he needed to share that.
- Kris goes over the four avenues to oppose. Marc Nelson added his comments too.
- Jonathan clarifies about supreme court, warden county level, and the Airbnb wins out. Joey mentions special use permit. And showing up to the county.
- Janet Davis- mentioned how hot tub heaven came about how they worked with the community.
- Walt is asked for his suggestion- they adverse in the warren sentinel and the Virginia daily and on their website. They advertise it locally all over. He mentioned the planning commission.

Greg adjourns the meeting at 2:58pm