

BMPOA Monthly Board Meeting Minutes: July 10, 2023

Minutes recorded by Secretary Patrick Patton

Board Members Present: Acting 1st Vice President Harry Davis, Treasurer Mike Veasey, Secretary Patrick Patton, Directors at Large – Erica Santana, David Cook

Board Members Absent: Acting President Jim Critcher, 2nd Vice President Jonathan Morrison, Director at Large Carl Herz

Guests: None

Total Number of Membership and Guests Present: - 5 Board Members, 7 Members at Lodge, 1 member via Zoom (Janet Wildman)

Items of discussion: President Introduction, June 2023 BMPOA Board Meeting Minutes Approval, Financials, Roads, Recreation, the Dam, Committee updates, any old or new business and a Public Comments period.

President Call to Order/Opening Remarks

Acting 1st VP Harry Davis opened the meeting at 6:00pm welcoming everyone and informing them the meeting was being recorded via Zoom. He then moved to prior meeting minute approval.

Previous Meeting Minutes Approval (Secretary Patrick Patton)

Patrick stated that, via email, the June meeting minutes had been reviewed and agreed upon by all Board members in emails. Patrick made a motion that, in lieu of reading the minutes, a vote for approval/disapproval happen. The motion was seconded and approved.

Nominating Committee Report (Treasurer Mike Veasey)

Mr. Veasey provided the following report:

The nomination window to run for election to the BMPOA Board of Directors closed at midnight June 30. Two persons asked to be placed on the ballot, both for positions that were vacant. Accordingly, the proposed slate of officers for election is:

President --- Jim Critcher

1st VP ----- Harry Davis

2d VP ----- Jonathan Morrison

Secretary ----- Patrick Patton

Director ----- Erica Santana

Director ---- Garrett McNamara

Director ----- Carl Herz

Nominating Committee Donna Gray

Nominating Committee Billy Orndorff

Since the proposed slate of officers is unopposed, the election will be conducted by acclamation at the Annual Meeting of the Association on August 20th. There will be a notification placed on bmpoa.org and the BMPOA Facebook page. NOTE: The position of Treasurer and one Director

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position are not up for election because the incumbents are completing their 1st year of a 2-year term to which they were elected in August 2022.

Financial Report (Treasurer Mike Veasey)

The BMPOA Treasurer, Mike Veasey presented the Treasurer's Report for July 2023. All reports are in the 'Board' section of <https://bmpoa.org>.

BMSD: Beginning Balance Checking: \$141,790. Income this month was \$0. Expenses were \$58,148 and included: \$100 web page; \$988 insurance; \$510 lake and dam maintenance; \$580 mowing; \$17,500 roads (1/2 payment Old Log); \$7470 lake security; \$24,500 common area maintenance (chipping); \$6500 lodge (tree removal). There is \$ 83,642 in checking, \$ 63,879 in the Reserve CD. Total Available Funds are \$147,521. Expenses are shown in the 'BMSD Financials July 2023' file.

BMPOA: The Beginning Balance in BMPOA Checking was \$63,617. Income this period was \$36,054, (\$4,700 from weddings). We have expenses this period of \$ 31,992 (\$4919 this period: \$198 internet; \$2,100 wedding compensation; \$250 marketing compensation; \$1,360 lodge cleaning; \$648 maintenance supplies; \$362 lodge maintenance) Ending Balance Checking \$67,679. Mr. Veasey asked if there were any questions. There were none. He informed everyone they can always contact him if they have any questions or would like to see the financial reports.

Roads Report (Carl Herz)

Carl could not attend, however he sent Patrick the following:

Regular maintenance is in progress throughout area 3 and 4, 1 and 2 will begin imminently if not by the time of this report. This includes ditch work, pothole dressing and any other minor regular maintenance. As the season goes on, we will be considering a few areas of needed improvement, adding gravel and making roadway improvements, etc.

Old Log Rd will be paved on or around August 7th and is expected to take 3 days. As the date draws nearer and we can be certain of the timeframe, we will notify affected residents by dropping flyers to encourage using the back way in during the work hours.

Recreation Reports (Chairman Jonathan Morrison)

- **Lodge:** Dave Cook provided the following: As this has been a project of ongoing concern, even in past years there have been newspaper ads, ect to get interested parties to look at this. We have now come to a point to where we need to get the job done to remove this potential hazardous dock & retaining wall replaced.

As discussed at last night's meeting, we had 3 interested parties look at the lodge, one did not place a bid (Cline Construction).

A second (Property Management Services) bid the project but could not provide proper insurance and licensing information.

The 3rd, Whittington Construction, did place a bid, \$59,200.00 and can provide all property documents for insurance, business licenses, ect. As discussed at last night's meeting, this was approved to move forward with the understanding that the half would come from BMPOA funds and the other from the sanitary district.

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"This estimate to you for the retaining wall the complete job tearing existing deck structure down, tearing existing retaining wall down installing new concrete retaining wall and installing new PVC decking boards and metal handrail complete job, \$59,200 that's anticipating that we can put the excess dirt over there by the turnaround area level spot off, and that we do not hit any rock in the footings."

I will be requesting that this be moved forward and I will contact the company to do so immediately once all others that could not attend the meeting acknowledge this in case there are any questions or concerns that you may have that we did not think of..

- **Deer Park Recreation Area:** Chairperson Garrett McNamara informed the Board that Dan Zeman has completed the bench rehab and done some cleaning around the courts. Dan's also going to give me the 4 game cameras. When received I'll ask the board what they want me to do with them. I've painted some small blazes along most of the white trail but the trail still needs a few more, as well as more debris clearing effort before it can be considered complete. I could use some chain sawing help eventually. Here's the trails map I'm keeping current: <https://caltopo.com/m/C0KR2> '

Lodge Access Report (Dave Cook)

Dave Cook proposed that the Lodge Access meeting action item be given another several months and it will be removed as an action of need during the meetings. This will not stop access to the lodge and if used at any time we can add that to the agenda when needed.

Membership Committee (MC) (Beth Herz)

Beth could not attend the meeting however she provided Patrick the following notes: Identified 1 new home sale in BMPOA. Followed up on 3 recent home sales - waiting on updates to Warren GIS. No new owners identified in July.

Legislative and Public Relations Committee (No Chair)

Arbitration Committee (Currently No Chair)

Architectural Review Committee (Jim Critcher)

Jim was not at the meeting however he informed Patrick there was nothing to report.

Covenants Enforcement Committee (Billy Orndorff)

Billy provided Attachment 1 – Yard Cleanup Weekend Proposal. The discussion included acceptance of the Concept of Operations with a plan, if approved, to implement in early Spring (April). Billy provides updates at all future Board Meetings.

Covenant Review/Modernization Status (Erica Santana)

There has been additional interest in the Covenants Modernization effort. A recent inquiry from a property owner was received regarding whether or not short-term rentals could be restricted via covenants. Since the last monthly meeting, the Chair of the Covenants Modernization Committee had a preliminary discussion with the Pond Law Group as a primer for the legal consultation on the Covenant enforcement inquiry and plans to include this new 'types of things Covenants can restrict' question to the consultation. They will be meeting with Daniel Pond, III on Thursday, 6 July to discuss and will brief the community at the next meeting.

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Bylaw Review/Modernization (No Chair)

No Report

Deer Lake Reports

- **Lake Operations:** Toni Magro informed us of the following: We have had 766 home owners & guests enjoy the lake: 52 have been refused access- no pass; 19 turned around (most likely no pass); 3 had to be told no fishing on beach; 3 dog owners had to be told no dogs on beach side. On 7/4 we had someone do damage to our Don John. No cost was incurred from the damage. We also had a wasp nest under the step of our main dock, which has been resolved. We also discussed trimming up of bushes on Old Linden Rd going to the lake.
- **Dam Maintenance:** Carl emailed Patrick the following: We have submitted our application for a 6-year regular use and operation certification with Virginia and should receive that soon.

OLD/FOLLOW-UP BUSINESS

- **Loading Dock Repair (Dave Cook):** This is in the Lodge section.
- **“Watch for Pedestrians” Sign (Carl Herz):** David Cook said this was still in the works with Warren County (Walt Mabe)

NEW BUSINESS

- **Request for increased hours for lake security guard (Toni Magro):** Toni suggested changing the Security Guard hours to different times during the week. Sometimes from 7pm – 11pm on Fridays and Saturdays and switching them around. They are authorized 7 hours per day. Mike V said this was fine, especially since our lake security budget is in good health due to the many rain days. He proposed that Toni’s suggestion be approved so long as we do not go over the current budget. He stated Toni can make changes based on her good judgment. All were in agreement.
- **Request for clean up around the 2nd, or middle entrance to lake (Toni Magro):** Toni provided information on the area to cleanup including giving David Cook pictures. David said he will review the area personally and, if deemed necessary, clear it. More to follow next month.
- **Request for Humane Society Staff to bring Dogs to use Deer Lake Beach (Jennifer Kesler):** Jennifer provided information reasons for this request. David Cook made a motioned not to allow them on the beach and provided reasoning which included the Blue Mountain Property Owners’ Association Policies for Use of Recreational Areas published in April 2023. The motion was seconded and approved.
- **Annual Meeting (August 20, 2023) Advertising, Logistics, Impact on August regularly scheduled board meeting (Harry Davis):** It was determined that this year’s Annual Meeting would be preceded by a PotLuck. PotLuck preparation begins at 11:30am with food serving at 12pm and the annual meeting at 1pm. All are invited to attend and bring whatever they’d like with the exception that no alcohol is allowed. The Pot Luck and Annual Meeting will be published on bmpoa.org and our Facebook page. The Annual Meeting will include: Approval of 2022 Annual Meeting Minutes; Officer Voting by Acclamation; It was agreed that since the Annual Meeting is August 20th there will be no regularly scheduled board meeting on August 14th.

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Public Safety Report – (No Chair)

No Report

Public Comment (3-minute Limit each) (Secretary Patrick Patton)

5 BMPOA members signed up to address the Board (Attachment 2). Jennifer Kesler; Margaret Morrell; Billy Orndorff; Jim Cook; Cathy Jo Cook.

- Jennifer thanked everyone for the Bird Decals that were placed on the Lodge windows to prevent birds from hitting them. She mentioned that giving proposals, even if they aren't approved, can lead to other ideas. She then discussed dog access to the Dam side stating it was hard and is there something that could be done. Jennifer will be writing a proposal and sending it to the Board for consideration.
- Margaret Morrell asked that individuals living on Old Log Road be notified when the paving will begin and how traffic will be handled. Patrick reread the Old Log part of Carl Herz Road report. Margaret was satisfied.
- Billy Orndorff suggested that sandbags be added to the Dam side of the lake's bank to help dogs get in easily. David Cook said that area is where the Dry Hydrant and its pipe are located and we cannot make changes there. Mike Veasey stated that the Dam is regulated by the State of Virginia and we cannot do anything that could affect it in any way.
- Jim Cook asked that Lodge Event signs, balloons etc. be removed quickly after the event. Morgan said she had been taking down the wedding signs but the latest signs and balloons were from a BMPOA member. Jim thanked Morgan for removing the wedding signs and, again, asked that any event decorations, signs, etc. be removed as quickly as possible.
- Cathy Jo Cook stated the last Wedding Event was the best cleanup ever done and thanked Morgan.

Meeting Adjournment (Acting 1st VP Harry Davis)

Harry asked if there were any other personnel that would like to speak to the Board during the Public Comment period. There were none. Harry moved to adjourn the meeting. It was seconded and received unanimous Board approval. The meeting was then adjourned at 7:09pm.

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Attachment 1 – Yard Cleanup Weekend Proposal (Covenants Enforcement Committee)

Purpose: To recommend to the BMPOA Board that the Covenants Enforcement Committee be authorized to sponsor a community wide yard clean up weekend.

Background

1. Many yards in the community need cleaned up. Some a little. Some a lot.
2. Some people will clean up their yards voluntarily but the need to dispose of a large item or two is holding them back.
3. Others will not clean up their yards at all unless motivated to do so.

Proposal: that the covenants enforcement committee organize a community wide yard clean up weekend that addresses both these types of resident.

Concept of Operations:

1. Open to everyone. Those who need a large item or trash bags picked up must schedule it. (Not to include motor vehicles, appliances, or items that cannot be disposed of at Bentonville.) OR we will put a container at the lake or some centralized location and residents can bring their materials there.
2. Those with particularly bad yards can nominate themselves to compete for cash prizes. Self nominations must be sent to Billy Orndorff at bmotogo123@gmail.com NLT one week before the contest. Judges will take pictures before and after and award prizes using their good judgment. Judges must agree that a yard is bad enough to compete for the cash award. There will be no appeals of any judge's decision.
3. At least 5 "bad" yards must be accepted into the competition for cash prizes before cash prizes will be awarded. Cash prizes will be \$1000 for first place, \$500 for second place, and \$500 divided between all remaining participants. Cash provided out of BMPOA funds.
4. Anybody can help clean up a yard if they are so inclined.

Requirements:

1. A rental truck or a dipsy dumpster type container for the weekend.
2. A volunteer driver/crew member to make pick ups and dump the material at Browntown
3. People to serve as judges
4. Advertising --- Maybe bring this up at the annual meeting just to solicit community feedback or generate enthusiasm.

Actions:

1. See what, if any, help the county can provide (truck? crew? dumpster? waive the Browntown fee?)
2. Set the date. Late Fall (Sep) or early Spring (April)

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Attachment 2 - BMPOA 230612 Public Comment Signup Sheet

BMPOA July 10, 2023 Board Meeting Public Comment Period SIGN-UP Sheet

This is a Board Listening period. As such, the Board will not answer questions posed, address any allegation, or argue in any way. During the Public Comment period, speakers wishing to address the Board shall clearly state their name and address. The Public Comment period shall be limited to thirty minutes, with a maximum of three minutes for any one speaker. Speakers may only speak once. Speakers will be heard in the order in which they have signed up. The Secretary will manage the time and record the speaker allowing the Board to review prior to the next meeting. If there is time remaining it will be offered to persons in the audience in the order determined by the President.

Speaking Order	Name	Address	Subject
1	Jennifer Lerner	155 Fern Trl Way	MISC: TALKING FOR 3 MIN
2	Margaret Morrell		old log
3	Pilly Ordorf		Pass for Lake. add sand bass? By Lake?
4	Jim Cook		David explained why not. Requested wedding's front ^{at} of ^{at} the Events be removed after Event
5	Kathy Jo Cook		good cleanup at lodge of last
6			Banquet Event.
7			
8			
9			
10			