

**ROCKY BAYOU OWNERS ASSOCIATION
P.O. BOX 848 Niceville, Florida 32588-0848**

**Minutes of the Monthly Meeting of the RBOA Board
August 10, 2022 at Niceville City Hall**

In attendance:

Existing board members (quorum reached):

Rich Comer, President	Jeff McAdoo, Vice-President
Nicki Patten, Secretary/Treasurer	Tracy Wood, Compliance
Joe Bradley, Environmental	Kathy Flynn, Architectural Control
John Rivera, Maintenance	

Homeowners:

Paul Higgins
David Valenzuela

Meeting called to order by Jeff McAdoo at 6:33pm.

(Per agenda, special guest Tim Wedemyer with Law Enforcement Official, but did not attend.)

PREVIOUS MEETING MINUTES:

- July Meeting Minutes were circulated in advance of meeting via email. Tracy motioned the minutes be approved. Kathy seconded; passed unanimously.

FINANCIAL / BUDGET: reported by Nicki Patten

- Financial report for July detail and 2022 year-to-date totals compared to budget was circulated to board members in advance via email.
- Expenses for the month of July totaled \$2,925, which is average for monthly expenses.
- Total in all bank accounts as of July 31, 2022 = \$115,698; approx. \$54k in the checking and \$30k in the CD (at a 0.08% interest rate) and \$30k money market (at a 0.05% interest rate). The CD, which represents Dam reserve, just matured last month and renewed for 7 months. Will come due right before next annual meeting, when we can determine whether to increase the reserved portion. Recent repairs to Dam did not require we pull from reserves, and expense was covered from operating funds.
- All overpaid dues have been refunded. 13 members still outstanding for 2022. Official late notices will be sent this month so that we can go forward with legal action for collections if we choose to.
- 2021 tax return was picked up from CPA and sent in to the IRS. No tax due since interest was below \$100 threshold. Amended annual report was filed with Florida Dept. of State to reflect change in officers elected in recent months.
- Tracy asked to make note of appreciation for Nicki's efforts in working on financials of RBOA. Jeff reiterated the importance of this aspect for transparency and legal requirements per Florida statutes.

ARCHITECTURAL CONTROL: reported by Kathy Flynn

- No requests or activity in the last month. An ACC member questioned possible construction at a residence, but upon further investigation appeared to be septic tank, which does not require approval. They will keep an eye out for construction going on without authorization.

COMPLIANCE: reported by Tracy Wood

- Busy over the summer. Tracy received offensive voicemail message from homeowner in response to notification of issues at their lot, but it was handled. Several complaints from the same resident about potential violations around the neighborhood:
- Issue with a boat, which was handled with a letter.
- Complaint about an RV parked beside the home (photos provided). Homeowner's response is that per Unit 3 covenants: "Travel trailers and boats that are or become unsightly must be hidden from view of the public, or adjoining lot owners." Homeowner contends that it is only a year old, well maintained and not "unsightly," and that he has invested a lot of time and money cleaning up the yard and property to honor the neighbors/neighborhood. Discussion ensued about the enforceability of this complaint, since the definition of "unsightly" is subjective. One person's complaint may mean it is "unsightly" to them, but the board has a duty to make judgement about whether a violation has occurred. If neighbors disagree with board's vote, they can call for a vote of the Unit 3 members. Nicki motioned that the response be that the board does not consider the RV unsightly, it is well maintained and not in violation of the Unit 3 covenants. Joe seconded; passed unanimously.

MAINTENANCE/PROJECTS: reported by John Rivera

- Emails received re: a number of inoperative street lights; they have been reported to the County and fixed.
- John has been in direct contact with landscape company regarding complaints about overgrown areas around islands/entrances; company has been very receptive and followed up.
- Scott Wilcoxon (homeowner/member) will be performing some additional maintenance to the island on Ruckel Dr. in front of Lakeway Dr. and will be reimbursed.
- Paul Higgins (homeowner/member) has been voluntarily cleaning up the other island adjacent to Ruckel when coming onto Lakeway. While pulling weeds, he has found that there were abandoned sprinkler heads buried. He contacted City Hall (Lonnie) and said someone would come out with radar to figure out where pipe leads. Paul requests the association send a formal request to the City of Niceville to survey the water lines to see where we can tap into water main so we can get sprinklers functioning again. Board agrees Nicki will send letter requesting survey; if there is a water line, board will vote at a future meeting whether we want to add another meter. John will go with Rich to storage facility to search records for the plans.
- Rich received a complaint about a dead tree at 464 Ruckel Dr.; Joe & John tasked with following up to determine if it is on homeowner's, association's, or golf course property.

ENVIRONMENTAL: reported by Joe Bradley

- Email sent by a resident that a family of panthers was in their backyard. Joe forwarded to Fish & Wildlife, who responded that based on our habitat and where panthers are in Florida, they were likely bobcats.
- 4x4 post with tree plaque is down at Wava Park; Joe will replace post and submit receipt for reimbursement.
- Book station box has a hole and decals have been destroyed by sun; Joe will fix.

OLD BUSINESS

Initiative to update RBOA governing documents:

- Issue discussed previously about Unit 3 compliance issue and variances in verbiage between 13 different sets of covenants reiterates the need for this to get accomplished.

- Rich still has not received any response from attorney Jay Roberts; Tracy will check with Marian to see if she's heard anything, if not, Rich will follow up again by phone to get update on where it stands.
- Overall effort will be long-term, possibly years. First the draft will be submitted to the board for review, then meet with the lawyers to discuss any refinements, then present to each of the 13 units separately to vote (under their currently separate criteria for voting requirements) to approve the consolidated covenants. Aim for draft to be available for review in advance of the annual meeting in March.

Welcome packet for new neighbors

- Rich brought Chamber of Commerce magazine publication. Jeff suggested Niceville.com has news and information, City of Niceville Public Library and Bay Beacon's annual guide. Since Bay Beacon is no longer publishing, could contact Bay Life, Emerald Coast or Niceville Neighbors to see if they will produce something similar.
- Nicki brought a list of website links that could be emailed to new homeowners. Rich suggested it be sent to even existing members, and Jeff suggested that we create a "new to the Rocky Bayou" page on the RBOA website to house the links. This will promote new owners going to the website and getting familiar with it. Rich motioned Jeff & Nicki tackle this effort, Tracy seconded. Passed unanimously.
- Paul requested we make it easier for owners to determine which unit they are in. Discussed moving existing document to a FAQ page, and making the document searchable.

Estoppel fee:

- Fee was reduced from \$250 to \$200 at the end of last year. Rich explained the implementation of the estoppel fee was set at the maximum \$250 allowed by law in anticipation of needing to hire a management company when previous board did not expect to get needed individuals to continue a volunteer board. It was lowered due to an argument that the majority of sales in the neighborhood are by active duty personnel, to lessen the burden on them. Tracy mentioned that all associations charge estoppel fees, and most are at the max \$250 allowed by Florida statute. Tracy motioned that we leave it at \$200, Kathy seconded; passed unanimously.

NEW BUSINESS

RBOA/RBCC relationship:

- No changes to participation, no new social memberships as a result. Plan to bring it up at the annual meeting to let members vote on whether to renew.
- Jeff will update language on the rboa.net homepage to make the benefits and requirements of our relationship with RBCC clearer.

NEXT BOD MEETING

- Scheduled for 14 September, Niceville City Hall

**Nicki motioned to adjourn meeting; seconded by Tracy. Meeting adjourned at 7:52pm.
Recorded by Nicki Patten**