

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

Minutes of the Monthly Meeting of the RBOA Board
May 10, 2023 at Niceville City Hall

In attendance:

Board members (quorum reached):

Joe Bradley, President	Jeff McAdoo, Vice-President
Nicki Patten, Secretary/Treasurer	David Valenzuela, Compliance
Ben Ward, Architectural Control	Jaime Dorsey, Environmental

Governing Documents Committee members:

Judy Boykin	Marian LoGatto
-------------	----------------

Residents /homeowners:

Rich Comer	Sam Dawson
Mitchell Panich	

Meeting called to order by Joe Bradley at 6:40pm, followed by a moment of silence.

PREVIOUS MEETING MINUTES:

- April 2023 Board Meeting Minutes circulated in advance via email.
- Jeff motioned to approve minutes with waived reading. Ben seconded; passed unanimously.

FINANCIAL / BUDGET: reported by Nicki Patten

- April 2023 financial report circulated in advance of the meeting via email.
- Monthly expenditures higher than average due to annual insurance premium (\$5.5k) and semi-annual pine straw (\$2k) refresh paid in April.
- Fund balance \$131,305 across our 3 bank accounts.
- 23 members still have not paid 2023 dues.
- Home sales starting to increase; 1 estoppel request in April, 3 more in last few days.
- Jeff motioned to approve the financial report. Ben seconded; passed unanimously.
- Joe confirmed that all bank account signers and safety deposit box accesses were updated with current officers for President, Vice President and Treasurer/Secretary.

ARCHITECTURAL CONTROL: reported by Ben Ward

- Only 1 application currently pending (already approved); awaiting final signature of 3rd committee member.
- Discussed how to respond to bookkeeper's inquiries when preparing estoppel certificates: is to confirm no pending projects/applications or compliance issues for the property.
- Inquiry from a realtor re: expiration of ARC powers per Unit 4 covenants; corporate resolution was passed in 2014 to preserve committee as a component of the RBOA board. Awaiting clarification from legal counsel.
- Architecture page on website was updated; Ben is receiving the architecture@rboa.net mail.

COMPLIANCE: reported by David Valenzuela

- Shipping container on Kristin Circle: homeowner indicated still being used during construction and is researching plans to convert into an ADU (accessory dwelling unit). Plans to be submitted through ARC for approval.
- Boat on Wava Ave has been removed.

- David received inquiry from potential buyer in Unit 4 re: covenant restriction of no more than 2 animals. Revised master covenants will not impose this limit and no complaints have been received regarding number of animals.
- Question raised by homeowner again re: utility trailers visible in driveways / outside of garage/fencing; response is that the 13 different unit covenants currently in place are somewhat ambiguous or inconsistent, but will definitely be addressed in new covenants, when/ if adopted.

MAINTENANCE/PROJECTS: (John Rivera not present)

Items to be addressed; will inform John to follow up:

- At least one damaged tree in Wava Park needs to come down (along with report/quote to remove other damaged trees as previously advised by JBA Tree Services).
- Upkeep of entrances still lacking.
- Judy brought up the 20' wide access point to golf course owned by RBOA that is severely overgrown and needs to be cleared (on Ruckel Dr at top of "hill" by Lake Way).

ENVIRONMENTAL: reported by Jaime Dorsey

- 2 alligators in lake; neither long enough to pose a threat per Florida Wildlife Commission.
- Repeat calls re: beaver in lake behind Carr Dr and evidence of them at both ends of the lake and in homeowner's yard; assess damage may be causing and contact different trapper.
- Homeowner raised concern that lake levels are unreasonably high; still need to address any damage from water that was dumped into lake.
- Several bear sightings (which will be more active due to construction around neighborhood).
- Jeff indicated RBCC maintenance expressed concern that lake south of Golf Course Dr seems low, need to check standpipes to make sure water is flowing correctly between lakes.

OLD BUSINESS

Initiative to update RBOA governing documents: reported by Marian LoGatto & Judy Boykin

- Project is on hold until Unit 3 covenant expiration is resolved. (See new business).
- Draft revisions are close to ready and list of questions for attorney Jay has been compiled.

Social Media Committee: no actions taken yet or volunteers to take on the project; Nicki motioned to table this effort given other priorities. David seconded; passed unanimously.

NHS Environmental Club: multiple trees (saplings) were planted in Wava Park.

NEW BUSINESS

Unit 3 covenant expiration (Prior 10-year renewal expired in March 2022):

- Governing Docs committee distributed copies of Florida Statute Part III of Section 720 re: process for Covenant Revitalization. This must be organized/initiated by members of Unit 3, though RBOA could assist. Nicki motioned to support this effort with RBOA covering associated costs. Jeff seconded; passed unanimously. Recently elected board members David and Jaime are Unit 3 members and can lead the effort.
- Concerns were also raised about Unit 3 members remaining on the board when their covenants are expired.

- Attorney Jay Roberts was contacted re: these issues. He indicated needing only a similar renewal process as before and that he was fine with Unit 3 members remaining on the board. Joe will reach out to Jay to confirm the required process and clarify board membership.

Units 1 and 2 covenant renewals (Prior 10-year renewals will expire in Dec/Sep 2023):

- Options will be discussed with attorney; Nicki motioned to table discussion at this time. David seconded; passed unanimously.

OPEN DISCUSSION

Homeowner question re: replacement of fence between properties. Fence is owned by whichever property it is on per the survey. It is not for the association to govern. Replacement of existing fences do not require ARC approval, as long as it will look the same. If agreement between neighbors cannot be reached, a new fence could be erected, which would require ARC application and approval.

CLOSING OF MEETING

Nicki motioned to adjourn meeting; seconded by David. Unanimous; adjourned at 8:30pm. Recorded by Nicki Patten.

NEXT BOD MEETING: June 14, 2023 at Niceville City Hall