

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

Minutes of the Monthly Meeting of the RBOA Board
January 11, 2023 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	Judy Boykin (Covenants Committee)

Meeting called to order by Rich Comer at 6:39pm, followed by a moment of silence.

PREVIOUS MEETING MINUTES: December 14, 2022 Meeting Minutes were circulated in advance via email. Tracy motioned to approve the December minutes without reading aloud. Jeff seconded; passed unanimously.

FINANCIAL / BUDGET: reported by Nicki Patten

- Financial report with monthly detail through December and final 2022 totals compared to budget was circulated to Board members in advance of the meeting via email.
- Expenses for December totaled \$4,599.64; higher expenses for the month due to landscape maintenance to remove downed trees in Wava Park.
- Overall 2022 final showed surplus of \$1,207.34, even though budget was expected to end with a shortfall of close to \$9,000. Variance explained by some actual expenses totaling less than budget, but it is primarily a result of the \$5k collected in Estoppel Fees in 2022.
- 2023 budget was approved last month; presented again with small adjustments between line items for office supplies & unpredicted maintenance expenses, which total approx. \$6k. RBCC membership (\$3k) was included in 2023 budget (it had not been budgeted for 2022), though we will vote at the annual meeting whether to renew, keeping in mind how close we came to breaking even on the budget.
- Nicki to look into option/ cost of email service to send out alerts electronically; to present at annual meeting option of communicating that way more often.
- Lots of positive feedback received on the ability to pay dues electronically; 245 members out of 407 already paid in the first week since invoices were sent out.
- Still 1 member owes 2022 dues. Olivia called again in Dec, she was promised it would be paid the next morning but still not received.
- Listing of properties sold shows 23 closings took place in 2022, with estoppel fees received in December for one closing that just took place in January.
- Received request from member in Unit 2 to be “removed” from the association as they do not want to continue to pay annual dues. Nicki found submission agreement in Okaloosa County records where previous owner had joined, so forwarded copy to the member with letter explaining it cannot be revoked. Payment was subsequently received for 2023.
- Becker (attorneys) retainer document was signed by Rich; Nicki paid \$250 fee for 2023. (Attorney Jay Roberts is planning to attend the annual meeting.)
- Kathy motioned to approve the financial report. Tracy seconded; passed unanimously.

ARCHITECTURAL CONTROL: reported by Kathy Flynn

- 2 approvals since our last meeting; new request for fence just received in January.
- Kathy was contacted regarding a dispute between neighbors over tree roots growing up under fence of adjoining properties. Rear neighbor on whose property the tree sits was asked last year to address the roots where they were pressing against the fence, but nothing was done. Front neighbor noticed this year that 3 fence slats were now actually broken, so they took slats down and cut/shaved the root base where it was coming into the fence at their property line. Front neighbor wanted to notify the Association board for guidance; Board discussed and it seems front neighbor is within their rights to remove parts of tree coming onto their property, just like limbs hanging over a fence, but a property line dispute /mediation is not an issue addressed by the covenants so the Association cannot really get involved.

COMPLIANCE: reported by Tracy Wood

- Tracy & Judy Boykin as representatives of the Covenants Committee shared verbiage being considered for the revised documents re: RVs / trailers / vehicles. New language includes determination by the Architectural Review Committee to confirm such vehicles are satisfactorily screened by a fence or shrubs so as to be hidden from view; discussed including disclaimer that decisions are on a case by case basis and do not set precedence.
- RV parked next to home on Wava appears to have been moved; so has the RV that was parked on Kristin Circle.
- Shipping container parked side/back of home on Kristin Circle is still there, Tracy has been in touch with owner, who is completely remodeling the home and needs to keep until construction is finished. Tracy will keep her eye on it.
- Estoppel issuances continue to go smoothly.

MAINTENANCE/PROJECTS: reported by John Rivera

- An additional tree came down last month in Wava Park. John suggested John Adams / JBA Tree Services LLC walk the park to let us know if there is danger of additional trees coming down. Nicki will ask him to take a look when he comes to pick up payment. Rich mentioned it would be wise to make such a decision before hurricane season to be proactive.
- **John to contact Natural Lawns of NW FL to update contract for these invoices that are in addition to the monthly agreed-upon fees.**

ENVIRONMENTAL: reported by Joe Bradley

- Joe called the trapper to address beaver sightings.
- Issue with northernmost lake close to College Blvd, Lake Amick, and the city dumping water into it for about 3 weeks, causing sediment build up, discoloration on the rocks and odors. Joe called Lake Doctor to test the lake waters to test chemical vital signs and give us an assessment; should come out before the end of the month. It may become a legal issue if we get a negative assessment, even though we don't have a reading from before they dumped the water in. Several homeowners have taken pictures, so there is documentation/witnesses. Rich will be arranging a lunch meeting with new RBCC president, and will discuss with him as well, since some areas of the golf course impacted by the lake. **Jeff offered to call to try to get more information on exactly what is being dumped in, where was it siphoned from?**

OLD BUSINESS

Initiative to update RBOA governing documents: reported by Tracy Wood and Judy Boykin

- Tracy praised fellow committee members Judy and Marian for their time and investment in the project; it has been very time consuming and a huge undertaking.
- First draft of the revised Bylaws and Articles were distributed. Attorney provided drafts and the committee has marked up additional revisions, additions, and deletions for Board to now consider. Committee requests that each Board member looks over and gives any feedback before they present questions/revisions back to attorney.
- Revised Covenants and Restrictions not quite ready for distribution, but getting closer. Template provided by the attorney seemed more for condominium associations than an HOA like ours with no buildings, so there are lots of areas to refine. Committee had questions around insurance requirements per the documents and Tracy asked Nicki to look over that section compared to our current insurance policy; **Nicki will forward policy documents to Tracy to have insurance friend look over.**
- Other issues re: deed transfers and other legal records may be in question, and the committee will meet with Ruckel Properties to get clarification.

Prep for Annual Meeting March 7, 2023:

- Slides from last year's annual meeting were distributed; each Board member bring their updated slide to next meeting
- Rich asked we keep asking around for volunteers to join the board, since the terms of three officers will be ending this year.

NEXT BOD MEETING: Scheduled for 8 February, 2023 at Niceville City Hall

Kathy motioned to adjourn meeting; seconded by Nicki. Unanimous; adjourned at 7:55pm. Recorded by Nicki Patten.