

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

**Minutes of the Monthly Meeting of the RBOA Board
September 27, 2023 at Niceville City Hall**

In attendance:

Board members (quorum reached):

Joe Bradley, President	Jeff McAdoo, Vice-President
Nicki Patten, Secretary/Treasurer	John Rivera, Maintenance
Ben Ward, Architectural Control	

Meeting called to order by Joe Bradley at 6:51pm.

PREVIOUS MEETING MINUTES:

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

FINANCIAL / BUDGET: reported by Nicki Patten

- August 2023 financial report circulated in advance of the meeting via email.
- Fund balance \$121,468 across 3 accounts: approx. \$50k each in MM & CD / \$22k checking.
- Monthly expenditures \$3,367 (slightly higher than average due to 2 lawn treatments paid in Aug)
- 10 estoppel fees paid so far in 2023.
- 5 members still have not paid 2023 dues. Paper notices re: delinquencies were sent last month, resulting in collection on 10 accounts. 3 of the 5 outstanding are Unit 3 and were not sent collection notices based on Association attorney advice not to pursue collections until expired covenants are renewed. Nicki will make calls to the other 2; no motion to file liens yet.
- Discussed need to consider increase annual dues for 2024, as was presented at the annual meeting. Any increase needs to be presented/voted on in a meeting at least 30 days in advance of the new year/increase, so would need to happen at the November board meeting. Jeff motioned to generate the 2024 budget with increased annual dues, to be on the November agenda. John seconded; passed unanimously.
- Jeff motioned to approve financial report. Ben seconded; passed unanimously.

ARCHITECTURAL CONTROL: reported by Ben Ward

- Two inquiries, new windows on Ruckel, new roof, both with same structurally so no approval required.
- Newly proposed ARC guidelines still need to be compared to current restrictions.

COMPLIANCE: reported by Jeff McAdoo

- 2 letters sent re: boats/trailers; both were removed as a result.
- Courtesy notice sent to new owner on Kristin Cir re: trailer
- Pending complaints:
 - Jet skis in front yard of Ruckel
 - RV on Bond Cir
 - Shipping container on Kristin Cir (waiting for Unit 3 covenants to be renewed to determine any action)

- Petition from Unit 3 homeowner on Kristin Cir for permission to permanently park well-maintained, high-end motorhome on concrete pad next to home, citing Unit 3 covenant that it be removed only if “unsightly,” which homeowner contends it is not. Discussion re: similar issue to one voted on 2 years ago; we cannot approve case by case, but is something to be addressed by covenant amendments. Jeff motioned to deny petition. Ben seconded; passed unanimously. Jeff to reply with explanation to homeowner.

MAINTENANCE/PROJECTS: reported by John Rivera

- Received quotes for beautification of entrances (quite pricey) and vendor names from surrounding HOAs. Will seek to get quotes for ongoing maintenance should we choose to replace current vendor.
- John motioned that at next meeting, we set a date for Community Day in November to cleanup common areas. Nicki seconded; passed unanimously.
- Jeff reported looking into light fixtures; need to address at entrance sign light at Forest & Ruckel, which is sinking into the dirt and not properly aimed at the sign.
- Henderson Dam:
 - Joe reported that reply received that inspection could not be completed until vegetation was removed.
 - John will call Okaloosa Co to see about getting cleaned (since is on county property).
 - Nicki will scan & email packet found in archives regarding prior reports/ inspections.

ENVIRONMENTAL: (Jaime Dorsey not present) – No actions reported.

GOVERNING DOCUMENTS PROJECT:

- Still awaiting reply from attorney Jay Roberts

OLD BUSINESS

Unit 3, 2 and 1 covenants renewals:

- Nicki obtained renewal forms from attorney Jay Roberts for Covenant renewals for Units 1-3 and both mailed and emailed to all owners in those units. Status of renewals:
 - Unit 3 (expired March 2022): need 34 for majority, 30 received; need only 4 more
 - Unit 2 (expired Sept. 17, 2023): need 45 for majority, 24 received; need 21 more
 - Unit 1 (expiring Dec. 5, 2023): need 39 for majority, 19 received; need 20 more
- Per response from attorney, if a unit fails to renew Covenants and allow them to terminate, those units will no longer be part of the Association. Units 4-11 and the two Lake Way Villas have automatic 10-year extension renewals written into their Covenants and do not expire.
- Ben suggested asking Sandy North at RBCC to add a note in their newsletter, since many lots in Units 1-3 surround the golf course. Jeff will contact her.
- Nicki will send out second round of notices this week: include note for Units 1 & 2 that signing consent is not recruiting membership, merely to continue covenants for their Unit. It was also suggested notice include request to notify RBOA of intent *not* to consent to renewal.

ARC expirations:

- Nicki sent chart of all units Covenant / ARC expiration dates / voting requirements to all board members.
- Per attorney Jay Roberts, only way to reinstate ARC powers is by amending Restrictive Covenants. (Expired covenants must first be renewed). This will be accomplished by consolidation, when/if it happens.

- Attorney also confirmed that expiration only affects the approval process for new projects; does not affect ability to enforce compliance with existing covenants.
- Units 5, 8-11 & the two Lake Way Villas have no expiration date and the powers remain in effect. Expirations for the others were:
 - Unit 1: December 6, 2003
 - Unit 2: September 18, 2003
 - Unit 3: March 15, 2012
 - Unit 4: March 15, 2014
 - Unit 7: July 16, 2021

Social Media Committee:

- Jeff contacted Niceville Neighbors to advertise the monthly board meetings. He will also contact the Admin for the Facebook group “Rocky Bayou Country Club Estates” or post directly in the group to announce monthly meetings.
- Nicki motioned tabling the establishment of a committee given other pending matters. Jeff seconded; passed unanimously.

NEW BUSINESS

Board member resignation:

- David Valenzuela, serving in Compliance role, is in the military and was stationed in another state until next summer. He is unable to fulfil his duties from afar and sent his resignation from the RBOA Board.
- Judy Boykin of the Governing Documents Committee would be a good candidate if willing to step in to fill the vacancy. Nicki will contact her before next meeting.

Upgrading/updating/repairing common areas, Wava Park, golf course entrances, and others:

- Focus first on main entrances; consider approaching Scouts to renew their efforts at Wava Park

CLOSING OF MEETING

Nicki motioned to adjourn meeting; seconded by John. Unanimous; adjourned at 8:35pm. Recorded by Nicki Patten.

NEXT BOD MEETING: October 11, 2023 at Niceville City Hall