

**ROCKY BAYOU COUNTRY CLUB ESTATES
HOMEOWNERS ASSOCIATION
P.O. BOX 848
Niceville, Florida 32588-0848**

**General Meeting of the Board of Directors
January 8, 2020
held at
Niceville City Hall
208 Partin Drive North**

The Rocky Bayou Country Club Homeowners Association Board of Directors Meeting was held at Niceville City Hall on January 8, 2020.

Call to Order: Meeting called to order at 7:05 p.m.

Confirmation of Quorum: Paul Maryeski, Al Habermusch, Marian LoGatto, Frank Strasburger and Scott Wilcoxon were present.

Association members present were Bruce Campbell of Unit 7, Scott Livingston of Unit 4, Gail Laquier of Unit 4 and Tim Wedemeyer of Unit 3.

Confirmation of Notice: Notice posted on RBOA website.

Approval of Minutes from December 19, 2019: Frank made a motion to approve the minutes. Al seconded the motion. Approved unanimously.

Review of Financials: Monthly financials were reviewed and discussed.

Old Business:

The vacant position on the RBOA Board remains open and three additional Board positions will be open effective at the March 3, 2020 annual meeting. The three board members stepping down are Lily Falzone, Marian LoGatto, Secretary/Treasurer and Frank Strasburger, Compliance Director. Members of the Association are encouraged to fill these positions.

Frank stated P & D would be coming out on January 13, 2020 to check the pump and the non-working sprinkler head at Henderson Lake. Frank suggested a new motor be installed, a new pump, replace all the sprinkler heads along the dam and replace all the valves. Frank will request a quote and submit to the board for voting. This project should be considered for 2020.

Old Business Continued:

A project to be considered for 2020 is the integrity of the riser/spill box for Lake Henderson and Lake Amick. Paul shared with the meeting attendees that the risers/spill boxes regulate the level of the lakes. Contractors have been contacted but have not been responsive. A verbal estimate was given to Scott in the amount of \$15K to \$20K. Al or Scott will speak with the Maintenance Manager of the Country Club to obtain a contact for the marine company they used for bulkhead work and try to get a quote for the spill box work.

Paul shared with the members of the Association attending that RBOA has a Memorandum of Agreement (MOA) with the Rocky Bayou Golf Course that the expense of the lakes in and around the golf course are a shared expense as defined in the MOA.

Paul is waiting to hear back regarding the curbing of the Ruckel entrance at Forest Road. The Director of Public Works of Okaloosa County informed Paul he would come out and look at the entrance. The requested work falls under Okaloosa County jurisdiction; therefore, the county would incur costs associated with the work.

Discussion continues regarding the removal of the island at Irene Court. Okaloosa County is responsible for the islands but has not maintained them. The roadway around the island is narrow and Waste Management damaged a portion of the back perimeter of the island during one of its scheduled pick up dates. The island itself has become unsightly and the removal of it could be a potential project for 2020.

Paul called State Representative Mel Ponder regarding the safety at night exiting onto Forest Road off the Mid-Bay Connector (293). There is no definition at night when heading northbound on 293 exiting at Forest Road (left exit).

Marian stated the sign stating Forest Road is the last exit before the toll, should be removed. The Deer Moss Creek exit is now the last exit before the toll.

RBOA does not fall under the City of Niceville jurisdiction. RBOA falls under Okaloosa County jurisdiction. An attendee at the meeting indicated four to five residents contacted Okaloosa County Sheriff's Department regarding the speeding on Ruckel Drive. After extensive meetings and discussions, the Sheriff's Department started to write tickets on Ruckel Drive and Forest Road due to speeding. Speed limit signs were placed in several locations on Ruckel Drive including the property of the residents who initially spoke with the Sheriff's Department. Starting Monday, January 6, 2020, an additional resource from the Sheriff's Department will be dedicated to the Niceville area. The member suggested that included in the newsletter and the annual meeting, the actions taken by the Sheriff's Department to improve safety on Ruckel Drive, be included in the newsletter and the Annual Meeting. It was further stated that every resident in the community take responsibility and obey the speed limit as well as any of the contractors the members use when driving into the RBOA community.

Old Business Continued:

Paul will contact Okaloosa County to see what options are available regarding the setback from the roadway to Wava Park for a split rail fence. Parking continues to be an issue on the property at Wava Park. The installation of a split rail fence is a project to be considered for 2020. RBOA will reach out to the Boy Scouts to consider this as a project for their troop.

Compliance:

Frank will drive through the association for yard compliance and will release letters accordingly.

Frank will address a home in Unit 3 for a trailer and a boat. Two additional homes in Unit 3 also have motorhomes on their property that need to be addressed with the homeowner.

Architectural Control Committee:

All ACC Applications submitted for 2019 have been reviewed, decided upon and documented accordingly by members of the committee. Consequently, there are no pending applications and the report has been closed.

There are two (2) properties with retaining walls, one in Unit 9 and one in Unit 10. The Committee did not receive ACC applications. However, since the terrain of the yard is steep for both properties, each homeowner installed fences. It is quite obvious when looking at the property; these picket fences were installed for safety purposes. Al made a motion to prepare memos for each file documenting the installation of fences for safety purposes. Frank seconded the motion. Approved unanimously.

To ensure RBOA membership understands their responsibilities if and/or when a change is made to the outside of their home or property, the newsletter will reiterate the need for the homeowner to review their covenants for their respective unit AND complete and submit an ACC Application if there is a change to the footprint of their property.

Environmental:

Nothing to report.

New Business:

Marian will review financial records to ensure there are no additional invoices for 2019 for Brock Lawn and Pest Control.

Discussion took place regarding raising the membership dues. Anticipated increase in expenses would be for lawn services, administration (Bookkeeping), change in landscaping contractor (separate and apart from lawn services) and utilities. Scott made a motion to increase annual dues an additional \$10.00. Paul seconded the motion. Approved unanimously. Therefore, annual dues will be \$140.00 and released invoices will reflect that amount to the membership this month, January.

Discussion took place on the topic of a property management company for the future to handle RBOA. The association is large and would be better served by a management company, if not for full services, at least for a limited scope of service. The topic of dues and a property management company spurred considerable discussion. An explanation for an increase was given but some attendees at the meeting felt it is unwarranted and that the tenure of board members was non-compliant.

A comment was made by one of the attendees that the Association has an illegal Board. The Board's rebuttal was solicitation in the newsletter and at the annual meetings continually requests volunteers for the Board. However, no one answers the call and as such, the existing board members continue their role. It was further restated that four (4) individuals will be needed for open positions on the Board effective March 3, 2020 and members of the Association are encouraged to join. Notice will be given to the membership in the January 2020 newsletter regarding the annual meeting and for the solicitation of board members.

The Board will vote on a proposed budget for 2020 on February 12, 2020.

A comment from one of the attendees suggested that communication at the Annual Meeting on March 3, 2020 include advance notice of a significant dues increase be expected in 2021. The justification for the increase is for hiring a property management company for RBOA.

A concern from one of the attendees pertained to the future of the Board if a property management company were put in place. It was communicated that the Board remains in effect and are still the executive decision makers.

The Association's attorney offers a service through a third party called Becker Ballot. Through the installation of software, association members are able to vote on association business electronically. This has the potential to be more cost effective, more streamlined, less human error and increased member participation. It was further stated Becker offers Board Certification classes for new board members. Florida Statute requires incoming board

New Business Continued:

members to attend a Board Certification Class or sign a document stating the new board member has reviewed the Articles of Incorporation, the By-laws, the Covenants, Conditions and Restrictions (CCR) and all governing documents and will uphold the duties and fiduciary responsibilities for the Association.

Open Discussion of the Member Attendees:

Is an ACC Application required if a homeowner wants to fence in their garbage cans or their Air Conditioning Unit?

Board Response: Yes, anything above the ground level, i.e., fences, decks, sheds, pool, play sets, etc. requires the submission of an ACC Application. The ACC forms can be found on the RBOA website under Architectural Control.

Member Concern/Question: Member resides on corner of Forest Road. Construction and development is continuous on the roadway. Can I install a higher fence on my property for privacy purposes as my home borders the busy roadway?

Board Response: The Covenants allow for a fence up to six (6) feet. However, a variance can be granted outside the covenants to allow for a higher fence. Action required by the homeowner requires approval of the immediate neighbors/neighbors touching the property in writing and an ACC Application.

Motorhomes: Member feels the prior Board had common sense regarding recreational vehicles and boats. Member pays monthly storage fee to keep their motorhome somewhere else. Wants to know why RBOA does not have a storage area for recreational vehicles. Member wanted to know if Ruckel Properties has a storage area for use. Member feels there is discrimination from resident to resident and the current Board does not help members out.

Board Response: The Board works consistently with the current covenants that RBOA is governed. The current Board cannot speak to the actions of the prior Board. It was further stated Rocky Bayou Owners Association was incorporated in 1984. Many of the homes that were built before RBOA was incorporated, did not join the Association. As such, the covenants are not enforceable to those homeowners. The Board can only enforce the covenants to the properties that fall under the Rocky Bayou Owners Association. Paul informed the resident to submit a letter to the Board.

Open Discussion of the Meeting Attendees:

Estoppel Fee: Why is there a \$250 Estoppel Fee and why is it so high?

Board Response: The Estoppel Fee was set by RBOA last year (2019) at \$250. which is the maximum of Florida Statute. This was done to keep the dues down to the Association. It was further stated when Ruckel developed the community, the park on Wava, a number of pieces of land and the lakes in the community were deeded to RBOA. The responsibility to maintain these areas is the Association. The increase was to help with the offset of expenses.

What are the qualifications to be a Board Member?

Board Response: Information will be included in the newsletter outlining the roles and responsibilities for the open positions on the Board. Any member of the association who cares about the neighborhood is encouraged to join.

One of the attendees suggested a slide be presented to the membership of the roles and responsibilities of an incoming board member as well include it in the newsletter.

Can playground equipment be added to Wava Park?

Board Response: For liability and insurance purposes, it would not be recommended. The Board will take no action.

Next Board of Directors Meeting scheduled February 12, 2020.

Meeting Adjourned at 9: 00 p.m.