

**LMOA BOARD OF DIRECTORS
Open Session Minutes**

DATE: Thursday, October 22, 2009

PLACE: Terrace Room, LMOA

DIRECTORS: **Present:**
Leighton Cumming, President John Platt, Vice President
Don Fickes, Secretary Mike Harrison, Treasurer
Ray Gott Benita Ellen

Absent:
Scott Meiss

STAFF John Korhonen, General Manager
Peggy Alexander
Meg Gore
Linda Adams

1. CALLED TO ORDER

The meeting of the Lake Monticello Owner's Association was called to order in Open Session by Pres. Cumming at 6:04 PM on October 22, 2009.

MOTION by Director Gott seconded by Treas. Harrison that the Board of Directors go into Executive Session to discuss legal, contractual, and personnel issues."

Motion carried 6-0-0

2. RECONVENE IN OPEN SESSION

The meeting reconvened at 7:00 PM.

3. PLEDGE OF ALLEGIANCE

4. EXECUTIVE SESSION REPORT

Secy. Fickes reported that the Board of Directors met in Executive Session at 6:04 PM to discuss legal, contractual, and personnel matters. The Executive Session adjourned at 6:49 PM. No action was taken during the Executive Session.

5. **MINUTES AND CONSENT AGENDA**

MOTION by Secy. Fickes seconded by Director Gott that the Board of Directors approve the minutes of the Executive Session, September 24, 2009 and the Open Session September 24, 2009 as included in the October 22, 2009 Board packet."

Motion carried 6-0-0

6. **LMOA REPORTS**

6.1 **President's Report (Pres. Cumming)**

Pres. Cumming reported that the recent Golf Course tours, which she attended, were very successful especially since many of those who took the tours had never seen all 18 holes of the course. She emphasized the significant challenges LMOA faces to reduce costs, to implement course improvements and to increase memberships including outside and junior members.

6.2 **Treasurer's Report (Treas. Harrison)**

Treas. Harrison reported that YTD Net Income is down due mainly to losses for the Golf Course, Eagles Nest Food Service, Pool Snack Bar, and the Swimming Pool operations. He projected a close to zero net at year end. The investment principal now at \$7,323,717 is above the required minimum of \$6,630,063.

6.2 **General Manager's Report (GM Korhonen)**

GM Korhonen reported that there were eight applicants for the open Solicitation and Contracts Administrator position. Linda Adams was selected to fill the position. The open position was a result of the recent retirement announced by Marty DeCarlo.

Road patching is being finished up and the wear and tear will be observed through the winter months.

The Main Dam State Regulations have changed causing LMOA to reapply for certification. The application must be resubmitted by December 15 and can be extended if the application submitted shows significant planned progress. The Main Dam low level drain will be reevaluated. Seepage issues will also have to be resolved. Financially significant repairs may be required for recertification. The dam has been reclassified resulting in future certifications every two years instead of every five years.

The Eagles Nest RFP is moving forward with four parties expressing interest. The goal is to have a new operator in place during early January 2010.

6.4 **Ad Hoc Committee for Legislative Review (Treas. Harrison)**

Treas. Harrison reported on the various aspects addressed by the Ad Hoc Committee for Legislative Review. The entire report is available on the LMOA web site and in the Oct 22 BOD packet.

7. FLUVANNA COUNTY REPORTS (10 Minutes per Report)

7.1 Fluvanna County Board of Supervisors Report

None

8. MEMBER COMMENTS #1 AGENDA ITEMS (5 minutes per member – Total 30 minute maximum)

Steve Carney	385/2	TAB 11.5 Leaf composting and leaf removal from the Tufton site
Orian Birdsall	340/1	TAB 11.5 Leaf composting and leaf removal from the Tufton site
Wayne Schmidt	370/3	TABs 11.1, 15.2, 15.3 Update of BOD Minutes, Muskrat removal funding, Handling of donations, Waste Disposal contract, PM 4.02Q update, Dredging records
Adrian Miller	156/5	Fluvanna County update
Ted Makranczy	9/12	Fishing Pier Update

9. UNFINISHED BUSINESS

9.1 Board Goals 2009-2010 (Pres. Cumming)

Pres. Cumming discussed the 2010 goals for the BOD and there were seven goals identified along with a BOD champion for each of the goals.

1. Work through resolutions as identified by the Ad Hoc Committee on Legislative Review – Treas. Harrison
2. Resolve the relationship of committees to the Strategic Plan – Director Ellen
3. Complete the Eagles Nest outsourcing – Director Gott
4. Continue improvements to the Golf Course – Director Gott
5. Develop strategic approach to fund major expenditures – Director Meiss
6. Deer Management – Secy Fickes
7. Survey on need for capital improvements – VP Platt

The list was not prioritized.

10. BYLAW AND POLICY CHANGES – SECOND READING

10.1 Amend PM 6.04 Recreational Facilities Rules and Regulations: Boating and Boat Operations to allow an exception for the maneuvering dredging equipment (Rich Barringer, Chair Lake Preservation Committee)

MOTION by Director Ellen seconded by Director Gott “that the Board of Directors approve the amendment of PM 6.04 Recreational Facilities Rules and Regulations as reflected in the October 22, 2009 Board packet.”

MOTION withdrawn

MOTION by Pres. Cumming seconded by Treas. Harrison “that the Board of Directors approve the amendment of PM 6.04 I. B. 2. A. Recreational Facilities Rules and Regulations to add the sentence ‘Exceptions to this rule may be made by the General Manager for lake maintenance operations and other operations that benefit LMOA.’ ”

Treas. Harrison called the question
Vote 6-0-0

Motion carried 5-1-0 with Director Ellen dissenting

The Board recessed from 8:20 PM to 8:30 PM.

11. NEW BUSINESS

11.1 2009 Lake Health Budget Amendment #1 (GM Korhonen)

MOTION by Sec. Fickes seconded by Director Gott “that the Board of Directors amend the 2009 Lake Health Budget to include a \$5,000.00 Wildlife Control – Muskrats line item and a \$20,655.20 Watershed Contract Amendment line item.”

Motion carried 5-1-0 with Treas. Harrison dissenting

11.2 Watershed Restoration Area #1 Backhoe Bob Amendment #1 (GM Korhonen)

MOTION by VP Platt seconded by Director Gott “that the Board of Directors authorize the President and General Manager to issue Contract Amendment #1 to Back Hoe Bob’s Inc. contract for additional work on the Watershed Restoration Area #1 project in the total firm fixed price amount not to exceed \$20,655.20 to be paid from the 2009 Amended Lake Health Budget line item titled Watershed Contract Amendment.”

Director Gott called the question
Vote 6-0-0

Motion carried 5-1-0 with Director Ellen dissenting

11.3 Muskrat Control Contract (GM Korhonen)

MOTION by Director Gott seconded by VP Platt “that the Board of Directors authorize the General Manager to enter into a contract with Colvin’s Animal Control Service in an amount not to exceed \$5,000.00 to begin in December 2009 and end in February 2010 to be paid from the 2009 Amended Lake Health Budget line item titled Wildlife Control - Muskrats.”

Motion carried 6-0-0

11.4 2009 Improved Property Fund Budget Amendment #1 (GM Korhonen)

MOTION by Sec. Fickes seconded by Director Gott “that the Board of Directors approve the 2009 Improved Property Fund Budget Amendment #1 by adding the line item Composting Expense in the amount of \$9,900.00.”

Motion carried 4-2-0 with Treas. Harrison and Director Ellen dissenting

11.5 Compost Site Leaf Removal Proposal (GM Korhonen)

MOTION by Sec. Fickes seconded by Director Gott “that the Board of Directors authorize the General Manager to enter into a contract with Back Hoe Bob to remove leaves from the compost site for an amount not to exceed \$9,900.00 to be funded from the 2009 Amended Improved Property Fund Budget, line item 2009 Compost Expense.”

Motion carried 4-2-0 with Treas. Harrison and Director Ellen dissenting

11.6 Appeal of Compliance Committee Decision Lot 92 Section 3 (GM Korhonen)

MOTION by Director Gott seconded by VP Platt “that the Board of Directors deny William Glen Self’s and Barbara Gibbons’ appeal of the August 26, 2009 Compliance Committee decision for Unkempt and Unsightly Areas (PM 13.03 IX A) for Lot 92 Section 3.”

Motion carried 6-0-0

11.7 Committee Appointments

MOTION by VP Platt seconded by Director Gott “that the Board of Directors appoint Leydon Young and Craig Ficke to the Finance Committee for terms beginning immediately and ending in December 31, 2011 and Jon Goddin for a term beginning immediately and ending in December 31, 2010.”

Motion carried 6-0-0

12. MEMBER COMMENTS #2 ANY LMOA TOPIC (5 minutes per member)

None

13. STATUS REPORTS

None

14. REMARKS FROM THE BOARD

Sec. Fickes reported that the Wildlife Management Committee has set a tentative date of January 9, 2010 for an educational seminar to address deer management utilizing bow hunting and rifle sharp shooting. The clubhouse facility and the broadcast group have approved the date and the committee is awaiting acceptance from the invited speakers.

VP Platt reminded the membership of the upcoming Octoberfest activities on October 24 at the clubhouse. He also stated that there will be no candy for Trick or Treat at the Main Gate this year. He also asked that Halloweeners wear light colored clothing and carry flashlights and encouraged motorists to be on the lookout for children.

Treas. Harrison requested that the Safety and Security Committee perform a study on how to make fire hydrants more visible to the firefighters.

Director Gott reported that dramatic improvements have been made in the food quality at the Eagles Nest.

Director Ellen stated that dredging updates had not been received for the last two months. She expressed the need for the BOD to adequately monitor dredging progress.

15. BYLAW AND POLICY CHANGES – FIRST READING

Pres. Cumming gave a summary of the first readings listed below.

- 15.1 Amend PM 4.02A Financial Management: Financial Management Policy, 4.02D Financial Management: Cash Receipts, 15.06 Special Policies: Donations to LMOA, 15.12 Special Policies: Donations by LMOA to define the process for fund raising donations (Treas. Harrison)**
- 15.2 Amend PM 4.02Q Financial Management: LMOA Investment Policy to restore language consistent with restrictions of 1998 vote of the membership (Director Ellen)**
- 15.3 Amend PM 4.02Q Financial Management: LMOA Investment Policy to restore language consistent with restrictions of 1998 vote of the membership (Treas. Harrison)**
- 15.4 Amend PM 13.03 LMOA Environmental Controls: Construction and Property Maintenance Requirements to clarify regulations for decorative fencing (Carol Cavanaugh, ECC Administrator)**
- 15.5 Amend PM 19.10 Security: Vehicle Identification to remove reference to paper passes for visitors' vehicles (Meg Gore, Asst. Secretary for Policy Review)**

16. ADJOURNMENT

Pres. Cumming adjourned the meeting at 9:43 PM.

by: _____
Don Fickes, Secretary