

MERRYMOUNT PROPERTY OWNERS' ASSOCIATION

ANNUAL MEETING, June 4, 2022

WISE BAPTIST CHURCH, WISE, NC

Introduction & Welcome. Lisa Handy, MPOA Chair called the meeting to order at 11:06 am. She stated we will start w/discussion about topics. Most of you have voted on line. Paper ballot was distributed for those who haven't voted on line. Introductions were made around the room.

Present are: Board members: Lisa Handy, Wilma Poole, Pam Rock, Joe Duffy, Kathy Ortiz, Lee Guins, Treasurer, Patty McHenry Secretary, Ann Thompson, Vote Teller, Lissa Wissing, Vote Teller. Also residents/lot owners: Bo & Carol Jamison lot 9, John Guins lot 13 & 122, Bobby & Amy Cardwell lot 126, Ray Kinard lot 68, Alexa & Nathan Scott lot 70, Jim Handy lot 16 & 38, Mary Bailey & Roger Marcoux lot 71, Darin Meyer lot 24, Derek Huff lot 16, Cynthia Duffy lot 57, Rene Teasdale lot 91, Adam Wachter lot 66, Denise Buckner lot 2, Myra & Scott Murray lot 21, Jan & Paul Mitro lot 31, Lisa & Brenna Lloyd lot 10, Diana Munsch lot 58, Christi Parshall lot 45, Todd Schultz lot 4, Wanda Hunt lot 124.

Introduction of Board Candidates & Distribution of Ballots. Bios given for Kathy Ortiz & Joe Duffy. Please mark your paper ballot votes.

Read & Approve minutes of 2021 Annual Meeting. Wilma Poole summarized 2021 minutes. Actual minutes displayed on projection screen. Lee G motion to approve, Jim H 2nd. Please vote paper ballot if not already voted.

Financial & Budget Report

Lee reports:

Balances of Accounts: CDs	\$125,953.35
Money Market	89,117.42
Checking	48,580.32
TOTAL	\$263,651.09

(\$946.55 outstanding on credit card which will be taken care of Wed. & closing out the credit card account.)

Year to date we are \$400 less than prior treasurer Deb projected. June not accounted for yet so 2022 budget should be very close. New budget starts Jul 1, 2022. Capital reserve study money has already transferred to money market account = \$10,801. The new budget was displayed, reminder that we have three 100% disabled vets (thank you for your service) which affects the dues collected since disabled veterans are exempt from homeowner dues. Treasurer position

will be turned over to Ann T as of Wednesday. For the Capital Reserve in 2023, Denise B noted that \$11,429 should be the amount to go to the reserve fund. (The budget is balanced so excess would have to come from operating expenses.) All accounts are now thru Truist. Lisa reminded all that the treasurer and president can access the bank statement so there are 2 sets of eyes on the money. Also Lee reminded that all checks require signature by the treasurer and a member of the executive board. Motion to approve new budget by Lissa W , Adam W 2nd. Thanks to Lee for serving as treasurer.

Neighborhood Watch. Patty M reported that the Watch is active & keeping an eye out for suspicious activity. No known crime was reported last year. Need new volunteer for a watch captain. Please contact Patty if you are willing to serve in that position.

Social Comm. Ann giving up as she takes over as Treasurer. There is a \$1000 budget for activities during the year. Currently Jessica H, Christi P & Lisa L are on the committee. Please contact Jessica if you are willing to serve.

Roads. Debbie O, committee chair, is currently in France. Her report is that we should maintain the 4 yr track for repairs. The roads currently look fine. North Carolina acknowledged & thanked Merrymount's 20 years of roadside clean up. Thanks to Debbie & Mike for leading that effort.

ARC. Report by Jim H. There were lots of projects last year, new houses & especially lots of hot tub pads. A new member is needed, please let Jim know if you are willing to serve. Jim also does the website, let Jim know if there is anything you want added or any comments on same.

Audit. All went fine. Verified income & expenditures & all in order by Jim C & Denise B.

Rental discussion. Kathy O lead the rental restriction discussion. There are a handful of rentals now. An April 9 meeting was held to discuss issues regarding rentals. There have been complaints to the MPOA board over the last year from community homeowners regarding concerns such as: noise, trash left visible, open urinating; rowdy behavior, vulgar language, outdoor flood lights being left on; public nudity, over- use of well water, fires not tended or properly extinguished, etc . Most of these are common complaints about rental properties. Are these issues fixable: Can covenants address rentals to achieve our goal? Our new attorney, Mr. Elmore, specializes in HOA. So far there has been a Zoom meeting and a phone conference meetings to seek direction. One thing that was brought to the attention of the board is that the 2014 restatement of the covenants had left out language regarding amendments to the covenants. This was due to a scrivener's error by our previous attorney, the provision authorizing amendment to our covenants by a majority vote was omitted but can be fixed by a vote of the board. Virginia state law has a fall back provision stating that in such an event, a 2/3 majority of all lot owners would be necessary to change or amend a covenant. Since this is a scrivener error, the board can vote to fix this issue, and the board has voted to adopt the corrective amendment. Mr. Elmore will file the amendment in Virginia and Mike Ortiz will file it in North Carolina.

Adam W is using a good contract for renters and some other renters are using these guidelines. It is far easier for the homeowner to implement guidelines and incorporate new criteria than for board to implement them. Currently there is little litigation In Virginia about what homeowner associations can do to restrict rentals or what will pass legal scrutiny. The general rule is reasonable restrictions. Reminder that the restrictions apply to everyone, not just those renting their home, we cannot have two sets of rules. Lynn Cesar, from LGA, says there are no other properties that have rental restrictions on lake now.

Can be imposed:

- number of homes or percentage of homes in community that can be rented
- annual lottery of which homes may be rented
- minimum rental time (less than 30 days considered for short term rental)
- renters must comply with our covenants (currently in covenants)
- forwarding of renter information to MPOA
- \$50 per lease charge to go to MPOA
- Name, MV information, contact info for agent and/or renter

Cannot be imposed by MPOA:

- Rentals cannot be prohibited
- No special charges or additional fees (except as noted above) can be imposed by MPOA
- Uniform Leases
- Security deposits to MPOA
- Eviction by MPOA (but renter can be evicted by homeowner)

Input is needed from the community as a whole regarding rentals. We must have our attorney review restrictions that we might place for legality and enforceability. We want to avoid litigation. What are we hoping to achieve? We cannot be arbitrary. Perhaps consider another special meeting for all home/lot owners. A simple majority would be needed to approve items. Following a vote, items would need to be recorded, disseminated, put into disclosure packet, enforced (how & by whom?). Owners indicate they would like to try to take care of complaints and be contacted first before board (or police) become involved. They should be the ones enforcing guidelines, not MPOA. Owners can evict, not MPOA. Owners do not want damage to their property and should try to screen guests. We all want no issues with renters. But we have to be tolerant. Question regarding whether or not a company can buy a house specifically to rent, according to Ray Kinard (who is a realtor) a company CAN buy a house and rent it. Kathy O will discuss this with Elmore for opinion. Question regarding county guideline on noise, according to Jim H decibel level is 85dcb restriction on noise. It was also noted that vendors, workers, etc need to follow restricts on speed, noise & light & should be told before they come into development. Reminder that the speed limit within the development is 25 and we have lots of foot traffic to be cautious of within the development.

Trailer Lot. Todd S & Bo J reviewed what was done last year within the trailer lot including clearing out the lot & managing space making more lots available. Feedback has been good, set up now allows trailers to go back into the same spot upon return. It was noted that the landscaping company cannot cut around the trailers and would therefore need to spray for weeds, however there is a well site there. More gravel is needed around the lot, Todd called for a price but it is difficult to project a price too far out. John G said basically figure \$30/ton x 1000 = \$30,000. Currently there are 41 applications for trailers, 39 have been approved. We don't want this to turn into a spot for abandoned trailers. Paul M says gravel won't stop the weeds. We may need to put fabric down & cover it with stone. Bobby C says fabric is a short term solution. Bobby C made a motion to go forward with obtaining costs and information on stone for the trailer lot, 2nd by Lee G. Question about trailers in peoples yard, the board will discuss at a later meeting.

Yearly membership to LGA. What do they do, they keep us in tune as to what is going on at the lake- changes, weed control, spraying for lymbia. Do we localize our spraying? Weed control council does this, they were here last week. Lee G made a motion to remain with LGA as an HOA, Carole J 2nd. LGA info will be posted to the website, you can also request secretary to forward newsletters as they arrive (individually to your email).

Security camera. Our camera system needs updating and/or replacement. Todd S will solicit costs from our current provider to update. Lisa H showed a brief clip of the FLOCK camera system and they will be asked to come out for a demo. New systems are both designed to capture license plates as in the past. The Flock system also tracks amber alerts and is cellular technology. Amy C made a motion to allocate funds for an upgraded security camera system, Lisa L 2nd.

Results of Vote. Congratulations to Kathy O & Joe D. Minutes of 2021 meeting approved. Operational budget for 2022-2023 approved. Membership to LGA for 2023 approved. Additional gravel for the trailer lot approved. Replacing/upgrading front entrance cameras approved.

All are encouraged to attend board meetings. You may call board members any time.

ReneT made a motion to donate \$100 to the Wise Baptist Church for use of their fellowship hall. Bobby C 2nd.

Bobby C stated that the Boat Slip Owners Association is working on their dock and will be placing "No trespass signs" on boat slip owners dock.

Meeting adjourned. 1:39 pm

Submitted by: Patty McHenry, Secretary June 7, 2022