

Minutes of Bay Meadows Property Owners Association

Annual Meeting

June 07, 2014 11:00 am

Bubba's Brews Grill at Beach Island Marina (Maynardville) TN

I. CALL TO ORDER AND PERSONAL INTRODUCTIONS

The meeting was called to order by President Ed Lengyel.

In attendance: Ed and Carol Lengyel lot 11 , Carolyn and Breck DeWitt lot 13, James and Deborah Deam lot 12, Stuart Ann and Keith Bentley & Marsha and Walt Lemke (formerly Grandell-Stevenson) lot 9, Patrick and Toya Wright lot 31, Darlene Stoll lot 17, Fred Staley lot 19, Marla Noble lot 25

II. OFFICER REPORTS

PRESIDENT'S REPORT (Ed Lengyel)

1. General property issues

- o Ed inspected the property and the last road grading efforts are holding well. Erosion from water run-off has been reduced, and grass and brush has grown in to assist with minimizing fast runoff. Owners, Deam and DeWitt added that property was clean of any debris, and no evidence of trespassing or any damage due to unauthorized use.
- o Ed also went to Shorty Bailey's property where the floating portion of the dock is being stored per the actions voted on by the membership in 2012. Ed reports that the dock is in good condition and the floats are also in very good condition. The dock portion is stored outside, but only slight aging is evident at this point.
- o Shorty Bailey, who mows and maintains the property was not in attendance as planned. The area has experienced significant rain this spring and he was needing the dry day to maximize mowing opportunity. The Bay Meadows property was about 1/3 mowed at the time of the meeting.

2. Property survey designed to assess owner 'build vs. sell' interests

- o 18 out of 38 owners responded
- o Results will be reviewed under New Business

SECRETARY'S REPORT - Secretary, Carolyn DeWitt

1. The **minutes of the 2013 Annual meeting** were assembled by Secretary Carolyn DeWitt, and approved by the Board. Sent to all owners in compliance with By-Laws by July 8, 2013.
2. The Annual Report was filed in compliance with the State of TN Department of Revenue in April 2014. Fee submitted and reflected in the Treasurer's report.
3. The renewal of the Bay Meadows website was completed in April of 2014. Renewal of our domain name (with privacy), website builder tools, and hosting of the site was renewed for 24 months. The cost of this was \$ 188.58
 - o The website is our members resource for Covenants, By-Laws, and past minutes of Annual or special minutes. Current directory of owners and address for GPS to navigate to the Bay Meadows property are also available.
 - o The Documents Page on the site is password protected. For your convenience:

Website URL BaymeadowsPOA.com

Login: BayPOA (case sensitive, so must type as shown)

Password: Owner (case sensitive, so must type as shown)

Current officer contact info is always available on the site. PLEASE update us if any of your contact information changes. If you do not receive a bill or urgent notice from us due to non-current information on file-- you are still responsible.

TREASURER'S REPORT – Treasurer Simon Barker

Note this report is a calendar year report beginning 1.1.2014 to current.

Cash:

1/1/14	Beginning balance from December 31, 2013	\$ 40,028.15
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Income

Date:	Item:	Amount:
3/5/14	POA Dues Lots: 7, 20, 21, 22, 23, 37, 38, 35, 19	2250.00
3/12/14	POA Dues Lots: 41, 15, 4, 11	1000.00
3/13/14	POA Dues Lots: 31, 33, 8	750.00

3/19/14	POA Dues Lots: 13, 29, 43	750.00
3/24/14	POA Dues Lots: 16, 14, 9	750.00
3/31/14	POA Dues lots: 5, 6, 2, 10, 42, 34	1500.00
4/8/14	POA Dues lots: 1, 12, 17, 36, 26, 30	1500.00
4/24/14	POA Dues lots: 28, 39, 3	750.00
5/8/14	POA Dues lots: 32, 25	500.00
5/22/14	POA Dues lots: 40, 27, 18	750.00
6/3/14	POA Dues on lot 24	250.00

Total Income: **\$ 10,750.00**

Expenses

Date:	Check #	Item:	
2/17/14	1109	Trespass Signs	(149.90)
2/17/14	1110	Website and Annual Report renewal	(210.83)
2/17/14	1111	Fred Bailey: Trespass sign maintenance	(500.00)
2/17/14	1112	Simon Barker: stationary POA mailing.	(23.47)
3/4/14	1113	Simon Barker: postage stamps, copying POA mailing.	(19.60)
3/13/14	1114	Jackson & Runyan: tax return	(185.00)
4/7/14	1115	Scott Insurance: property policy renewal	(1500.00)
4/30/14	PHONE	Travelers Insurance	(854.00)
5/19/14	1116	Fred Bailey: bush hogging, mowing and weed eating	(1750.00)

Total Expenses: **(\$5,192.80)**

Balance: **\$ 45,335.35**

NOTE: It was requested by attendees that for all future treasurer's reports that the full fiscal year of income and expenses be reflected so it is easy to see the balance of income to expenses at an annual view.

III. OLD BUSINESS

President Ed Lengyel reports on follow-up on items raised in the 2012 Annual Meeting (see minutes of 6/09/12 under 1. Dock for sale? Section c). Specifically:

A. TVA rights of access. Given that the membership in attendance at the 2012 annual meeting had voted to remove and store the floating portion of the day dock; concern was raised whether removal of floats had any impact on rights of access granted by TVA—should we want to re-install the dock portion at a later date. Ed Lengyel contacted the TVA to inquire about the facts of this matter. The response from Anthony Summit of the TVA was read to the meeting attendees and is included in these minutes. See below.

Ed's Letter to TVA:

I am the president of Bay Meadows, a residential subdivision on Norris Lake in Maynardville, TN. As a property owner with shared access to a common dock on the lake, we agree to comply with TVA rules. My

question: how do I get a copy of salient rules affecting docking rights to the lake? Specifically, we had thefts of the floating portion of the dock, so we removed them and store them offsite. When we are ready to reinstall them, do we need to notify the TVA? Thanks, Ed.

REPLY from TVA

Mr. Lengyel,

Thank you for your inquiry regarding the community dock that serves the residents of Bay Meadows on Norris Reservoir. Although the facility is located on property owned by TVA, the facility itself is considered private property and Bay Meadows is responsible for maintaining the facility in good, safe working condition. Any measure taken to ensure the safety of the community's private property is the responsibility of the community. As you are likely aware, TVA placed conditions on the permit for this facility that requires that it remain moored to the shoreline and not "chase" the water during drawdown periods. Assuming that these requirements are complied with and no vegetation removal is required, TVA would not object to the removal/reinstallation of the dock as the community deems appropriate and would not need to be contacted prior to or upon completion of this activity.

Please contact me if you have any questions or if I failed to adequately address your inquiry.

Thanks,

Anthony Summitt
Program Manager
Reservoir Land Use & Permitting, East Region
[423-467-3811](tel:423-467-3811) (Gray)
[423-585-2138](tel:423-585-2138) (Morristown)

- B. Impact of float removal and land-based storage on insurance rates.** Treasurer Simon Barker has since consulted with the insurance company and we are now paying an adjusted rate of \$854 that reflects our current situation.
- C. Recording of docking rights with the TVA.** President Ed Lengyel checked with Scott David of the Waterfront Group to assess whether they had any additional deedings or communiqués with the TVA on Bay Meadows docking rights with the TVA. After reviewing their online records database, no such documents were found. Ed also checked with MaryBeth Kitts, Union County Registry of Deeds. Using the plat plan information, no additional records were found. MaryBeth stated that any incremental information of that type would appear on the official plat plans. Under further review of those plans, Ed could not find any further data.
- D. Request to investigate sale of floating dock portion:** A number of owners have asked the Board to assess the viability and facts surrounding the possible sale of the floating dock portion.
- Ed Lengyel reports that the dock being stored by Shorty Bailey is in good condition, although exposed to the elements, and did not recommend selling at this time.
 - Carolyn DeWitt raised the points:
 - That the current arrangement was put in place after the 2011 theft of three of the large buoys/floats that were accessible due to the low water level in the lake. Drought coupled by the TVA control of the water level left the dock completely on dry land.
 - The dock is covered by a separate policy Travelers (\$854.) annually.
 - Darlene Stoll noted that the permanent portion of the dock is still there and could be used for some boats to use as a day dock in the future, without the extension.
 - Someone stated that they felt the retention of the dock may be critical to resale value of the property.
 - Patrick Wright stated that the extreme water fluctuation is likely to continue for at least 2 more years due to bridge construction project very close to our dock access.
 - Deborah Deam stated that it could be 2-5 more years before anyone has built at Bay Meadows and even then it may not be persons who have need to use the dock.
 - A member of the lot 9 family attendees noted that if we sell the dock it could be costly to purchase a new one.
 - There was support for selling the dock and retaining the dock. It was determined that the issue be tabled until next year's meeting but that costs on both purchasing a replacement dock as well as prospective selling price for the current dock/floats be obtained so the membership can vote at next meeting.

- President Ed Lengyel stated that he would provide a transition document for incoming president regarding this matter. He further states that until someone is volunteered to determine what the possible sale of dock may bring, and what the cost to purchase a new dock extension would look like we cannot put it to a vote.

2. Acquisition and Installation of No Trespassing signs:

Per the request and vote of the membership at the 2013 Annual Meeting, Carolyn DeWitt ordered durable Metal No-Trespassing signs. Listed the local No-Trespass Ordinance

- Shorty Bailey installed more than 20 throughout the property in the fall of 2013. DeWitt inspected the property right before the meeting and all signs are in good condition and well visible across the property.
- There are 10 replacement signs in reserve for future replacements as needed.

IV. NEW BUSINESS

1. Nominations and election of officers for next 2 years.

- The Board has accepted nominations and recommended the following slate of candidates to serve as the Bay Meadows POA board for the 2014-2016 term.
- No additional self-nominations came from the floor.
- The below slate was nominated, seconded and voted into term.
- President- Marla Noble lot 25

Marla Noble currently lives in Lake Worth, Florida on the south east coast.

She and her husband Peter have resided in the area for over 30 years.

Together they have two children; Jessica a recent college graduate, now pursuing graduate school, and Casey who is about to begin his high school career in the fall.

Marla works for Citrix, a software technology company, where she manages the global learning and development function serving almost 10,000 employees worldwide. She has been with Citrix for the last 14 years. Prior to her role there Marla ran OD University for Office Depot's corporate headquarters, worked for Motorola in a similar capacity and within the banking industry in her early career.

Marla holds a B.S. in Organizational Management from Palm Beach Atlantic University, and an A.A. in Journalism from Palm Beach State College.

In her profession, Marla periodically serves as a conference speaker at industry events, and most recently participated as a panelist at the American Society for Training and Development's international conference in Washington, D.C. Marla also travels internationally for her work.

- **Treasurer- Simon Barker** (current Treasurer) Lots 37 and 38
- **Secretary –Jim Deam** lot 12

Jim lives in Roswell Georgia with his wife Deborah, and are former longtime residents of south Florida.

Jim is a Senior Marketing manager for AT&T Wireless and also a contributing editor to his residential HOA newsletter.

He is an accomplished writer with a great sense of humor. His only requirement for taking on this role is that he be called the "Secretary General" when being addressed. (-:

2. **Survey Findings: In May of 2014, President Ed Lengyel composed an electronic survey that was sent with a request for participation to all owners on file.**

We had 18 of 38 owners respond. A summary of those results:

Question 1: Likelihood of building on your property

- 18 of 18 responded
- 9 responded highly unlikely
- 3 responded unlikely, but a small chance they would
- 4 responded with a 50-50 chance they would
- 2 responded somewhat likely, but dependent on future conditions
- 0 responded that they would definitely build

Question 2: For those responding d, e, or f, the approximate timeline for building

- 0 responded within the next two years
- 3 responded in the 3 to 5 year time frame
- 2 responded in the 6 to 10 year time frame
- 1 responded greater than 10 years time frame

Question 3: Designed for those who indicated a desire to build within 2 years, Q3 asked whether the Board and other interested owners should pool ideas to reduce cost and risk in building the first few homes. While no one fit this criterion, 7 nonetheless responded, with 6 saying “yes”.

Question 4: Rate your level of interest in selling your property in the near future

- a. 18 of 18 responded
- b. 2 indicated no to low interest
- c. 9 indicated moderate interest (if we could sell quickly or for desired price)
- d. 7 indicated highly interested, and willing to sell at a substantial discount

Question 5: designed for those answered “d” in Question 4, all 7 responded.

- a. No one would discount greater than 50% of their purchase price
- b. 6 would sell for as low as 50 to 70% of purchase price
- c. 1 would sell for as low as 30% off of their purchase price

Question 6: if wanting to sell your property, which best describes you

- a. 18 of 18 responded
- b. 7 responded that they would like to sell as soon as possible
- c. 3 responded a willingness to hold the property up to another 5 years
- d. 4 responded a willingness to hold the property up to another 10 years
- e. 0 responded a willingness to hold the property up to another 15 years
- f. 4 responded a willingness to hold the property indefinitely to get asking price

DISCUSSION: Secretary Carolyn DeWitt thanked Ed for conducting the survey and providing the results to the meeting attendees. She further commented that it was disappointing that only 18 of 38 owners (47%) even responded to the 5 minute survey. The Board has attempted to understand the intentions of owners and how to best communicate and support the development ideals of the POA membership.

While the survey did not have a majority of owners responding, there was no clear mandate for the board to pursue any particular action on behalf of the POA.

Discussion on what POA can do to create interest in the development and assist in removing barriers to those who want to develop. Ed Lengyel commented that although he and his wife do not intend to personally build, they are open to supporting efforts that will enable others to develop and sell as that will improve the value of everyone’s property—several in attendance agreed.

Suggestions addressed:

Options for POA to take action that would stimulate building:

1. Patrick Wright will gather the facts and costs on if we would want to provide a lease on the lots to be used for camp grounds. Considerations to be investigated include what we need to be zoned for, who would we potentially lease the land to, what improvements—power, water, sewer? would need to be brought in to make it a viable camp sight. What would the potential financial investment / vs. income be? If we can maintain communication with the campers, some might be interested in becoming owners.
2. Patrick Wright also raised the point that opening up the property to allow people to come spend time camping on their lot would perhaps create activity and renewed interest in developing on the property. He was advised that the current period open to owners to have a camper or RV on their lot is 14 days. After much discussion, Patrick Wright made a motion to increase that period to 90 days, within a 6 month period. Owners must camp on their own property, with notification to the Board. (Notification is to be passed on to Shorty Bailey so that he does not report owners as trespassers) It was seconded by Jim Deam. All voting attendees confirmed this action.

NOTE: This currently means a change to the Covenants which are filed with the county. Outgoing and incoming Secretary will determine best method for capturing/updating this information so that owners and prospects will be aware...

3. Breck DeWitt raised the idea to offer members to collaborate on building our own “time share unit”. Identify someone who may want to be selling their lot, and or subdivide for a portion to be used to build a 2BR/ 2 Ba log cabin on the property. This would be offered to be invested in by participants and in essence work as a “time share” for the participating owners. This would include getting a management contract in place to oversee maintenance of the cabin once built, rental/use scheduling etc. A

provision can be established that in the future, when the community is more established, the cabin can be converted to a clubhouse, or guesthouse for the use of owners. He will research associated costs and plan.

4. Darlene Stoll proposed that we reduce the minimum square footage requirement of 1400 sqft, to accommodate small cabins. Much discussion ensued with various points of view indicating that even for vacation home or seasonal rental people would want a minimum of two bedrooms and two baths. No one has raised this as an obstacle at this point. But she would like to know how members feel about reducing this minimum.
5. Patrick Wright asked if there are guidelines on being able to request any thinning of trees to have a less than totally obstructed view. He was advised that it is unlikely, but he is welcome to contact the TVA contact listed above, that assisted with the dock reinstallation rights issues. See above.
6. Carolyn Dewitt suggested something the POA could do to mitigate risk to prospective builders if the POA would subsidize insurance coverage for the first home builders, until we have 4 homes built.
7. Darlene Stoll asked if we could pay for putting a gate at each of the road entrances of Overton and Bob Wright, that would provide protection for anyone who might be early builders. Carolyn DeWitt asked if Darlene could gather the facts on that one to understand our rights, or if a variance would be needed and to get estimates if we would ever be able to make it a gated community.
8. Fred Staley suggested we might want to earmark some funds that could be used to assist early builders defray the cost of running power or water to their new home.

It will be the responsibility of the incoming President to obtain the "fact finding proposals" from the designated individuals above in a reasonable amount of time for consideration. Those options will be proposed to the membership for a vote via proxy as soon as is reasonably possible. The intent is to gain agreement if there is an option most likely to result in development of the Bay Meadows location leading to value increase of developed and undeveloped lots.

VI. DISCUSSION: THOUGHTS ON FUTURE POA ANNUAL DUES: At each annual meeting the dues amount, currently \$250, is reviewed and determined if the amount is adequate for meeting the expenses of the POA. Currently our annual expense is commensurate with the income at \$250 per property.

Discussion took place about a number of options, some contingent upon what we may end up doing to support or stimulate building on the property.

Ed Lengyel made a motion to continue the dues at \$250 for the 2015 and 2016 dues years. Jim Deam seconded the motion. The vote passed by majority.

A question came up about the dollar amount of our Liability insurance coverage. Simon Barker has been contacted to provide details on this matter, but answers are not available at the time of this report.

VII. DISCUSSION: OPTIONS AND IDEAS FOR FUTURE ANNUAL MEETINGS

Several owners have made suggestions as to ways that would enable more owners to attend meetings. All recommendations listed below were discussed:

- Have a meeting in Florida since several of our owners live in FL. It was discussed, that people knew where they were buying their lots, and the purpose of having the meetings here was so that people could visit their lots or homes. No one in attendance was supportive of that option.
- Virtual meeting. Create a toll-free or on-line conference bridge number
- Deborah Deam moved that we adopt a plan to alternate years of an in-person meeting in election years, with non-election years being conducted as a conference call or Skype type of meeting. It was noted that a combo meeting is not viable as people joining via phone cannot hear or be heard adequately by a room of people. Alternatively if everyone is dialed into a conference bridge, the call can be moderated so that members can hear equally and be heard. The motion was seconded by Carolyn DeWitt and approved by a majority vote. This first virtual meeting will take place in 2015.
- A suggestion was submitted by an owner not in attendance, that we move meeting to fall season. Discussion included, pros and cons to fall meetings. Beautiful time of year, but hotel rooms are more expensive and more difficult to obtain. Also there is the conflict of UT football season. It was determined that this option will be discussed along with any others during the 2015 virtual meeting – for time and location decision for the 2016 "in-person" meeting.

With no further business, the meeting was adjourned at 1:45 p.m.

Respectfully submitted by Carolyn DeWitt
Bay Meadows POA Secretary
June 22, 2014