

High Knob Owners Association, Inc.

Board of Directors
Meeting Minutes 05/11/2020

Name	Present
Liz Achey, President	Y
Greg Sadler, Vice President	Y
Keith Arnett, Treasurer	Y
Desiree Williams, Secretary	Y
Ron Perlik, Director	Y
Jerry Pomeroy, Field Services Manager	N
Pam Mainhart, Administrative Coordinator	Y

Meeting Purpose

To review HKOAI old and new business and establish any action items for the continued improvement of the High Knob community.

Attendees

Jerry Soucy (resident), Watts Hill (resident), J. Hight (resident)

Meeting Minutes

Meeting Called to Order: 8:05 pm

Administrative Notes

The April 2020 board meeting was cancelled due to immediate COVID-19 response. The May board meeting was conducted via Zoom in compliance with state guidelines. HKOAI will be holding virtual meetings until further notice.

Resident Comments & Questions

1. Mr. Hill asked the board to consider moving resident comments and questions to the end of the board meeting to allow residents to speak to new items that are presented during

the meeting. Mr. Sadler said that the board would look into Mr. Hill's request and possibly move the comments and questions section to the end of the board meeting during the next board meeting in July. Mr. Sadler noted that the request cannot be accommodated in June because it is the annual meeting.

2. Mr. Soucy asked the board for an update on Mr. Orv Lee's walking trail proposal. Ms. Mainhart indicated that around 25 residents have responded to the proposal and added a full update will be provided during the next board meeting. Mr. Soucy added that the roadway easements granted by property owners would not include the proposed walking path.

Executive Session

No executive sessions were held.

Approval of Minutes from Previous Board Meetings

Meeting Minutes from 03/09/20 were reviewed and a few items were identified by Mr. Arnett as possibly problematic:

- Under "New Business," item (2), the phrase "High Knob plots are governed by 17 different sets of covenants" should be updated to say "26 different sets of covenants."
- Under the same section, Mr. Arnett said the sentence "any change to the covenants would require a 100% vote by all landholders" may be misleading. Mr. Arnett indicated that, according to the HKOIA attorney, it would require a majority vote. However, changes would still be "very, very difficult, if not impossible." Ms. Achey said her understanding was that changes made to a particular covenant would require a 100% vote by all landholders who fall under that covenant. Mr. Arnett said he would share the email sent by the attorney to the board to provide clarity.
- Mr. Arnett asked for context around the statement under "New Business," item (2)(b), which says "HKOAI is dependent on Warren County to enforce the covenants" because High Knob is a sanitary district. Mr. Sadler said that statement was in regards to the property on Split Rail that is set for auction. Ms. Mainhart added that HKOAI has no authority to put that abandoned house up for auction and that the board was reliant on Warren County to make progress on this issue. Ms. Mainhart also revealed that, if a resident has trash on their lawn, we can notify the county. The authorities then take responsibility for contacting the owner.

Motion was made by Mr. Arnett to approve the March meeting minutes as amended and seconded by Mr. Sadler. The motion passed unanimously.

Financial Report

Mr. Arnett presented the Financial Report, highlighting the following items:

1. Additional revenue under *0201 - New Construction Road Fee* is due to new construction in the community.

2. Additional revenue under *4801 - County Admin Expenses* is a result of Warren County's delayed reimbursement from last year.
3. Additional categories were added to the budget to capture revenue related to contractor construction damages:
 - a. *0803 · Performance Bond Claims*
 - b. *0804 · Property Owner Claims*

Staff Reports

Field Services Manager's Report

1. Ms. Achey read Mr. Pomeroy's written report, adding that Mr. Pomeroy was able to buy a used, but well-maintained wood splitter for about \$300.
2. Ms. Achey noted that Carol Construction will begin paving the roads on July 1. The tiger teeth at the gate will be installed when the weather gets above 60 degrees at night. This will ensure the adhesive seals properly.
3. Ms. Achey said she would ask Mr. Pomeroy to close the gate at night and on weekends. Mr. Perlik suggested one way to address the gate issue is to nominate a board member as a "Gate Steward" to help reset the gate when it malfunctions.
4. No other comments were made by the board.

Administrative Coordinator's Report:

1. Ms. Mainhart touched on residents' concerns about the gate being up.
2. Regarding the monthly newsletter, Ms. Mainhart said that a few residents have asked the office to mail them out. Due to the costs involved, Ms. Mainhart said that the newsletter will continue to be posted online and sent through email.
3. Due to the COVID-19 situation, Ms. Mainhart said there was a concern about the Annual Meeting in June. While she has begun preparing for the Annual Meeting, she is unsure about what date to put in the official notification and how to handle the ballots. She noted the June date may get postponed, depending on which phase of the coronavirus restrictions will be in effect. Residents must be notified about the date of the Annual Meeting 30 days prior. She noted there are four candidates vying for office. Ms. Achey added that, according to the bylaws, the Annual Meeting can be held as late as 3 months after the expiring board members' terms end. Mr. Arnett suggested that Ms. Mainhart should update the HKOAI website with the pertinent details of the Annual Meeting and, in her mailing, to ask residents to check the website for the latest updates as the date may change due to compliance with Virginia regulations for the COVID-19 pandemic.
4. Regarding tar and chipping, Ms. Mainhart noted that we only got two bids. One was by email, so it wasn't sealed and couldn't be considered. This bid was also \$30,000 more than the Carol Construction bid.

Old Business

1. Revision of Employee Handbook
 - a. Mr. Sadler revealed that each board member has conducted a first review of the Employee Handbook and provided their feedback. Ms. Mainhart and Ms. Achey are consolidating the feedback with the intent to send it to Paychex for review. After that, Ms. Achey said the board will conduct a final review.
2. Discussion of walking trail, residents' responses
 - a. Mr. Sadler noted that Mr. Orv Lee's walking trail proposal was discussed during the "Residents Comments & Questions" portion of the meeting. No other time was devoted to this topic.
3. Update to basic covenants to rules & regulations
 - a. Mr. Sadler noted that this topic was discussed during the "Approval of Minutes from Previous Board Meetings" portion of the meeting.
 - b. Mr. Hill asked if the board was aware that previous residents and board members did an "extensive review" of the basic covenants. He suggested that this information may help aid the current board. Mr. Sadler said the board was aware of the review, adding that the current issue centered more on the legal interpretation of the covenant review. Ms. Achey added that the issue was also a question of how to proceed with the amendment process. Ms. Mainhart mentioned that another issue is whether the board has the authority to enforce the covenants. Ms. Achey noted that, even if the board had the authority, the enforcement process would increase the board's legal expenses, which would likely increase the HKOAI dues. Mr. Hill commended the board's work on this issue.
 - c. Referring to a comment on Facebook from Mr. Mark Owens, Mr. Perlik asked about the status of Mr. Owens' gate proposal. Ms. Mainhart said that the board received the proposal, but that it did not include costs. She added that Mr. Owens' proposal was merely an outline that included some information on what the gate should look like and how it should function. This proposal was passed to Mr. Pomeroy for informational purposes, but was not considered a "bid" because it failed to include cost estimates. Mr. Sadler added the proposal was thoughtful and detailed, but there was nothing for the board to act upon.

New Business

1. Asphalt tar/chipping status
 - a. Ms. Achey reiterated that Carol Construction will begin the tar and chipping project on or around July 1, immediately after the powerline work is completed by Pike Electric. She added that the tar and chipping project was delayed from last fall because Carol Construction was behind on their VDOT work. Since Carol Construction is the only company willing to work on High Knob roads, the board had no choice but to wait for Carol to complete their VDOT work.

2. Gate/tiger teeth status
 - a. Mr. Sadler that this topic was discussed previously, during Ms. Achey's reading of Mr. Pomeroy's "Field Services Manager Report."
3. Pool opening
 - a. Regarding compliance with the [Gov. Northam's phased COVID-19 response guidelines](#), Mr. Sadler noted there are significant costs and constraints to consider. So, the uncertainty around the 2020 pool season continues. Mr. Soucy suggested the board wait to open the pool until after the Annual Meeting. Ms. Achey wondered if that approach would be cost-effective, considering the pool would only be open for about 60 days. She added that Mr. Pomeroy has not done any work or spent any money to prepare the pool for opening because of this uncertainty.
 - b. Mr. Arnett highlighted that the current guidelines only allow for lane-swimming, which means the board would need to buy lane markers for the pool. Mr. Arnett noted that, under the Phase I guidelines, the board cannot open the pool to the public. He suggested that Ms. Mainhart should communicate to the community that the board will not open the pool during Phase 1. When the Governor moves to Phase II, the board will reconsider its position on opening the pool. Ms. Mainhart will update the HKOAI website with this understanding.
 - c. Mr. Hill suggested the board promote these updates to residents in their email and snail mail communications to make their COVID-19 response more personable. Mr. Sadler thanked Mr. Hill for this suggestion.
 - d. Mr. Arnett moved to keep the pool closed through Phase I restrictions. Mr. Sadler seconded. The motion was passed unanimously.
4. Annual meeting
 - a. Mr. Sadler noted that the Annual Meeting is subject to the same COVID-10 restrictions as the pool. Ms. Achey said, before a decision can be made regarding postponing the Annual Meeting, she would work with Ms. Mainhart to discover if there the meeting can be held at an alternative location. Ms. Mainhart said the location isn't relevant right now due to the 10-person limit restriction under Phase I, which goes into effect on May 15 and applies everywhere. As a result, the board can't hold the Annual Meeting until Phase II begins. Mr. Sadler recapped what was discussed previously during Ms. Mainhart's "Administrative Coordinator's Report" briefing. Ms. Achey noted that, according to the bylaws, the board must hold the Annual meeting no later than two weeks prior to the end of the fiscal year. After consultation with the attorney, Ms. Achey revealed that the board could postpone the Annual Meeting to October or November due to the state government's COVID-19 restrictions. She added that the board officers who are up for reelection would continue to serve until the Annual Meeting.
 - b. To help keep costs down, Mr. Perlik suggested the board only send out an Annual Meeting mailing when a date has been chosen. Ms. Mainhart agreed, adding that she could send out a small announcement via email to notify residents that the meeting has been postponed due to the COVID-19 pandemic.

Mr. Sadler motioned for Ms. Mainhart to update the HKOAI website with information about how the COVID-19 restrictions are impacting the Annual Meeting and withhold the mailing until the meeting date is selected. Mr. Arnett seconded. The motion passed unanimously.

5. Mr. Perlik brought up a question from a resident about the use of candidate resumes during the nomination process. According to Mr. Perlik, the resident questioned why they were required and who would have access to them once submitted. Ms. Achey said that candidate resumes are put in the office files, which are accessible by the board and Ms. Mainhard. Ms. Achey said that any resident can serve on the board. The only mandatory criteria is that the candidate must be a homeowner and up-to-date on their HKOAI dues. Ms. Achey noted that resumes are not used to disqualify candidates; rather, they are used for informational purposes only.
6. Mr. Perlik asked for a follow-up on three outstanding items from the last board meeting:
 - a. Ms. Lori Oaks' request to let her son play with his basketball hoop in the cul-de-sac on her road, the road reflectors, and the speed bump issue.
 - b. Ms. Achey indicated that, in the interest of time, these issues will be discussed during the next board meeting. She noted, however, that she gave Ms. Oaks permission to let her son use his basketball hoop in the cul-de-sac, provided he put the hoop away when he's done playing with it.

Meeting Adjourned: 9:50 pm

The next board is on 06/8/20 at 8:00 pm.