

## **SOUTHWIND SHORES II ANNUAL MEETING JUNE 9, 2018**

### **Officers Present**

President: John Fortuna  
Vice President: Laura Hoene  
Treasurer: Sharon Boivin  
Environmental: George Tsoukleris  
Secretary: Diane Kelly

The meeting was called to order at 10:10 a.m. The following property owners were in attendance:

Ronald Castro, Kitty & Bob Hargis, Damian & Holly Turchan, Linda & Henry Mycko, Bernadette Witham, Pam Fischer, Rosann & Don Fronczak, Pete Hoene, Laura & Warren Preston, Michael Fennessy, Sam Kemper, Benda & George Sutorka, John O'Quinn, Maryann & Alfred Ptasznik, Jill & William Scheible, Mark Ware & Julie Johnsen, Nancy & John Willis, Wendy & Strephane Muszynski, Diane & Twyman Hunt, Paula & Tom Rollow, Jr., Kellie & Mark Starkey, Antoinette & Scott Shipe, Marc Boivin, Whitney & Martin Wade, Sharon & Gary Easton, Teresa & David Jescovitch, Mona Tsoukleris, Gilde (formerly Morrison) Bradenbach

John began by introducing our new neighbors: 1) Scott and Michele Borton who could not attend due to their daughter's dance recital and 2) Martin and Whitney Wade.

John then referenced the 2017 SWS II Annual Meeting Minutes. Al Ptasznik made a motion to accept the minutes, Gary Easton seconded, and the motion was unanimously passed.

### **President's Report:**

- a) The Board made sure we were in compliance with all State laws. The Bylaws were rewritten and approved by the Property Owners last year. It was registered with Spotsylvania County in June 2017. There have been no issues since that time so everything is in good shape.
- b) A rental form book was created. It includes the Bylaws, rental information and contacts. The book is placed in the house of a rental property, and the renter must sign the book agreeing to the conditions specified.
- c) A Construction Application and Agreement Form was created. John stated that if you are building something on your property that does not replace an existing structure, you must ask for the form prior to any activity, fill it out and submit for approval.
- d) A new, extensive POA package has been made that fulfills all County requirements and is already in use. The cost of the package has risen from \$50 to \$100. The increased cost covers a welcome gift for the new owners as well as the additional printing costs.
- e) A Complaint and Procedure Form was created as is mandatory.

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- f) We are required to post the Board Meetings. That is done through our private Facebook site.
- g) An e-mail address was generated. It is [SWS2board@gmail.com](mailto:SWS2board@gmail.com).
- h) Today (June 9, 2018) we are holding our first ever Community Event and we hope you will come back for that.
- i) In the coming year a new procedure book will be created. This book will define the responsibilities of each Board position and should be a great help to new Board members. The responsibilities of the Vice President will also be expanded.

**Treasurer's Report:**

Sharon distributed accounting information sheets for reference purposes and to clarify what she would be discussing.

- a) Sharon noted that dues notices go out by e-mail in January of each year. She reminded everyone to check their e-mail addresses on sheets the Secretary has available to make sure that it is correct.
- b) She pointed out that the **fiscal year** is actually June 1 through May 31.
- c) Sharon noted that when she agreed to accept the Treasurer's position, she agreed to do it for six years. Next year she will run again, but it would behoove everyone to consider taking the step to become Treasurer after her term ends in 2021. Sharon has graciously offered to run for Vice President in 2021 so she will be available to support the new Treasurer.
- d) Next Sharon went into the assets. We had a very good year with no unexpected expenses. In 2017 Assets were \$79,335.15 and in 2018 they were \$82,316.88. The net income was \$2,979.70
- e) She reminded everyone that their dues are \$200 a lot and you also pay into the Sinking Fund. It is \$18.57 if you are on water and \$66.17 if you are off water. The difference is because if you are off water you have a slip in the Common Area Docks and it is to pay for any upkeep required to those docks. Sharon requested that if you are issued a check, even in the amount of 10 cents, to please cash that check as she likes her books to balance. In 2016 there was major repair work done on the docks which at the time completely zeroed out the Sinking Fund. The Board voted to move \$6,000 into the Sinking Fund so that we would not have to pay fees on that account. Since that time we have been paying back those monies. This year (2018) we have fully repaid the Operating Expense loan. Beginning with next year's dues, she will again begin depositing money into the Sinking Fund and building that money up. We will then be able to finance any repairs which may be needed by the Common Areas docks from that fund.
- f) The Administrative budget was for \$700 but we only spent \$500 therefore a slight adjustment was made for the coming year bringing the Administrative Budget down to \$500.
- g) The Board proactively took care of the Common Area Drainage this year so nothing is budgeted for that next year.



- h) The Community Event being held today (June 9, 2018) is happening after the end of our fiscal year which is May 31. The expenses for today will be in next year's report.
- i) We give two donations a year:
  - a. \$100 to the Lake Anna Civic Association for fireworks,
  - b. \$200 to the Firehouse Auxiliary right here at Station 9. They have done things like buying a new grill or gotten comfortable chairs. They are our first responders and they very much appreciate our donation. They send a note of appreciation every year to thank us for our generosity.
- j) Insurance has gone up a bit. The budget for this in 2017 was \$785 and in 2018 is now \$865.
- k) Last year we had a legal retainer of \$1,600 which was needed when we revised the Covenants and Bylaws. Now that everything is set in place, the legal retainer budget item is 0.
- l) The Maintenance Budget is being kept at \$6,000. We were \$2,300 under budget this year but the Board does not wish to diminish the amount as there always exists the possibility of an unforeseen event such as a storm.
- m) The total expenses this year was \$10,391.03 leaving a net income of \$2,979.70. She asked everyone to note that if every expense expected had materialized, we would have had been over by \$2,336.08. Instead we are actually up by \$5,314.78.
- n) Sharon reminded property owners that she produces regular financial reports for the Board and any property owner can request to see them at any time.
- o) Sharon then asked for volunteers (non-Board members) to conduct the needed audit which will probably take just two hours on a Saturday. Hank Mycko, Mark Ware, and Julie Johnsen stepped up.
- p) Sharon then briefly went over the proposed budget for 2018 and asked if there were any questions. Hank Mycko asked if the Community Activities line item was just for Board sponsored activities. Sharon confirmed it was. Hank then asked if there was no line item noted for the Common Area section, if that meant there were no plans to spend money for it. John and Sharon noted that this doesn't mean there may not be upcoming expenses. John noted the problem encountered when trying to find additional white beach sand to add to the Common Area. Evidently the mine where the sand had been taken in the past has been quarried out. There is no white beach sand to be had from that mine. Any white beach sand we might be able to find would be cost prohibiting.
- q) At this point Sharon requested a vote on the proposed 2018 Budget. Hank Mycko made the motion, Damian Turchan seconded and all present approved the new budget.

**Environmental Report:**

- a) George began by thanking Hank Mycko for the wonderful flag and pole he erected at the Common Area.
- b) Secondly he thanked John O'Quinn for taking care of the lighting as you enter our subdivision.

- c) Comcast is presently adding the names of those in SWS2 to their list which should be done shortly. You can then access their site at comcast.com if you wish to join their service and select what you would like. This should be completed shortly.
- d) George then brought up the fact that we still do not have lighting at the entrance. John Fortuna said he could update everyone. John mentioned that the Comcast project manager was supposed to get someone out here with a locator to find the electrical line they had cut. He was then told they could not get anyone out here to do that. John does know of a site where there is a list of locators available if needed. In the meantime, he will be "working up the ladder" at Comcast until he can get someone to fix this problem.
- e) George mentioned we use Maxwell Lawn Service and they fixed the drainage problem we've been having. It took 43 tons of dirt.
- f) George mentioned that one of the drain pipes under our street is pretty rusted. John said he was informed we are on the "watch" list as there are many others around the area that are so bad they are caving in and must be fixed first.
- g) George said we are going to redo the plantings by the signage this year. We will be looking at pictures, visiting nurseries, etc. to get something that will look good all year round.
- h) He reminded everyone that if you need any construction done around your home, you must fill out a Construction Application Permit form.
- i) George then asked if there were any questions.
  - a. The issue of grass not being kept cut was put forth. It was pointed out that grass should be kept cut to avoid ticks, etc. from moving in.
  - b. There was a question as to what would need a Construction Application. Everyone was informed that if it was anything outside the home that is not a replacement but something to be added. If there was any question, then please get in touch with either George or John.

At this point John opened up the meeting for New Business.

- a) Hank Mycko said he wished to make an Amendment requiring two Board members to be off water residents. After some discussion, John Fortuna asked what problem existed that Hank was trying to correct. Hank stated that he felt if there was not off water representation, then the Board would not put any priority to concerns regarding the Common Area. John noted that in the eight years he's been here, there has always been off water people on the Board and five of the eight years two off water people for been on the Board. John asked George, who is off water, if he feels the Board is not concerned with the Common Area. George said not at all, that the Board realizes the Common Area is very important and adds value to our subdivision. He stated that never once has the Board shown any differential treatment of an off water/Common Area issue. The question the Board always asks "is this in the best interest of the Community?". Bob Hargis said he served on the Board for six years and never saw any problem to which Hank was alluding. He said the transparency with which the Board operates is commendable. Diane Hunt said



that one issue the Board was very cognizant about was not to cause dissension between off water and on water people. John Fortuna had checked into how such a change as Hank was proposing could be done. He said we would have to change our Declaration as well as the Bylaws. There would need to be two separate votes and if not enough (2) people ran from off water, then that spot or spots on the Board would have to remain vacant for two years. Legally, in order for such change to occur, we would have to become two separate groups within the community. Plus, in order to do this, it would have to be done legally at a cost of \$3,000 to \$5,000. Hank withdrew his suggestion. However, John reminded everyone that all ideas are welcomed and need to be examined and discussed.

- b) Next, John brought back up the discussion of solar panels and lights for the pavilion, which had been mentioned earlier by Hank Mycko. John let everyone know that the solar panels would have to be professionally installed, because the insurance company would not pay if any damage occurred or if they were not installed properly. If, in the future, the roof should need to be replaced, then the panels would have to be professionally taken off and professionally reinstalled. John said if we had electricity and lights at the pavilion, then night activity would naturally occur. He stated that it would not be fair to the surrounding property owners. It is called "an attractive nuisance". He said this law states that the landowner would be held liable if anyone, whether it be child or teenager, should be injured by anything that has attracted them to the property....and lights will attract. John said if there is a party going on and it goes past the county's "shutdown time" until one or two in the morning, who is going to go down there and tell them to leave? The Board will not do it, so you would have to call the police, and who would want to do that to their neighbors. He was told that our insurance would go up as that would create a 24/7 Common Area. The Board has discussed and decided against it. Several property owners mentioned they were against it. Twyman made motion to not allow lights or solar panels on the Pavilion, it was seconded by Bob Hargis and a vote was called. At this point there was a call to see if there was any further discussion. Mark Starkey said he had heard talk of solar panels for the pavilion and did some research. He felt it would cost a minimum of \$5,000. Mark also noted he likes spending time in the evening going out on his deck and watching the sunset. The last thing he'd like to see would be lights coming on in the Common Area. Several other people voiced the same opinion. Mona Tsoukleris noted that she and George like to go down to the Common Area at night every so often to see the stars. She is so thankful that we have the opportunity to enjoy such things without lights (which would hinder being able to enjoy the stars) or music to disturb the peace. Everyone voted for the motion not to allow lights or solar panels with the exception of Hank Mycko. The question was raised if this would exclude electricity. John said yes it would as you would still have music, the light issue at night plus the cost of running a private line would be prohibitive. John then called the motion and the property owners voted against lights, solar panels or electricity in the Common Area. There was one vote against the motion.

- c) Next the issue of Communication was raised. It was noted that not everyone has Facebook and they suggested communication be done by e-mail. John noted that not everyone has e-mail. After much discussion, it was decided that John would send all pertinent subject matter to both the Facebook site and e-mail addresses. He requested that everyone check their address on the sheet the Secretary had to make sure their e-mail address is correct.
- d) Next Toni Shipe said she thought she read that you could rent your house but not on weekends. John informed her that a house could be rented for a weekend with Board permission. The Bylaw was written to prohibit the rental of rooms as an AirB&B rental. The Bylaw does say you can rent for a week, but if anyone wished to rent for less than that, they should come to the Board for permission. Someone asked if they had to make a request to the Board if they wished to rent their house. John stated that all they had to do was come to the Board and request a book for renters, which outlines our community's rules, which the renters must agree to and sign. John said this was developed due to problems with renters in the past.

With the official business done, John reminded everyone that at noon begin our Community Event. This year is a pig roast with all the trimmings provided by our friend and farming neighbor, Carl Graves. All property owners were invited to bring dessert which would be judged and prizes given. Games are being set up for both children and adults with prizes. He also wished to thank the committee who did all the hard work of setting things up. The committee was comprised of: Karen Fortuna, Diane and Twyman Hunt, Kellie and Mark Starkey, and Carl Graves.

A motion to adjourn was made by John Fortuna, seconded by Sam Kemper and unanimously approved by the property owners at 11:15 a.m.

Respectfully submitted,

Diane Kelly  
Secretary