

Minutes

RCA Board of Directors

October 20th, 2020

Meeting called to order at 6:32pm

Roll call: BOD members Steve, Jennifer, Chelsea, Jackie, Monica, and Kyle. ARB members George, Pete, and Rob. Curt from Weichert was also present for the meeting. Caitlyn in attendance via google meetings. Absent from the meeting was Monica.

Observing: Scott Lalka.

Guests: Jim Marino

We started the meeting off welcoming Scott Lalka and introducing ourselves. We gave him a brief overview of what we do as the BOD and ARB, how we conduct our daily operations, and getting to know him and why he was potentially interested in joining the BOD. Scott expressed concern over Lake Pamela, and the change in the landscape upkeep that has taken place over the last year. We explained the measures the current BOD was taking to determine what was actually Riverton owned property and what was not. We then let Jim Marino break down the legal aspect of why Riverton can not legally maintain land it does not own.

Voting for BOD position changes: Steve Laplaca (President), and Jennifer Braidotti (Vice President), are stepping down from their BOD positions after tonight's meeting. The BOD voted to move Kyle Cataldo into the position of President, Jaclyn Kitto into the position of Vice President, and Monica Jordan into the position of Treasurer. Motion made by Steve to vote in the BOD position changes, seconded by Jennifer, all in favor. Thank you Steve and Jennifer for all of your hardwork and dedication to your community!

Brandon Luther e-mailed into the BOD and Weichert letting us know that he would still like to join the BOD as a member at the November meeting, as he was out of town for work at the October meeting and we were unable to officially vote him in.

ARB outstanding issues: 161,165,169 (Coneflower) fence issue: 165 and 169 have taken down their fences, 161's fence still remains and is still out of compliance for their property lines. The house is currently for sale and we have asked Jim Marino to step in to take legal action against the sale of this home until the property line issues are resolved. Jim Marino advised us that this would be a "Title objection" and the broker/ real estate agent has been contacted by ARB members, Weichert, and Jim Marino.

Cross Creek: Has \$644.13 in fines, Caitlyn has reached out to Jeffrey Hawkes numerous times, as they have 10 violations currently, she has gotten no response from him. She is not confident anyone besides him knows there are current violations and fines. Rob from the ARB is going to help Caitlyn and get her

the names and contact information of the current Cross Creek BOD.

Riverton Knolls playground and dog park project: There are questions if this project falls within the correct property lines and parameters. This must be 10 ft from bordering property lines. We asked Riverton Knolls for a survey and what they provided (a map print out with property lines traced in highlighter) unfortunately was not acceptable. We have asked for a copy of the formal survey that was required to be obtained prior to the project start. If they are unable to provide a formal survey then RCA will obtain one. If the project falls within the established guidelines RCA will pay for the survey, if the project falls outside the approved boundaries the cost of the survey will be passed onto Riverton Knolls. We are giving them a 2 week deadline to get back to Caitlyn regarding obtaining a formal survey.

The community vote: The vote is currently on hold. We as a BOD have agreed we need to find a compromise between current Covid 2020 guidelines and the parameters we need to hit for a vote to be considered legitimate within the Covenant standards. This will require a separate mini meeting to determine. This meeting is TBD. In regards to who votes on this vote, we do acknowledge that in the past voting has been; each property/deed owner gets a vote, and each resident over 18 years of age also gets a vote. This however creates an unfair voting environment where as one household may end up with 4-6 votes and their neighbor may only end up with 1-2 votes. The covenant regarding this uses ambiguous terminology and states that the BOD can interpret as they see fit. We had Jim Marino look this over to ensure we were not interpreting incorrectly. This current BOD is choosing to interpret the terminology to read that each household in good standing gets 1 vote. This ensures that we keep everything equal and in the spirit and intent of the bylaws. Other areas of the future vote still need to be sorted out and we will update the community as soon as we can come up with a plan.

Jim Marino: Jim went through what it would actually take to dissolve the Riverton Community Association and terminate the 2nd amended declaration of covenants and restrictions. He has provided us with a document that we can make available to the community so that they can understand what would be required to do so and what would actually take place if we were ever to be successful in doing so. Caitlyn will be making this available to view on the website. An additional question was asked by the BOD of what if everyone in the community "just gave up" and all decided to just forgo doing anything? The outcome of that would be that the community would go to a "receivership" ,assigned by the Attorney General, and the residents and commercial properties would then owe dues to this "receivership" and Jim explained this would be far more money than our current dues owed.

Lakes/ponds/bridges: Jim again explained that because we do not own these that legally we can do nothing to maintain them, for liability reasons.

Land behind coneflower transfer: Jim has obtained the deeds from Faber and will file them to transfer ownership to RCA.

Common owned vacant lots: The BOD would like to know if there is a way to steer away from them being "collectively liable" for the assessments on these areas. It is creating what is perceived to be an unfair burden on those that fulfill their obligations, while those that don't seem to be getting a free pass, or the punishment is being bestowed upon non-offenders. Jim says we are legally able to split this up so

that each person can be individually responsible for their portion of the common owned property. We discussed a few different options for how best to document the split going forward and Caitlyn is looking into the options with appfolio and what would need to be done to facilitate this. This change would affect 120 residents, of this 120 residents only approximately 30% are current on their common owned assessments.

Commercial Letter: Jim is dealing with the letter and providing the requested information and documents.

Jim had a resident call him this week to discuss the sign rules in the covenants. Jim advised the resident "That the BOD and the ARB have an obligation to act once notified of an infraction. The BOD and ARB need to remain consistent with how the rule is stated." Therefore stating we are unable to make special arrangements or concessions based on a case by case basis.

Future suggestions: Jim suggests that in the future we look into modifying the 2nd amended declaration of covenants and restrictions at the next annual meeting of the members. To modify all fines to include any fees or associated costs involved with collecting said fines.

Jim requests a formal letter of resignation from Jennifer and Steve. He would also like the BOD to send him their emails used for BOD matters.

Finances: Credit card: No change, no payment has been made, no contact from Jordan

Expenses/Income report: attached and reviewed

Accountant: Two checks that were written over 19 months ago cleared this week. They were between \$75-\$100 each. Caitlyn has already contacted the bank to see why these were allowed to be cashed and to request a copy of the checks.

Assessment: Certified letters have gone out to everyone still owing funds at this time.

Past Due: Working actively on liens for all properties over \$5k in past dues.

Legal: Liens: MLG has all liens

Collections: We have sent emails to the new collections attorney requesting that they let us know how we can proceed with collections and foreclosures. Everything is paused due to Covid

Foreclosures: Waiting to hear from attorneys.

Other: Office staff: New office staff was hired, Vynne-Jo Penoyer. She was hired as a receptionist to work Thursday and Friday 2-7, and Saturday 9-2. Caitlyn reports this has been going very well.

Data Transfer: currently uploading old ledgers to AF from QB

Lawn: Crossroads is looking into the land the sign is on at the corner. There is no tax ID number for it so no one knows who owns it.

Fall Clean Up Bid: Should have bids by the end of the week.

Sheds/Workshop: Dumpster has come, been filled, and is gone. There is still a portion of tree left to clean up and the lawn guy is going to give us a bid to chip the trees and use them as mulch for the playgrounds.

Pool: Closed. Waiting on electrical bid for pool/pumps and panel.

Community Center: Residents who rented the community center left it in disaray. We ok'd Caitlyn to charge the offenders the cleaning fee the community had to pay to clean it.

Waiting on electrical bid for panels in the community center. Bids also pending for other repairs stated in insurance inspection.

Ponds: Caitlyn and Jackie are going to try to get in touch with the town to see if someone can come out and try to adjust the water levels. Caitlyn has been trying to contact someone for weeks with no response, Jackie offered to try and use some of her contacts to help.

Residents having issues with flooding have been instructed to contact the town.

Tennis courts/ Basketball courts: Still waiting on bid for security for the tennis courts. The bid came in for power washing at \$2808.

Work Orders: 20 Sweet Alysum tree removed, this was on RCA land, the bill and removal were approved.

Annual Calendar Events: Most events are on hold due to Covid. The BOD would like to attempt to brainstorm a way we can still try to provide the senior Thanksgiving dinner. We will get together to discuss possible workarounds to try and still provide this for our senior residents. Last year 26 residents took advantage of this.

Survey: We need to revisit the survey from earlier this year and go over and address other issues.

Meeting Adjourned at 8:26pm. Kyle made a motion to adjourn at 8:26pm, seconded by Jackie, all in favor.