

MINUTES
ROCK HARBOR PROPERTY OWNERS' ASSOCIATION
ANNUAL MEETING
First Avenue Hall Community Center
August 6, 2022

The Rock Harbor Property Owners Association met at 1:00 pm on Saturday, August 6, 2022 at First Avenue Hall, New Tazewell, Tennessee.

Directors Attending: Laura Scott (President), Dave Howard (Treasurer), Daniel Martin (Secretary)

Owners Attending: Patty Crandal, Henry "Chip" Burwinkel, Daniel Martin, Mark Cade, Susan Cade, Greg Sparks, Jenny Sparks, Brenda Stedman, Kris Gregg, Jim Gregg, Tammy Hill, Steve DeNeale, Cindy DeNeale, Steve Kramer, Mary Jane Kramer, Erik Kramer, Kathryn Kramer, Bruce Cox, Carolyn Cox, Eric Garland, Christy Garland, Laura Scott, Randall Scott, Lutz Weber, Barbara Weber, Robert Brown, Janice Brown, David Howard, Trish Howard, Mike Fleming, Robyn Fleming, Chuck Keller, Donna Keller, Mike Singer, Marie Singer, Robbin Byrdm, Martin Byrdm, James Warren, Tom Maxwell, Jim Erdman, Michael Adamson, Matt Bishop, Todd Harmon, Shannon Harmon, Lee Tramel, Wesley Minton, Jason Harvey, Heather Harvey, John Johnson, Ken Goebel, Cathy Goebel, John Delconte, Paul Berryman, Paul Bergerdne, Kim Bergerdne, Ben Parson, Patty Parson, Mark Henderon, Cindy Henderson, Johee Kim, Natham Gillam, Meldoy Gillam, Brad Knight, Polly Knight, Tammy Flanagan, Joixin Bailee, Russ Sinity, Dustin Swensgard, Laura Swensgard, Brian Beasley, Mary Beasley, Ivan Todd Napier, Eva Napier, Brad Knight, Dawn Martin, and Mark Martin

Guests Attending: Shannon Pearson and Lisa Foster, Spectrum Management Group, LLC. Others attending included Mariel Cooper, Attorney and Frances Hensley, Minutes

I. Call to Order and Welcome

President Laura Scott called the meeting to order. Scott welcomed the property, homeowners, and guests. Scott reported that a QUORUM was established with 155 represented either in person or by proxy.

A motion was made and seconded to approve the minutes from the last meeting.

II. Introductions of Board of Directors, Property Managers and Special Guests

Scott introduced the current board members and special guests to the group.

Board of Directors

Laura Scott, President
David Howard, Treasurer
Daniel Martin, Secretary

Special Guests

Mariel Cooper, Attorney

Frances Hensley, Minutes

Property Management Company

Shannon Pearson, Office Manager, Spectrum Management Group, LLC.

Teresa Malone, Senior Accountant

Anabel Gamino, Administrative Assistant

Lisa Foster, Receptionist

III. Attorney RHPOA Discussion

Short Term Rentals and Non-Permanent Boat Lifts Q&A

Attorney, Mariel Cooper reported that she is a business lawyer specializing in HOA's. Cooper further reported that she had sent an opinion letter in July to property and homeowners. The letter indicated that short term rentals are not permitted in the bylaws. She explained that she is present today for questions and discussion related to the letter. The discussion was as follows:

Chuck Kellgr, Lot 469 – Mr. Kellgr addressed Attorney Cooper asking her to define short term rentals. Cooper responded, "A short-term rental is typically defined as a rental of any residential home unit for a short period of time. This generally includes stays of less than a month (30 days).

Brad Knight, Lots 119 &120 - Mr. Knight requested an explanation of why an attorney was hired. Attorney Cooper responded that seven plaintiffs filed litigation against the board regarding short term rentals and the concerns short term rental properties have on the community.

Mary Jane Kramer, Lot 557 – Ms. Kramer indicated that there were no investment properties when she purchased. She went on to say that there were no VRBO's allowed in the covenant. She further indicated that the renters cause damage and concerns for the other property owners.

Dustin Swengard, Lot 141 – Mr. Swengard asked the group to address specific damage incidents and not vague hearsay.

Randall Scott, Lot 286 – Mr. Scott stated there are instances where the rental guests are parking in the other homeowner boat slips.

Brenda Stedman, Lot 537 – Ms. Stedman noted a graduation party with 80 plus people in which a fight happened at 2 am.

Natham Gillam, Lot 148 – Mr. Gillam inquired about how the lawsuit and Attorney fees would be covered. Will this be covered by a special assessment, or will it be covered by the insurance policy? Attorney Cooper indicated that would be a question for the insurance company.

Eric Garland, Lot 133 – Mr. Garland stated there is a communication problem between the Board and the lot and homeowners.

Henry “Chip” Burwinkel, Lot 392 – Mr. Burwinkel indicated it is an issue of respect among the neighbors and property owners. There need to be community standards set that are enforceable. The Attorney indicated that these are included in the covenant and by laws which are available at the Register of Deeds office.

Lee Tramel, Lot 151 – Mr. Tramel indicated that he wanted to off-set the cost of his vacation home by renting. When he inquired the representative from Spectrum communicated that short-term rentals are allowed.

Johee Kim, Lot 427 – Ms. Kim stated that there seems to be few issues and lots of hearsay. She lives in an adjacent subdivision that successfully offers short-term rentals. There was discussion of the by-laws. Attorney Cooper responded that the by-laws state the purpose of all lots is for residential and recreation. That concurs that short-term rentals are not part of the interpretation of recreational.

Mike Fleming, Lot 347 – Mr. Fleming reported a lawsuit had been filed and noted the court issued a temporary restraining order to allow short term rentals to operate while being adjudicated.

Trish Howard, Lots 115 & 116 – Ms. Howard noted that the community was originally earmarked to be a gated community.

Dustin Swengard, Lot 141 – Mr. Swengard noted the possibility of a gated community was lost when the roads were taken over by the county.

Mike Adamson, Lots 383 & 329 – Mr. Adamson noted there had been damage to the boat dock. Mr. Adamson inquired if the responsible person would be held accountable. Attorney Cooper indicated that a quote will be obtained. She further indicated that the provisions of the marina agreement would be enforced. The board agreed with attorney Cooper that the marina agreement would be enforced, and no new permanent boat lifts would be allowed. The homeowners currently owning permanent boat lifts voiced their concerns. A member asked if an engineer could be hired to evaluate the marina facility.

At this time, Attorney Cooper and Board Members Scott and Howard left the meeting. There was general discussion if the Board Members had resigned. It was confirmed that they had not.

IV. 2022 Summary

Common Areas

1. Guard Shack – main entrance, repair as needed
2. Landscape Beds – replaced plants as needed
3. Park Fencing – repair and replace boards as needed
4. Roadways – ongoing discussion of needed repairs with road superintendent
5. Recreation Park – maintain as necessary
6. Putting Green – cleaned and new wood chips

Marina

1. Marina Walkways – repaired as needed

2. Repair to Gangway – repaired turn table area, re-weld of support inside and added tabs
3. Marina Parking Lot – electric gate repairs as needed
4. Docks – adjusted anchors, wave booms, replaced cleats
5. Camera System – fully functional system
6. Dock Electrical – electrical upgrades made
7. Docks – debris cleanup as needed

ACC Update – one house under construction

Violations – satisfactory with a few issues (realtor signs & pets)

Contract Services Administration

1. Property Management Company (Cedar Management Group) – new management services secured
2. Landscape/Area Management (Jessee Smith) – very satisfied with his performance and expertise.

NOTE: Call management company with POA issues/problems NOT Jessee Smith; we do not have an “on call” agreement with him.

V. Finance Update/Review

At this time, the following financial highlights were noted as of July 30, 2022:

- Total Bank Accounts \$253,391.83
- Total Fixed Assets \$2,105,943.47
- Total Assets \$2,360,060.30
- Net Income \$42,816.96
- Total Equity \$2,360,060.30

VII. Questions, Concerns, Topics of Interest

Topics for member discussion:

1. There was general discussion of the number of board members, the new property management company that will replace Spectrum, and electronic voting.

X. Number of Directors and Election

There was general discussion related to expanding the board. After the discussion, a vote was taken regarding expanding the board. The vote was majority approved to expand the board.

It was decided that a special meeting would be announced to vote on the new board members.

XI. Closing and Adjournment

With there being no additional business brought forth, Martin thanked all for attending and the meeting was adjourned.

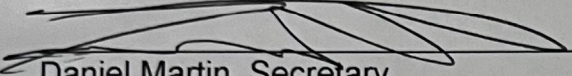
IV. Minutes Review and Approval

Minutes reviewed and SIGNED by the Directors below.

Signatures:

Laura Scott, President

David Howard, Treasurer



Daniel Martin, Secretary