

Regular Meeting of the Board of Directors

Date: Oct 5, 2017

Time: 7:30 pm

Place: RRA Clubhouse

Directors Present: Tom Sopko, Jim Swartz, Dave Emick, John Lindemann, Shawn Morris, Jack McMillin

Directors Absent: John Martin

M-1-10-17

A MOTION was made to accept the minutes of the Sept 7 2017 Regular Meeting. Moved by Jim Swartz. Seconded by Jack McMillin. Roll Call Vote: all present approved.

M-2-10-17

A MOTION was made to accept the minutes of the Sept 17, 2017 Special Meeting. Moved by John Lindemann. Seconded by Dave Emick. Roll Call Vote: all present approved.

Treasurer's Report:

TREASURER'S REPORT
SEPTEMBER 2017

Sept Operating Income	28,664
Sept Operating Expenditures:	
Expenses: 101,199.96	
Loans: 4,751.16	
Capital Imp 105,615.68	
Sept Expenditures:	- <u>\$211,567</u>
Sept Fund Balance	\$-182,903

Cash:

Jan - Aug 2017	415,992
Sept 2017	\$- <u>182,903</u>
Cash YTD	\$233,089

Cash at End of Period

Cash on hand Dec. 31, 2016 \$197,689

Gain (Loss) this year \$233,089

Cash on hand Sept 30, 2017 \$430,778

M-3-10-17

A MOTION was made to accept the Treasurer's Report. Moved by Jim Swartz. Seconded by John Lindemann. Roll Call Vote: all present approved.

Operations Manager Report

October 5, 2017

Dan Mullins

I'm happy to report that September was another very productive month here at the shores. With record-breaking temperatures throughout the month, it made it possible to complete some extra repairs to the lake infrastructure. Beavers have been causing some problems on inlet pipes to the lake over the years and we were able to take care of this last month. According to the trapper, the average size beaver he has been removing was up in the 50 pound range.

The association has also been working on replacing some of its aging lawn equipment. Most of our lawn equipment is at least 12 years or older and having above 7000 hours operating time. Last month our zero turn mower was upgraded and also our small riding mower.

I'm pleased to report that our new collection policies have been paying off.

Our collection of late dues is up approximately 72% from this same time last year. We will continue to aggressively keep working on these collections.

Some members of the board and I attended the Fall OLCA meeting at Holiday Lakes in Willard, Ohio. Their lake is approximately half the size of ours, but the comments and their common complaints or very similar to ours. Their main problems seem to be boat activity on the weekends. We are currently working with Lake Safety and the Lake Patrol on implementing some new procedures for next season.

I'd like to remind residents of some of the activities that will be happening in the month of October.

One will be the Stars Club event which will have helicopter rides on Saturday the 14th between 10 AM and 2 PM. This will be followed with a clambake at the clubhouse from 3 PM to 5 PM.

And just to give an update, I did speak with the contractors working on Route 6. They hope to have the bridge open within the next two weeks I am being told. Also there will be a meeting with Roger Cortland the Ashtabula County auditor that will be held on Saturday, October 21st at 10 AM at the clubhouse. Happy Fall!

President's Report:

Board has voted to review how membership cards are used and required. It doesn't mean that any changes will be made. What this does mean is that the Office has been asked to review membership

cards. The Board has asked that any proposed changes be made by January so as to allow time for communication and implementation.

The Board was represented at the Ohio Lake Communities Association (OLCA) meeting at Lake Holiday in Willard OH. As you may recall the OLCA is comprised of 22 lake communities like the RomeRock Association. These OLCA meetings are a way for the Board to gauge how we compare versus other lake communities, and it's an opportunity to share solutions to common problems. Based on comparing your Lake Roaming Rock to Lake Holiday, we are in great shape. Lake Holiday was very similar to the RRA. More information will follow.

The Board and the Dan Mullins met with Roger Corlett, the Ashtabula County Auditor on April 22, 2017. Three important points that came out of the Meeting: (1) no one in the Association is paying a Road Tax, (2) everyone pays about the same property tax rate regardless of whether you live on a Village, Township, County, or Association owned road. (3) The Road Assessment paid to the Association is by virtue of each Association Member buying into the Homeowners Association. Mr Corlett will meet with the Members on Saturday, October 21, 2017, Clubhouse, 10:00am to 11:30am. Private meetings about your own real estate tax situation can be setup with Mr. Corlett.

The Impact Fee. The Impact fee of \$1000, is a fee charged new property owners of the Association at the time of their purchase into the Association. An Impact fee is intended to cover the cost to the Association that are directly or indirectly related to the transfer of ownership, including, without limitation, administrative expenses and contribution toward amenities that have been bought and paid for by monies collected from previous Members. The impact fee made available from 2017 property sales was \$76,000. Money from the impact fee goes to the Road Assessment, Amenities and the General Assessment Fund. It has been suggested to eliminate that fee. It is the Board's suggestion that if you decide to eliminate the Impact fee, you also decide what you want are going to cut out such as pool maintenance, road maintenance, dredging, or snow plowing as examples). Or do you want to increase dues/assessment about \$70 per year to maintain what we currently have because that is what will be needed to maintain a balanced budget.

Our Financials are in terrific shape. Although you just heard the financials, let me summarize them again. We have approximately \$200,000 in reserve for which we are considering spending \$50,000 on another barge to be used in the dredging. Then we have another \$275,000 available for maintenance and capital improvements for the balance of the year. The actual interest charge on existing loans has decreased through negotiating the refinance of existing loans, and the payoff period is the same. The Board demonstrated in several publications that it was in the Association's best interest, and the Association is you, to build an Office as opposed to renting. Your Association Financials are in very sound shape.

Public versus Private. Most or all of us bought property in the Association either with knowledge of becoming and/or because we wanted become part of a private lake community. There are now people, some of whom are Members and some of whom are not members, claiming that we can maintain privacy even if all of the current private facilities and amenities were to come under the ownership and control of the Village, a public body. The co-existence of a Village and an Association has been highly praised by other members of the OLCA. Other OLCA member communities have expressed their desire to have both a public Village and a private Association. As an example: Hide Away Hills did away with their Dam Insurance because of the cost; each Member is now paying \$4000 to pay for a \$2.5million dam repair because of a Dam failure; this is because Hide Away Hill did not have a Village to help with the Dam

insurance. The Roaming Shores Village has served a valuable role in maintaining for the Community certain services that are typically provided by local government, including the Utilities, water and sewer, and the Police Force. The Association has its role in the maintenance of its amenities and its facilities that are for the enjoyment of the members only as opposed to the public in general, including providing a venue for clubs and social activities. While it is easy to speak and write about eliminating the Association and turning everything over to the Village to be publicly owned and operated, the process to do so is a monumental complicated task. While it always has been and remains the Board's position that there is no good reason to eliminate the dual entities, those that call for abolishing the Association and turning everything over to the Village appear to have failed to think this process through or consider applicable Ohio law. In order to sell or transfer all of the common properties owned by the Association for the private benefit of its members, the Board would require the approval of "75% of the voting power of the owners association." Even if the approval of 75% of the members was not an insurmountable obstacle, the Board would not seek to eliminate the very association that was formed and has been maintained for the particular benefit of its members.

Lastly, there is no "free lunch". If an Impact Fee is not collected, either dues/assessments need to be raised or some amenity needs to be cut out. If you think you want the Village as your sole management organization, then even assuming you can somehow garner the 75% approval to abolish the Association, you should first inquire extensively as to whether and how the Village can both raise the money necessary to maintain and acquire the facilities and amenities to which you have grown accustomed and maintain their privacy and exclude their use by non-residents. If you want only the Association to operate without assistance from the Village, it may be necessary to increase dues/assessments to cover certain expenses such as the Dam insurance. Your Association has frugally and judiciously used your money. You can push to eliminate the Impact Fee and/or move to a single management organization, but you need to first fully understand the consequences and difficulties in doing so. Just remember, there are things you get now that need to be paid for by either the Village or the Association. There is "no free lunch".

Reports of Standing Committees:

Legal-none

Budget & Finance-none

Lake Management-thanks everyone that is working the geese program.

Lake Safety-none

Village Liaison-none

Board of Review-none

Building & Facilities-none

Administration-none

Amenities-still need a chairperson

Clubs:

STARS-CPR class on Sept 28 had 2 person in attendance-to get an AED machine around \$2,500.

Fishing-Sept largest fish—6.8 lbs 22” long. Got 600 minnows as bait fish, Clambake—Oct 14 3 to 5 pm

Friends & Neighbors-dinners at clubhouse over—will start going to different restaurants.

Polar Bear-Breakfast with Santa on Dec 9, 2017 at 9 am

Old Business-none

New Business:

M-4-10-17

A MOTION to accept the first reading of Resolution R1-1017. Moved by Jim Swartz. Seconded by Dave Emick. Roll Call Vote: motion passed 5-1.

Resolution R1-1017

THE FIRST READING OF A RESOLUTION AMENDING THE BY-LAWS OF ROMEROCK ASSOCIATION, INC.

WHEREAS, the Board of Directors of RomeRock Association, Inc is authorized to add and/or amend the By-Laws of the Association pursuant to provision contained in said By-Laws, and;

WHEREAS, it will take three readings to change the By-Laws, this being the first reading, and;

WHEREAS, the Board of Directors of RomeRock Association, Inc have recommended certain additions, deletions, and/or amendments to clarify and update said By-Laws,

NOW, THEREFORE, BE IT RESOLVED: That the following additions, deletions and/or amendments to the By-Laws of RomeRock Association, Inc are hereby adopted and the subsequent document incorporation said additions, deletions and/or amendments shall be the By-Laws of RomeRock Association, Inc.

NEW SECTION 5 TO ARTICLE I OF THE BY-LAWS

SECTION 5

- A. As used herein, the terms "sexually oriented offense," "tier I sex offender/child-victim offender," "tier II sex offender/child-victim offender," and "tier III sex offender/child-victim offender" shall have the same meanings as in Section 2950.01 of the Ohio Revised Code, as amended from time to time. As used herein, the term "Registrant" shall mean any person who is required to register with the sheriff, the sheriff's designee, the Ohio Attorney General, or any other designated registering agency within the State of Ohio pursuant to Chapter 2950 of the Ohio Revised Code, as amended from time to time, by reason of having been convicted of or pleading guilty to a sexually oriented offense regardless of when or where the sexually oriented offense was committed.
- B. No Registrant who is a tier III sex offender/child-victim offender shall be eligible or permitted to be an Active Member of the Association. Any Registrant owning a lot within the Roaming Rock Shores Subdivision shall be deemed to an Inactive Member. In addition, no Registrant who is a tier III sex offender/child-victim offender shall permanently or temporarily reside in any home or on any lot in the Roaming Rock Shores Subdivision for any length or period of time.

- C. If, after the adoption of the amendment to the By-Laws adding this Section 5 to Article I, a Registrant who is a tier III sex offender/child-victim offender resides in or occupies any home or lot in the Roaming Rock Shores Subdivision as an owner, tenant, resident, guest, or any other possessor of interest, the lot owner must immediately cause such Registrant to vacate the lot, even if the Registrant is the lot owner. This restriction shall apply equally to all future lot owners, tenants, residents and occupants in the Roaming Rock Shores Subdivision. However, this provision shall not be applied retroactively to any Registrant that was a lot owner and resident of the Roaming Shores Subdivision prior to this amendment being adopted, provided, however, that this provision shall apply to any such Registrant who ceases to be a lot owner for any period of time after the effective date of this Section 5 of Article I.

The Association shall provide any lot owner in violation of any provision in this Section 5 of Article I with a written notice sent by first class, postage pre-paid, U.S. Mail to the Lot owner's last known address, informing the lot owner that he or she must correct the violation within sixty (60) days of the date of the notice. If the Registrant does not vacate the home and/or lot within sixty (60) days of the date the lot owner was mailed notification by the Association of the presence of a Registrant, then the Association may institute such legal proceedings as may be appropriate (including, but being not limited to an action seeking an injunction) to have the Registrant expelled or removed from the home and/or lot within the Roaming Rock Shores Subdivision.

- D. If it is necessary for the Association to pursue any form of legal action, regardless of whether such action is in the form of an injunction, eviction, or other form of relief to gain compliance with this Section 5 of Article I, the Association shall be entitled to reimbursement for all of its expenses, including, but not limited to, its reasonable attorney fees and court costs, from the lot owner, and such amount may be secured by a Certificate of Lien in accordance with Article III of these By-Laws.
- E. The Board of Directors may, in its sole discretion, notify the members that a Registrant is residing within the Roaming Rock Shores Subdivision, including Registrants who are either a tier I sex offender/child-victim offender or a tier II sex offender/child-victim offender. Notice may be given in such manner as the Board of Directors deems appropriate, including, without limitation, posting it on the Association's website.
- F. The Association shall not be liable to any lot owner, Member, or anyone residing in, occupying or visiting any lot in the Roaming Rock Shores Subdivision arising out of, resulting from in part or whole, or pertaining to the Association's failure or alleged failure, whether negligent, intentional or otherwise, to notify any lot owner, Member, resident, occupant, guest or visitor within the Roaming Rock Shores Subdivision of the presence, residency, or occupancy of a Registrant in the Roaming Rock Shores Subdivision, or to pursue the removal of any Registrant, including a Registrant who is a tier III sex offender/child-victim offender, from the Roaming Rock Shores Subdivision, or to otherwise enforce this Section 5 of Article I.

A MOTION was made to allow a 22 ft boat on the lake for property owner #2553. Moved by Jack McMillin. Seconded by Jim Swartz. Roll Call Vote: motion failed-5-0 with one abstention.

M-6-10-17

A MOTION was made to lower the lake starting Nov 15, 2017 if ok with village. Moved by Dave Emick. Seconded by Jim Swartz. Roll Call Vote: motion passed 5-1.

Member's Comments:

Property Owner #2302-discussion on impact fee.

Dave Emick-discussion on lake safety

Property Owner #1723-discussion on Quilting Group and would like to say the lighting in clubhouse is great.

Meeting was adjourned at 9:19 pm.