

Minutes for Annual Meeting of the Omisol Estates
Homeowners' Association
Tues, Jan 25, 2005

The annual Homeowners' meeting was held in the meeting room of Christ Our Lord Church on the corner of Minnieville and Omisol Roads on Tues, Jan 25, 2005. Mr. Bill Boston, President, called the meeting to order at 7:45 pm. Bill thanked everyone for the good turnout. Twenty-four families were in attendance, and we had three proxies. Bill introduced the two new families to the community since last year: Kevin and Kelly Caudle and Harvey and Janelle Woodbury.

- Brian Evans, Architectural Committee Chairman, presented the Architectural Committee report. Last year there were 11 requests for upgrades or modifications to homes and all 11 were approved. Committee members, in addition to Brian, are Ron LaFond, Bob Milne, and Bill Gould - Bernard Oliphant serves as an alternate. Brian reviewed the 11 requests. Bill explained that Brian has been sitting in on the Board Meetings to give updates on Architectural matters. Deborah Hart asked a question about whether you had to put in a request for anything done to your home. Brian said anything that changes the appearance of the outside of your home needs to be approved. If a tree dies, and you replace it with the same kind of tree, you do not need to put in a request. Anything inside does not need a request. Deborah asked why the garage door request needed to be submitted. Brian said that it was being changed from a wood door to a steel door and the windows are different than the old ones. Brian said most people wouldn't have even noticed the difference, but it was more of a formality. It puts the improvements on record for the future. Brian keeps the records.

- Kay Richardson then explained the election procedures. It is required by the By-laws to elect members of the Board of Directors each year. The Secretary and Treasurer are each elected for a one-year term. One of the other three officers is elected for a three-year term, making one member up for election each year. Bill has one year left on his term; Jim Hart has two years left; and Kristy Graff's term is up this year. The Board determines within themselves who will occupy the positions of President, Vice-President and Member at Large positions. Each family will receive one ballot. Nominees for the 3-year term member are: Mr. Roberto Cuellar, who was not able to attend the meeting; Mr. Carlos Castro; Mr. Brian Evans; Mrs. Kristy Graff; and Mr. Richard Jessie. Kay Richardson is the nominee for Secretary. Lawrence Roth is the nominee for Treasurer. Kay asked if there were any other nominations from the floor. There were none. Each

candidate introduced himself or herself. Ballots were passed out, and votes counted. Results: Mr. Richard Jessie was elected to the Board, Kay Richardson was elected as Secretary and Lawrence Roth was elected as Treasurer.

- Next, Lawrence Roth presented the Treasurers Report, as of Dec 31, 2004. Total Cash On Hand: \$28,320.78 in checking; \$41,658.64 in CDs = \$69,979.42. Also provided were the actual income/expenses for 2004: Income: \$100 from disclosure packages; \$16,285 – dues; \$11,234.59 from settlement of a class action lawsuit concerning the power lines, \$511.10 from interest; \$2400 – tower rental. Total = \$30,530.69. Interest is from the CDs: one is a 6-month automatically renewable; the other is a 9-month automatically renewable CD. Lawrence will look into a little longer term CD to get a higher interest rate. Tower rental money is the money received from T-Mobile. Under “Outflows”, figures include fees for cutting the common area by the county, for the survey done for a path around the lake and dam clearing. Figures for the 2005 are expected to be much lower. Garbage pickup is usually our main expense; Waste Management has not raised our rates in years – equates to under \$12 per house, per month. Legal expenses last year were \$2995 because of the T-Mobile contract. The 2005 Proposed Budget should have a surplus of about \$4595 with projected Cash on Hand of \$74,274. Deborah Hart had a question about why we are only investing in CDs. Lawrence said he did not want to tie money up too long, in case we needed it, and wanted something safe. It’s easy to work with the bank. He is going to look into a little longer rate CD. Deborah suggested we look into Treasury Bills. Lawrence has scheduled an audit for next month. A motion was presented to accept the budget, and was seconded. Budget for next year was approved by hand votes.

- Bill asked if there were any volunteers for the Lake and Common Area Committee for this year. The purpose would be to look into options to solving problems concerning the lake and common areas. Would like to have a balance of people on the lake and those who aren’t. Volunteers were: Carlos Castro, Kristy Graff, Kipsy Gould, Kelly Caudle, Martina Milne and possibly Deborah Hart.

- Kay thanked those who participated in the picnic last year and thought everyone had a good time. Joan Youravich has lined up the DJ for again this year for the weekend of June 25th. It has been suggested that we look into having the picnic catered, and the committee will look into how expensive it will be. We would still like to have people bring a variety of side dishes and desserts. Corey Stewart asked if the date was firm because he usually has his party that weekend. Deborah asked if we could perhaps have the picnic

in July. Kay said we had previously looked at alternate dates and there are always going to be some dates that people aren't available. A lot of people go on vacation in July and August. We didn't want to conflict with Fathers Day the week before or the 4th of July. Kay asked the members whether they would like to keep the proposed date; the majority of the members wanted to keep the date as is. The Social Committee will finalize details and let everyone know.

- Brian talked to the members about the new website he set up. He registered the site as "omisolhoa.com." There are a couple areas that are still under construction and there is a Board Member Only area. Brian is working on an area for the Babysitting Coop. Right now we have forms on line, such as the Architectural Requests, that can be downloaded. Kay is working on getting the by-laws, etc on line. Some other areas we are working on would be a photo gallery, which would be password, protected. We have a Community Resources area where the members who have a business can advertise. All of the Board Members are listed and can be e-mailed directly. We are in the process of getting the annual minutes published. Bernard Oliphant asked what the cost was. Brian said the initial cost of setting up was approx \$300, but future costs will be less. We will put announcements there such as the Annual Meeting. Bill asked everyone to take a look and offer any suggestions. We are anticipating putting the roster on the website and if you don't want information listed, please let us know. We will take precautions to password protect information, and it will not be accessible via search engines.

Old Business:

- Bill said last year we asked Shawn Sutton to talk to us concerning the possibility of putting T-Mobile cellular equipment on one of our towers. At that time the members gave us permission to proceed with negotiations and since that time we have entered into a contract with T-Mobile. We have received several checks, which average out to \$100 per month, which is actually an Option to Lease until they begin construction of the equipment. Then we will receive \$700 per month. It is in renewable 5-year increments with an escalation fee. We had legal fees that were incurred to ensure that the wording was in our best interests. The money we received from T-Mobile basically paid for the legal expenses. We expect T-Mobile to begin construction the first half of this year. We don't know 100% what is happening – the ball is in their court when and if they are going to build it. Ron LaFond asked if we found anything for sure concerning the health issues. Bill said there have been several studies done and there are differing opinions, but the general consensus is that there are no dangers. Jessie said

we voted to approve it and even if there are concerns at this time, it's a "done deal." Kipsy Gould asked if the road was moved. Bill said yes, it was changed from the preliminary plan. Lawrence went on to explain that the road was never going to go through someone's property – it never would have been approved. It was a preliminary drawing only. (When T-Mobile realized it was private property, they moved the proposed road.) Deborah asked why it took 12 months to get this going. Bill said they have the option to not put up the equipment, if they so choose.

- Corey Stewart, County Supervisor, said he may be able to provide a little more information. He said the county has a Comprehensive Plan. He said in 1996 the federal government forbade localities from prohibiting the placement of cell phone antennas near schools and residential areas for health reasons. The county cannot prohibit that. If a proposal does come before the Board – if it gets to that level – when they are near schools or residential areas, people usually get concerned. What the County can do is use other reasons to keep cell phone antennas out of residential areas. The County has put together a map of locations where the Board of Supervisors would approve the placement of cell phone towers. The County cannot stop cellular antennas. But what they can do is limit the areas the towers can go. His map indicated our area was not chosen by the county as an approved site because it is in a residential area. Where the county chose to put the towers were parks and open spaces. Corey said because they are not putting up a structure, he is not sure the Planning Commission can stop it – it would be up to the homeowners. Corey said there is nothing to prove that cellular emissions cause any damage, but cell phone towers have only been around 10 years or so – not a lot of time for conclusive studies.

- Deborah asked if the bottom line was that it is going to happen. Bill said we have an agreement with T-Mobile at their option to put it up. Brian said that having the 6-month option, they are holding the rights. We cannot back out of option if they hold up their end of the contract. Reminder that they are not building a new tower, they are just adding equipment to the tower that was already in existence.

- Bill said next item of old business is what we've done so far on the lake. Bill said some of the Board Members went down to the lake. The bridge area was all clogged up with debris. That created a big basin behind the dam. They pulled some of the debris out and got rid of the basin. The Board determined if we wanted to do something with this area, we needed to get the area surveyed. We would like to clear a path in order to get down and walk around the lake. Jessie said we built the bridge, but no one ever uses it. It has become overgrown and no one knows where it leads. Bill said

we could draw out the area and post it on the website. He said there is an area where we could put picnic tables. Jerry Delane said it might cause problems with kids from the other side coming down to the area. Bill said there was some talk about letting the county take over responsibility for the lake, but we don't want to destroy the lake. Ed Shinn said access is the issue – there should be a way to get to the lake --a trail could be a way to get to the lake. Karen Shinn asked if we've checked with the Wildlife Habitat. Jessie said he has a concern about people from other areas going down there, doing drugs and we need to look closely at this. Karen Shinn said if we don't clean the silt out of the lake, we are going to have problems. Bill said by breaking up the dammed up areas, the water is flowing again. Debris is coming down from other areas creating the backup. Lawrence said we have talked about it for years and it would cost over \$1 million to clean the silt from the lake. Karen asked if the County would help. Corey Stewart mentioned an area of land down the stream that the county has taken over and is planning a passive recreation area. The county may contact the HOA in the future to see if we want to buy into the project and give the county some of its land for the construction of a trail near the dam. Corey said if the county has its way, it would probably destroy the dam and let the water flow through. If the county bought into the lake, there would have to be public access and use of the lake. Bill said we want to create a balance between the county and our community. Carlos said the Lake Committee could look into improving the lake so the whole community can enjoy it. He also said there is a lot of erosion on the dam that needs to be fixed. Corey said a decision needs to be made by the HOA if they want public access and if you made a decision, it would be years before any action would be taken. HOA could grant an easement to the county for public use, in which case the community would be immune for liability. Kipsy suggested these are areas the new Lake Committee can look at.

- Jim Hart talked about the roads in our community that are in need of repair. There is a problem on Merganser where the road was repaired poorly and needs to be redone. The drainage areas also need to be redone, especially near Brian's home. Jim would like to work with Corey or whoever to get some action. Corey said the county has been looking into who was responsible for the repair work that was done on Merganser and get them to replace it. They had put in a cold patch – only meant to be a temporary repair – and it will be redone. According to Obie Baker, he said the County had expressed an interest in redoing the drainage areas, possibly digging out and replacing with stone. Most homeowners do not want that done. So Jim said we have to be careful what we ask the county to do. Kipsy Gould asked if speed bumps could be put in to slow down cars. Corey said VDOT will

not put in speed bumps in residential areas because of emergency vehicles. Corey said he could ask the Police Dept to patrol the area, but take warning.

- Jerry asked if we could get someone to look into having someone cut the grass in the Common Areas every two weeks. The person that cuts it now lets it get too high and then lets the grass lay there to dry up.

- Corey said there has been some reports of drug activity in the neighborhood and too many people living in the house [did not say what house]. They are looking into the matter.

- Lawrence also brought up the issue of the storm management areas in the common areas. The county is responsible for the upkeep in that it functions the way it is suppose to, they are not responsible for cutting the grass in there. We paid \$2000 for real estate liens for the county coming out and cutting the grass in the area across the lake and the other in the storm management area behind Obie Baker's house. **Omisol Residents! Please do not call the county about grass cutting – they will bill us.**

- Corey said there are some delays in the Minnieville Road plan. He has made some changes. There will be more landscaping and the trail on our side will be 8 ft wide. He has put in a request with VDOT for a traffic light at Omisol and Minnieville. The last time he asked the study said no. But now the church on Telegraph Road is building a new church that will be directly across from Omisol, where the abandoned house is now. Lawrence asked if there was definitely going to be a break in the median to Omisol. Corey said that is the current design, but he is worried this will be a dangerous intersection that will have many accidents there. Lawrence said it is even more dangerous to have to make U-turns to access Omisol; and at the county meetings several years ago it was discussed, and everyone was very adamant about having the median break. The majority at tonight's meeting also agreed. Corey said the State said there would be lights at Colby and Twin Oaks, so there will be breaks in the traffic.

Meeting was adjourned at 9:15 pm.

Respectfully submitted,

Kay Richardson
Secretary