



RBHOO
GENERAL MEETING

September 13, 2023

Agenda – Call to Order

- Meeting will begin promptly at 7pm



All Zoom Participants are muted!

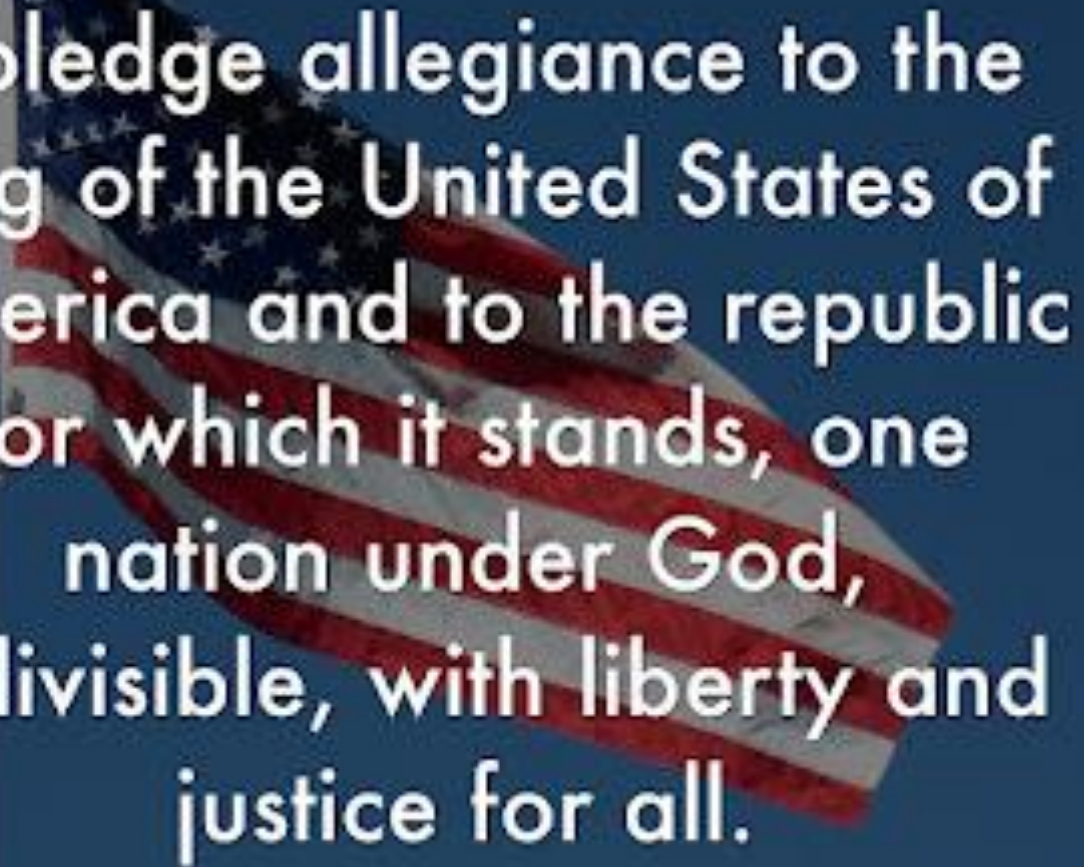
Enter questions into the chat

or

Text questions to 859-743-0451

**Pictures might be taken and possibly used on the
RBHOO website.**

Pledge of Allegiance

An American flag waving against a dark blue background.

I pledge allegiance to the
flag of the United States of
America and to the republic
for which it stands, one
nation under God,
indivisible, with liberty and
justice for all.



Agenda

- **Old Business**
- **Community/Education Presentations**
- **New Business**
- **Upcoming Events**

Old Business

- Secretary Report
 - Zoom meeting is on www.rbhoo.org.
 - No written minutes were taken; nothing to approve, Zoom meeting is the minutes.

- Treasurer Report
 - June 30, 2023 **\$ 4615**
 - 2023 Dues **\$ 50**
 - Other Income: **\$ 30**
 - Expenses **\$ 97 (\$97 monthly storage)**
 - **Current Balance (7/31) \$4598**
 - Outstanding Liabilities **\$97 (monthly storage)**
 - Outstanding Deposits **\$25 (dues)**

- Membership Report
 - **2023 Membership 197**

Community/Outreach Presentation

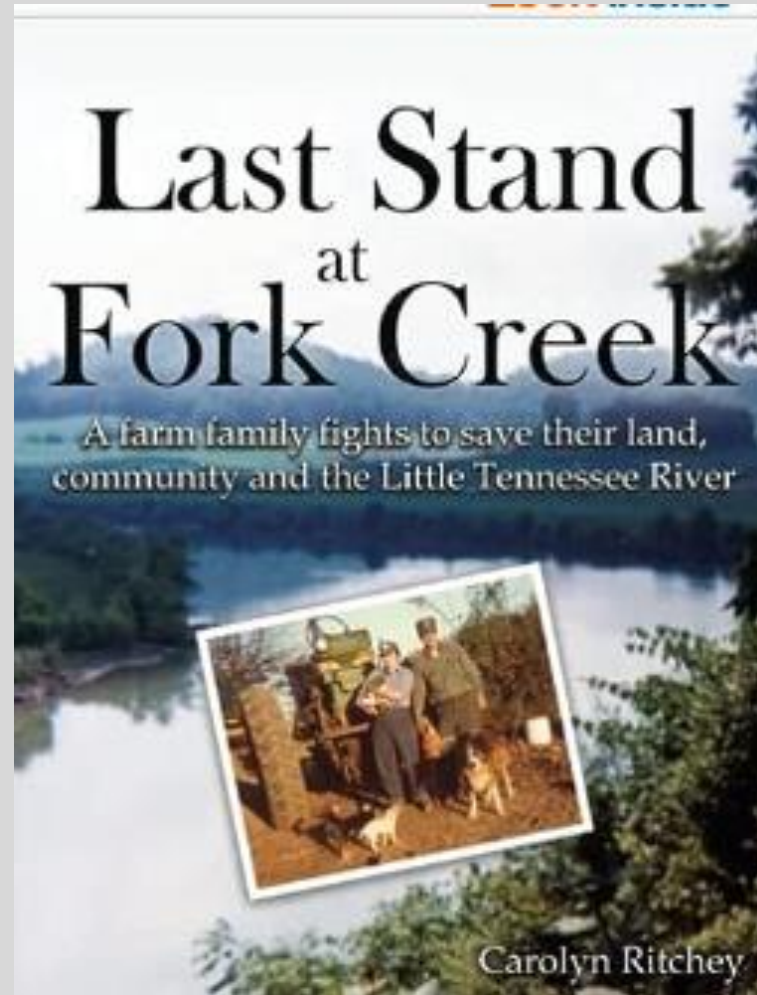
- **Vonore Heritage Museum**
 - Edna Blankenship



www.rbhoo.org

Community/Outreach Presentation

- **Carolyn Ritchey**



www.rbhoo.org

Community/Outreach Presentation

- **United Way of Monroe County**
 - Carl Noble – Rarity Bay Resident and Board Director
 - Caylen Matoy - Director





MONROE COUNTY UNITED WAY



United Way
of Monroe County

2023-2024 Presentation
Caylen Gibson Matoy – Executive Director
Monroe County United Way

Purpose

United Way is a little different than most charitable organizations. Instead of having one set of leaders or one common goal, United Way is **community-based**. This means that each United Way group maintains its own standards and goals specifically tailored to its interests.

- 100% stays in our community
- United Way brings people together to build strong, equitable communities where everyone can thrive.
- Focus on innovative solutions to local challenges.
- **GIVING ONCE GIVES TO MANY!**





How United Way Works



Structure

- Local Board Of Directors
- One Full time Executive Director/ One Part time Office Manager
- Office Building Owned by United Way of Monroe County and paid for.
- Fully rented and pays for the administration costs. Higher percentage of donor dollars invested in the partner agencies.



Agencies Served



GIVE where you LIVE

2023-2024
Campaign

Birth to Three

Boys and Girls Club of the Monroe Area

Boy Scouts of America

CASA Monroe

Douglas Cherokee Senior Nutrition (Meals on Wheels)

Good Shepherd Center

Monroe County Cancer Fund

Monroe County Rescue Squad

Monroe County Schools Children's Care Fund

Project R.E.D (Repairs for Elderly/Disabled)

Senior Citizens Home Assistance Services

Sweetwater Area Ministries

Sweetwater Valley Citizens for the Arts

Tri-County Center



Highlighted Agency

Speakers

Tim Howell CEO

Dian Mayfield Loudon, McMinn, Polk, Monroe County
Director

Services Include

- *Initial Needs Assessment*
- *Individualized Care Plan*
- *Assist with Long-term Care Insurance*
- *Companionship Services*
- *Transportation/Escorted Outings*
Light Housekeeping
- *Grocery Shopping*
- *Meal Planning and Preparation*
- *Errand Services, Prescription Pick-up*
- *Changing Bed Linens*
- *Laundry*
- *Personal Care, Bathing,*
Assist with Dressing
- *Socialization and Recreational*
Activities
- *Medication Reminders*
- *2 - 24 hour shifts*
- *Respite Services*
- *In-Home Hair Salon Services*
(Knox County)
- *Assist with Veterans Programs*
- *24 Hour On-Call Support*

**Assisted Living Service Available
at Renaissance Terrace**

CALL
(865) 523-2920
for more information



SCHAS Mission Statement

To improve the quality of life for the elderly, persons with disabilities, and their caregivers by providing accessible care and supportive service through compassionate personnel.

Trained Caregivers

SCHAS caregivers are screened, bonded, background checked and drug tested. Physicals and TB test are also mandatory. They receive extensive, ongoing training and their performance is evaluated

SCHAS has provided personalized NON-MEDICAL Homemaker and Personal Care Services to individuals in their homes, assisted living facilities, skilled nursing facilities, hospitals or wherever needed since 1970.



215 Bearden Place • Knoxville, TN 37917
(865) 523-2920 • www.schas.org



Why Give to The United Way?

When you direct your gift to United Way, you invest in the local programs you care about, while also ensuring that those programs achieve meaningful results and are working to meet larger community goals in education, income, and health.

- ✓ All the money given to the programs has been vetted. Every organization that received United Way funding goes through an extensive application process. Including site visits and budget analysis
- ✓ Efficiently run- You can feel confident your donor dollars are being used effectively
- ✓ Low Administrative Percentage
- ✓ Audited yearly
- ✓ United Way makes it easy to make a large impact in your community!



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GIVE where you LIVE

2023-2024 Campaign

- Birth to Three
- Boys and Girls Club of the Monroe Area
- Boy Scouts of America
- CASA Monroe
- Douglas Cherokee Senior Nutrition (Meals on Wheels)
- Good Shepherd Center
- Monroe County Cancer Fund
- Monroe County Rescue Squad
- Monroe County Schools Children's Care Fund
- Project R.E.D (Repairs for Elderly/Disabled)
- Senior Citizens Home Assistance Services
- Sweetwater Area Ministries
- Sweetwater Valley Citizens for the Arts
- Tri-County Center

Visit us online at www.myunitedwaymonroecounty.org

First Name Last Name

Home Address City State Zip

Email Address

RARITY BAY Phone Number

Company Name/ Employee ID#

Loyal contributor since _____ (include any United Way)



- \$ _____ per pay period
- One hour pay per month
 - \$10 per month
 - \$15 per month
 - \$25 per month

thank you!

Sign and date here to authorize your pledge and confirm payment

Signature _____ Date _____

How to Give

We have a pledge form on one side of the Newsletter for 2023-2024. It lists all the partner agencies we are raising money for this year and gives you options on how to donate.

Ways to get your donation back to United Way

- Mail to PO Box 722, Sweetwater, TN 37874
- Give donation to Carl Noble (423-884-2048)
- Fill out the form on the mailer you will receive
- Credit Card Please complete the total gift amount and visit www.myunitedwaymonroecounty.org and click DONATE to enter your information securely or call our office at **423.337.7690** and we will enter without retaining credit card information.

A note from Carl Noble, Rarity Bay Resident

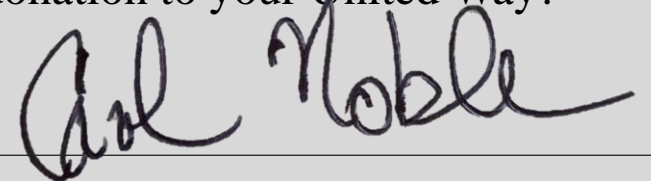
Dear Residents of Rarity Bay,

I am pleased to be your United Way organizer for Rarity Bay again this year. The campaign will kick off on September 24th and will run through October. Last year our community donated over \$12,300 to the Monroe County United Way (which also includes amounts designated to go to Loudon County). This year I have set a target for us to exceed \$15,000.

I currently serve on the Board of Directors for the Monroe County United Way. I know our donations are efficiently used by our 14 partner agencies- each of which require applications that include budgets, action plans, results they have achieved through donations and proof of 501(c)3 status.

Giving to the United Way is a great way to really put your donations to work in your community. You can be confident its' effects will be widely felt. Of course you can also direct your contributions to specific agencies if you wish.

Rarity Bay residents can and do have a large impact in supporting the help that is needed to those less fortunate and with real needs within our local community. Please consider this year making a donation to your United Way!

A handwritten signature in black ink that reads "Carl Noble". The signature is written in a cursive style with a large, stylized "C" and "N".

Questions?

Rarity Bay Activity – Resident Borrow List

- **What**

- List maintained by RBHOO of personal household items that residents can borrow.

- **Who**

- RBHOO Director Jamie Frisbey maintains the list

- **How**

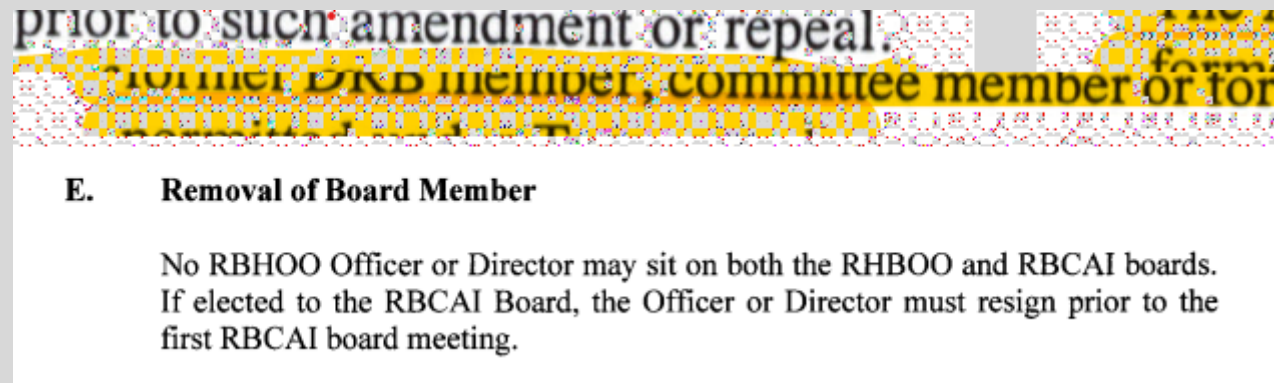
- Just review the list and call the contact person to borrow the item(s)



New Business

- **Modification to RBHOO By-Laws**

- Language was made in 2021 (Curtis was running for the RBCAI Board).



- Other organizations allow members to be on the RBCAI
 - Cristeen Floyd is on dog park board, RBFR board,
 - Motion to remove made by Anke Linton; seconded by Cindi Stapleton
 - Motion passed 7 – 0 (Rick and Carey abstained)
- **Need members to vote by a show of hands.**

Legal Update

- SPC has appealed the Frisbey decision to the Tennessee Court of Appeals

MICHAEL FRISBEY ET AL. v. SALEM POINTE CAPITAL, LLC ET AL.
E2023-01233-COA-R3-CV

Case Overview Case Milestones Parties Document History Record Information

Case Overview

Inter. Case No.	Style	Trial Court	Trial Court Judge	Trial Court No.
	MICHAEL FRISBEY ET AL. v. SALEM POINTE CAPITAL, LLC ET AL.	Monroe County Chancery Court	Bryant, Jerri	21,579

- Community is dragged into another lawsuit.

Parties

Names	Role	Counsel
Frisbey, Michael Dawn	Appellee/Plaintiff	Davis, Melanie E.
Ayres, Michael	Appellant/Defendant	Morrow, Brandon Layne
Rarity Bay Community Association	Appellee/Plaintiff	Stevens, Kevin Charles
Salem Pointe Capital, LLC	Appellant/Defendant	Russell, Adam G.

Legal Update

◦ **Declarant Lawsuit**

- Depositions are being taken week of September 25 for Plaintiffs
- Depositions are being taken mid-October for Defendants
- Trial set for January 31, February 1 and 2

◦ **August 29th Hearing**

- Ruled that the RBCAI was seeking advisory opinion; she can't do that
- Set trial dates:
 - Assessments 20-489 March 27 and 28
 - Partnership 19-943 December 4,5,6,7,8
 - Election 21-173

RBHOO Election

- **Nominating**

- Marty Callaway is the Chair; Rick Hoban is assisting
- Nomination form is on the RBHOO website under documents
- Nomination period is open till September 30

- **Six (6) Board Seats up for Election**

- So far 6 nominees have been received
 - 4 current board members and 2 new candidates

- **If needed**

- October meeting will be for Meet the Candidates
- Voting begins day after October meeting
- Voting ends November 1
- Results at the November meeting

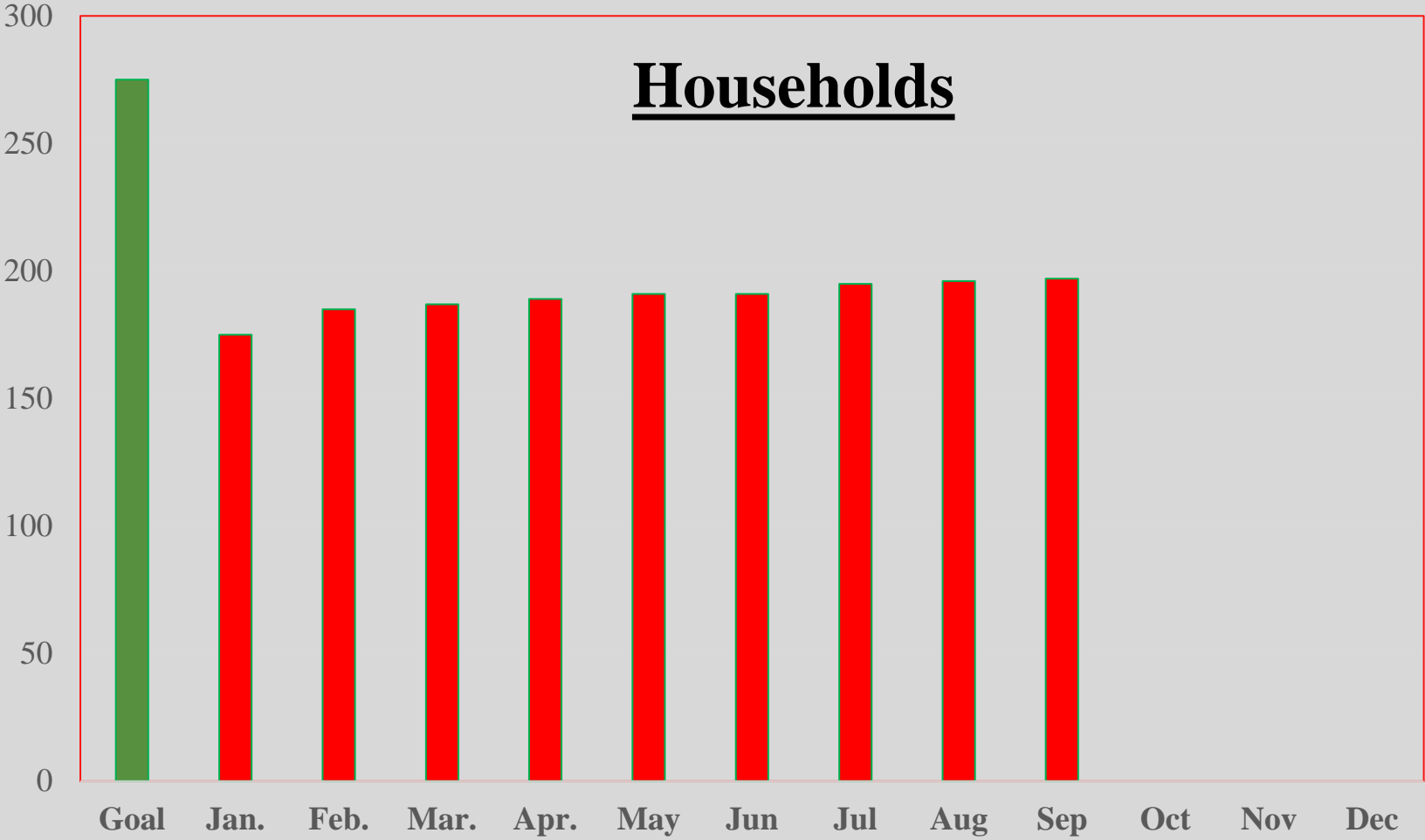
Increase Membership

- Membership

- Start of Year – 175
- Current - 197
- 2023 Goal – 275

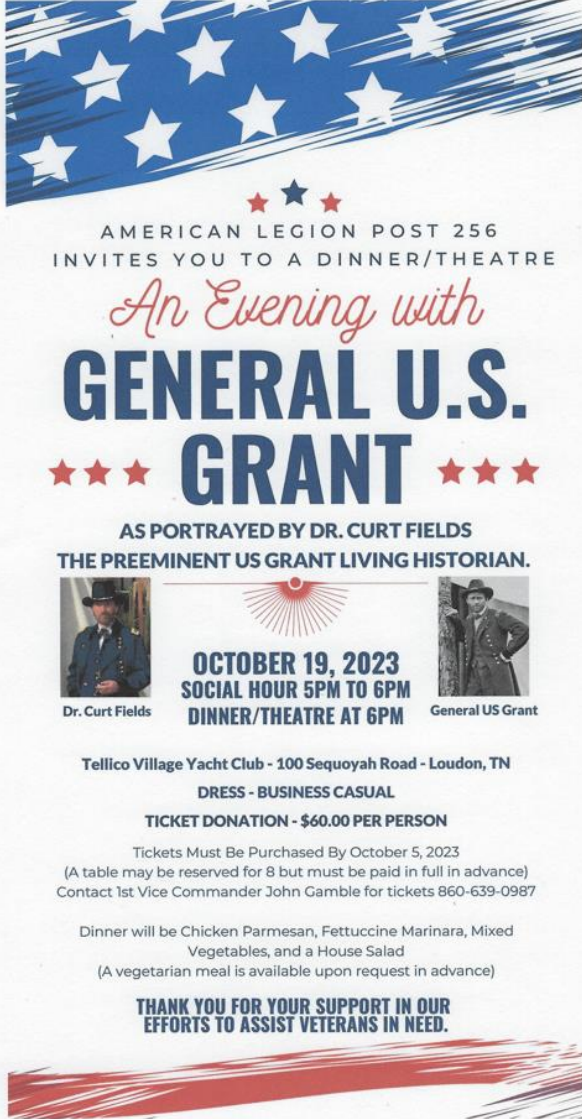
- Campaign

- Email
- Door-to-door



John Gamble




- General Grant Dinner Theatre – Oct 19
- American Legion Post
 - Looking to form an auxiliary
 - Organizational meeting on September 26



AMERICAN LEGION POST 256
INVITES YOU TO A DINNER/THEATRE

An Evening with
**GENERAL U.S.
GRANT**

AS PORTRAYED BY DR. CURT FIELDS
THE PREEMINENT US GRANT LIVING HISTORIAN.

Dr. Curt Fields **OCTOBER 19, 2023**
SOCIAL HOUR 5PM TO 6PM
DINNER/THEATRE AT 6PM General U.S. Grant

Tellico Village Yacht Club - 100 Sequoyah Road - Loudon, TN
DRESS - BUSINESS CASUAL
TICKET DONATION - \$60.00 PER PERSON

Tickets Must Be Purchased By October 5, 2023
(A table may be reserved for 8 but must be paid in full in advance)
Contact 1st Vice Commander John Gamble for tickets 860-639-0987

Dinner will be Chicken Parmesan, Fettuccine Marinara, Mixed
Vegetables, and a House Salad
(A vegetarian meal is available upon request in advance)

**THANK YOU FOR YOUR SUPPORT IN OUR
EFFORTS TO ASSIST VETERANS IN NEED.**

Under what authority did the DRS call the special election?

- **TCA 48-57-102**

Universal Citation: TN Code § 48-57-102 (2021)

- a. A corporation with members shall hold a special meeting of members:
 - 1. On call of its board of directors or the person or persons authorized to do so by the charter or bylaws; or
 - 2. Unless the charter otherwise provides, if the holders of at least ten percent (10%) of all the votes entitled to be cast on any issue proposed to be considered at the proposed special meeting sign, date, and deliver to the corporation's secretary one (1) or more written demands for the meeting describing the purpose or purposes for which it is to be held.
- b. If not otherwise fixed under § 48-57-103 or § 48-57-107, the record date for determining the members entitled to demand a special meeting is the date the first member signs the demand.
- c. If a notice for a special meeting demanded under subdivision (a)(2) is not given pursuant to § 48-57-105 within one (1) month after the effective date of the written demand or demands under § 48-51-202, regardless of the requirements of subsection (d), any person or persons signing the demand or demands may set the time and place of the meeting and give notice pursuant to § 48-57-105.
- d. Special meetings of members may be held in or out of this state at the place stated in or fixed in accordance with the bylaws. If no place is stated in or fixed in accordance with the bylaws, special meetings shall be held at the corporation's principal office.
- e. Only business within the purpose or purposes described in the meeting notice required by § 48-57-105 may be conducted at a special meeting of members.

Voting Secrecy

- **Voting process that morning**
 - Registration
 - Voters will register when then first come arrive and Id will be verified
 - Casting your vote
 - No Ballot
 - You will fill out personal information on the ballot; witnessed by the worker
 - Ballot initialed
 - Move to the voting tables to cast your vote; then fold the ballot
 - Ballot
 - Fold ballot so that pole worker does not see votes cast
 - Pole worker to validate information
 - Ballot initialed
 - Fold the ballot
 - **Ballot Box**
 - Pole worker will validate that ballot is initialed
- **Counting**
 - All vote counters are sworn to secrecy and sign an NDA

Why two elections?

- **Board would not approve agreement.**
- Negotiations broke down on 9/5
 - Working towards an agreed order to be

AGREEMENT

Come now the agent and representative for the Demand Request Signers (“DRS”) and the Rarity Bay Community Association, Inc. (“RBCAI”) Board of Directors on this the ___ day of August, 2023, and hereby agree as follows:

WITNESSETH:

THAT WHEREAS, on the 27th day of June, 2023, signers of a demand for a special called meeting of the membership submitted a request to the RBCAI Board to notice a special meeting of the members for the election of six (6) RBCAI Directors; and

WHEREAS, the RBCAI Board **called a special meeting concerning the request for an election but previously** did not send out a notice for **thea** special meeting **to hold elections due to the Court’s injunction expressed in the Order filed on June 7, 2023;** and

WHEREAS, on or about July 7, 2023, the Association filed a Motion for Clarification, requesting clarification from the Court as to whether the Association was free to hold an election; and

WHEREAS, on August 7, 2023, the Motion for Clarification came on to be heard and without opposition from the Association, the Court ruled it would allow elections to go forward since the trial date previously set in May 2023 was continued;

WHEREAS, a notice of special called meeting of RBCAI was mailed to members of the RBCAI on July 28, 2023, by a DRS representative, Bart Whitman (“Notice”); and

WHEREAS, the RBCAI Board has agreed to proceed with the timeframes listed in the July 28, 2023 Notice; and

WHEREAS, Richard Hoban asserts that he is an agent and representative for the DRS authorized to sign this Agreement for them.

Why two elections?

- **Board would not approve agreement.**

b. Summary judgment is entered for Partners on its Counterclaim for Declaratory Judgment as follows: The Community Association has no lien rights with respect to the property of Partners, the property of Partners cannot be sold pursuant to T.C.A. §§21-1-803 and 66-8-101, and the Community Association does not have the right to prohibit Partners from participating in the elections for its Board of Directors. The Settlement Agreement was entered into between the Community Association and SPC.

THE COURT: I did have that. I'm sorry.

The Court further finds that payment of the voluntary assessments into a separate account was not a breach of the Settlement Agreement and therefore Partners remains in good standing to vote in any election.

WHEREFORE, the DRS and RBCAI hereto hereby agree as follows:

The RBCAI Board will run the special meeting ~~of~~ requested by the members according to the timeline set out in the Notice as follows:

1. Nominations for Board positions ran until 5:00 p.m. on August 21, 2023. **Any nominations submitted to either DRS or RBCAI will be considered, including nominations for any nominees who may have taken action to withdraw their nominations due to any confusion regarding the administration of the special election.**
2. All nominees who have paid their 2023 assessments will be considered candidates and will be nominated by the Nominating Committee. The Nominating Committee will consist of the current RBCAI Nominations Committee.
3. A meet candidates forum for prospective Board members will be held on August 24, 2023 at the CAC from 6:00 p.m. to 8:00 p.m.
4. Voting will be conducted in person or by proxy on September 16, 2023, from 9:00 a.m. to 5:00 p.m. at the CAC. Election Buddy will be utilized from the start of the meeting until 9:00 p.m. the day of the election to allow for voting electronically. No mail in ballots will be accepted.
5. The Elections Oversight Committee will oversee the election. Further, up to three (3) independent observers representing the DRS will be permitted to observe the voting. The DRS will be allowed to appoint one (1) independent observer for each voting/proxy table and one (1) independent observer during the certification process.
6. The voting results will be published on September 18, 2023.
7. An organizational meeting with the new Board will be held sometime between September 23rd and September 26, 2023, for the new Board.
8. Nominations and proxies already submitted will be accepted by the Board. Nomination and proxy forms will be on the RBCAI website.
9. It is agreed that there are six (6) board seats that are being voted on for Chad Story, Chris Schu, Terry Foreman, Cristeen Floyd and two (2) open positions. Mike Frisbey's and Steve Wolford's seats are not up for election.
10. Salem Point Capital, LLC cannot vote Lots in Phase 17 pursuant to court order in this election.
11. **Rarity Bay Partners will be treated as being in good standing and will be allowed to vote their lots at this election.**

Why two elections?

- **Board would not approve agreement.**

12. The Election Oversight Committee and Nominating Committee will consist of members who already volunteered in previous Board elections.
13. The Board will run the "Meet the Candidates" meeting and the special meeting for the purpose of having the special election, ~~but it is understood that this is being done by agreement with the DRS and specifically with the agreement of Bart Whitman who sent out the notice for the special meeting. The DRS and Mr. Whitman are permitting the Board to undertake these functions in the spirit of cooperation in order to prevent future litigation and ensure that this election is undertaken with minimal controversy as to its results.~~
14. ~~If the above procedures are followed, neither party (or those they represent in the case of the DRS signatory) will contest the legality or propriety of the procedures employed in this election.~~

It is so agreed on the date first written above.

**RARITY BAY COMMUNITY
ASSOCIATION, INC.**

By: _____

Its: _____

DEMAND REQUEST SIGNERS

By: _____
RICK HOBAN

Their: AGENT and REPRESENTATIVE

Upcoming Events

RBHOO Regular Meetings

- **October 11**
 - Outreach Presentation – N/A
 - Education Presentation – RBHOO - Candidates
 - Rarity Bay Club – N/A
 - Activity Spotlight – Services List
- **November 8**
 - Outreach Presentation – N/A
 - Education Presentation – Brian Hall, TRDA
 - Rarity Bay Club – N/A
 - Activity Spotlight – N/A

Upcoming Events

- **September**
 - 16 – Election
 - 25 – Election
 - 26 – American Legion Auxiliary Organization meeting
- **October**
 - Document Shredding
 - 11 - Vaccine Clinic
 - 11 – Meet the RBHOO Board candidates
 - 12 – Voting for RBHOO Board begins
 - 19 – General Grant Dinner Theatre
- **November**
 - 1 – Voting for RBHOO Board ends
 - 8 – 2024 RBHOO Board announced
 - 11 – Chili Cook Off
- **December**
 - 13 – Christmas Party

Questions



www.rbhoo.org