



RBHOO GENERAL MEETING

April 13, 2022

Agenda – Call to Order

- Meeting will begin promptly at 7pm



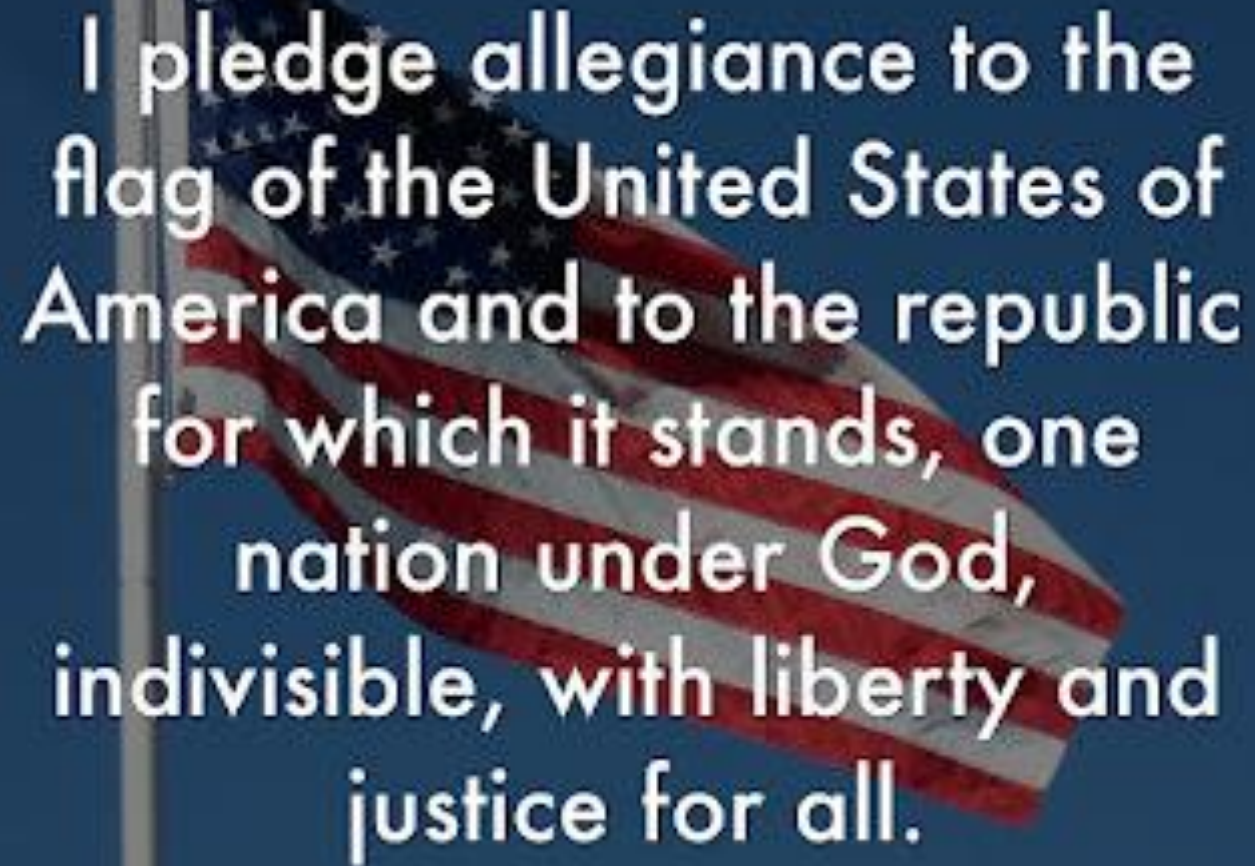
All Zoom Participants are muted!

Enter questions into the chat

or

Text questions to 859-743-0451

Pledge of Allegiance

An American flag is shown waving against a dark blue background. The text of the Pledge of Allegiance is overlaid on the image in a white, serif font.

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**
- **Update on RBHOO Goals**
- **Upcoming Events**

Agenda

- **Old Business**

- Secretary Report

- March 2022 minutes are on the RBHOO website

- Treasurer Report

- | | |
|---------------------------------|---------------|
| ◦ Beginning Balance 3/1 | \$7197 |
| ◦ 2022 Dues | \$70 |
| ◦ Other Income: | \$0 |
| ◦ Expenses | \$103 |
| ◦ Current Balance – 3/31 | \$7164 |

- | | |
|------------------|--------|
| ◦ April Expenses | \$2303 |
| ◦ June | \$1500 |

- Membership Report

- | | |
|--------------------------|------------|
| ◦ 2022 Membership | 267 |
| ◦ New Members | 68 |

Incorporation

- **Incorporated Non-Profit (January 2022)**
 - 501 c(7) – Social Club
- Rarity Bay HomeOwner's Organization
 - Tennessee Charter – 001301439 (\$103)
 - EIN – 88-1561715
 - Pending - 1024 Approval (\$600)
 - Application for Recognition of Exemption under 501 (a)
- Filing Requirements
 - State of Tennessee – Annual Report
 - Federal - Form 990 Series Return

Education Presentation – Med Care Network/ U. T. Life Star

- Michael “Shane” Headrick



Outreach Presentation – Monroe and Loudon Elections

- **Dates**

- May 3
 - State & County Primary Election
 - If only one party; then General Election
- August 4
 - State & Federal Primary Election
 - State & County General Election
- November 8
 - State & Federal General Election

- **Where?**

- Check your voter ID card.

Outreach Presentation –Election May 3

Monroe County

- Circuit Court Clerk
- Constables
- County Clerk
- County Commission (10 Seats)
- County General Sessions Court Judge
- District Attorney
- Highway Superintendent
- Judicial District 10 Judges
- Mayor
- Public Defender
- Register of Deeds
- Sheriff
- Trustee

Loudon County

- County Mayor
- County Commission All Districts & Seats
- Trustee
- General Sessions Judge, Division I & II
- Sheriff
- Circuit Court Clerk
- County Clerk
- Register of Deeds
- Road Superintendent
- Loudon County School Board: District 2, Seat A & B, District 4, District 6 District 5 Seat A, to fill unexpired term of 2 years

Outreach Presentation

- **Format**

- Each candidates has 10 minutes to introduce themselves and answer one general question.
 - **What will you do differently to improve the quality of life for the residents of your community?**
- Questions from audience

Outreach Presentation

What will you do differently to improve the quality of life for the residents of your community?

- **Monroe County Mayor**

- Mitch Ingram
- Richard Kirkland
- Tim Yates

- **Loudon County Mayor**

- Buddy Bradshaw

Outreach Presentation

- Questions from audience
 - Come up to the podium so that everyone can hear your question.
 - Direct your question to the candidates of each county or to all candidates.
 - Have 1 minute to ask question
- Candidates respond at the podium
- Candidates have 2 minutes to answer

New Business

- **RBCAI Board Member**
 - N/A
- **RBHOO Board Member**
 - Rick Hoban
- **New RBHOO Members**
- **‘Old’ RBHOO Member**
 - N/A
- **Rarity Bay Club**
 - Christian Fellowship
- **Activity Spotlight**
 - **Resident Borrow Program – Judy Carter**
 - **RBHOO Tents, Tables and Chairs - Jamie Frisbey**

RBHOO Board Member – Rick Hoban

- **Purchased home in Rarity Bay in 2013 – Sandpiper Drive (bat creek side)**
- Born and raised in Dayton, Ohio
- University of Cincinnati
 - Major in Quantitative Analysis
 - Minor in Economics
- 5 Children
 - Michelle 33
 - Kelley & Keri 32 (identical twins)
 - Becky 28
 - Cody 26 (special needs – Down Syndrome)
 - 3 grandchildren and 2 on the way
- President and Owner– IT Consulting Company (25+ years)
 - **Plan is to retire 2022 or early 2023**
- Rarity Bay Activities
 - First Responder, Assistant Chief
 - RBHOO President
 - Various Clubs including Pool, Jet Ski, Cards, Gardening
- Hobbies/Interest
 - Boat, Hunt (TBBA), Fish, Camp, Travel, Garden, Motorcycle, Pickleball



New RBHOO Members

- Standup and introduce yourself
- Where did you come from?
- Where in Rarity Bay do you live?
- Club, hobbies, etc.

‘Old’ RBHOO Members

- N/A

Rarity Bay Club – Christian Fellowship

◦ **Vision**

To provide a distinctively Christian environment of a spiritual nature through weekly Friday morning meetings which include prayer, devotional readings, care cards, prayer petitions, and a question directed toward challenging us to ask how we apply ourselves as followers of Jesus Christ both inwardly and outwardly.

◦ **Ladies Friday Fellowship**

- Leslie Miller (317) 509-2057
- Meets Friday mornings at 10:00 at the County Club enrichment center

◦ **Men's Christian Fellowship**

- Curtis Crawford (423) 884-3578
- Meets Friday mornings at 8:30 at County Club for breakfast

Rarity Bay Activities - Past

- **RoadSide Clean Up – Rudy Henjy POC**
 - 9 people, 13 bags of trash, numerous signs and plastic pieces
- **Document Shredding – Regina Elgin POC**



Rarity Bay Activities

- **Resident Borrow Program – Judy Carter POC**
 - Name change from Loaner Closet
- **RBHOO Tents, Tables and Chairs – Jamie Frisbey POC**



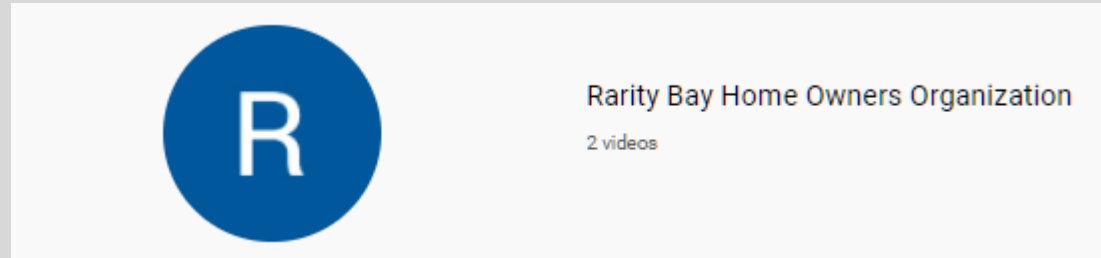
2022 RBHOO Goals

- Modernize our communication channels
- Revamp the RBHOO website
- Increase RBHOO membership
- Update the By-Laws

Modernize our Communication Channels

- **RBHOO YouTube Channel**

- search RBHOO



- **RBHOO Newsletter**

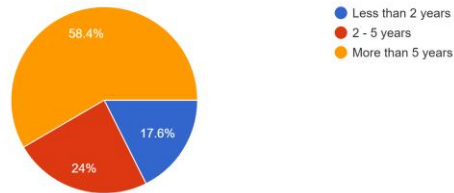
- Schedule for April

www.rbhoo.org

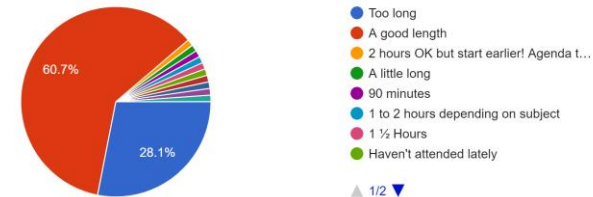
Modernize our Communication Channels

○ Survey

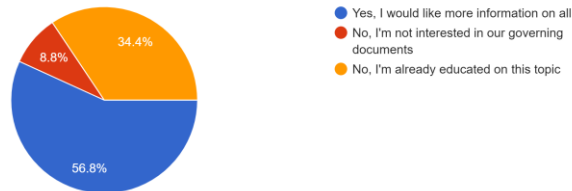
How long have you lived in Rarity Bay?
125 responses



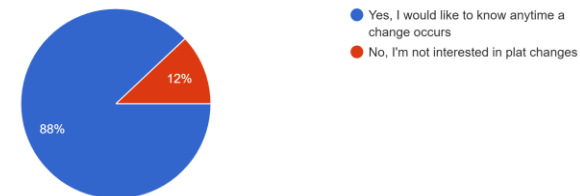
Do you feel the 2-hour meeting length is
89 responses



Would you like more information at meetings in regard to our governing documents (Charter, By-Laws, TN Law) and how they aid in management and governance of our community?
125 responses



Would you like to be informed by RBHOO on recent changes to the Rarity Bay plat?
125 responses



○ Detail presentation - May

Revamp RBHOO website

- **Phase 1 – update information – complete**
- **Phase 2 – look and feel – April/June**
 - Had initial meetings
- **Looking for webmaster**
 - Jack Wright – done a fantastic job; but he want to pass the torch to someone else

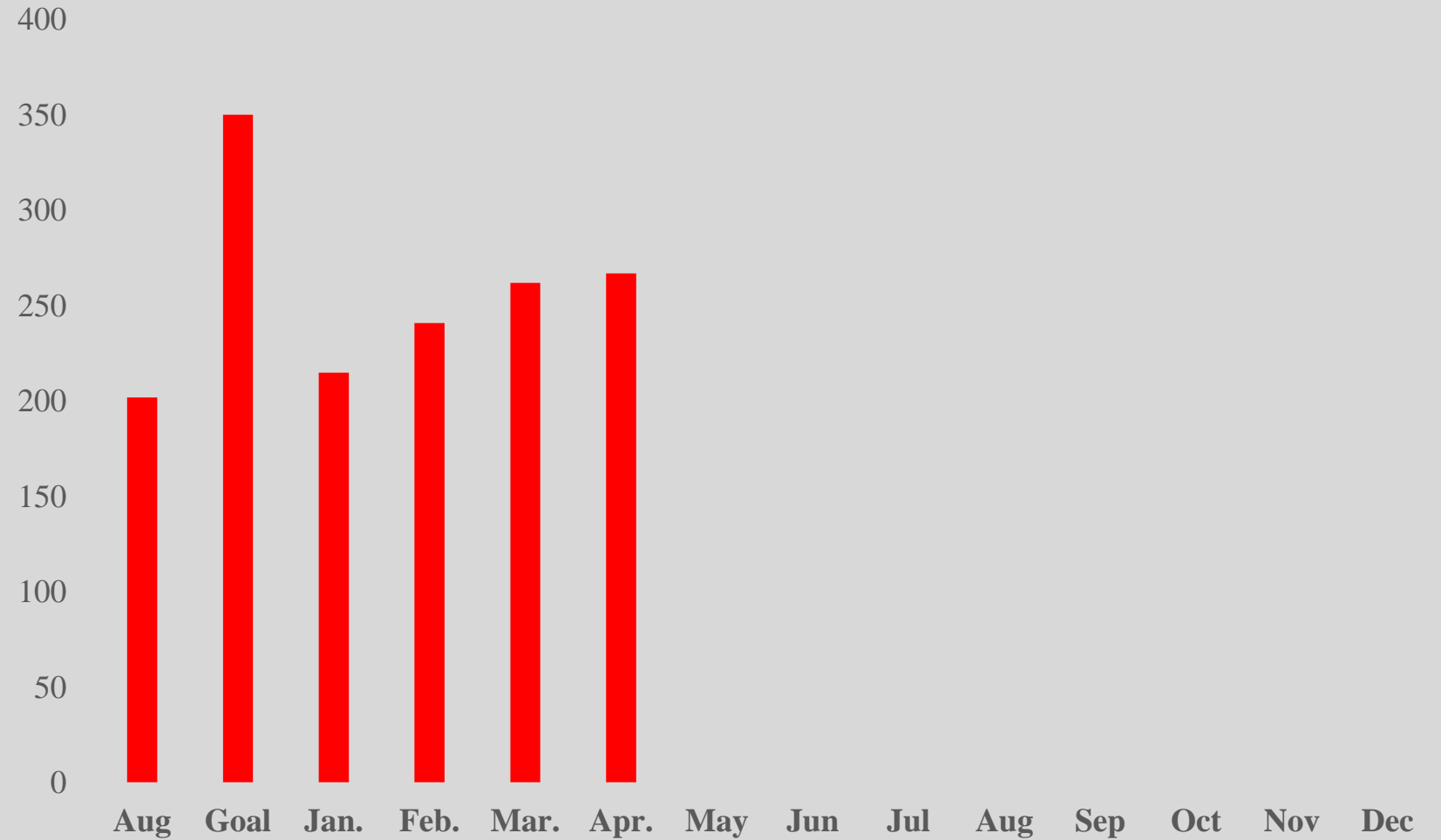
Increase Membership

- **Membership**

- 2021 - 202
- Start of Year – 215
- Current - 267
- 2022 Goal – 350

- **Campaign**

- Email
- Door-to-door



Benefits of RBHOO Membership

RBHOO represents *ALL* of Rarity Bay

- ***Some* member** activities are restricted to just RBHOO members
 - RBHOO General Meetings,
 - RBHOO Special Presentations
 - Wills, Trusts, Estates
 - Member Picnic
- ***All* RBHOO sponsored** activities open to entire Rarity Bay Community

House Buddies

Roadside Cleanup

Yellow Dot

Radon Monitoring

Cartridges for Kids

Services List

Knife Sharpening

Resident Borrow Program

Blood Drive

Road Rally

911 Switches

Document Shredding

Tents, Tables & Chairs

www.rbhoo.org

Upcoming Events

- 1st Annual RBHOO Picnic
 - **Date: June 18th (June 25 backup)**
 - **Time: 4 - 8**
 - Save the date flyer came out
 - Detail flyer in early May
 - Committee
 - Cindi, Earl and Anke



Confusion

- **A lot of misinformation out there...**
 - Don't believe any of it unless you've done your homework and verified the information yourself!
 - **Especially when no supporting documentation is provided.**
- **Understand the Governing Documents (Hierarchy of Authority - CAI Institute)**
 - Federal Law
 - State/Local Law
 - Record Map, Plat or Plan for your Phase
 - CC&R's
 - Phase 1, Phase 2, Phase 3, Phase 4, Phase 5, Master Declaration
 - Articles of Incorporation (Charter)
 - **By-Laws**
 - Amendments & Resolutions

HIERARCHY OF AUTHORITY

The general hierarchy of authority for governing documents is a loose one because not all documents address all issues involved in operating a community association. For operating a community association, the general hierarchy of authority among governing documents consists of:

- ① Federal and state laws and statutes
- ② Recorded map, plat, or plan
- ③ Declaration of covenants, conditions, and restrictions (CC&Rs); master deed; proprietary lease or occupancy agreement
- ④ Articles of incorporation (if incorporated)
- ⑤ Bylaws
- ⑥ Rules, regulations, and resolutions

Confusion

- **For example**

* According to Fellner Legal Services, the HOA does not belong to the homeowners until 75% of the lots are sold to "homebuyers" and the Declarant stays in charge of the development. Lots sold to investment groups such as RARITY BAY PROPERTIES (RBP-Matt Daniels), BALD EAGLE investors, and Salem Pointe Capital (Michael Ayres) are not considered homebuyers.

- **Google search on Fellner Legal Services (Maryland Company)**

Declarant Control

If your home is part of a new development, then the seller is known as the "Declarant." Until **75% of the lots are sold to homebuyers**, the Declarant is still in charge of the HOA. They are responsible for holding meetings, setting and enforcing rules, maintaining common areas, collecting assessments, and other typical HOA functions. As the builder, they are also responsible for creating long-term sustainable plans, such as a reserve fund that will pay for needed repairs and routine replacements or maintenance, a stormwater management system that will work, and covenants that will protect the quiet enjoyment and home values of neighbors.

Does not mention development period!

Confusion

- **Maryland follows the Maryland Homeowner Act**

§ 11B-106.1. Meeting to elect governing body of homeowners association

(a) A meeting of the members of the homeowners association to elect a governing body of the homeowners association shall be held within:

(1) 60 days from the date that at least 75% of the total number of lots that may be part of the development after all phases are complete are sold to members of the public for residential purposes; or

Does not mention development period!

- **TN Court of Appeals Case Law - UCIOA (from Innerimages case)**

Under the UCIOA, the developer of a common-interest community must cede control to a homeowners association under any of the following circumstances:

(1) [60] days after conveyance of [three-fourths] of the units that may be created to unit owners other than a declarant;

(2) two years after all declarants have ceased to offer units for sale in the ordinary course of business;

(3) two years after any right to add new units was last exercised; or

(4) the day the declarant, after giving notice in a record to unit owners, records an instrument voluntarily surrendering all rights to control activities of the association.

Uniform Common Interest Ownership Act

UCIOA is a basic statute for creating, managing, and terminating condominium, planned community, and real estate cooperatives.

Confusion

- **Don't believe what you read or hear unless there's supporting documentation that can be verified!**
- **Court Record**
 - **People say one thing; yet have done something else!**
 - Court filings have court orders, **motions**, depositions, **emails**, spreadsheets, agreements
 - Court filings are in:
 - Eastern District Federal Court
 - **US Court of Appeals**
 - Loudon County
 - Knox County
 - Monroe County
 - **TN Court of Appeals**

Trust, but verify!

Upcoming Events

RBHOO Regular Meeting

- **May 11**
 - Outreach Presentation – Phil McGinnis
 - Education Presentation – Emergencies Services Part 2
 - RBCAI Board Member - TBD
 - RBHOO Board Member – N/A
 - Rarity Bay Club –
 - Activity Spotlight - Picnic
- **June 8**
 - Outreach Presentation –
 - Education Presentation – Governing Documents
 - RBCAI Board Member – TBD
 - RBHOO Board Member –
 - Rarity Bay Club –
 - Activity Spotlight –

Upcoming Events

- **May**
 - **3 – State and County Primary Election**
 - 4 - Blood Drive
- **June 18**
 - RBHOO Member Appreciation Picnic
- **August 4**
 - State & Federal Primary Election
 - State & County General Election
- **November**
 - 6 – Daylight Savings Time Ends (1st Sunday)
 - 8 – State & Federal General election
 - 22 – Blood Drive

Questions



www.rbhoo.org