



RBHOO GENERAL MEETING

January 11, 2023

Agenda – Call to Order

- Meeting will begin promptly at 7pm



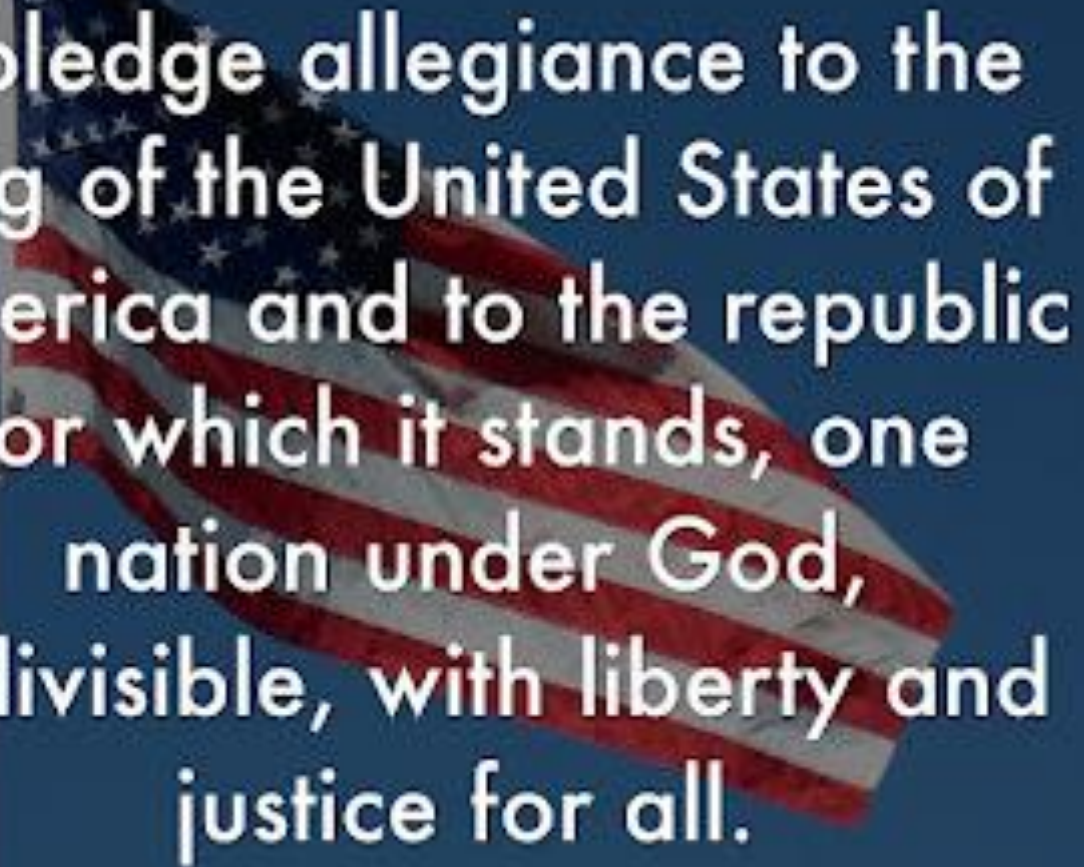
All Zoom Participants are muted!

Enter questions into the chat

or

Text questions to 859-743-0451

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 white, bold, sans-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.



Board Members

- **Special Thanks to 2022 Outgoing Board Members**

Judy Carter



Board Members

- **2023 RBHOO Board**

Marty Calloway

Jamie Frisbey

Cathy Garrett

Rick Hoban

Anke Linton

Faye McGinnis

Carey McHugh

Cindi Stapleton

Earl Triplett



Agenda

- **Old Business**
- **Presentations**
- **New Business**
- **Upcoming Events**

Agenda

- **Old Business**
 - Shout Out to the Christmas Committee and ‘Helpers’
 - Earl (Chairman), Carey and Rick



Agenda

- **Old Business**

- Secretary Report

- Nothing to report!

- Treasurer Report

- November 9 Balance **\$4,563**

- 2023 Dues \$3,030

- Other Income: \$3

- Expenses \$214

- **Current Balance (12/31) \$7,382**

- Outstanding Liabilities \$1100

- Outstanding Deposits \$200

- Membership Report

- **2023 Membership 175**

Community Education/Outreach Presentations

◦ **The Tellico Blockhouse – Joseph Blanco**

- Joseph Blanco is a historian, author, tour guide, and public speaker who's led history tours and given presentations throughout the United States. But besides all that, he really loves history and telling history stories. He believes history won't be forgotten if it's told in the form of stories. Joe and his wife, Susan, live in Tellico Village, but he comes to Rarity Bay occasionally to play tennis. Tonight, he wants to tell you some stories about the Tellico Blockhouse.



Community Education/Outreach Presentations

- **Legacy Horse Ranch at Rarity Bay – Mark & Susan Brown**



www.rbhoo.org

Agenda – New Business

- **New RBHOO Members**
- **RBHOO Direction Reminder**
- **2022 Goals Report Card**
- **2023 Goals**

New RBHOO Members

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



RBHOO - Direction

Purpose Statement from By-Laws

Provide an independent organization and committee structure to pursue matters of interest or benefit to all homeowners and other property owners in Rarity Bay. In this regard, RBHOO shall endeavor to work with and avoid unnecessary duplication of the efforts of the Rarity Bay Community Association, Inc. (RBCAI) and other community organizations or committees.

Provide a forum to consider and address issues of mutual concern primarily affecting homeowners and those building, or about to build, in Rarity Bay.

Share information on topics affecting our members and the Rarity Bay community through speakers and educational programs, forums, the RBHOO website and other means of communication as appropriate.

Encourage member participation in RBHOO, its projects and other volunteer activities in Rarity Bay and the surrounding communities.

Through member involvement, strengthen and enhance the quality of life in Rarity Bay.

Working to protect and enhance the property rights and property values of the owners of residences and lots in Rarity Bay.

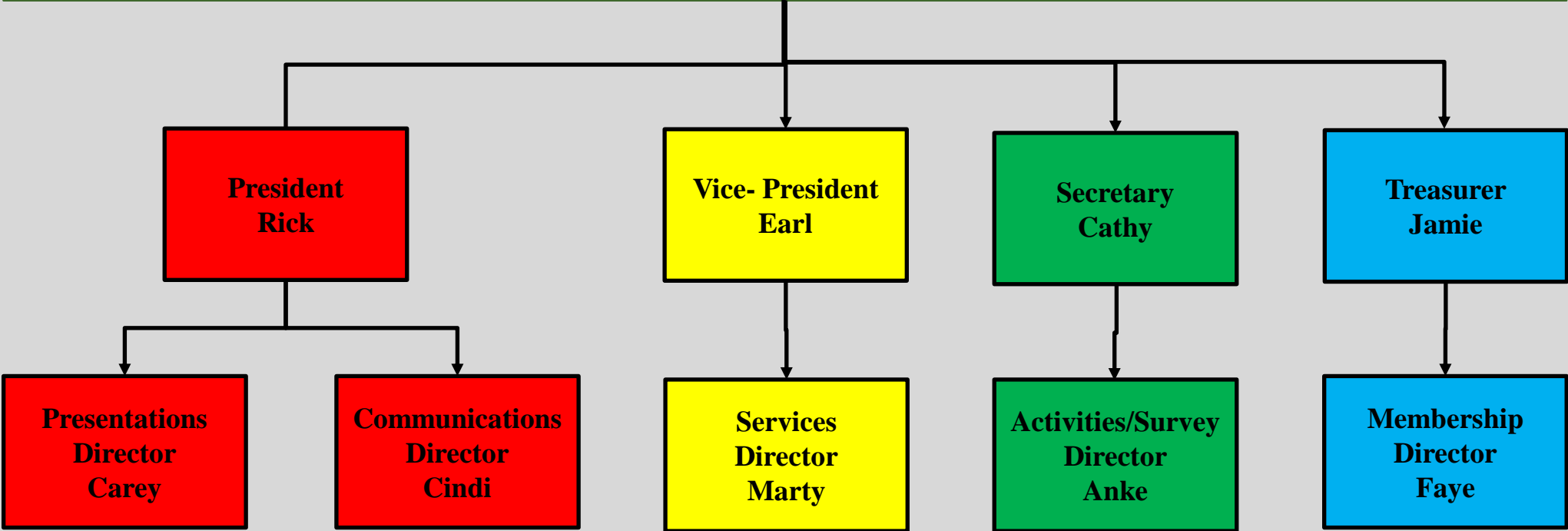
2022 RBHOO Goals

- Expand the duties of the Directors – A
- Modernize our communication channels – B+
- Revamp the RBHOO website – A+
- Expand new business section of the Agenda – A
- Increase RBHOO membership – B+
- Update the By-Laws – A
- Work closely with the RBCAI Board - ?

Utilize All RBHOO Board Members

Rarity Bay Property Owners

RBHOO Members

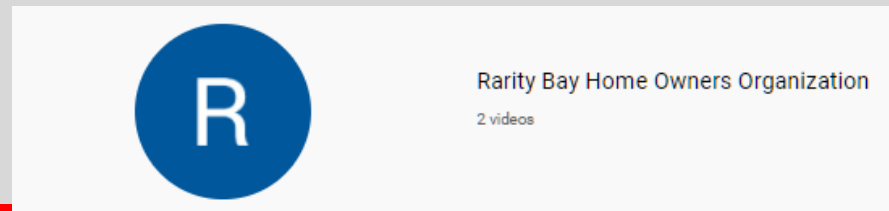


More of a Group Approach

- **Presentations Director – Carey McHugh**
 - Rick Hoban, Earl Triplett & Faye McGinnis
- **Communications Director – Cindi Stapleton**
 - Rick Hoban, Cathy Garret & Anke Linton
- **Membership Director – Faye McGinnis**
 - Jamie Frisbey, Carey McHugh & Cindi Stapleton
- **Activities/Survey Director – Anke Linton**
 - Cathy Garrett, Marty Calloway & Jamie Frisbey
- **Services Director – Marty Calloway**
 - Earl Triplett & Rick Hoban

Modernize our Communication Channels

- **Utilize Zoom and record all meetings**
 - **Still have a lot to learn**
- **RBHOO YouTube Channel**
 - https://www.youtube.com/channel/UCdg7hfM2gs7Ib9h2NjZ2Q_g
 - www.youtube.com
 - search RBHOO
- **Restart the RBHOO Newsletter**
 - Dropped it; website has all the information
- **Survey**
- **Consolidate Docs in the Cloud**
 - **Docs on Rick's computer**



Revamp the RBHOO website

Rarity Bay HomeOwner's Organization

< Next RBHOO Meeting at the CAC >
Wednesday, January 11, 2023 - 7PM

[Home](#) [Meet the Team](#) [Meetings](#) [Activities](#) [Documents](#) [Links](#) [How to Join](#) [About](#) [Contact Us](#) [Gallery](#)

RBHOO

Rarity Bay HomeOwner's Organization (RBHOO) knows that our strength lies not only in the words we stand by, but most importantly through the actions of our initiatives. Back in 2003, our Volunteer Organization realized that by working together we could overcome our challenges much more efficiently, and that is why we ultimately decided to launch Rarity Bay HomeOwner's Organization.

[Our Founding](#)



www.rbhoo.org

Expand Business Meeting Segment

- **Most Regular General Meeting**
 - Outreach Presentation
 - Educational Presentation
 - Rarity Bay Club Highlight
 - Meet & Greet
 - RBHOO Activity Spotlight

Expand Business Meeting Segment

◦ Presentations

- CASA
- Tellico Reserve Land Management
- Dr. Phil Swanson – The Bad Shephard
- Carter Runyon – Warren Jackson
- Meet the Sheriff's
- Meet the Mayor's
- Country Club Update
- UT Life Star
- History of the Atomic Bomb and Oak Ridge
- Vonore Fire Subscription
- Rarity Bay First Responders
- Ranger Will Kinton – Fort Loudon Historic Park
- WATER
- United Way
- Good Shephard
- Smokey Mountain Service Dogs
- Fly Fishing – Rocky Cox

Expand Business Meeting Segment

- **Rarity Bay Club Spotlight**

- Garden Club
- Yacht Club
- Jet Ski Clubs
- Hiking Club
- Men's Fellowship
- Women's Fellowship
- Pickleball Club
- Bowling Club
- Card Clubs

Expand Business Meeting Segment

- **Social Events**

- Annual Picnic
- Golf Cart Movie Night
- Chili Cook Off
- Christmas Party

- **Other**

- Update on new Tennessee laws
- Vonore Battery Storage
- Update on state route 322
- Timberlake Project at Ware's Bend
- Purchased 2 large tents for members to use

Expand Business Meeting Segment

○ RBHOO Activities

- House Buddies
- Road Side Cleanup
- Yellow Dot
- Radon Monitoring Equipment
- Cartridges for Kids Recycling Program
- Services Reference List
- ~~Knife Sharpening~~
- Resident Borrow Program
- Document Shredding
- Blood Drive
- 911 Switches



Increase Membership

- **Membership**

- Start of Year – 202

- End of Year – 275

- Highest membership ever

Rework RBHOO By-Laws

- **Update to add annual election timeline**
- **Clearly define proxy voting**
- **RBHOO Executive Session**
 - Vote by email/proxy/zoom

2023 Goals

- **Continue to increase membership**
 - 275+ Goal
 - 2022 - artificially high due to the 2022 election
- **Use Zoom more effectively**
- **Get relevant information to our members quickly**
- **Conduct another survey**
 - Pavilion

Questions?

- **What is the impact of the Renegade Mountain Lawsuit?**
 - Reaffirmed the UCIOA

Thus, under the Restatement, developers have a *common law duty* to create an association and to turn over control “[a]fter the time reasonably necessary to protect its interests in completing and marketing the project[.]” Rest. (Third) of Property: Servitudes § 6.19(1)-(2). The Restatement recommends considering three factors in determining “the time reasonably necessary to protect [the developer’s] interests”: (1) “the percentage of lots or units that have been sold”; (2) “the interval since the first unit was sold”; and (3) “the level of the developer’s construction and marketing activities.” *Id.* at § 6.19 cmt. b. In states that have not adopted the UCIOA, such as Tennessee, the Restatement also recommends looking to the UCIOA as a barometer of reasonableness. *Id.*

* * *

The trial court also found that the developer had not constructed a new home since 2007. Under the UCIOA, a developer must cede control “two years after any right to add new units was last exercised.” UCIOA § 1-103(d)(3). If that is any measure of reasonableness, then ten years without construction of a new home is patently unreasonable. . . .

Questions?

- Declarant rights are not property interests/rights. They are ‘personal interest’ and do not run with the land!

Second, the Supreme Court in *Hughes* strongly suggests that as a general matter, declarant’s or developer’s rights are personal interests, which, although freely transferable, do not run with the land. *Id.* at 466-67.

Civis Bank, 2016 WL 7468202, at *6; *see also Tenn. Funding*, 2019 WL 6331243, at *3 (“Unlike restrictive covenants, declarant’s rights are not property interests; they are considered personal property.”).

Questions?

- **What can we (the community) do regarding the RBCAI Board?**
 - By-Laws allow Board members to be removed.

~~8.5. Removal of Directors and Vacancies. Any director may be removed, with or without cause, by Members holding a Majority of the total votes in the Association. Any director whose removal is sought shall be given notice prior to any meeting called for that purpose. Upon removal of a director, a successor shall be elected by the Members to fill the vacancy for the remainder of the term of such director.~~ ⁶ Any director may be removed, with or without cause, by Members holding a Majority of the total votes in the Association, or by the Declarant. Any director whose removal is sought, shall be given notice prior to any meeting called for that purpose. Upon removal of a director, a successor shall be elected by the members to fill the vacancy for the remainder of the term of such director, which successor must also be approved by the Declarant.

- ‘Any director may be removed, with or without cause’
 - Includes those voted in by the membership
 - Also includes those appointed
 - Does not violate the Tennessee Non-Profit Stature

Questions?

48-58-108. Removal of directors elected by members or directors.

- (a)** The members may remove one (1) or more directors elected by them with or without cause, unless the charter provides that directors may be removed only for cause.
- (b)** If a director is elected by a class, chapter or other organizational unit or by region or other geographic grouping, the director may be removed only by the members of that class, chapter, unit or grouping.
- (c)** Except as provided in subsection (i), a director may be removed under subsection (a) or (b) only if the number of votes cast to remove the director would be sufficient to elect the director at a meeting to elect directors.
- (d)** If cumulative voting is authorized, a director may not be removed if the number of votes, or if the director was elected by a class, chapter, unit or grouping of members, the number of votes of that class, chapter, unit or grouping, sufficient to elect the director under cumulative voting is voted against the director's removal.
- (e)** A director elected by members may be removed by the members only at a meeting called for the purpose of removing the director and the meeting notice must state that the purpose, or one (1) of the purposes, of the meeting is removal of the director.
- (f)** In computing whether a director is protected from removal under subsections (b)-(d), it should be assumed that the votes against removal are cast in an election for the number of directors of the class to which the director to be removed belonged on the date of that director's election.
- (g)** An entire board of directors may be removed under subsections (a)-(e).
- (h)** The board of directors of a corporation may remove a director without cause who has been elected by the board by the vote of two thirds (2/3) of the directors then in office or such greater number as is set forth in the charter or bylaws.
- (i)** If at the beginning of a director's term on the board, the charter or bylaws provide that the director may be removed for missing a specified number of board meetings, the board may remove the director for failing to attend the specified number of meetings. The director may be removed only if a majority of the directors then in office vote for the removal.

b. Except as otherwise provided in the articles or bylaws, an appointed director may be removed without cause by the person appointing the director. The person removing the director shall do so by giving written notice of the removal to the director and either the presiding officer of the board or the corporation's president or secretary. A removal is effective when the notice is effective unless the notice specifies a future effective date.

Questions?

- **What can we (the community) do regarding the recent RBCAI Announcement?**
 - Members can call for a meeting of the Association (not a Board meeting).

7.3. Special Meetings. The president may call special meetings. In addition, it shall be the duty of the president to call a special meeting within thirty (30) Days if so directed by resolution of the Board or upon a petition signed by Members holding at least twenty-five percent (25%) of the total votes in the Association or upon written request of the Declarant.

7.4. Notice of Meetings. Written notice stating the place, day, and time of any meeting of the Members shall be delivered to each Class "A" and Class "B" Member entitled to vote at such meeting, not less than thirty (30) nor more than sixty (60) Days before the date of such meeting, by or at the direction of the president or the secretary or the officers or persons calling the meeting.

In the case of a special meeting or when otherwise required by statute or these By-Laws, the purpose or purposes for which the meeting is called shall be stated in the notice. No business shall be transacted at a special meeting except as stated in the notice.


- Some organization or individual(s) would have to spearhead it.
- Need approximately 419 signatures for special meeting and 838 to remove as of today!
 - May change after January 23 court hearing to 354 and 708.
 - RBP has 360 votes

Questions?

- Can we replace the statue at eh Equestrian Center?

Home / Bronze Statues / Lifesize Bronzes / Mountain Man

Sale!



WORLD OF BRONZE
Est. 1957

Mountain Man

~~\$550.50~~ **\$215.00**
SKU: 002

Free Shipping on ALL Sizes!

Size *

- Baby-11"H x 8.5"L x 4"W, 7 lb ~~\$55~~ **\$215**
- Mini-12"H x 8"L x 4"W, 10 lb ~~\$62~~ **\$285**
- Medium-13.5"H x 8"L x 5"W, 16 lb ~~\$68~~ **\$345**
- Regular-27.5"H x 18"L x 10.5"W, 50 lb ~~\$1,276~~ **\$940**
- Jumbo-38"H x 23"L x 18"W, 150 lb ~~\$2,411~~ **\$2,075**
- Monumental-63"H x 43"L, 250 lb ~~\$5,659~~ **\$5,323**
- Heroic-133"H x 96"L x 50"W ~~\$21,366~~ **\$21,030**

1 **ADD TO CART**

Mountain Man
by Frederic Remington 1903

This amazing Western-themed sculpture features a mountain



Questions



www.rbhoo.org

Upcoming Events

RBHOO Regular Meetings

- **February 8**
 - Outreach Presentation – TBD
 - Education Presentation – TBD
 - Rarity Bay Club – Garden Club?
 - Activity Spotlight – Yellow Dot
- **March 8**
 - Outreach Presentation – TBD
 - Education Presentation – TBD
 - Rarity Bay Club – Yacht Club?
 - Activity Spotlight – TBD

Upcoming Events

- **January**
 - 3 – RBCAI Board applications due
 - 16 – Volunteer for Nominating & Election Oversight Committees
 - 23 – Court hearing (RBP injunction's)
 - 25 – RBCAI Board Meeting
- **February**
 - 7 – Court hearing (Frisbey)
- **March**
- **April**
 - 19 - RBCAI Annual Election
- **May**
 - Golf Cart Movie Night
- **June**
 - 3 - RBHOO Member Appreciation Picnic (TRDA Approved)