



RBHOO GENERAL MEETING

March 8, 2023

Agenda – Call to Order

- Meeting will begin promptly at 7pm



All Zoom Participants are muted!

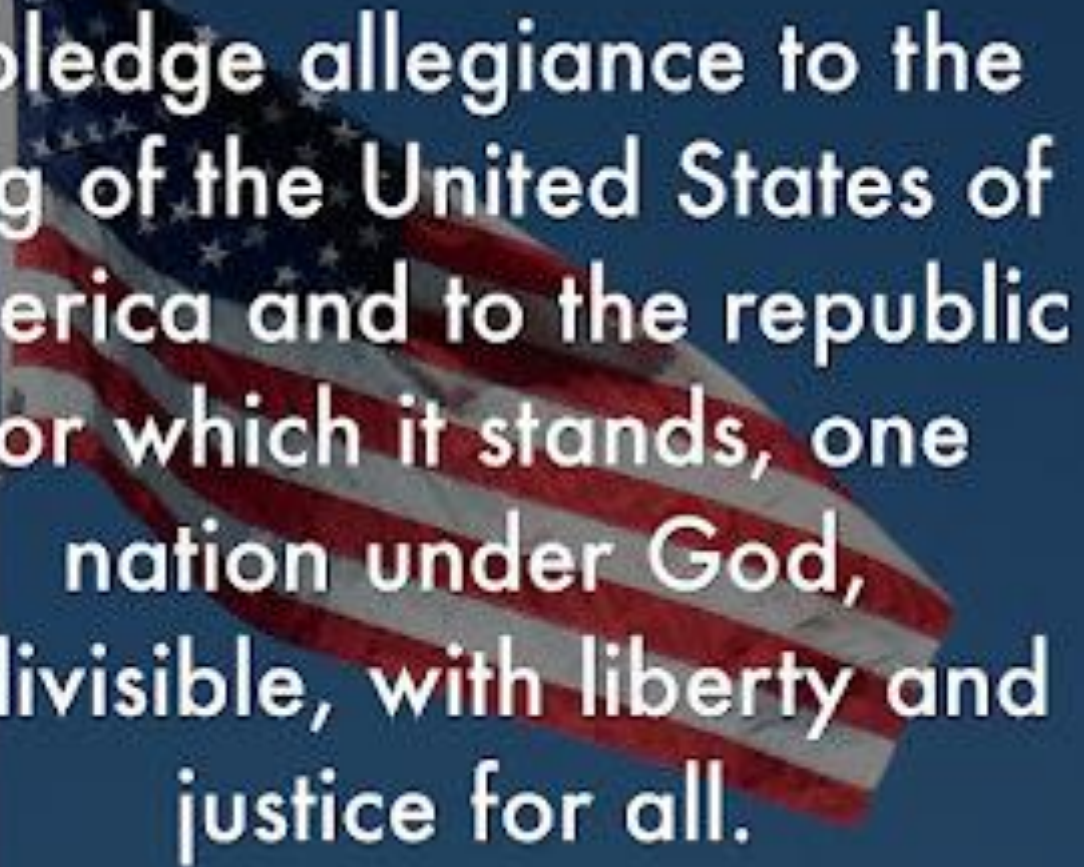
Enter questions into the chat

or

Text questions to 859-743-0451

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

Pledge of Allegiance

An American flag 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.



Agenda

- **Old Business**
- **Community/Education Presentations**
 - T-BART – Bob Elgin
 - Rarity Bay First Responders (~~Gary Cole~~/Rick Hoban)
- **New Business**
- **Upcoming Events**

Last Month's Meeting

- We try to schedule presentations months in advance.
 - Sometimes it works out and sometimes it does not
 - We had been working with TVA for over 3 months on a date
- Our intention was for TVA to present in February and Bear Rescue in March.
 - April was already booked
 - May was reserved for TVA in case they could not make February and March
 - No meeting in June (picnic)
 - July and August are tentatively reserved
- When TVA would not commit to a date, we move Bear Rescue to February.
 - Bear Rescue originally talked about sending someone from Nashville but liked the idea of a local person for February.
- TVA then committed to February. just prior to the meeting (less than 10 days).
 - We did not want to go back to Bear Rescue and reschedule since it had taken awhile to get them for February.
- We met with the Rarity Bay 'Technical Team' before the meeting to get a strategy on asking questions. However, it did not go exactly as planned. However, a lot of good questions and information was exchanged, but we ran out of time.

Last Month's Meeting

- **Going Forward with TVA**
 - Tentatively committed to May 10th RBHOO meeting
 - Will not have as many people
 - Project Manager
 - Hitachi Representative
 - Some Technical Experts
 - Agreed to submit questions by March 15th
 - Have over 100 questions that we are consolidating
 - Concentrate on safety, emergency readiness plan, etc.
 - Water runoff is a BIG ISSUE

Agenda

- **Old Business**

- Secretary Report

- February 2023 minutes are on the RBHOO website

- Treasurer Report

- Jan. 31, 2022

- \$**6,534**

- 2023 Dues

- \$0

- Other Income:

- \$0

- Expenses

- \$452

- **Current Balance (2/28)**

- \$6,082**

- Outstanding Liabilities

- \$84 (monthly storage cost)

- Outstanding Deposits

- \$110

- Membership Report

- **2023 Membership**

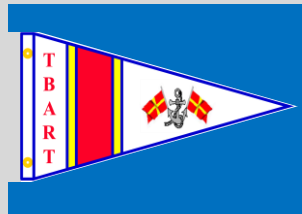
- 187**

Education Presentation

- **T-BART – Bob Elgin POC**



www.rbhoo.org



T-BART



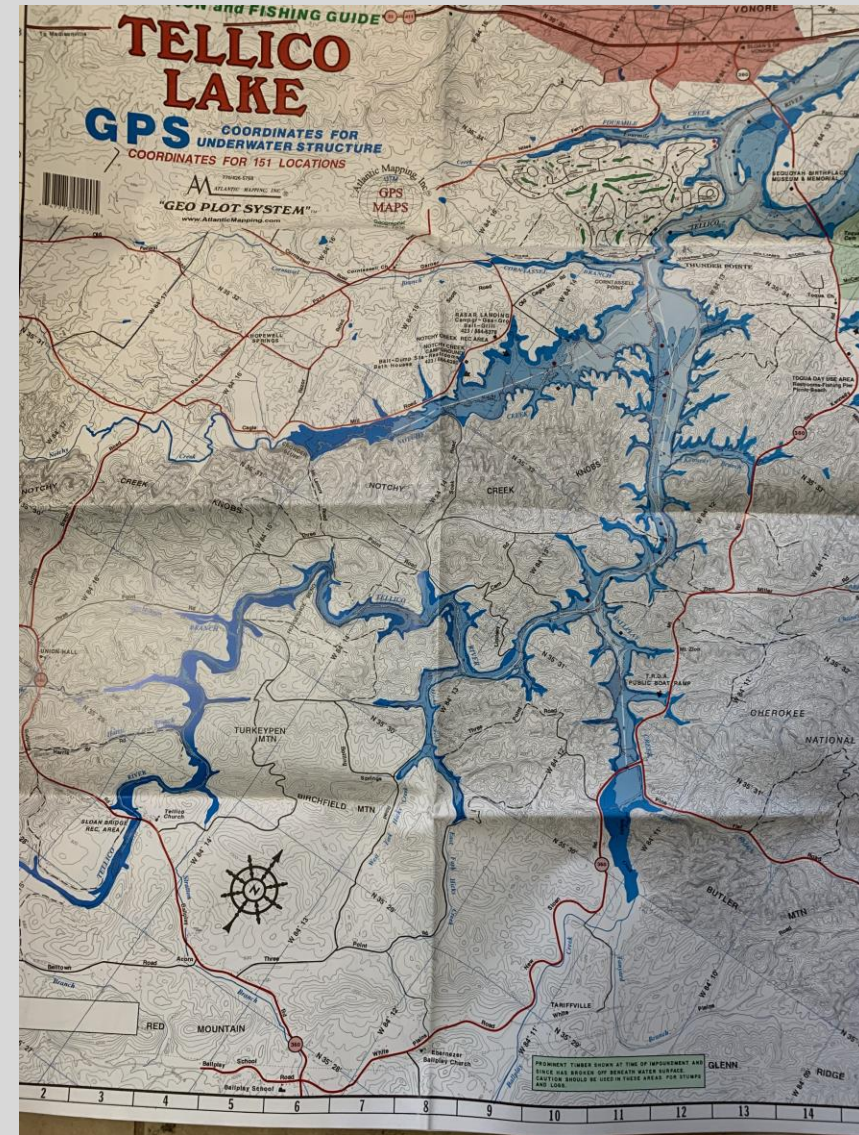
MARCH 8, 2023

Tellico Boaters Assistance Response Team

What Am I?

- I have cities, but no people
- I have streets, but no vehicles
- I have rivers, but no water

A Tellico Lake Chart



“You Call, We Haul !”



Agenda

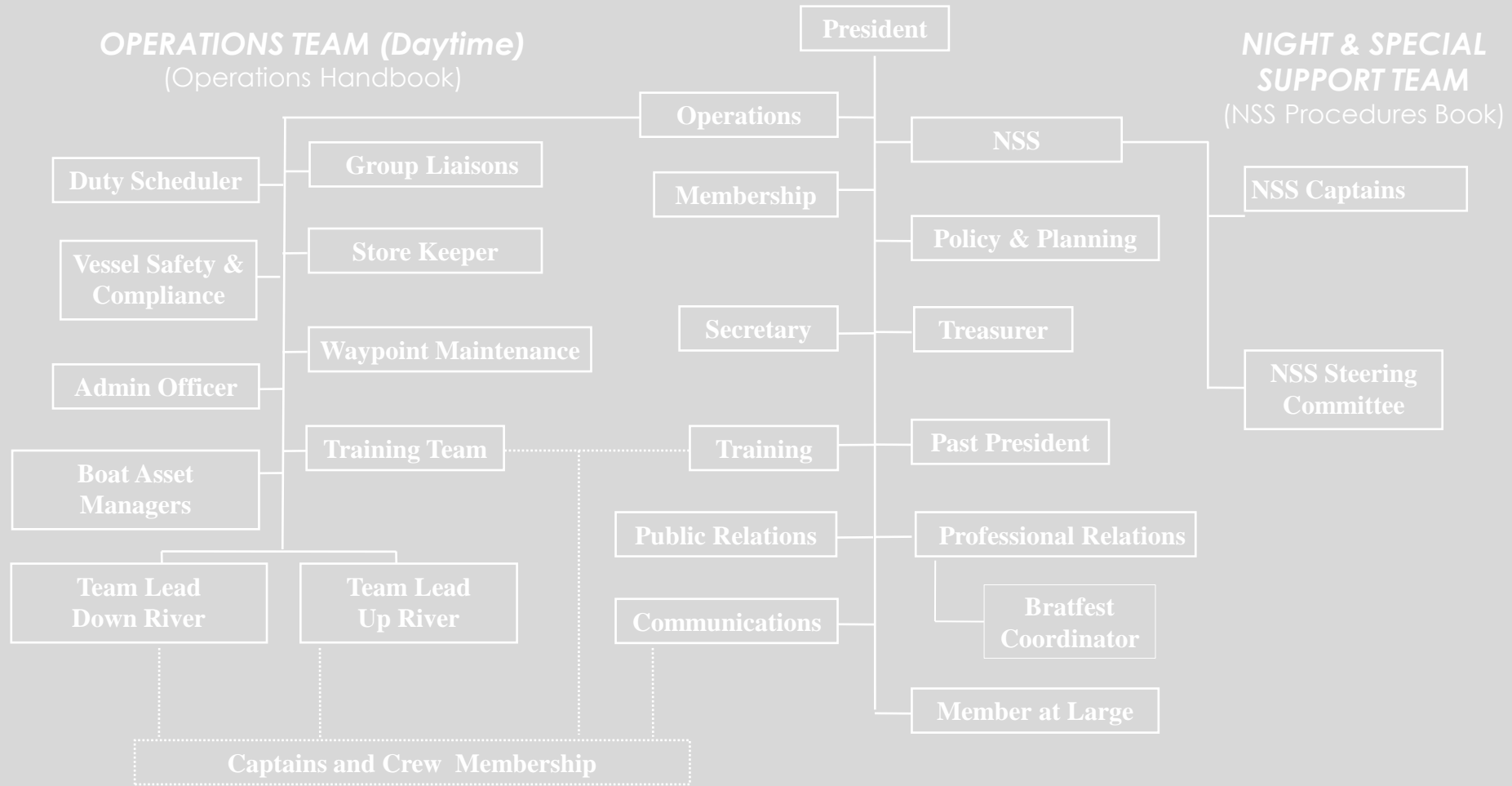
- Mission
- The Organization
- Highlights
- Activities
- Financials
- 2023 Key Dates
- Questions

Mission

- Assist stranded boaters on Tellico Lake
- Educate the community on boating safety
- Educate and train our members
- Appropriately equip our members
- Assist governmental agencies
- Undertake boating safety projects

Organization

T-BART BOARD of DIRECTORS (By-Laws and Policy Manual)



Behind the Scenes

Operations Team



3rd Tuesday - 9:00 AM - Chota Rec. Center

Board of Directors



Friday after OPS Mtg. - 9:00 AM - Rec. Center

2023 Board of Directors

- President Bob Elgin
- Past President Don Jernberg
- Communications Bob Milligan
- Member at Large Doug Douglass
- Membership Bruce Walter
- Night & Special Support Chris Burns
- Operations Mike Boyle
- Policy & Planning John Gamble
- Professional Relations Joe Filosi
- Public Relations Jeff Rauch
- Secretary Joe Gengo
- Training Jim Riley
- Treasurer Cecil Clontz

2023 Operations Team

- Director Mike Boyle
- Up River Team Lead Ken Cook
- Down River Team Lead Ben D'Ooge
- Duty Scheduler George Jupin
- Administration Officer Tom Verbeke
- T1 Boat Asset Manager Chris Jamison
- T2 Boat Asset Manager TL Ratcliff / Dave Lange
- T3 Boat Asset Manager Fred Baumann
- Vessel Safety/Compliance Bob Mattison
- PFD Program Peter Kraslawski
- Group Liaisons – Mike Boyle (2), Gary Knuth (3), Bob Milligan (4), Jim Roboson (5), Bo Maslanyk (10), Steve Smith (11)
- Training Team – Jim Riley, Bob Gatley, Bob Milligan, ...

At Work

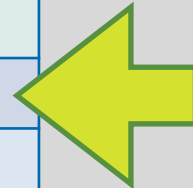


T-BART 2023

Assists – What we do!

2021 Assist Summary

Assist Category	2015	2016	2017	2018	2019	2020	2021	2022
Boat tow to safe harbor	39	59	43	48	65	45	66	61
Courtesy tow	15	16	21	15	25	16	16	18
Object tow (e.g. log)	10	9	20	12	10	6	3	8
Solved at scene (e.g. engine restart)	4	5	5	11	5	11	11	13
NSS – Night & Special Support Team	0	1	1	12	1	1	0	2
Public Service (TWRA, TVA, Sheriff, Fire Dept., Public Works, etc.)	1	1	2	1	2	1	1	3
Coordinated by T-BART, handled by other agency	13	22	35	21	30	20	18	26
Other	4	6	7	10	12	8	10	24
TOTAL	86	119	134	130	150	108	126	156



Members*

	<u>2021</u>	<u>2022</u>		
◦ Captains		58	51	
◦ Crew		61	58	
◦ Supporting members	32	35		
◦ Members to be trained	5	3		
◦ Total members	156	147		

* As of December 31

* 2020 Total: 155 Members

Training Update for 2022

- New Members Trained 18 5 Captains
13 Crew
- Members completing Refresher Training 34

	<u>2018</u>	<u>2019</u>	<u>2021</u>	<u>2022</u>
◦ Lake Orientation Attendance		200	131	300+

=====

2022 Financial Plan

Income		Expenses	
Member Dues	\$1,600	Membership	\$720
		NSS Equipment	200
Bratfest	25,425	Membership Meetings/Apprec	900
		Bratfest	12,500
Storekeeper Sales	2,641	Professional Relations	400
		Postage & Supplies	240
Assist Related Donations	2,800	Storekeeper	4,175
General Donations	1,850	Training	200
Donated Asset Sales	1,000	Insurance, etc.	4,010
		Boat Operations & Maintenance	9,580
Bank Interest	60	T-3 Engine Replacement	12,500
		Misc	1,280
		Contingency	2,000
Income Total	\$35,376	Expense Total	\$48,225



Corporate Sponsor:

Yamaha Motor Corp

Major Sponsors:

American Boat Center
Das Boot Montara Boats
Madisonville Marine
Premier Water Sports
Rarity Bay Properties
Team Kukla Land Sharks
Tennessee Luxury Coaches

Fundraising – Bratfest



A record 1,200+ Tickets Sold

1,440 Brats Eaten

440 pounds of potato salad

300 pounds of Bush's Baked Beans

14 Kegs of Beer & 200 glasses of wine

We Accept (Most) Boat Donations



2023 Events

- March 11 Lake Orientation - TV Yacht Club
- March 18 WATeR Lakeshore Cleanup
- April 4 Power Squadron Safety Inspections Begin
- April 29 USCGA Vessel Safety Inspections Begin
- April 22 Monthly Captain & Crew Training Begins
- May 8 **Bratfest** - TVYC 3:30-7:00
- May 13 Lake Orientation - Kahite
- July 22 Lake Orientation - TVYC
- August 26 Lake Orientation - TVYC
- September 30 Final Captain & Crew Training
- Sept/Oct Membership Picnic

T-Bart.Org

Call 911 - Disabled or AWOL Boat on Tellico Lake

TBartOps@gmail.com or 865-209-4854 - "Courtesy" Tow

T-BART.Org/Membership - Become a Member

T-BART.Org/Contacts (Treasurer) - Financial Donation

T-BART.Org/Contacts (Pres, Ops, PR) - Boat Donation

TBartLakeOrientation@gmail.com - Reserve a Seat

Any T-BART Member - BratFest Tickets

Questions?

Thanks for Your Attention!

Have a safe 2023 boating season!
"Let's be careful out there"



Education Presentation – Rarity Bay First Responders (RBFR)

◦ **What**

- Group of Rarity Bay residents that assist their neighbors during a medical emergencies until EMS arrives
- Organized in 2006 as a 501 c(3) non-profit
- Operational team and a Governance team

◦ **Governance Team**

- Board of Directors – Chief, Assistant Chief, 4 Board Officers and 2 At Large Directors
 - Ken Cook – Chairman
- Administrative/Financial arm of the RBFRs
 - Manage expenses – \$10,000/year
 - \$4,000 is Liability Insurance
 - 2023 - \$\$\$\$ on new radios (old radios are just that, old and do not support digital)
 - Income – most comes from contributions/donations from residents
 - \$1,500 from Monroe County and \$1,500 from Loudon County
 - AEDs were purchased via a grant from Firehouse Subs (\$23,000)
 - Old AEDs were donated to Monroe County Sheriff

◦ **Operation Team**

- Gary Cole – Chief
- Rick Hoban – Assistant Chief (assume Chief responsibility in 2024)
- 11 Licensed Responders; 2 in training

Education Presentation – Rarity Bay First Responders (RBFR)

- **Responder Training**

- Responders attend at a minimum Emergency Responder Training (64 hours) – ‘First on Scene’
- Pass state test and clinicals at end of class to advance to national test
- Pass standardized national test to be licensed in Tennessee
- 16 Hours of continuing education each year and CPR every two years
- Meet monthly to go over call outs, skill enhancement, and training status

- **Responder organization operates under medical protocols established by Monroe County EMS**

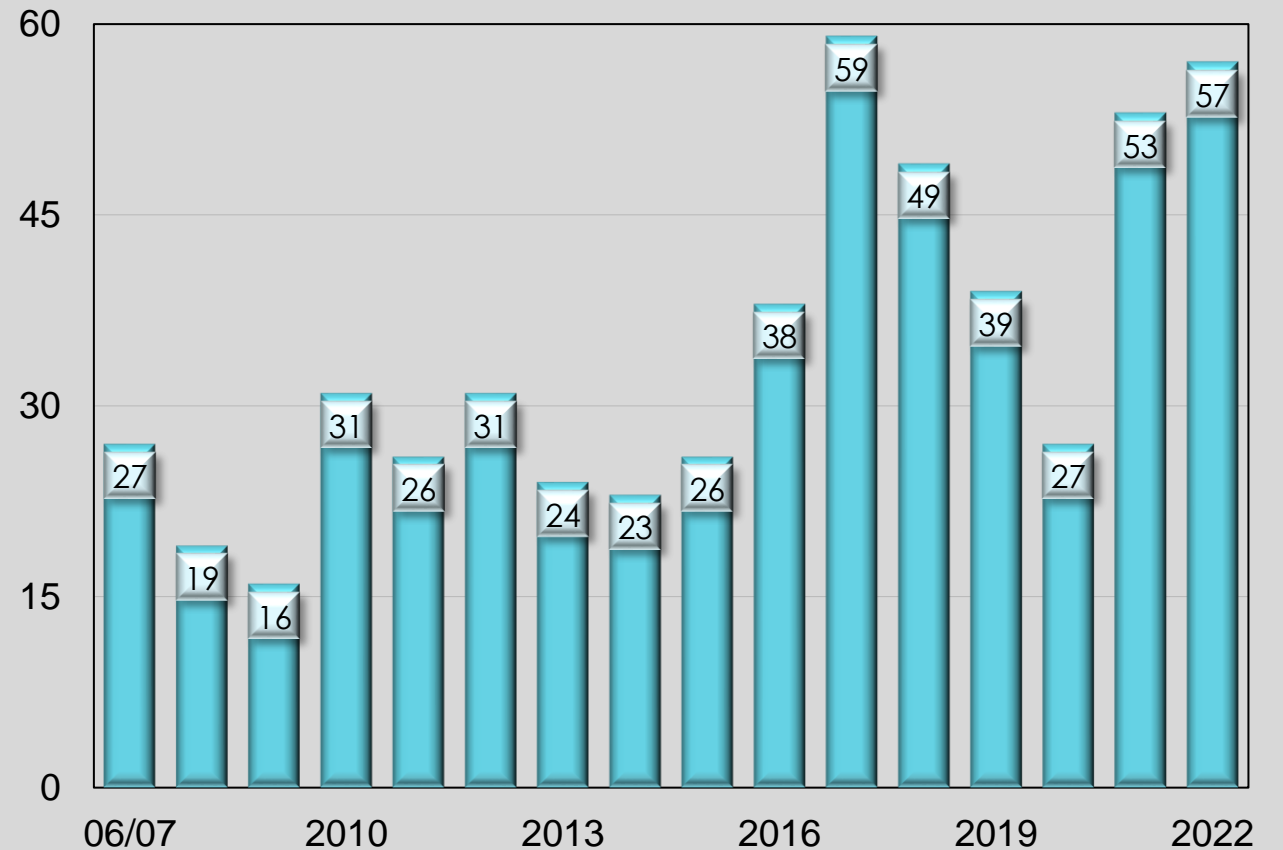
- **Responders**

- Carry a radio, the required emergency kit, an AED, and uses their own private vehicle to respond
- Each Responder is on duty 24/7 when in Rarity Bay (3 responders are off nights)
- Responders are paged out based on a 911 call or fire alarm containing an address within Rarity Bay
- Responders also get information on the phone via the eDispatch application
- First Responders arrive on scene at the RB address and render aid prior to ambulance arrival
- Responders also provide ‘lift assistance’ for falls where patient is unable to get up

Education Presentation – Rarity Bay First Responders (RBFR)

ANNUAL CALL STATISTICS			
YEAR	TOTAL CALLS	AVG CALLS/ MO	AVG RBFR'S/CALL
06/07	27	3.9	3.2
2008	19	1.6	3.2
2009	16	1.3	3.7
2010	31	2.6	4.9
2011	26	2.2	4.5
2012	31	2.6	4.8
2013	24	2.0	4.9
2014	23	1.9	4.9
2015	26	2.2	5.5
2016	38	3.2	5.2
2017	59	4.9	4.5
2018	49	4.1	5.1
2019	39	3.3	5.2
2020	27	2.3	4.6
2021	53	4.4	5.0
2022	57	4.8	4.9
	545	2.9	4.6

TOTAL # OF CALLS



Education Presentation – Rarity Bay First Responders (RBFR)

2022 CALLS/MONTH	
JAN	8.0
FEB	3.0
MAR	4.0
APR	6.0
MAY	2.0
JUN	6.0
JUL	1.0
AUG	7.0
SEP	3.0
OCT	7.0
NOV	8.0
DEC	2.0

2022 CALLS BY TIME	
8 AM - 9 PM	9 PM - 8 AM
40	17

2022 CALLS BY COUNTY	
MONROE	LOUDON
31	26

Education Presentation – Rarity Bay First Responders (RBFR)

INCIDENT TYPE STATISTICS																																				
	2006/2007		2008		2009		2010		2011		2012		2013		2014		2015		2016		2017		2018		2019		2020		2021		2022		ALL YEAR TOTALS			
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%				
ACCIDENT/FALL	6	22.2%	7	36.8%	5	31.3%	7	22.6%	5	19.2%	3	8.6%	10	41.7%	4	17.4%	2	7.7%	9	23.7%	8	13.6%	2	4.1%	7	17.9%	4	14.8%	7	13.2%	6	10.5%	92	16.8%		
TROUBLE BREATHING	5	18.5%			1	6.3%	3	9.7%	4	15.4%	3	8.6%	2	8.3%	3	13.0%	3	11.5%	5	13.2%	3	5.1%	3	6.1%	5	12.8%	4	14.8%	6	11.3%	7	12.3%	57	10.4%		
LIFT (PUBLIC) ASSIST															3	13.0%	1	3.8%	1	2.6%	12	20.3%	13	26.5%	7	17.9%	7	25.9%	15	28.3%	19	33.3%	78	14.2%		
CARDIAC / CHEST PAINS	2	7.4%	1	5.3%	2	12.5%	5	16.1%	1	3.8%	8	22.9%	2	8.3%	3	13.0%	3	11.5%	4	10.5%	3	5.1%	4	8.2%	4	10.3%		6	11.3%	5	8.8%	53	9.7%			
DIZZY/FAINTING/WEAKNESS	2	7.4%	3	15.8%	3	18.8%	1	3.2%	2	7.7%	4	11.4%	3	12.5%	5	21.7%	2	7.7%			6	10.2%	5	10.2%	1	2.6%	1	3.7%	3	5.7%	4	7.0%	45	8.2%		
LETHARGY/CONFUSION/ UNRESPONSIVE/UNCONSCIOUS							6	19.4%	7	26.9%	5	14.3%	1	4.2%	2	8.7%	3	11.5%	2	5.3%	2	3.4%	5	10.2%	1	2.6%	2	7.4%	4	7.5%	4	7.0%	44	8.0%		
STROKE SYMPTOMS	1	3.7%	3	15.8%	1	6.3%	3	9.7%	1	3.8%	1	2.9%	1	4.2%			2	7.7%	3	7.9%	5	8.5%	1	2.0%		1	3.7%			1	1.8%	24	4.4%			
BLEEDING - NOSE/URINE/INTERNAL					1	6.3%	1	3.2%			2	5.7%	1	4.2%	2	8.7%			3	7.9%	6	10.2%	1	2.0%	1	2.6%					1	1.8%	19	3.5%		
SEIZURE	2	7.4%	1	5.3%	1	6.3%					1	2.9%							6	15.8%	2	3.4%	1	2.0%	1	2.6%	1	3.7%					16	2.9%		
NAUSEA VOMITING AND/OR HEADACHE							1	3.2%	2	7.7%	1	2.9%	1	4.2%			2	7.7%	1	2.6%	1	1.7%	2	4.1%	1	2.6%					3	5.3%	15	2.7%		
CONSTRUCTION WORKER ACCIDENT/MEDICAL	3	11.1%	2	10.5%							1	2.9%							1	2.6%	1	1.7%	2	4.1%	2	5.1%		1	1.9%			13	2.4%			
LOW BLOOD SUGAR							2	6.5%			2	5.7%	1	4.2%			1	3.8%	1	2.6%	2	3.4%	1	2.0%	1	2.6%	1	3.7%	2	3.8%			14	2.6%		
ABDOMINAL PAIN									1	3.8%							3	11.5%					1	2.0%	2	5.1%	3	11.1%					10	1.8%		
RESIDENT FALSE ALARM											2	5.7%							1	2.6%	1	1.7%	3	6.1%	3	7.7%							10	1.8%		
CONDO ELEVATOR/FIRE ALARM	6	22.2%	2	10.5%	1	6.3%																						1	1.9%					10	1.8%	
ANXIETY													1	4.2%			4	15.4%			2	3.4%					1	3.7%	3	5.7%					11	2.0%
HEAD TRAUMA									2	7.7%	1	2.9%											2	4.1%				1	1.9%	1	1.8%	7	1.3%			
CHILLS/FEVER							1	3.2%					1	4.2%	1	4.3%					1	1.7%				1	3.7%	1	1.9%					6	1.1%	
GENERAL PAIN ARM/LEG/LANK/BACK							1	3.2%			1	2.9%							1	2.6%			1	2.0%		1	3.7%			3	5.3%	8	1.5%			
SEPSIS/PNEUMONIA																				4	6.8%			1	2.6%									5	0.9%	
RESIDENTIAL ALARM/FIRE					1	6.3%			1	3.8%																				3	5.3%	5	0.9%			
ALERGIC REACTION																							1	2.0%	1	2.6%		1	1.9%					3	0.5%	
DOA																								1	2.6%		1	1.9%					2	0.4%		
UNKNOWN																							1	2.0%									1	0.2%		
GAS LEAK/MUTUAL AID																												1	1.9%					1	0.2%	
TOTAL	27	100%	19	100%	16	100%	31	100%	26	100%	35	100%	24	100%	23	100%	26	100%	38	100%	59	100%	49	100%	39	100%	27	100%	53	100%	57	100%	548	100%		

Education Presentation – Rarity Bay First Responders (RBFR)

◦ What can you do to help out RBFRs?

- When there is an emergency, or you need a lift assist, call 911.
 - *We're here for you!*
 - Lift assist frees up county resources (including EMS) for other emergencies
 - Spouses/partners/care givers can get hurt trying to do the lift by themselves
 - Doesn't help the patient when the care giver can injure themselves
 - DO NOT ASSUME it is faster or better to get in the car and drive to the hospital. IT'S NOT!
 - You are not equipped to handle emergencies. EMS is!
 - Do not call 'your personal' RBFR; they will tell you to call 911.
 - We are not covered by our insurance unless we are called out by 911.
- Have a list of current medicines and any medical issues on hand.
 - Do not take your medication to the hospital, chances are you will not come home with it.
- Have and use a 911 switch. It helps the first responders and EMS locate your home quicker.
- If you see a car behind you with their flashers on, slow down and pull to the side of the road to let them pass.
 - RBFRs are not allowed to have emergency lights on their personal cars; we use our flashers.
- Volunteer to be a First Responder or volunteer for the Board.
 - Always looking for volunteers.
- Donations are welcomed!

New Business

- **New RBHOO Members**
- **Rarity Bay Club**
 - Community Garden – ~~Ron Walker~~ Rick Hoban
- **Activity Spotlight**
 - 911 Switches – Rick Hoban
 - Cartridges for Kids – Rick Hoban
 - Document Shredding – Rick Hoban

New RBHOO Members

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



Rarity Bay Club – Community Garden

◦ **POC – Ron Walker**



www.rbhoo.org

Rarity Bay Club – Community Garden

- **Open to All RB Residents**
 - First Come/First Reserved Plots
 - Attempt to Accommodate Plot Size Requested
 - (e.g., 10'x10'; 20'x20'; 40'x40'; larger if requested)
 - Request What You Want
 - Please use what you request to accommodate as many gardeners as possible
- **2022 Growing Season - 24 Gardeners (decrease from previous years)**
- **Costs - \$10 [Personal check or Cash] Sign-up Fee**
 - Goes into Operating Budget for Common Expenses
 - (e.g., equipment repairs/parts; fire ant killer; rodent repellent)
 - Cost to plow, disk & turn and till the soil at beginning of growing season
 - Use of community tillers/plows; provide your own oil & fuel;
 - check prior to each use; top off fuel when done
 - Each gardener supplies own hoes, rakes, hoses/sprinklers, fertilizer, seeds/plant materials, cages/fencing
 - Water is free - Golf Course feed (part of SPC Services agreement)

Rarity Bay Club – Community Garden

- **Gardeners Encouraged to Donate Excess Produce to Weekly Market**

- Community Bin for Donations Located About Middle of Garden Area (Partridge Drive)
- Excess Produce Donated to Meals on Wheels & Cora Veale Senior Center
- Shoppers Are Encouraged to Donate Appropriately
- Managed by Yolanda Sorenson/Mary Ann Cole

- **Free Consulting from Veteran Gardeners**

- Worth What You Pay for Same - ☺

- **Ladies Use Excess Plots for Flower Garden**

- Normally at west end near Dog Park/RB Parkway



Rarity Bay Club – Community Garden

◦ **Key Dates**

- Initial Call for Gardeners went out in Feb. (Community Newsletter & Email)
 - Garden has been plowed and turned
 - Rototilling will be down once the ground dries out
 - 25 individuals have already signed up; have room for 8 – 10 more
 - Finalize Plots & Roster & Place Placards at Front of Plots o/a 1 April
- Weekly Community Garden Market on Wednesdays Starting o/a July 4th
- Notional First Planting Date o/a 15 April After Last Likely Frost
- End of Growing Season Normally After Labor Day
- Post Season Harvest Potluck Dinner for All Gardeners – Sep/Oct TBA
 - BYOD (Dish to Share)/BYOB
- Post Season Clean-up Around Holidays
- Kudos to Key Players
- Questions/Comments



Rarity Bay Activity – 911 Switch

- **Rick Hoban – POC**
 - Cost is \$30/switch
 - Used to identify home for Emergency Personnel
 - Rarity Bay First Responders
 - Ambulance
 - Simple Single Pole Switch



Rarity Bay Activity – Cartridges for Kids

- **Rick Hoban – POC**
 - What
 - Recycle
 - Empty Ink and Laser Jet Printer Cartridges
 - Where
 - CAC Library
 - Blue Plastic Bin
 - When
 - Drop off cartridges anytime
 - Who
 - Supports Vonore Middle School
 - Unfunded school activities
 - Teacher Education



Rarity Bay Activity – Document Shredding

- **Regina Elgin – POC**
- **What**
 - Shredding of paper documents
 - No magazines or other paper recycling
 - Staples ok
 - Binder not ok
- **When**
 - March 28 @ 9:15 – 12:30
- **Where**
 - Country Club Parking Lot
- **Who**
 - Loudon County Convenience Center



2023 RBHOO Goals

- Figure out Zoom
- Increase RBHOO membership

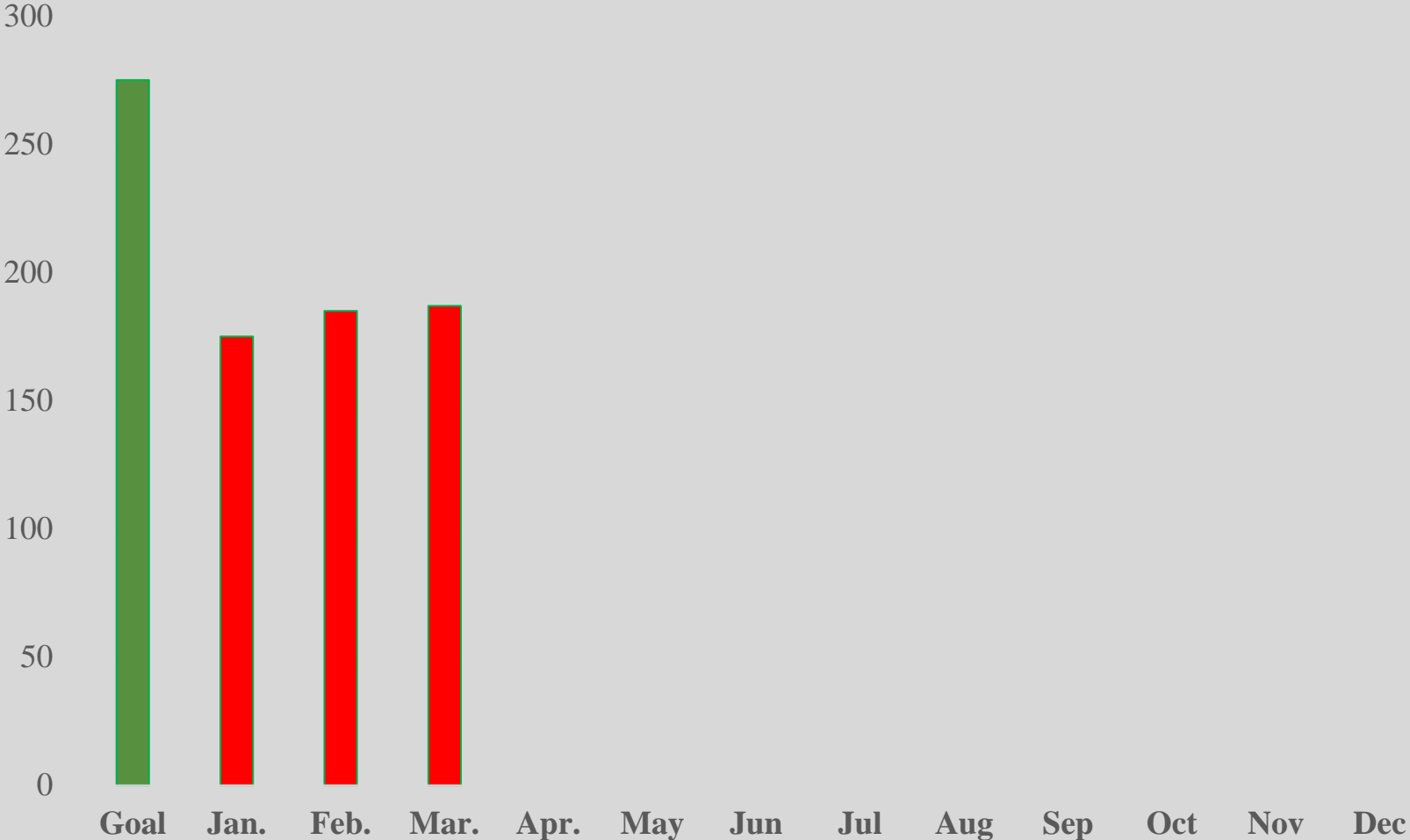
Increase Membership

- Membership

- Start of Year – 175
- Current - 187
- 2023 Goal – 275

- Campaign

- Email
- Door-to-door



Legal News – 2019 Election Order (Feb. 24)

The parties appeared before this Honorable Court on November 2, 2022, for a hearing on *Rarity Bay Partners' Motion for Partial Summary Judgment* ("the Motion") and again on December 5, 2022, for further argument and a ruling on the Motion. Upon the Motion, the argument of counsel, the record as a whole, and for good cause shown, the Court finds that:

- (1) The Court has already ruled Monroe Chancery Case No. 20489 that Partners was in good standing and not in default and, therefore, Partners could vote and participate in 2019 election and attached hereto is the Court's previous Order in Case No. 20489 dated May 28, 2019, with the attached transcript of its findings of fact in support of its conclusions;
- (2) That the Rarity Bay Community Association, Inc. allowed Salem Pointe Capital, LLC to vote in the 2019 election for lots it did not own;
- (3) That Partners' candidate lost by two votes in the 2019 election;
- (4) That Partners' candidate would have won the 2019 election if Salem Pointe Capital, LLC was not allowed to vote on lots it did not own;
- (5) The 2019 election is invalid.

Legal News

HB 1116 by *Russell

(SB 1184)
by *Swann

Show Caption Text

Real Property - As introduced, requires payment of a \$2,500 fee for the transfer of real property located within communities governed by certain nonprofit property owners' associations; adds other related requirements. - Amends TCA Title 8 and Title 66.

Bill History

Amendments

Video

Summary

Fiscal Note

Votes

HB1116 ACTIONS

DATE

Assigned to s/c Property & Planning Subcommittee	02/07/2023
P2C, ref. to Local Government Committee	02/02/2023
Intro., P1C.	02/01/2023
Filed for introduction	01/31/2023

SB1184 ACTIONS

DATE

Passed on Second Consideration, refer to Senate Commerce and Labor Committee	02/06/2023
Introduced, Passed on First Consideration	02/02/2023
Filed for introduction	01/31/2023

Legal News

(1) For a transfer of real property located within a community governed by a nonprofit association ("association"), the transferee must pay a fee of \$2,500 to the nonprofit association. However, this only applies to the following:

(A) A transfer of real property located within a community governed by an association that has voted each year by a majority vote of its board of directors to impose the fee on or after January 1, 2024;

(B) A transfer that occurs on or after January 1, 2024; and

(C) An association that is responsible for the governance and maintenance of a residential community that contains at least 5,000 lots or units; maintains private roads in its community or provides direct funding for certain maintenance of public roads in its community; and provides direct funding for certain emergency services for the safety and protection of its property owner members;

(2) The association must increase the fee described in (1) on January 1 of each subsequent year by an amount equal to the percentage increase, if any, in the annual assessment paid by each member of the association;

(3) A business entity that conducts the closing for the transfer must collect the fee and remit it to the association; and

(4) The association must deposit the fee into a reserve fund and use the moneys for the maintenance, repair, or improvement of the association's roads, utility infrastructure, or common area facilities.

If the fee is not collected by an association, then a lien in favor of the association attaches to the transferred real property on the date of the transfer and remains until the fee is remitted to the association. Further, if the fee is not remitted to the association within 90 days following the transfer, then this bill authorizes the association to suspend the membership rights of the owner and seek enforcement of its lien by judicial foreclosure.

This bill requires an association to record notice of the fee in the office of the register of deeds of each county in which the real property is located. The notice must state the following:

(1) The association's name, address, and phone number;

(2) The fee obligation is intended to run with the land and apply to all future transfers of real property located within the community;

(3) The association must use the fee to benefit its roads, utility infrastructure, or common area facilities;

(4) The owner of the real property must provide notice to the association of the pending transfer at least seven days before the transfer occurs; and

(5) The business entity that conducts the closing for the transfer of the real property must collect and remit the fee to the association.

Legal News

HB 0750 by *Powell

(SB 0863)
by *Reeves

Show Caption Text

Real Property - As introduced, requires the board of directors for a unit owners' association to have a reserve study done on or before January 1, 2024, if the board has not had a reserve study conducted on or after January 1, 2023; requires the board to have an updated reserve study done within five years of the date that the reserve study is done, and every five years thereafter. - Amends TCA Title 66, Chapter 27.

Bill History

Amendments

Video

Summary

Fiscal Note

✓ Votes

HB0750 ACTIONS

DATE

Placed on s/c cal Business & Utilities Subcommittee for 3/7/2023	03/01/2023
Action Def. in s/c Business & Utilities Subcommittee to 3/7/2023	02/28/2023
Placed on s/c cal Business & Utilities Subcommittee for 2/28/2023	02/22/2023
Action Def. in s/c Business & Utilities Subcommittee to 2/28/2023	02/14/2023
Placed on s/c cal Business & Utilities Subcommittee for 2/14/2023	02/08/2023
Assigned to s/c Business & Utilities Subcommittee	02/08/2023
P2C, ref. to Commerce Committee	02/01/2023
Intro., P1C.	01/30/2023
Filed for introduction	01/27/2023

SB0863 ACTIONS

DATE

Passed on Second Consideration, refer to Senate Commerce and Labor Committee	02/06/2023
Introduced, Passed on First Consideration	02/02/2023
Filed for introduction	01/31/2023

Legal News

Under present law, except as provided in the declaration, the bylaws, or other provisions of law, the board of directors for a unit owners' association may act in all instances on behalf of the association. In the performance of their duties, the officers and members of the board of directors are required to exercise the following:

- (1) If appointed by the declarant, the care required of fiduciaries of the unit owners; or
- (2) If elected by the unit owners, ordinary and reasonable care.

RESERVE STUDIES

This bill requires a board of directors that has not had a reserve study conducted on or after January 1, 2023, to have such a study conducted on or before January 1, 2024. This bill defines a "reserve study" as an analysis by one or more independent engineering, architectural, or construction contractors or another qualified person, performed or updated within the last five years, of the remaining useful life and the estimated cost to replace each separate system and component of common elements, the purpose of which is to inform association members and the board of the amount that should be maintained from year to year in a fully funded repair and replacement reserve to minimize the need for a special assessment.

This bill requires the study to be updated every five years for purposes of assessing the condition of and planning for repair and maintenance of the common elements critical to structural integrity and safety, including the following:

- (1) The roof;
- (2) Load-bearing walls or other primary structural members;
- (3) The floor;
- (4) The foundation;
- (5) Fireproofing and fire protection systems;
- (6) Plumbing;
- (7) Electrical systems;
- (8) Waterproofing and exterior painting;
- (9) A balcony;
- (10) An elevator; or
- (11) Another item with a deferred maintenance expense or replacement cost that exceeds \$10,000, and for which the failure to replace or maintain the item negatively affects another listed item, as determined by an independent engineering, architectural, or construction contractor, or another qualified person, performing the visual inspection portion of a reserve study.

Legal News

HB 0623 by *Jernigan

Show Co-Prime Sponsors

(SB 0658) by *Pody

Show Caption Text

Real Property - As introduced, specifies that a seller of residential property is required to disclose the presence of a known sinkhole on the property prior to entering into a contract with a buyer regardless of whether the sinkhole is indicated through the contour lines on the property's recorded plat map. - Amends TCA Title 56 and Title 66.

Bill History

Amendments

Video

Summary

Fiscal Note

Votes

HB0623 ACTIONS

DATE

Placed on cal. Commerce Committee for 3/7/2023	03/01/2023
Rec. for pass by s/c ref. to Commerce Committee	02/28/2023
Sponsor(s) Added.	02/27/2023
Placed on s/c cal Business & Utilities Subcommittee for 2/28/2023	02/22/2023
Assigned to s/c Business & Utilities Subcommittee	02/08/2023
P2C, ref. to Commerce Committee	02/01/2023
Intro., P1C.	01/30/2023
Filed for introduction	01/26/2023

SB0658 ACTIONS

DATE

Passed on Second Consideration, refer to Senate Commerce and Labor Committee	02/02/2023
Introduced, Passed on First Consideration	01/30/2023
Filed for introduction	01/26/2023

Upcoming Events

RBHOO Regular Meetings

- **April 12**
 - Outreach Presentation – Bruderhof
 - Education Presentation – TBD
 - Rarity Bay Club – Yacht and Jet Skii
 - Activity Spotlight – Yellow Dot & House Buddies
- **May 10**
 - Outreach Presentation – TVA
 - Education Presentation – N/A
 - Rarity Bay Club – N/A
 - Activity Spotlight – N/A

Upcoming Events

- **March**
 - Knife Sharpening
 - 28 – Document Shredding 9:15 – 12:30 at the Club Parking Lot
- **April**
- **May**
 - Golf Cart Movie Night
- **June**
 - **3 - RBHOO Member Appreciation Picnic (TRDA Approved)**
- **Oct**
 - Document Shredding
 - Flu-Shot Clinic

Questions



www.rbhoo.org