

# White Rock Mountain Retreat Property Owners Association

Board Resolution #25

January 20, 2022

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following action is being taken:

## Use Restrictions:

The Board in its August 18, 2020 Board Resolution #10 established a general policy pertaining to new lot combination requests (i.e., from lot owners who purchased property after the Association elected a new Board in November 2019). Specifically, the lot owner was to provide the Board with an explanation of why combining their lots is needed, and then the Board would consider the request since combining lots requires the Board's written approval per Article VIII, Section 1 of the Retreat Covenants.

This prior policy is no longer applicable since the current Board does not intend to grant any new lot combination requests or reductions in assessment for such combinations (*note: pursuant to authorities under Article IV, Section 6 and Article VIII, Section 1 of the Retreat Covenants, it is within the Board's discretion to determine what assessment is warranted in cases where lots are combined*).

The above revised policy is hereby authorized through signature of each Board member:

**Janet Bahmer**

*Janet M. Bahmer*

**Damon Cater**

*Damon C. Cater*

**Stefanie Kniezewski**

*Stefanie Kniezewski*

**William Laska**

*William D. Laska*

**Paul Peterson**

*Paul Peterson*

# White Rock Mountain Retreat Property Owners Association

Board Resolution #24

December 28, 2021

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following action is being taken:

## Legal Representation:

The Board hereby elects to authorize attorney William V. DePaulo to represent the Association in ongoing litigation associated with turnover of the Retreat. The scope and compensation for Mr. DePaulo's representation shall be as described in his December 27, 2021 engagement letter to be signed by all Board members. Dinsmore & Shohl will be responsible for turning over its case files to Mr. DePaulo.

The above action is hereby authorized through signature of each Board member:

### **Janet Bahmer**

Janet Bahmer 01/04/2022

### **Damon Cater**

Damon C. Cater 01/21/2022

### **Stefanie Kniezewski**

Stefanie Kniezewski 01/04/2022

### **William Laska**

William D Laska 01/04/2022

### **Paul Peterson**

Paul Peterson 01/04/2022

# White Rock Mountain Retreat Property Owners Association

Board Resolution #23

October 5, 2021

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following actions are being taken:

## Management Services Agreement:

The Board hereby elects to enter into an agreement between the Association and Coventry Group for property management services since the Association's agreement with Kuester Management Group is not being renewed for 2022.

## Legal Representation:

The Board hereby elects to authorize the legal firm Ray, Winton & Kelley (RWK) to provide assistance related to ongoing litigation associated with turnover of the Retreat. Dinsmore & Shohl will be responsible for turning over its case files to RWK. The initial retainer amount for RWK will be \$10,000.

## Officer Designation:

The following Officers of the Association are hereby designated with the understanding that these appointments have been discussed with each prospective Officer to confirm their willingness to serve in such capacity. Each Officer is a current Retreat property owner. The Board's intent is that the President (or Vice President when President is absent or unable to perform duties) will see that actions of the Board are carried into effect.

**President: Janet Bahmer**

**Vice President: Frank Walerko**

**Secretary: Leslie Weddle**

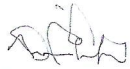
**Treasurer: Joan Peterson**

The above actions are hereby authorized through signature of each Board member:

**Janet Bahmer**

*Janet M. Bahmer*

**Damon Cater**



**Stefanie Kniezewski**



**William Laska**

*William B. Laska*

**Paul Peterson**

*Paul Peterson* Paul Peterson

# White Rock Mountain Retreat Property Owners Association

Board Resolution #22

September 24, 2021

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following actions are being taken:

## Management Services Agreement:

The Board hereby elects to terminate the Association's agreement with Kuester Management Group, and will without delay provide 90-day written notice of this decision to Kuester.

## Common Elements:

Under its authorities established by Article 4.13 of the Retreat Bylaws, the Board hereby agrees to allow construction of guardrail along a short section (~20 feet) of Withrow Landing which falls on Allegheny Lodge property, a Common Element, and is adjacent to Lot 115 on which home construction is underway by Mr. David Dodd. This improvement of Common Element property will provide a safety benefit and will be accomplished by Mr. Dodd at no expense to the Association.

The above actions are hereby authorized through signature of each Board member:

William Laska



Damon Cater

*Damon C Cater*

Paul Peterson



*Paul Peterson*

**White Rock Mountain Retreat Property Owners Association**  
Board Resolution #21  
August 29, 2021

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following action is being taken:

**Architectural Review Committee (ARC) Member Appointment:**

Former ARC chair Steve Flak resigned from his position effective August 21, 2021. In order to fill the vacancy, and in accordance with Article VII, Section 1 of the Retreat Covenants, current Retreat property owner Charlie Neimeyer is hereby appointed as an ARC member to serve for the unexpired term of Steve Flak. This appointment has been discussed with Charlie to confirm his willingness to serve in this capacity. Other current ARC members remain Frank Walerko, Wil Laska, Damon Cater and Paul Peterson.

The above action is hereby authorized through signature of each Board member:

William Laska



Damon Cater

*Damon C Cater*

Paul Peterson



Paul Peterson

# White Rock Mountain Retreat Property Owners Association

Board Resolution #20

August 23, 2021

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following action is being taken:

## Voting Rights:

Association voting rights in 2021 will only extend to property owners who do not have any outstanding account balance relative to annual assessments and to property owners with an outstanding account balance who have made progress payments in 2021 according to an approved payment plan. In the case of a property owner owning multiple lots, the number of allowed votes will be based on evaluation of the account balances for each individual lot.

The above action is hereby authorized through signature of each Board member:

William Laska

Damon Cater

*Damon C Cater*

Paul Peterson

*Paul Peterson*

# White Rock Mountain Retreat Property Owners Association

Board Resolution #19

August 10, 2021

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following action is being taken:

## Definition of Fiscal Year:

Pursuant to the Board's authorities under Article 7.2 of the Retreat Bylaws, the Fiscal Year of the Association shall be changed to run from January 1 until December 31, instead of from August 1 until July 31. This change will help simplify Association accounting practices since our current management company (Kuester Management Group) uses the calendar year for its financial reporting.

The above action is hereby authorized through signature of each Board member:

William Laska

Damon Cater

*Damon C Cater*

Paul Peterson

*Paul Peterson*

# White Rock Mountain Retreat Property Owners Association

Board Resolution #18

July 1, 2021

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following actions are being taken:

## Rate of Assessment:

Pursuant to the Board's authorities under Article IV, Section 6 of the Retreat Covenants, the annual rate of assessment for lot owners is hereby increased by 10%. This increase will help offset the financial burden of maintaining Retreat facilities while litigation continues against those involved in prior management of the Retreat.

## Lot Combination Request:

The Board has considered a request by Charles Neimeyer to combine Lots 71 and 72. To the Board's knowledge, each of these lots is viable for building. Nevertheless, the Board has no objection to this lot combination if the lot owner is willing to pay an annual assessment for the combined lot equal to the combined assessment for two lots. Pursuant to authorities under Article IV, Section 6 of the Retreat Covenants, it is within the Board's discretion to determine what assessment is warranted in cases where lots are combined. This Board decision will be communicated to Mr. Neimeyer.

The above actions are hereby authorized through signature of each Board member:

William Laska



Damon Cater

*Damon C. Cater*

Paul Peterson





# White Rock Mountain Retreat Property Owners Association

Board Resolution #17

February 8, 2021

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following actions are being taken:

## Delinquent Assessments:

Execute an agreement with Booth & Strange to initiate collection actions on lot owners for which at least 2 years of outstanding POA dues have accrued and no resolution of their debt was made by January 31, 2021.

## Pool Maintenance:

Execute an agreement with Aquatic Masters to open, maintain, and close the pool for the year.

The above actions are hereby authorized through signature of each Board member:

William Laska



Damon Cater

*Damon C Cater*

Paul Peterson



# White Rock Mountain Retreat Property Owners Association

Board Resolution #16

December 5, 2020

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following action is being taken:

## Delinquent Assessments:

According to Article IV, Section 7(a) of the Declaration of Covenants and Restrictions:

*“Any assessments which are not paid when due as determined by this Declaration and the Board shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of the delinquency at the rate of eighteen percent (18%) per annum, and the Association may bring action at law against the Owner personally obligated to pay the same, or foreclose the lien against his property, and interest, costs and reasonable attorney's fees of any such action for collection thereof shall be added to the amount of such assessment.”*

Under this authority, as well as under its authorities pursuant to Article 8.10 of the Bylaws, the Board hereby agrees that lot owners with delinquent dues which are at least two years overdue shall be given notice that the Association is offering them a one-time incentive that ½ of all interest owed on their delinquent assessments will be forgiven if payment in full is made, or acceptable partial payment with a Board-approved payment schedule is set-up, by January 31, 2021. If nothing is resolved on a delinquent account by January 31, 2021, all delinquent dues over two years old will be shared with a collection agent for action and costs of collection will be added to delinquent lot owner invoices.

The above action is hereby authorized through signature of each Board member:

William Laska



Damon Cater

*Damon C Cater*

Paul Peterson



# White Rock Mountain Retreat Property Owners Association

Board Resolution #15

November 23, 2020

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following action is being taken:

## Officer Replacement:

Former Association Vice President Bob Karnes resigned from his position effective August 29, 2020. In order to fill the vacancy, and in accordance with Article 5.5 of the Retreat Bylaws, current Retreat property owner Janet Bahmer is hereby designated Vice President of the Association to serve for the unexpired term of Bob Karnes. This appointment has been discussed with Janet to confirm her willingness to serve in this capacity under direction of the current Board and Association President with whom she will coordinate.

The above action is hereby authorized through signature of each Board member:

William Laska



Damon Cater

*Damon C Cater*

Paul Peterson



**White Rock Mountain Retreat Property Owners Association**  
**Board Resolution #14**  
**November 18, 2020**

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following action is being taken:

**Turnover Negotiations:**

Board agrees to authorize Association President Frank Walerko to sign a deed transferring ownership of the Allegheny Lodge property from White Rock Land Ventures, LLC to the Association.

The above action is hereby authorized through signature of each Board member:

**William Laska**



**Damon Cater**

*Damon C Cater*

**Paul Peterson**



# White Rock Mountain Retreat Property Owners Association

Board Resolution #13

October 15, 2020

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following action is being taken:

## Turnover Negotiations:

Board agrees to authorize the legal firm Dinsmore to communicate the following position to White Rock Land Ventures (WRLV) in response to its October 9, 2020 offer to deed the Allegheny Lodge property to the Association:

The Association agrees to accept the deed to the lodge/pool/property on which the Allegheny Lodge is located as a common element. The deed must be provided free and clear of any liens or encumbrances to the Association. Exchange of the deed must also have no impact on claims or damages associated with the Association's complaint filed in the Circuit Court of Greenbrier County on September 28, 2020.

The above action is hereby authorized through signature of each Board member:

**William Laska**



**Damon Cater**

*Damon C Cater*

**Paul Peterson**



# White Rock Mountain Retreat Property Owners Association

Board Resolution #12

September 4, 2020

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following actions are being taken:

## Officer Resignation and Replacement:

Bob Karnes resigned as Association Vice President on August 29, 2020. Current Retreat property owner and Board member Wil Laska is hereby designated interim Vice President of the Association until a more permanent replacement can be found.

## Lot Combination Request:

The Board has considered a request by Drew Garms to combine Lots 103 and 160. The Board disagrees with the opinion that Lot 160 isn't viable for building, and further believes that the view from Mr. Garm's planned Lot 103 building site off Withrow Landing will be preserved with or without combination of the two lots. Absent any compelling rationale that the lots need to be combined, the Board hereby disapproves this request.

The above actions are hereby authorized through signature of each Board member:

William Laska

Damon Cater

Damon C Cater

Paul Peterson

Paul Peterson

# White Rock Mountain Retreat Property Owners Association

Board Resolution #11

August 26, 2020

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following action is being taken:

## Delinquent Assessments:

According to Article IV, Section 7(a) of the Declaration of Covenants and Restrictions, "After notice and opportunity to be heard, the Association may restrict the use of Common Elements (not including rights of access to Lots) by a Lot owner who is delinquent in paying assessments." Under this authority, as well as under its authorities pursuant to Article 8.10 of the Bylaws, the Board hereby agrees that lot owners (excluding current owner of Allegheny Lodge property) with delinquent dues which are at least one year overdue shall be given notice that the Association intends for their right of lodge/pool use to be suspended until their delinquencies are cured.

The above action is hereby authorized through signature of each Board member:

William Laska

Damon Cater

Damon C Cater

08/26/2020

Paul Peterson

Paul Peterson

# White Rock Mountain Retreat Property Owners Association

Board Resolution #10

August 18, 2020

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following action is being taken:

## Use Restrictions:

Board agrees to the following general policy pertaining to proposals to combine adjoining lots:

- Previous Lot Combination Requests (i.e., from lot owners who purchased property before the Association elected a new Board in November 2019): To forgive past annual dues on an adjoining lot, the owner must show the Board something in writing from someone in authority at the time, which shows original intent of combining the lots. The lot owner must also legally combine their adjoining lots by November 30, 2020.
- New Lot Combination Requests (i.e., from lot owners who purchased property after the Association elected a new Board in November 2019): The lot owner must provide the Board with an explanation of why combining their lots is needed. The Board will then consider the request since combining lots requires the Board's written approval per Article 8.1 of the Covenants. Under that same article, the Board can also determine whether a new assessment rate will apply for the combined lot.

The above action is hereby authorized through signature of each Board member:

William Laska

Damon Cater

Damon C Cater 08/18/20

Paul Peterson

Paul Peterson



# White Rock Mountain Retreat Property Owners Association

Board Resolution #9

August 2, 2020

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following action is being taken:

## Turnover Negotiations:

Board agrees to authorize the legal firm Dinsmore to communicate the following position to White Rock Land Ventures (WRLV) in response to its July 31, 2020 offer to immediately execute deeds transferring the lodge and the roads to the Association:

The Board requests a meeting with WRLV as soon as possible to discuss our proposed terms outlined below. Such a meeting had been scheduled by Rob Frank to occur on July 7, 2020, was later postponed, and has not yet been rescheduled. The Board provided the Premier Group July 27, 2019 road condition evaluation to Rob Frank on March 6, 2020. We think that 5 months is more than ample time for WRLV to have completed its own road analysis. The Board is unwilling to accept deed for the roads before receiving WRLV's complete road analysis and meeting with WRLV to discuss both road evaluations to reach consensus on road repair and rehabilitation needs and funding commitments.

However, the Board is willing to accept deed now for the Allegheny Lodge property and associated facilities under the following conditions:

1. Executed deed is provided free and clear of any liens or encumbrances to the Association.
2. \$280,000 cash provided to Association at time of deed transfer for Allegheny Lodge repair and replacement needs identified thus far.
3. \$180,000 cash provided to Association at time of deed transfer for WRLV's delinquent annual dues plus 18% annual interest for 2017 to the present.
4. \$100,000 placed in escrow as contingency funding for Association since lodge and pool inspections paid for by WRLV were incomplete, and additional required inspection and testing may reveal additional heretofore unknown problems.

The above action is hereby authorized through signature of each Board member:

  
William Laska

  
Damon C. Cater

Damon C. Cater

Paul Peterson

  
Paul Peterson

# White Rock Mountain Retreat Property Owners Association

Board Resolution #8

July 30, 2020

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following actions are being taken:

## Delinquent Annual Dues:

Board agrees to authorize the legal firm Dinsmore to provide assistance in collecting delinquent dues and associated 18% annual interest through placement of liens on lots. Board's decision to place liens applies to all property owners with delinquent dues which are at least one year overdue, including White Rock Land Ventures which still owns numerous lots. Attorney's fees associated with lien placement and charged to the Association will also be included in the liens against lot owners. The initial retainer amount for Dinsmore is \$5,000 for the purpose of lien placement.

*(Note: Subsequent to Board's prior resolution to authorize Kuester to conduct lien placement, it was determined in consultation with Kuester and Dinsmore that Association's interests would be better served by contracting directly with Dinsmore for lien placement.)*

## Officer Resignation and Replacement:

Former Association Treasurer Julie Olexo resigned from her position effective July 15, 2020. In order to fill the vacancy, and in accordance with Article 5.5 of the Retreat Bylaws, current Retreat property owner Joan Peterson is hereby designated Treasurer of the Association to serve for the unexpired term of Julie Olexo. This appointment has been discussed with Joan to confirm her willingness to serve in this capacity under direction of the current Board and Association President with whom she will coordinate. Specific duties of the Treasurer are currently envisioned as follows:

1. Approve routine expenses. Seek Board approval/confirmation for unusual expenses or if expense item is not understood.
2. Oversee Kuester's duties relating to Retreat finances, including directing Kuester to issue checks as needed.
3. Oversee Retreat property owner accounts.
4. Moving forward, it is the Board's intent that Kuester or a successor management company would prepare draft annual budgets. Once submitted, Treasurer should thoroughly review draft budget and make recommendations to the Board.
5. Understand all financial transactions at the Retreat. This oversight should include POA banking accounts and Treasurer should have ability to access both accounts.
6. Advise Board as needed (e.g., to help understand financial reports).

The above actions are hereby authorized through signature of each Board member:

William Laska

Damon Cater

*Damon C Cater*

Paul Peterson

*Paul Peterson*

**White Rock Mountain Retreat Property Owners Association**  
**Board Resolution #7**  
**July 14, 2020**

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following actions are being taken:

Annual Budget:

Board hereby adopts the attached annual budget for Fiscal Year 2021.

Delinquent Annual Dues:

1. Board agrees to authorize Kuester Management to send delinquent dues notices to White Rock Land Ventures for lots they own for years extending back to 2017 and including 18% annual interest charges.
2. Board agrees to authorize Kuester Management to send delinquent dues notices to property owners who own two lots, but have only been billed for one of their two lots starting from their purchase date. These property owners include Garrick Morgan Lots 50/51, James Wall Lots 42/42A, and Bozic Lots 167/168.
3. Board agrees to authorize Kuester Management to initiate lien placement on the following lots for which annual dues are all at least one year overdue: Garrick Morgan Lot 50/51, Jianmih Chen Lot 105, William Moslow Lot 107, Summer B. Patterson Lot 156, Jason Barnhouse Lot 87, D Anthony Beale Lot 68, and Walter O Mills & Myrna Mills Lot 1.
4. Board agrees waiving remaining \$68.51 in late fees for Charles Baker Lot 76/77 based on a hardship request submitted to Kuester Management.

The above actions are hereby authorized through signature of each Board member:

William Laska

  
Damon Cater

  
Paul Peterson

  
Paul Peterson

07/14/2020

# White Rock Mountain Retreat Property Owners Association

Board Resolution #6

July 2, 2020

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following action is being taken:

## Legal Representation:

Board will authorize Dinsmore to pursue the following list of demands associated with turnover of the Retreat to the POA:

1. Provide an executed deed to the Allegheny Lodge and the real property associated with the same free and clear of any liens or encumbrances to the Association.
2. Pay for any and all construction, repairs, or work of any type necessary to bring the Allegheny Lodge to compliance with the WV Building Code, repair all damages to the current structures, grounds and equipment on the lodge property in a workmanlike manner and in compliance with the WV Building Codes. All work, whether for construction, repair or other work, will be provided with a 2-year warranty. All repair work on the lodge property is to be completed prior to deed transfer to the POA.
3. Pay for all bills of the lodge/pool/hot tubs and related components that were paid by the Association to date and all bills moving forward, including but not limited to property taxes, utilities, maintenance, repair, insurance, and inspections until the deed is finalized and transferred to the POA.
4. Provide executed deeds to common elements, free and clear of any lien or encumbrance, including the road, front gated area, maintenance building, water system pump houses and any lots identified for the access road to the Association.
5. Provide funds to the POA sufficient to cover estimated costs of repairing all road and drainage system deficiencies as identified in the Premier Group July 27, 2019 road condition evaluation report, plus estimated costs of asphalt pavement overlay of all access roads as identified in the Premier Group report, and plus yet to be identified costs of repairing the construction access road.
6. Provide funds to the POA sufficient to cover unpaid annual dues (plus interest) and mismanaged or inappropriate use of annual dues.

*\*Note: It is estimated that approximately \$6 million would cover the costs associated with items 5 and 6.*

The above action is hereby authorized through signature of each Board member:

William Laska



Damon Cates



Paul Peterson



# White Rock Mountain Retreat Property Owners Association

Board Resolution #5

June 19, 2020

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following actions are being taken:

## Legal Representation:

Board will authorize the legal firm Dinsmore to provide assistance to include recommendations related to turnover of the Retreat. The initial retainer amount for Dinsmore will be \$2,500.

## Annual Meeting:

Board has reviewed and approved an agenda which will be issued to property owners by June 23, 2020 for an annual meeting of the Retreat property owners to be held August 22, 2020 and, if necessary, August 23, 2020 should quorum of 51% of the votes in the Association not be met on August 22.

## Allegheny Lodge Expenses:

Board has been minimally supporting lodge operating expenses for the past several months. Moving forward, the Board will request that the current deed holders of the Allegheny Lodge property pay for costs of operation, facility inspections and repairs until the deed for the lodge property is transferred to the Association.

## Delinquent Annual Dues:

Board approves filing of liens for Lots 50, 51, 105, 107 and 156 and will direct Kuester to move forward with these lien filings.

The above actions are hereby authorized through signature of each Board member:

William Laska

Damon Carter

Paul Peterson

*Paul Peterson*

# White Rock Mountain Retreat Property Owners Association

Board Resolution #4

June 15, 2020

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following action is being taken:

## Filling Vacancy in Board of Directors:

Former Director Steve Flak resigned from the Board effective June 11, 2020. In order to fill this vacancy, and in accordance with Article 4.6 of the Retreat Bylaws, the remaining Directors hereby designate current Retreat property owner Damon Cater as a Director to serve for the unexpired term of Steve Flak. This appointment has been discussed with Damon Cater to confirm his willingness to serve in this capacity in conjunction with the other Board members.

The above action is hereby authorized through signature of each current Board member:

William D. Laska

  
Paul Peterson

Paul Peterson

# White Rock Mountain Retreat Property Owners Association

Board Resolution #3

February 29, 2020

Based on discussions of the Board of Directors (Board) of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following actions are being taken:

## Association Insurance:

Proposal for new insurance under The Cincinnati Insurance Companies obtained and accepted by the Board. The policy will be effective March 1, 2020. The new policy is intended to reduce Association exposure that exists under the prior Nationwide Insurance policy.

## Legal Representation:

Barry Bruce's office has reportedly filed the Association's business entity paperwork with the Secretary of State. Board will confirm accuracy of this filing before authorizing payment for Barry's first invoice.

## Property Owner List:

Board will coordinate with Association's Secretary to ensure that the most accurate list of property owners is reconciled with Kuester's records.

## Annual Dues:

Board will direct Kuester to move forward with delinquent dues notifications and lien filings as necessary.

## Annual Budget:

Board will request an in-person briefing on the proposed 2020 budget from the Association's Treasurer and Assistant Treasurer as soon as possible.

## Greenbrier Grounds Maintenance:

Board reviewed draft contract and agreed on additional revisions to be made before presenting the draft contract to Danny Level.

## Architectural Review Committee:

- Board will identify a chairperson to lead an Architectural Review Committee since there are existing issues with some properties under construction, and since new construction being planned will require review.
- Board will determine whether Kuester has any records of a no garage waiver being granted to owner of Lot 119. Absent such a waiver, contact will be made with lot owner.

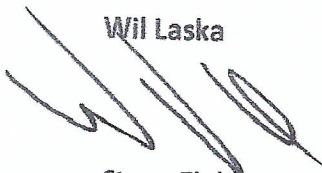
**Retreat Turnover Process:**

Board reviewed Rob Frank's February 18, 2020 letter to the Board and agreed upon the following next steps:

- Schedule an initial kick-off meeting with Rob Frank to better gauge commitment of White Rock Land Ventures to an equitable transfer of the Retreat property and facilities.
- Request Association Vice President to perform high level review of Rob Frank's letter from a factual standpoint.
- Obtain quantitative assumptions for cost estimates contained in Premier Group's July 2019 road condition evaluation. Also request that a PE seal the document.
- Obtain any documentation available in Greenbrier County offices on approval of the original design and/or inspection of the Retreat road and drainage system.
- Obtain professional inspection of the clubhouse.
- Contact National Pools to determine if they are aware of any outstanding pool issues and their ability to perform a pool inspection to include potential structural concerns.

The above actions are hereby authorized through signature of each Board member:

Wil Laska



Steve Flak



Paul Peterson





# White Rock Mountain Retreat Property Owners Association

Board Resolution #2

December 27, 2019

Based on discussions of the Board of Directors of the White Rock Mountain Retreat Property Owners Association (Association), and according to Article 4.11 of the Retreat Bylaws, the following actions are being taken:

## Officer Resignation and Replacement:

- Wil Laska hereby resigns as Association Vice President, but will remain as a Director.
- Current Retreat property owner Bob Karnes is hereby designated Vice President of the Association. This appointment has been discussed with Bob to confirm his willingness to serve in this capacity under direction of the Board and Association President.

## Association Insurance:

Efforts will continue to secure a new insurance policy effective as soon as possible. The new policy is intended to reduce Association exposure that exists under the current policy as well as to specifically name the covered Directors and Officers.

## Legal Representation:

An initial meeting or call will be scheduled with local attorney Barry Bruce to explore his vision for the transition process from developer control to Association control, and at what points in the process formal legal assistance may be required.

## Property Manager:

A meeting has been scheduled for January 7 with Kuester Management Group. A specific agenda will be developed for this meeting and provided to Kuester in advance of the meeting.

## Association Records:

The Association Secretary will be asked to maintain the official property owners contact list and organize Association records in a secure web-based archive that Directors and Officers will be able to access.

The above actions are hereby authorized through signature of each Board member:

Wil Laska

Steve Flak

Paul Peterson

Paul Peterson

# **White Rock Mountain Retreat Property Owners Association**

**Board Resolution #1**

**December 6, 2019**

The recently elected Board of Directors of the White Rock Mountain Retreat Property Owners Association (Association) has not yet held a regular meeting as defined under Article 4.7 of the Retreat Bylaws. However, according to Article 4.11 of the Bylaws, and based on initial discussions between the Board members, the following actions are being taken:

## **Officer Designation:**

The following Officers of the Association are hereby designated with the understanding that these appointments have been discussed with each prospective Officer to confirm their willingness to serve in such capacity. Each Officer is a current Retreat property owner. The Board's intent is that the President (or Vice President when President is absent or unable to perform duties) will see that actions of the Board are carried into effect.

**President: Frank Walerko**

**Vice President: Wil Laska**

**Secretary: Leslie Weddle**

**Treasurer: Julie Olexo**

**Assistant Treasurer: Joan Peterson**

## **Legal Representation:**

- Request that local attorney Barry Bruce record whatever documentation is needed to certify the official establishment of the Association under new Board leadership.
- Develop compensation approach for Barry Bruce that is flexible as to the method by which the transition process from developer control to Association control proceeds and is ultimately concluded (i.e., with or without lawsuit).

## **Property Manager:**

Initiate discussions with Kuester Management Group to continue on in a property manager function for the Association during the transition process. One potential benefit of retaining Kuester on at least an interim basis is that this may help facilitate obtaining records needed to fully understand the financial status and legal position of the Association.

## **Financial Records:**

Initiate detailed review of financial ledgers received from developer's agents during the transition process. It is expected that this review will result in the need for further information to be requested from the developer's agents so that the Association gains a more complete understanding of how finances have been handled and what changes may be needed moving forward.

**Common Elements:**

Begin compiling a list of known deficiencies in the condition of common elements and any unfinished developer projects.

**Association Records:**

Begin establishing a records archive so that Board members and Officers will all have access to the most current and relevant information.

**Notification to Property Owners:**

Board send email notification to full list of property owners concerning the election of Board members and designation of Officers. This communication should also address the issue of where annual dues should be sent.

The above actions are hereby authorized through signature of each Board member:

Wil Laska



Steve Flak



Paul Peterson

