



Board Package

August 2023

895Gatling Pointe Community Association Inc.

Board Meeting Agenda

Monday, August 28, 2023 @ 6:00 PM

www.gatlingpointe.net

Location: 1613 South Church Street, Conference Room, Smithfield, VA

Virtual Attendance Available: Zoom

Call in: 1-301-715-8592

Meeting Id: 895 9510 8565

Passcode: 354972

Meeting called to Order

Move to Executive Session

The Board will move in to Executive Session for the purpose of discussing and considering contracts and covenant violation matters.

Any decisions made in Executive that require a vote in Open Session will be discussed under "Unfinished Business" or "New Business."

Open Session

Approval of Minutes: The Minutes of the Regular Board Meeting held on Monday, July 31, 2023, were approved by Unanimous Consent of the Board on August 15, 2023, and thereafter posted on the Association's website.

Treasurer's Report:

Total Operating Fund	\$ 10,924.77
Total Operating Reserves	\$31,291.00
Total Replacement Reserves	\$47,614.35
Total Other Reserves	\$20,138.48
Total Assets	\$109,968.60

Manager's Report: Casey Lindblad, the Association's Manager, will provide a Manager's Report of management activities since the last Board Meeting.

Ratification of Decisions Made by Unanimous Consent of the Board between Board Meetings:

1. Ratification of Exterior Modification Applications depicted on Exhibit A to this Agenda approved by Unanimous Consent of the Board of Directors since the last Board Meeting.

GROWTH THROUGH EXCELLENCE

2. Ratification of decisions made by Unanimous Consent of the Board since the last Board Meeting depicted on Exhibit B to this Agenda. None.

Unfinished Business:

1. Gas Lamp replacement:
[Status of Solar Lamp installation.](#)
2. Walking Bridge replacement:
[Status of Walking Bridge replacement.](#)

New Business:

1. Gatling Pointe Parkway Aerating and Seeding.
[Review GPP ingress aerating and seeding proposal.](#)
2. Short Term Rental Amendment.
[Review Short Term Rental Amendment draft.](#)
3. Fall Community Yard Sale.
[Discuss Association sponsorship of Fall Community Yard Sale.](#)
4. Due Process Hearing Decisions.
[None scheduled.](#)

Homeowner's Forum:

[Questions and comments from Owners in attendance at the Board Meeting.](#)

Adjourn

Next Board Meeting: The next Meeting of the Board of Directors is scheduled for Monday, September 25, 2023.

Exhibit A: Applications for Alterations, Exterior Modifications, Installations or New Construction approved since the last Board Meeting.

1. Application for 201 Mariners Circle to install a shed approved by Unanimous Consent of the Board of Directors and by Members of the Architectural Review Board on 08-03-2023.
2. Application for 108 Winterberry Circle to change the color of the front door and shutters from red to green approved by Unanimous Consent of the Board of Directors and by Members of the Architectural Review Board on 08-19-2023.

Exhibit B: Decisions made by Unanimous Consent of the Board since the last Board Meeting. None.



Minutes

GATLING POINTE COMMUNITY ASSOCIATION, INC.
Minutes of the July 31, 2023
Regular Meeting of the Board of Directors

A Regular Meeting of the Board of Directors of Gatling Pointe Community Association, Inc. (“Gatling Pointe”) was held on Monday, July 31, 2023, by virtual attendance only via Zoom Meeting ID 874 7509 4624.

Directors and Management Representative Present:

Sarah Palamara, President; Pete Carlson, Vice President; Ross Tomlin, Treasurer; Kim Burbage, Secretary; Steve Serafini, Member at Large; and Casey Lindblad, Association Manager.

Call to Order:

Sarah called the Board Meeting to order at 5:30 PM.

Executive Session:

Steve motioned to move in to Executive Session for the purpose of discussing possible covenant violation matters; seconded by Pete. Motion passed. The Board moved in to Executive Session at 5:30 PM.

Steve motioned to move out of Executive Session; seconded by Ross. Motion passed. The Board moved out of Executive Session at 5:59 PM.

Approval of Minutes of Prior Board Meeting:

The Minutes of the Regular Board Meeting held on Monday, June 26, 2023, were approved by Unanimous Consent of the Board on July 13, 2023, and thereafter posted on the Association’s website.

Treasurer’s Report: The Treasurer’s Report was included in the Agenda for the Meeting as presented in these Minutes and presented by Ross during Open Session.

Total Operating Fund	\$ 7,634.08
Total Operating Reserves	30,793.63
Total Replacement Reserves	46,973.39
Total Other Reserves	20,112.84
Total Assets	\$ 105,568.10

Ratification of Decisions Made by Unanimous Consent of the Board between Board Meetings:

1. Steve motioned to ratify the Exterior Modification Applications identified on Exhibit A to these Minutes approved by Unanimous Consent of the Board and by the Members of

the Architectural Review Board since the last Board Meeting; seconded by Kim. Motion passed.

2. Ratification of decisions made by Unanimous Consent of the Board since the last Board Meeting identified on Exhibit B to these Minutes. None.

Unfinished Business:

1. Gas Lamp Replacement:
Relay Electric has the Solar Lamps in hand and is scheduling installation.
2. Walking Bridge maintenance / replacement:
Steve motioned to accept the proposal to replace the Walking Bridge from G. Hays Construction, Inc. in the amount of \$2,745, to be financed from the Replacement Reserve Account; seconded by Ross. Motion passed.

Sarah noted for the record that the amount to be financed for the replacement of the Walking Bridge from the Replacement Reserve Account is a few hundred dollars more than currently allocated in the Replacement Reserve Account for replacement of the Walking Bridge. The Board will monitor the Replacement Reserve Account balance during the remainder of the 2023 fiscal year and transfer funds from Operating Reserve as necessary to be sure the Replacement Reserve Account is funded to the level required by the Association's Replacement Reserve Study.

New Business:

1. 2024 Budget.
Steve motioned to adopt the 2024 Budget as presented by Management; seconded by Pete. Motion passed.
2. 2024 Annual Meeting Planner.
Sarah motioned to approve the 2024 Annual Meeting Planner as presented with an amendment to the Annual Meeting Planner to cancel the May 2024 Board Meeting since it falls on Memorial Day; seconded by Steve. Motion passed.
3. Fall Annual Installation Budget.
Steve motioned to approve a Common Area Fall Annual Installation Budget of up to \$1,500; seconded by Ross. Motion passed.
4. Short Term Rental Amendment to the Declaration.
The Board agreed to review a draft Amendment to the Declaration to prohibit Short Term Rentals, defined during discussion by the Board as non-Owner occupancy of a Lot by lease or rental for less than a 12 month period unless otherwise approved by the Board.
5. Due Process Hearing Decisions.
No due process hearing decisions were convened during Executive Session.

Owners Forum: Owners Forum opened at 6:28 PM and closed at 6:30 PM.

Next Board Meeting: The next Meeting of the Board of Directors is scheduled for Monday, August 28, 2023. The Open Session of the Board Meeting will begin at 6:00 PM.

Adjournment: Ross motioned to adjourn the Board Meeting held on Monday, July 31, 2023; seconded by Kim. The Meeting adjourned at 6:31 PM.

Prepared by: Board of Directors.

Date Approved: Approved August 15, 2023.

Exhibit A: Applications for Alterations, Exterior Modifications, Installations or New Construction approved since the last Board Meeting.

1. Application for 105 North Winterberry to remodel the front porch area approved by Unanimous Consent of the Board of Directors and by Members of the Architectural Review Board on 07-05-2023.
2. Application for 104 Shallowford Circle to install a fence approved by Unanimous Consent of the Board of Directors and by Members of the Architectural Review Board on 07-10-2023.

Exhibit B: Decisions made by Unanimous Consent of the Board since the last Board Meeting. None.



Financials

Assets

10100	Cash/Operating Account/TowneBank	\$ 10,870.61	
10200	Cash/Debit Card GMR/Towne	54.16	
	Total Operating Fund		\$ 10,924.77
11020	Cash/Operating Reserve/TowneBank	\$ 31,291.00	
	Total Operating Reserves		\$ 31,291.00
11000	Cash/Replacement Res/ATL Union	\$ 37,654.71	
11094	Cash/CD/Rep Reserve/NCB	9,959.64	
	Total Replacement Reserves		\$ 47,614.35
	Other Reserves		
11050	Cash/Tree Reserve/TowneBank	\$ 10,069.24	
11070	Cash/Weather Reserve/TowneBank	10,069.24	
	Total Other Reserves		\$ 20,138.48
	Total Current Assets		\$ 109,968.60
	Total Assets		\$ 109,968.60

Liabilities and Equity

Liabilities

	Total Liabilities		\$ 0.00
32000	Accumulated Operating Reserve	\$ 31,291.00	
	Total Operating Reserves		\$ 31,291.00
33000	Accumulated Replacement Reserve	\$ 53,507.45	
34000	Replacement Reserve Y-T-D Expense	(5,893.10)	
	Total Replacement Reserves		\$ 47,614.35
	Other Reserves		
32020	Accumulated Tree Reserve	\$ 10,069.24	
32060	Accumulated Weather Reserve	10,069.24	
	Total Other Reserves		\$ 20,138.48
34980	Retained Earnings	\$ 9,043.73	
	Current Earnings	1,881.04	
	Total Equity		\$ 109,968.60
	Total Liabilities & Equity		\$ 109,968.60



301 Bendix Rd, Suite 300
Virginia Beach VA 23452-1385

Gatling Pointe Community Assn Inc 0939
Budget Comparison Statement
07/31/2023

Account Number	Account Name	Monthly Budget	Monthly Actual	Current Variance	YTD Budget	YTD Actual	YTD Variance	Annual Budget
Income								
41100	Income-Association Fees	\$ 32,938	\$ 22,379.74	\$ (10,558.26)	\$ 98,814	\$ 84,675.49	\$ (14,138.51)	\$ 131,752
41400	Legal Administrative Income	0	0.00	0.00	0	90.00	90.00	0
42000	Income-Advanced Assoc Fees	0	0.00	0.00	0	260.48	260.48	0
42450	Resale Package Income	0	0.00	0.00	0	50.62	50.62	0
42530	Interest-Delinquent Fees	0	0.00	0.00	0	153.15	153.15	0
42550	Reserve Interest Income	0	179.97	179.97	0	607.49	607.49	0
42630	Late Fee Income	0	40.00	40.00	0	599.09	599.09	0
42640	NSF Fee Income	0	0.00	0.00	0	30.00	30.00	0
42660	Court Costs Collections Income	0	0.00	0.00	0	606.71	606.71	0
Total Income		\$ 32,938	\$ 22,599.71	\$ (10,338.29)	\$ 98,814	\$ 87,073.03	\$ (11,740.97)	\$ 131,752
Expenses								
51400	Audit/Tax Preparation Expense	\$ 0	\$ 0.00	\$ 0.00	\$ 325	\$ 350.00	\$ (25.00)	\$ 325
51500	Social Committee Expense	58	0.00	58.00	406	45.05	360.95	699
51800	Bank Service Charges	32	20.20	11.80	224	177.85	46.15	384
51950	Legal Expense- Collections	125	420.00	(295.00)	875	5,085.60	(4,210.60)	1,500
52200	Property Insurance	414	426.11	(12.11)	2,889	2,566.66	322.34	3,717
52210	Corporate Fees	0	0.00	0.00	140	140.00	0.00	140
52400	Management Fee Expense	1,999	1,998.80	0.20	13,993	13,991.60	1.40	24,383
52600	Misc Expense-General & Administrati	83	620.62	(537.62)	581	1,070.62	(489.62)	1,000
52700	Office Expense-Printing	150	25.95	124.05	1,300	859.85	440.15	2,300
52750	Coupon Books	0	0.00	0.00	772	0.00	772.00	772
52900	Postage Expense	75	30.00	45.00	700	732.92	(32.92)	1,250
53000	Reserve Study Expense	225	0.00	225.00	1,575	2,701.00	(1,126.00)	2,701
53040	Resale Package Reimbursement	0	0.00	0.00	0	104.49	(104.49)	0
Total General & Administrative		\$ 3,161	\$ 3,541.68	\$ (380.68)	\$ 23,780	\$ 27,825.64	\$ (4,045.64)	\$ 39,171
53700	Utilities-Water Expense	\$ 300	\$ 306.31	\$ (6.31)	\$ 1,750	\$ 1,937.46	\$ (187.46)	\$ 3,000
53800	Utilities-Electric Expense	58	61.47	(3.47)	406	382.45	23.55	696
53850	Utilities-Gas Expense	1,000	0.00	1,000.00	7,000	1,558.86	5,441.14	12,000
Total Utilities		\$ 1,358	\$ 367.78	\$ 990.22	\$ 9,156	\$ 3,878.77	\$ 5,277.23	\$ 15,696
54290	Maint.-Common Area Grounds Expense	\$ 833	\$ 0.00	\$ 833.00	\$ 5,831	\$ 0.00	\$ 5,831.00	\$ 10,000
54300	Maint.-Lawn Contract Expense	3,300	3,241.00	59.00	23,100	25,793.67	(2,693.67)	39,300
54310	Maint.-Landscaping Extras/Tree Remo	450	354.75	95.25	3,150	5,269.75	(2,119.75)	5,400
54320	Maint.-Irrigation System Expenses	208	0.00	208.00	1,456	1,928.75	(472.75)	2,500
54340	Maint.-Sign Expense	25	0.00	25.00	175	168.96	6.04	300
54350	Maint.-Streets/Lights/Sidewalk Expe	417	0.00	417.00	2,919	0.00	2,919.00	5,000
54550	Maint.-Building/Fence/Grounds Expen	214	10,694.00	(10,480.00)	1,498	12,830.96	(11,332.96)	2,573
Total Maintenance		\$ 5,447	\$ 14,289.75	\$ (8,842.75)	\$ 38,129	\$ 45,992.09	\$ (7,863.09)	\$ 65,073
55160	Replacement Reserve Earned Interest	\$ 0	\$ 114.96	\$ (114.96)	\$ 0	\$ 281.61	\$ (281.61)	\$ 0
55490	Replacement Reserves	526	526.00	0.00	3,682	3,682.00	0.00	6,312
Total Replacement Reserves		\$ 526	\$ 640.96	\$ (114.96)	\$ 3,682	\$ 3,963.61	\$ (281.61)	\$ 6,312
56550	Operating Reserve Earned Interest	\$ 0	\$ 39.37	\$ (39.37)	\$ 0	\$ 194.96	\$ (194.96)	\$ 0
56551	Tree Reserve - Earned Interest	0	12.82	(12.82)	0	65.46	(65.46)	0
56553	Weather Reserve - Earned Interest	0	12.82	(12.82)	0	65.46	(65.46)	0
56600	Operating Reserves	458	458.00	0.00	3,206	3,206.00	0.00	5,500
Total Operating Reserves		\$ 458	\$ 523.01	\$ (65.01)	\$ 3,206	\$ 3,531.88	\$ (325.88)	\$ 5,500
Total Expenses/Reserves		\$ 10,950	\$ 19,363.18	\$ (8,413.18)	\$ 77,953	\$ 85,191.99	\$ (7,238.99)	\$ 131,752
Net Income (Loss)		\$ 21,988	\$ 3,236.53	\$ (18,751.47)	\$ 20,861	\$ 1,881.04	\$ (18,979.96)	\$ 0
Net Cash Flow		\$ 21,988	\$ 3,236.53	\$ (18,751.47)	\$ 20,861	\$ 1,881.04	\$ (18,979.96)	\$ 0



New Business

AMENDMENT
TO GATLING POINTE'S
AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
APPLICABLE TO ALL PROPERTY IN GATLING POINTE

This Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions Applicable to All Property in Gatling Pointe ("Declaration") is made this ____ day of _____, 20__, by the Owners in Gatling Pointe Community Association, Inc., a Virginia nonstock corporation (the "Association"), the Association to be indexed as both "Grantor" and "Grantee" for recordation purposes.

RECITALS:

(LEGAL HISTORY, PURPOSE OF THIS DECLARATION, OWNERS' INTENT)

R-1. The Association's Developer, Tidewater Brandermill Associates, a Virginia general partnership (the "Company"), created Gatling Pointe Subdivision ("Gatling Pointe") by a document titled "Declaration of Rights, Restrictions, Affirmative Obligations and Conditions Applicable to all Property in Gatling Pointe" ("Original Declaration I"), dated June 9, 1988, and recorded that day in the Clerk's Office of the Circuit Court of the County of Isle of Wight, Virginia ("Clerk's Office") in Deed Book 342, Page 139, as the same was amended from time to time.

R-2. The Company also recorded a document titled "Declaration of Covenants and Restrictions of the Gatling Pointe Community Association, Inc. and Tidewater Brandermill Associates, A Virginia General Partnership" ("Original Declaration II") dated June 9, 1988, and recorded that day in the Clerk's Office in Deed Book 342, Page 152, as the same was amended from time to time.

R-3. Gatling Pointe's Owners replaced the Original Declaration I and Original Declaration II with an Amended and Restated Declaration of Covenants, Conditions and Restrictions Applicable to All Property in Gatling Pointe, recorded in the Clerk's Office on July 8, 2016, as Instrument #162893.

R-4. The Association's Owners believe it is in the best interests of the Association to add a statement to the Declaration regarding use of the Lots to clarify the Owners approve of Lots used for residential purposes only, and not for short term rental use.

R-5. The Amended and Restated Declaration can be amended by a vote of two-thirds (2/3rds) of the votes cast at an Association Meeting in accordance with Article VIII, Section 3, of the Declaration.

Parcel IDs: See Schedule A Attached (too numerous to list)
Prepared By and Return To: Gatling Pointe Community Association, Inc.
c/o United Property Associates
5849 Harbour View Blvd., Ste 200, Suffolk, VA 23435

NOW, THEREFORE, Gatling Pointe's Owners do hereby approve of an Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions Applicable to All Property in Gatling Pointe as stated here:

1. Article III, entitled Additional Restrictions affecting Residential Lots, Section 2, entitled Use, is hereby amended to add a new paragraph to read as follows:

Owners may lease their Lot provided the initial term of the lease is not less than 12 consecutive months. No Lot shall be used for any cooperative, licensing, periodic, short term rental, timesharing or other use that entails daily, weekly, monthly or any other type of revolving or periodic occupancy by co-Owners, guests or residents, unless approved by the Association's Board of Directors after written request by an Owner to do so.

The undersigned President of the Gatling Pointe Board of Directors does hereby certify that this Amendment to Declaration has been approved by a vote of two-thirds (2/3rds) of the votes cast at an Association Meeting in accordance with Article VIII, Section 3, of the Declaration, as evidenced by their signatures on file with the Association, which such signatures constitute ratification of and consent to the Amendment by the Lot Owners, both certifications required by Section 55.1-1829.F of the Virginia Property Owners' Association Act.

EXECUTED on the date first written above by a duly authorized officer of the Association.

GATLING POINTE
COMMUNITY ASSOCIATION, INC.,
a Virginia Nonstock Corporation

By: _____
_____, President

COMMONWEALTH OF VIRGINIA,
CITY OF _____, to wit:

The foregoing instrument was acknowledged this _____ day of _____, 20____, before me, the undersigned Notary Public, by _____, President of the Board of Directors of Gatling Pointe Community Association, Inc.

Notary Public

Notary Registration Number:

My Commission Expires:

AMENDMENT
TO GATLING POINTE'S
AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
APPLICABLE TO ALL PROPERTY IN GATLING POINTE

EXHIBIT A: PARCEL IDs

[TO BE COMPLETED UPON APPROVAL OF THIS AMENDMENT BY THE OWNERS.]