



Twin Lakes Owners' Association
P.O. Box 128
Quinque, Va. 22965

Twin Lakes Newsletter

WINTER 2015

For all billing questions, requests for Disclosure packets or to update your contact information, please call:

THE BALANCING ACT

Barbara Capron
434.973.5543
3661 Stony Point Road

Questions? Comments?

You may contact the HOA via the following:

General: twinlakeshoa@twinlakeshoa.org

COMMITTEES

Architectural: arch@twinlakeshoa.org

Lakes & Dams: lakesanddams@twinlakeshoa.org

Newsletter/Web: newsletter@twinlakeshoa.org

Roads: roads@twinlakeshoa.org

Bylaws: bylaws@twinlakeshoa.org

Don't forget to visit www.twinlakeshoa.org

President's Message

Greetings from the president. Hope everyone had a good holiday. The board is very busy dealing with all the issues with the lakes. Dam 1 project should start soon if weather permits. We continue to work on funding for Dam 2.

We are in the process of working with the lawyers to collect back dues. Four cases are set for court this month. We will also be giving notices and issuing fines for unkempt road frontage, unkempt properties and working with the county on the junk car issues.

We have a very productive board and we are working hard to do a better job of communicating with the homeowners. With your help we can make this a better community.

Sincerely,
Bill Maxton
President TLOA

Slipline Repair to Begin on Lake Greene

Thanks to the funds raised from the Special Assessment, in addition to grants received through the Virginia Resource Authority (VRA), work is scheduled to begin around mid-February to repair the deteriorating pipe at Lake Greene. Don't worry if you soon see the water level of Lake Greene decrease significantly, this is just temporary, and part of the repair process. Come spring all residents should be able to enjoy the lake once more for recreational boating and fishing. Because of the high quality materials being used in the repair, we will all have a viable lake to use and enjoy for many, many more years to come.

Additional News

■ The TLOA Board has recently been awarded additional grant money totaling more than ten thousand dollars, which will go a long way in helping to maintain our lakes and dams. However, it is nowhere near enough money to cover costs of restoring Lake Shenandoah, the fate of which is still unknown.

■ Please watch your mail in the coming months for a brief survey regarding your views/opinions on the future of Lake Shenandoah. This survey will ask for your opinion on some potential options, so start thinking about how much you'd like to see Lake Shenandoah restored, and the costs associated.

■ Lake Skyline is currently operating under the classification of a "High Hazard" dam. We have recently applied to the state for an extension to continue operating the dam under this classification, at the expense of \$250. The state also requires that this dam must be inspected before the end of January, which costs us an additional \$800. Future costs will likely include engineering reports and designs, permitting, and construction and repair costs.

■ The TLOA Lakes and Dams Committee is currently investigating our options as to how best to bring Lake Skyline up to the state's "Regular" operating classification. In addition to obeying federal regulations, these repairs are essential to preventing system failure such as we experienced with Lake Shenandoah and the significant cost increase associated. We will learn more about the exact condition of Lake Skyline after our engineer inspects it in the coming weeks. Stay tuned ...

Twin Lakes Architectural Committee Update

The architectural committee will be traveling the sub-division in an effort to remind people there are some basic things we need to do to keep all our properties in compliance with the Twin Lakes bylaws. If these simple measures are not in compliance or not brought into compliance, there could be fines associated with the violation(s). The Twin Lakes Board is taking active measures with our attorney to legally attain any money owed for fines assessed. Also, if your neighbors is in violation of one of these bylaws & it bothers you for whatever reason, please feel free to contact the architectural committee at 434-985-4450 or email us at arch@twinlakeshoa.org. We can follow up.

- 1. If you have an out-building on the property, it must be pleasant to look at, maintained & match the exterior color of the residence. (Declaration Sec. 4 & Architectural/Environmental R & R's Section 2.G.)
- 2. All areas of the property must be maintained to prevent the development of any unclean, unsightly or unkempt conditions of buildings or grounds. (Architectural/Environmental R & R's Section 2.C. & 2.G.)
- 3. Burn barrels on the property are prohibited. (Architectural/Environmental R & R's Section 1.1)
- 4. All brush and trees should be trimmed back from the road by at least 3 feet and to a height of 12 feet. (Architectural/Environmental R & R's Section 2.C.)

Please make every effort to make sure your property is in compliance. It would be very much appreciated.

Animal Ordinances Affecting Twin Lakes Residents

If your pets are violating the codes and bylaws listed below, it is not their fault- it is yours. Twin Lakes is a high-density residential neighborhood, and we must respect each other's right to privacy, peace, and security.

Greene County Code

Section 14-61(f) – Running At Large:
"No dog shall be allowed to run at large, or remain unconfined, unrestricted or not penned up at any time in the areas zoned R-1, SR, PUD, B-1, B-2, B-3, M-1, M-2, County owned property, or in the areas known as: ... [other neighborhoods listed and] Twin Lakes..."

Sec. 14-101. – Noise from animals:

"It shall be unlawful and shall be a nuisance for an owner or custodian of an animal to harbor or keep any animal within the county which frequently or for a continued duration howls, barks, or makes other excessive, continuous or untimely sounds; provided, however, this section shall not apply to any animal located on property zoned Conservation (C-1) or Agricultural (A-I) of five acres or more, to any animal in an animal shelter or commercial kennel as defined in Article 22 of the Greene County Zoning Ordinance, or to sounds caused by livestock or poultry. For the purposes of this section, "excessive, continuous or untimely sounds" shall mean any howling, barking or other animal noise which continues for 20 consecutive minutes or more with no cessation of such sounds for time periods greater than five minutes during the 20 consecutive minutes."

Twin Lakes Bylaws

"Public Nuisance Animal: Shall mean any animal or animals that unreasonably annoy(s) humans, endanger(s) the life or health of other animals or humans, or substantially interfere(s) with the rights of citizens, other than their owners, to the enjoyment of life or property. The term public nuisance animal" shall mean and include, but is not limited to, any animal that:

- (1) is repeatedly found at large;
- (2) damages the property of anyone other than its owner;
- (3) chases vehicles;
- (4) excessively makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;"

TLOA 2014 Annual Meeting Minutes

Oct. 25, 2013, 7 p.m., William Monroe Middle School Cafeteria

Quorum attained.
Called to order at 7:15 p.m.
10/23/2014, 7:06 p.m.,
Twin Lakes Annual Meeting
Greene County Middle School
Cafeteria

Quorum attained. 37 at 7:06 p.m.
Called to order
Board members present: Bill
Maxton (BM), Sue Lance (SL), Carl
Shifflett (CS), Laurie Jacobson (LJ)
, Patrick Moctezuma (PM), Anita
Jwanouskos (AJ), Jean Weeks (JW)
and James Hayslett (JH)

Minutes were in the latest newslet-
ter.

Treasurer's report (Sue Lance):
\$ 40,839.45 Money Market
\$178,682.22 Lakes and Dams
(special fund set up for the Special
Assessment)
\$1,752.41 Checking Account

390 have paid the \$250 special as-
sessment.
55 have paid the \$125.

HO: The amount on the sheet here
is not an accurate amount

JH: That is the budget for 2015.

HO: \$178,000 in lakes and dams?
Does this include funds moved from
the Money Market fund?

SL: Yes, \$90,000 was moved into
the fund from the lakes and dams as
that was the budget for Lakes and
Dams for 2014.

LJ: Also \$20,200 from a grant also
put into the account too.

Architectural report (Sue Lance):
Nothing to report at this time.

**Bylaws report (Patrick Moctezu-
ma):**

We're not voting on any new
bylaw changes. If we do have any
changes, we will make sure you get
to vote on them and they will be
brought forward to you in the news-
letter before the annual meeting.

We are in the process of reviewing

the bylaws in its entirety, for clarity
and changes.

Next fall, expect some changes as
we will try to make our bylaws
more up to date with our new at-
torney. If you see if any changes that
need to be changed, clarified, please
let us know. They are available on
the website. No bylaw changes can
take place by the TLOA Board, they
all have to be approved by the home
owners. If there are any questions or
suggestions, just send an email into
the Bylaws Committee.

**Lakes and Dams report (James
Hayslett):**

Been working with Laurie Jacobson
on the Lakes and Dams Committee

Grants — Much work had been
done by Jared Templeton and Laurie
Jacobson. Funds received on October
12, 2014 for 4 grants. Received from
the Virginia Dept of Conservation
and Recreation (VCR) & paid out
by the Virginia Resources Author-
ity (VRA). We were granted \$20,200
by the VRA. Grant requirements
are we can get up to 50% match on
funds that we spend. Pays for only
mapping, digitization, development
of emergency action plans, engineer-
ing for dam repairs, etc. Not to pay
for the repairs itself. (We received
\$4,000 for an inundation study &
emergency action plan, incremental
damage analysis & engineering plan
for Dam 1 — \$1,000 and engineering
and dam repair for Dam 2 — \$4,000.
Those funds were from 2013. Then in
2014 we reapplied for more on Dam
2 as we did not get the whole 50%
of the \$28,000 or so we spent on the
engineering costs in 2013. With that
we were awarded another \$11,200.)
These funds were added to the Lakes
and Dams fund.

Dam 1 is in immediate need of
repair. The spillway (outlet pipe/
riser) is rusting out and starting to
fail. Inspections show leakage. Had
to abandon the low level drain in
the lake and it was filled with grout

in 2010 because the water level was
lowering due to the low level drain
failing. The system could fail simi-
larly to Dam 2. No matter what we
have to repair Dam 1 first so as to
not jeopardize the repairs on Dam 2.
Cost is a fraction of repairing it now
rather than after a failure. Minimal
impact on environment and eco-sys-
tems. Plus it will keep the lake alive
and it'll cost *a lot* less than if the dam
does fail. The repair will be done
with a (HDPE) High-Density Poly-
ethylene. Very strong plastic with
a 50 to 100 life span. Life span isn't
defined yet as it hasn't outlived its
invention timeline yet. Even on the
low end of the lifespan timeline, it's
a significant amount of time before
having to anticipate more repairs.
The repair will also contain a new
high level drain system, which will
replace the grouted out system which
was put in 2010.

Dam 1 — Ruckman Engineering
did the engineering. Contractor se-
lected is Bander Smith & they will do
the repair. Cost will be \$176,310,000.
\$1,500.00 of this has already been
paid as part of the initial site inspec-
tion and assessment. Funds are
available to do this repair. Repair will
take place in January and February
due to a delay in getting material.
This will fix this dam for quite a few
years. Only costs will be smaller
costs, such as clearing trees, etc for
general maintenance.

HO: Will this \$176,000 is part of
the 700,000-900,000 for all the lake
repairs?

LJ/PM: The funds in the Lakes and
Dams fund will cover the repairs on
Dam 1 right now. Dam 2 will be paid
for with different funds.

JH: Dam 3- the repairs for Dam 3
are not critical at this time and will
hold off for a little while longer. If
we didn't do the repairs on Dam 1
now, we could easily get into a very
expensive situation, such as what we
have on Dam 2 now.

By spending the money now, we will save a significant amount of money by repairing it now.

Dam 2. It's been a very long & slow process thus far. Bidding process is complete. 4 bids received. Lowest to highest:

Diggs Inc. \$687,340.00 Lowest bid, but this particular bid could have additional costs built into the bid, for instance if soil off of the dam was not reusable, we would have to pay for soil to be brought in. Other items not included which could raise the cost significantly.

Mundie Excavating, \$875,275.00.
AG Dillard Inc., \$1,177,539.00.
Mitchie Contracting Corp., \$2,259,516.00.

We are looking at the 1st 2 bids most seriously. Even with some additional cost for Diggs Inc, it would still be in range of competition.

We're seeking financial funding options for the repairs. 5 options we've explored:

■1. *Find investors and pay them back competitively at the rate of a bank.*

Investment is pretty unlikely. Not a lot of people with lots of money wanting to invest in our community. ■2. *Fund raising/donations*

Great idea, but impractical. Would be a lot of work.

■3. *Save funds until we have enough to do the repair.*

Not really an option. Reason being is if the process stalls & not moving forward, then the US Government will re-designate the lakebed as a wetland and we wouldn't be able to refill it.

■4. *Bank loan*

Still possible. Not a huge amount of luck with banks, but might still be possible. We have a couple common areas, roads and lakes, but not a lot of collateral. Could get a loan based on income level from our annual dues as an option.

■5. *Sanitary district*

It's a special taxing district within a county. Code of Virginia allows for creation of a sanitary district so as to collect special taxes from Home Owner's Association Property Owners to pay for needed improvements. These funds would come in the form of a low inter-

est loan and we would repay the Virginia Resources Authority (VRA) through the county taxes. VRA is set up for this type of situation. These taxes would be for every single home owner in TLOA. Our community would have to vote this is in. Loan would be repaid by taxes collected by county. Typically the tax is collected through the escrow account for most home owners & collected with our regular real estate taxes. It would be spread out over many years (20- to 30-year period and paid on a monthly cycle) so it would be minimal impact to the home owner payment. Smoothest way to come up with this large amount of money and less impact than a special assessment. Also the interest rate a lot less than a bank loan. Also the taxed would be tax deductible.

TLOA Board will be looking more closely as the bank loan & sanitary district options.

On Tuesday, October 14th, Lakes and Dams Committee members, James Hayslett and Laurie Jacobson went to the Greene County Board of Supervisors (BOS) to let them know about our intentions to propose the creation of a sanitary district.

■1. Draft and circulate a petition within Twin Lakes. Need 50 signatures.

■2. Then present the petition to the Greene County Court to see if we can then vote in a special referendum on whether to approve this or not.

■3. If the court approves the petition, each household would then receive one vote about the creation of the sanitary district.

■4. If it is approved, then we would get money and begin repair work quickly.

■5. If voted down, then no sanitary district and no money for repairs.

Even if we don't get Dam 2 repaired, we would still have to spend money on it. We will have to alter/dismantle the dam and its equipment so it won't pose a hazard. Could still pose a flood risk with very high storms, etc. There is no way to get away from the problems with Dam 2 either way we

look at it.

Special assessment: \$250 per household. 594 households total according to census records. Which means if we get all funds \$148,500.00. Most of this special assessment will be applied to Dam 1 and remainder will go to Dam 2. If special assessment isn't paid on time, it will be added onto yearly dues bill, along with late fees. Could get liens, legal action, etc.

HO: What was the BOS's reaction to the sanitary district?

JH: They were happy that we weren't asking for anything right then and we were giving them a heads up. We put a packet together for them explaining it and how it's been done in other communities in Virginia.

HO: Rehabilitate scares me. It's an on-going thing. If we want to sell your home. The home builder puts in these dams, but are we required to keep up the dams?

LJ: We are not the only HOA that has this problem. Our problem is especially big because we have 3 dams/lakes to deal with. Very difficult situation and the state of Virginia is giving us no help at all. Not sure how the laws were developed or because it's on private property, but our Association has the lakes/dams and we are to maintain them. If we don't maintain them, nobody else will. The state regulations now are so strict about the proper dam/spill way/ permits. All very expensive. Spoke with HOA in Amherst and they have 20 home owners and a 37 acre lake, which is deemed high hazard and they're up against it too. We're all trying to find this money to repair these dams and through these regulations, which weren't in place 30-40-50 years ago, where everything has to be safe and up to code and inspected all the time. All we are trying to do right now is look at our options and see what we can do to save the lake. At least now we have 1 lake that is healthy.

HO: If we select the Sanitary District, would we lose some control over the repair?

LJ: We would still be able to make decisions regarding our HOA and our dams. But Greene County would be the official governing body. They would have some authority in terms of collecting the taxes & to pay the loan back. They disburse the money from the loan to the contractors.

HO: Glad that this is the answer.

HO: What is to stop the continuous assessments? Another \$100,000, \$200,000? Another whatever you need whenever it comes up?

LJ: Are you talking worst-case scenario?

HO: Yes

LJ: Worst-case scenario, we don't raise the money, we don't fix the dam & the Army Corp of Engineers will come in and will deem it wetlands. Then nothing can be built on it.

HO: The special assessment came as quite a shock. Where does it stop? I wouldn't have had a problem with this if I had known.

LJ: We really want to let everyone know where we are, what we are trying to do and what is going on. Finite-only thing finite is Lake 1 is done.

HO: Dam 2 is where the expense is. Where is that going to come from?

LJ: From us. No matter how we do it, the money has to come from us. We're trying to find the best way to do that with the least amount of harm to the owners.

HO: What if we have to pay \$250 on top of my annual dues of \$350 every year. We aren't getting the goods and services we should be getting for that kind of money.

LJ: That's not an option special assessment fee every year because we would not be able to start fixing Dam 2 until we raised all that money and that would take too long. The government would say we're stalled and deem it wetland.

PM: Dam No. 2 can't be repaired by special assessments for the next 20 years. \$60 a year is probably going to be too low for an estimate in real estate taxes, but we really don't know as we don't know terms of loan, etc. It's our largest lake, our primary lake that most people use

and live on and will pose the largest lose of property value if we don't restore it. Sanitary district helps to make this viable. It's a uphill battle, but the HOA members will vote on whether Dam 2 and Lake 2 come back. If the HOA members vote to not pay for it will turn into wetland.

LJ: You get to vote on this if we bring in a sanitary district.

HO: Want to know if special assessments will be coming again.

LJ: We don't know what the future will be, so we can't state.

JH: There was a special assessment for the roads. Sometimes things come up that have to be funded.

HO: Special assessment for roads, then raise the dues for the roads, then this special assessment. Very unfair to pass this special assessment without asking us about it or letting us know about it.

BM: It's been in the newsletter and the information has been out there.

PM: We are not looking to spend \$900,000 without your vote. We certainly didn't want to do that with Lake 1 again. The dues you are paying now are just beginning to approach the cost that we are spending. Road costs, everything goes up and we're just starting to catch up. Every association outside of our own we speak to can't believe we have such little HOA dues, especially with 10 miles of road.

HO: Where did the vote come for the \$250 special assessment?

PM: We don't require a vote to pass a special assessment.

HO: You can just do a special assessment whenever you want?

PM: Have to have a specific reason for the special assessment to keep up the common assets. If we didn't do so, we would be running away from our responsibility as a board to take care of these things.

LJ: You have very good questions. Please refer to the web for information about the Virginia code and your rights as a home owner and what the board's rights are. We are trying to keep a nice neighborhood, protect your property values and we are a community and we need money to sustain it. We really need more help on the board to be

involved and make our community better. Lots of little things we can all do if we work together. Do need money to sustain it.

HO: Serious concerns about the special assessment coming year after year & no way of stopping it.

LJ: Read the code. It does have answers there on what you can do about it.

HO: Only given the option to fix the lake. We want other options explored.

BM: The government isn't helping us, and they are telling us what we need to do.

You have the choice is up to you. Can elect new board members, can call a meeting on your own. The bylaws afford you opportunity to do things. We're trying to do things with the tools we have to work with.

HO: If you get agitated with the questions. Not helping the situations. Has the state told you about the problems? How long have we known.

BM: Yes, we have known about it. We were directed to work on the roads, so a majority of the budget in years past went to that. Four or 5 years ago, Lake of the Woods and they told us what was happening to them and also the government started getting really involved with new regulations.

LJ: Our dams were classified as high hazard.

PM: We knew they needed sliplining repairs. Factors led to the problem on Dam 2, high rains and Wildwood Valley also had 2 dam collapses, which put more stress on our dams. Flash flood warnings have been more frequent. All stressors for our dams.

BM: We have talked about Wildwood Valley being responsible.

AJ: When Sue Knight and Mickey Harper were on the board as the Lakes and Dams committee, they did present to us that there was a problem and we needed to focus on it, but the Board chose to budget toward other projects.

HO: How much would it cost to put it back into wetlands? I've asked for this for several years.

BM: We don't know that.

LJ: We can investigate that.

HO: Is there a timeline when we have to make a decision by government agencies?

JH: Not given us a timeline, but we have to show that we are trying to progress forward. They just want to see action. When there is inaction, then that would be probably when they deem it wetlands.

HO: We just want you to consider the other option of having it become a wetland.

LJ: We have a permit that expires in 2 years. But if dam safety engineer sees us progressing, he can reissue the permit again.

BM: If we can't find the funds, then we'll have to look at that option. But we're trying.

LJ: We would be negligent in trying to find options, but if we can't do it, then we can't do it. We have to keep pursuing options. We're not going to just not try. Ultimately, it will be up to you. Save the lake and spend X amount of \$ or not save the lake and spend X amount of money.

HO: Doesn't matter to us whether we have a lake or not. Doesn't change my property. But you're going to move forward without our voice.

LJ: Because it is such a large amount, we would not move forward without your voice for all the options.

PM: Too bad people don't use the lakes more, whether fishing, etc. Small amount of people would suffer badly.

BM: Everyone's property values would go down.

Newsletter report (Patrick):

We had intended to go to a totally digital newsletter, but decided it was more important to make sure the communication avenue is open. January newsletter will have minutes from tonight. Will have a new way of doing the printing.

Option for electronic copy is available. We get a good rate for more printed, so it's better to have higher numbers. It's a bulk rate we need to keep at a certain level.

We do welcome all content for the newsletter, especially announce-

ments for non-profit events. Advertising is also available. Deadline can be found on the website. Pat Fitzgerald, Editor in Chief for *Greene County Record*, donates his time and energy into putting the newsletter together.

Website content changes much more frequently. Roads, lake updates, meetings, etc. If you see anything you want to have changed, etc, please email us.

Roads report (Bill Maxton):

Actual expenditures for 2014: \$107,406.57 for roads this year.

\$15,922.88 on snow/ice plowing. Will be the same contractor 2014 winter. They push at 4 inches.

\$28,000 for cement culvert under Jonquil Road (below Dam 3)

\$61,000 for paving

Please take care of ditches and make sure they are cleaned out.

Sorry for some of the home owner's with the confusion of the mailboxes. We didn't want the mailman to have to pull off the road

HO: Do you really think it'll be less next year?

BM: Don't see as much in the road repairs. Main road are done, and now we can start of the side roads next year. Unless there is something unforeseen popping up, we should be good.

HO: Plowing. Concern is plowing is digging up the roads. Is there a way to not have the snow go right into our driveway? Can we mark it? I understand he can't tell where the driveway is. I'm at the end of a cul-de-sac and he puts snow right into my driveway. Snow pile makes it very difficult to get car out.

CS: Reflectors possible.

BM: I'm not sure where this is happening.

HO: Gladiola.

BM: I'll drive by and check it out. Some of the tar and chip is actually gone on the side roads.

HO: Vacant laws and they are not being cleared. Snapdragon.

BM: The ones we have heard about, we've sent letter. Or if we can stop by, we try to talk to them if

we catch them at home. We've got a very good law firm now.

It's helpful to know which lot it is.

HO: 18 Jonquil Road, with a culvert there. Full of dirt. Amicus and Jonquil.

BM: We've cleaned a couple of them this year, but we need to hear about them. We'll get it checked out.

HO: Azalea & Carnation, there is a little pothole.

BM: That's been discussed with Larry Lamb as Mt. Lakes Water Co did that.

HO: Also 581 W. Daffodil a big pot hole there.

BM: We know we didn't get them all. Those were freebies and not figured into the paving costs.

PM: VDOT supervisor will be at the BOS meeting in November. Chance to speak with him & the BOS.

BM: 633 is also a very dangerous road. No shoulder. We've spoken to them, but more voices makes a difference.

Old Business:

No old business as we didn't have any from last year.

New Business:

HO: Thank you for work being done by the Board.

Our new law firm is going after the top 5 home owner's that owe us money. We've got liens on their houses and now the law firm is going to go to court to get judgments against these home owner's

Elections:

Bill Maxton — Elected in. No nays.
Carl Shifflett — Elected in. No nays.

Laurie Jacobson — Elected in. No nays.

Jan Weeks — Elected in. No nays.
James Hayslett- Elected in. No nays.

Drawing: Francis (Crabtree?)

Attachments:

- 2013 TLOA annual minutes
- Budget