

Bay Tree Lakes

Property Owners Association

Annual Bay Tree Lakes POA Meeting April 9, 2011

The Bay Tree Lakes Property Owner's Association, Inc Annual Meeting was held at the Club House on Saturday, April 9, 2011. President Charles Atkinson called the meeting to order at 10:00 am at which time everyone was welcomed to the meeting. President Atkinson expressed his appreciation to those who helped this year and for everyone's attendance. President Atkinson requested Roger Wright to give the invocation.

2010 Annual Meeting Minutes

Dennis Ford presented the minutes. There were no corrections. A motion was made and seconded to approve the minutes as presented. The motion carried.

2010 Calendar Year Financial Report

Clark Valentiner presented the Annual financial report. The total income for the year was \$213,371.76 and the expenses for the year were \$230, 645.77. The amount of the road loan at last year's annual meeting was \$290,943.91 and at this year's annual meeting the amount is down to \$199,091.79. A motion was made and seconded to approve the financial report as presented. The motion carried.

President's Comments

President Atkinson again thanked all the POA members for their assistance during the year. He recognized and thanked the Directors, the Bay Tree Women's Club, and the Red Hat Ladies Club (renamed to the Nifty Fifties Women's Social Club).

President Atkinson recognized the volunteers that served on and gave their time on different committees:

- GEORGE STARKE (WEB MASTER & ARC REVIEW COMMITTEE)
- PHYLLIS & BOB LATHAM (4TH JULY)
- JOHN & PAT HEMINGWAY (4TH July)
- HECTOR REYES (FISHING TOURNAMENT)
- JIM CRAYTON (ARC COMMITTEE)
- BRIAN WOLF (ARC COMMITTEE)
- ALL OF OUR VOLUNTEER FIREFIGHTERS

- DAVID CAMPBELL FOR TAKING CLASSES TO ASSIST THE COMMUNITY IN THE FIREWORKS DISPLAY ON JULY 4TH
(President Atkinson then called on Secretary Dennis Ford to give an update on the fireworks training. Dennis Ford was contacted at 3:00 PM on April 8th and advised that the fire marshal would be at Bay Tree Lakes during the week of April 11-15 conducting training. He wanted to observe Mr. David Campbell and three volunteers as they demonstrated their proficiency with fireworks. Dennis Ford also advised that training was scheduled in Wake Forest, NC on April 16th and that David Campbell and the three volunteers would need to attend and take a proficiency test. Dennis Ford advised that these requirements were just part of the process and those approvals and plans had to be submitted to the state for review. Dennis Ford advised the community and President Atkinson that three volunteers were needed or that there would not be a fireworks display in 2011 at Bay Tree Lakes. President Atkinson asked for volunteers and did not receive any from the membership. Charles Atkinson advised that if he was not contacted by Monday by volunteers that Bay Tree Lakes would not have a fireworks display).
- TRICIA DILELLO FOR ORGANIZING HALLOWEEN AND CHRISTMAS PARTIES AT THE CLUB HOUSE FOR OUR CHILDREN IN THE COMMUNITY
- MICHAEL DILELLO FOR ASSISTING THE BOARD WITH HIS EXPERTISE IN SETTING UP THE EXERCISE ROOM

President Atkinson discussed Board accomplishments as follows:

- UPGRADE OF THE RECREATION ROOM AND EQUIPMENT
- CONTINUED TO WORK ON THE NEW ACCOUNTING SYSTEM
- GEESE REMOVAL AND BEAVER ABATEMENT
- WORKED ON, COMPLETED, AND APPROVED OUR 2011 BUDGET
- UPDATED OUR LONG RANGE CAPITAL IMPROVEMENTS PLAN
- EVALUATED, SOUGHT SOLUTIONS AND HIRED PROFESSIONALS TO HELP THE COMMUNITY BETTER UNDERSTAND OUR LOW LAKE WATER LEVELS
- UPDATED POLICIES (GRASS MOWING, MEMBER PRIVACY AND CONTROLS)
- ADDED FIVE YEARS OF MONTHLY BOARD MEETINGS TO THE WEBSITE WITH HELP FROM GEORGE STARKE
- ROAD LOAN PAID DOWN ADDITIONAL \$40,000.00. (President Atkinson said that if the new board keeps up the same policy of paying down the road principal that the entire loan amount should be retired between April 2013 and September 2013).

Reports

Bay Tree Lake Fire Department:

The Bay Tree Lake Fire Department report was presented by Safety Training Officer Danny Lytch. Danny Lytch thanked the board and membership for their financial support. He indicated that the fire department recently purchased a \$215,000 tanker.

Danny Lytch indicated that the fire department is always looking for volunteers and is required by the state to have 20 active members. Each member is required to receive at least 30 hours of training a year. Without a fire department he indicated that the insurance rates could soar and he asked for everyone's continued financial support. Danny Lytch advised that there was literature on a table in the foyer explaining Fire Wise status of the department. There are only seven fire departments in the state with this designation. President Atkinson asked Danny Lytch if he could forward the qualification requirements to be a member to the board so that the requirements could be posted in the new fire department section on the web site.

Bay Tree Women's Club:

Sally Valentiner reported that the Bay Tree Women's Club was strictly a social club and that they meet on the 3rd Saturday morning of each month from 9:00 to 10:00 am and invited all ladies to join in. They also have a covered dish dinner that same night. Sally Valentiner advised that they have an email list that they are always updating so if you want your name and email address on the list please forward the information. The club is planning a Tacky Party for this month beginning in the evening at 6:30 with awesome food and fellowship. The club does not meet during the summer months of June, July, and August. The club sells Bay Tree logo items to raise funds. The Club also sponsors an auction at Christmas to raise funds for the Bladen Crisis Center. Mike Dilello helped with the auction and that \$2,047 was raised and presented to the crisis center. The club also sells calendars that have community photos on it that have been submitted by the community. She requested that you continue to send in photos to Neta Massey. The club also sponsors the Bay Tree Lakes Fire Department annual golf tournament and sponsored two holes last year.

Easter Sunrise Service:

Dennis Ford thanked the Board for supporting the Easter Sunrise Service and breakfast. There were 60 in attendance. Dennis Ford advised that the next Easter Sunrise Service was scheduled for two weeks, April 24, 2011 and encouraged everyone to attend. Dennis Ford advised that there would not be a breakfast this year unless someone from the community wanted to organize it. Dennis Ford also advised that if there were volunteers to take over the service that he would help anyone with an interest in future years any way that he could. Dennis Ford advised that there are a number of our neighbors that are sick and need our daily prayers and support.

Nifty Fifties Women's Social Club:

The Nifty Fifties Women's Social Club (Formerly Red Hat) report was presented by Hilda Ingram. Hilda Ingram advised that the club met every month and hosted an outing. The information is posted on the bulleting board. The event this month (April) is on April 29th at UNC Pembroke. The club has 20 persons going to dinner at a seafood restaurant and then going to a concert that has the Tams as one of the groups playing. The cost of the concert is \$20 each and bus transportation has been arranged for the group at a cost of \$8 per person. Charles Atkinson requested Hilda Ingram to forward future outing information to the board and that the board would get the information posted on the community web site.

Lake and Canal Water Study:

Clark Wooten presented the lake and water study for the board. He began by thanking Charles Atkinson for his commitment and dedication to the community and for his service the last two years as president. Clark Wooten began his presentation with a question (Why does the water levels fluctuate so dramatically in the Baytree Ecosystem). Clark Wooten then began detailing what the board had done in an effort to answer that question and to adhere with the mandate of the community at the 2009 Annual Meeting. Clark Wooten detailed how the board had contacted the NC State Park Service, US Army Corps of Engineers, US Geological Survey, and the NC Division of Water Quality. The end result of these conversations was that we needed a site specific study. The board, with the help of others in the community, began setting gauges in waterways in the community and measured rainfall in an effort to document the correlation of the two. The board retained Stephen W. Earp, one of the foremost experts in the region in environmental law to guide us in our study and to make recommendations necessary to find the answers that the community expects. The board also retained Dr. Richard Spruill with Groundwater Management Associates, Inc. to help us study the groundwater and develop and implement strategies in an effort to find answers to the water loss. With the help of our experts the board is in the process of permitting ground water monitoring wells in the Baytree ecosystem.

Scott Smith asked how long that it had taken from the GMA hire to get to where we are now. Clark Wooten answered about eight months.

Les Reinhold wanted to make sure that the professionals knew that we get our drinking water from wells. Clark Wooten advised that the wells that are being put in by GMA are only 10 feet deep.

A question was asked about where the wells were being placed. Charles Atkinson indicated that the professionals gave us the suggested locations for the wells and that the board would be happy to share the maps.

Another question was asked about expected costs. The board has initially allocated \$20,000 for the project of which \$17,000 has been spent. Charles Atkinson advised that the cost could be \$20,000 or up to \$40,000.

Scott Smith requested to know the time period that GMA would need to get data. Charles Atkinson advised that it would take three days to install the wells and that the monitoring and study would last about six months. At the conclusion the experts would present a report and that we would go from there. The data will tell us if there is a problem that needs to be addressed. Charles Atkinson thanked the membership for their patience as the board works with the experts.

NC Helicopter and Aquatic Rescue Team Training:

Junior Rideout informed the members of a training session that will take place in the community from April 11-15, 2011. The training will involve water rescue training and a helicopter will be used. The helicopter will not fly over homes. The training will involve units from the NC National Guard and emergency management in our area. Several local agencies will be involved in the training, including our fire department, and other local first responders that would come to the aid of the membership at Bay Tree. A question was asked about liability and Junior Rideout advised that the local emergency management director and the State of NC were responsible for the event.

Introduction of Mr. Carl Cain (Property Manager in Training)

Clark Wooten recognized Roy Dew for his service to our community as the property manager. Roy Dew received a standing ovation from the property owners. Clark Wooten began by reminding everyone that this has been a long process that started last year at the annual meeting with the board asking for persons that were interested to contact the board. Clark Wooten indicated that this discussion for a property manager was addressed often at monthly board meetings as we looked for the best and brightest to fill Roy's position. The position was advertised and over 100 applications were received. The applications were narrowed down and Carl Cain came to the top of the list. We looked at what our budget could handle, the distance someone lived from the front gate, and skills needed to do the job. Carl Cain was about to retire from a community college where he ran the physical plant and had over a million dollar budget, was good with computers and spread sheets, lives three miles from the gate, and has a desire to serve Bay Tree. Carl Cain was introduced to the property owners.

Questions and Answers:

Contractor cards – gate card refund request:

A number of times during the year property owners requested a refund for their old gate cards. Clark Wooten presented the power point slide that shows that a notice was posted to the community web site in late 2007 advising the property owners that as of the last day of 2007 that there would be no additional refunds. This item was also addressed in 2008 at a board meeting.

Request for copies of the minutes to the board meetings:

A number of requests were made during the year for copies of the minutes to past board meetings. At the request of the board George Starke worked hard and was able to add five years of minutes to the community web site and also included copies of the annual meetings as well.

Request for a solution to the ant problem at the playground:

Dennis Ford advised that the board would work with Danny Lytch and come up with a solution to the problem. We will not do anything that is not safe because of the type of area where the problem exists.

On April 7th the board received an email request from Mr. Michael Smith requesting that Tanya Todd, Mike Dilello, John Ciccarella, and he be added to the list of persons to talk at the annual meeting. He also included in the email the topics that each person would like to address:

Tanya Todd wanted to discuss the property manager position:

Tanya Todd said that she meant no disrespect to Mr. Cain. She said that without a job description that it is hard to turn in a resume. She said that the board needed to put the job description out there. Tanya Todd asked the board why Mr. Cain was such a good candidate – how can he be the best candidate? Charles Atkinson indicated that we looked for self starters that found things to do without being told. He indicated that if they saw something that needed to be done that they made the purchases and corrected the items whether it is air filters, toilet paper or light bulbs that needed changing. Clark Wooten answered by saying that we put the job description in the ads and posted in the area newspapers. Tanya Todd asked if there was a chance for an assistant to be hired that lives inside of Bay Tree. Clark Wooten advised that if Mr. Cain does not work out that the board will look at that possibility.

Tanya Todd also wanted to have some of the mothers appointed to the playground committee to look for solutions to problems there and bring back suggestions to the board. Clark Wooten asked Tanya Todd if she would chair that committee and she indicated that she would be the committee chair person.

Mike Dilello wanted to address the board about having three of the five board members as permanent residents:

Mike Dilello said that he would like to see three of the five board members living in Bay Tree instead of the current make up. Clark Wooten advised that this request would require a change of the by laws.

John Ciccarella wants the board to be more transparent. He wants the open meeting laws to be observed:

Mike Dilello indicated that he would address this topic. He said that he comes to over 90% of the board meetings and that there is always an executive session. He requested more transparency. President Atkinson asked Dennis Ford to address Mr. Dilello's comments. Dennis Ford indicated that the earlier presentation by Treasurer Clark Valentiner indicated that we were short of funds in the amount of \$17,000. Dennis Ford further advised Mr. Dilello that we have about \$30,000 in dues that property owners have not paid. We go behind closed doors to keep from embarrassing anyone. Some folks are having a hard time right now because of the economy and we were looking for ways to get your money so that we could do the community's business. We discuss warning letters, what cases to turn over to lawyers for final letters, and property liens. Dennis Ford further said that he preferred to not do business that way and to post the property owners names on the community web site if they did not pay their dues but that all board members were not in agreement. Mr. Les Reinhold suggested that the board secretary post at the bottom of the minutes the topics that were discussed in closed session.

Les Reinhold:

Les Reinhold advised that he had a quick announcement. He indicated that he had a killer guitar player and fiddler and that he was planning a jam session in his back yard today from 2 to 4. He said that all were welcome and said that they were looking for a bass guitar player also.

Michael Smith would like to propose committees to investigate, research, negotiate, and report back to the board on the water and sewer purchase, entire property purchase, and a committee to continue board and water committee studies and interaction with the attorney and hydrologist.

Michael Smith read a 2 and ½ minute presentation. He indicated that the community could not rely on the board for all of our decisions and that he was making a motion for blue ribbon committees (1) to look at the current water and sewer system and the possibility of us purchasing them, (2) the viability of buying the entire development, and (3) a committee to help with board water issues. Mike Dilello then seconded the motion. During discussion the committees were changed to two committees – (1) one to study the water and sewer systems and entire property purchase, and (2) a second to assist the board with the water study. Mike Dilello then amended his second of the motion to reflect the change to two committees. President Atkinson asked for a vote on the motions and the verbal responses required a counted vote. A vote was taken of the membership and there were 30 votes for the committees and 94 votes against the committees. The motion was not carried. Mike Smith asked the board how each voted and each answered that they voted no.

Jill Stevens requested that the speed bumps be improved by putting some reflective paint on them so that they can be seen. President Atkinson responded that the painting would be done as requested.

A question was asked about the generator at the gate and if it was working. President Atkinson asked Dennis Ford to respond to that question. Dennis Ford advised that the generator is currently at the fire department for safe keeping until the gate house receives permanent power. The building has not received a certificate of occupancy yet and that the board has been trying to negotiate getting the gate house finished. The gate house is not POA property. The person asking the question indicated that the board might need another negotiator so that we could get it finished.

Sonja Smith requested a committee to study the possibility of a pool:

Sonja Smith indicated that she does not live in Bay Tree except for the months of June, July, and August. She did not know that the recreation room had been taken away and thinks that a pool would be an asset. Sonja Smith made a motion for a committee to explore the possibility of a pool. She said that before that it was shot down and that she had a petition with over 100 names on it. She would propose putting it around the cabana. A member asked can someone put one in their back yard if you want one. A second to the motion was made by Brenda Cherry. President Atkinson asked Sonja Smith to restate her motion. Sonja Smith said that she wanted to form a committee to explore the possibility of a community pool and that the committee would report back at the

annual meeting next year. John Hemmingway asked the board to also have the financial numbers available that that would indicate how much that our dues would be increased, the maintenance and upkeep figures, and the increased liability. Scott Smith indicated that a pool would increase our property values.

President Atkinson asked for a vote on the motion and the verbal responses required a counted vote. A vote was taken of the membership and there were 83 votes for the committee and 28 votes against the committee. The motion was carried. President Atkinson asked Sonja Smith if she would chair the committee and she agreed.

Election of Board Members:

Clerk Tish Herrmann advised that we had a quorum.

President Atkinson indicated that there was a change of board vacancies from what had been posted previously. President Atkinson advised that Dennis Ford resigned from the board effective April 9th and that there would be three board members serving for a two year term and that a fourth board member would be nominated to serve the remaining one year left on Dennis Ford's term. The person with the fourth fewest votes would serve Dennis Ford's remaining one year term. President Atkinson opened the floor for nominations and the following POA members were nominated:

1. Junior Rideout
2. Clark Valentiner
3. George Starke
4. Alfred Tyndall
5. Brenda Cherry
6. Troy Votaw
7. John Ciccarelli
8. Hilda Ingram
9. Brian Wolf

A motion was made and seconded to close the nominations. Each candidate was afforded the opportunity to address the membership before the vote. A membership vote by ballot was taken with the following results:

- | | |
|---------------------|-----------|
| 1. Clark Valentiner | 131 votes |
| 2. Junior Rideout | 118 votes |
| 3. George Starke | 82 votes |
| 4. Brenda Cherry | 67 votes |
| 5. Alfred Tyndall | 54 votes |
| 6. Troy Votaw | 51 votes |
| 7. John Ciccarelli | 28 votes |
| 8. Hilda Ingram | 22 votes |
| 9. Brian Wolf | 6 votes |

Clark Valentiner, Junior Rideout, and George Starke were nominated for a two year term. Brenda Cherry was nominated for a one year term.

Awarding of sealed bids:

Mike Dilello's bid for the pool table was \$150. Charles Massey's bid for the foosball table was \$111. Each submitted the highest bid and will receive the items as agreed to in the sealed bid instructions.

There being no additional items for discussion the annual meeting was adjourned at 1:15 PM.

The next annual meeting will be April 14, 2012.

Respectfully submitted,
Dennis Ford
Secretary
Bay Tree POA