



# *Bay Tree Lakes*

---

## *Property Owners Association*

### **Monthly Board of Directors Meeting July 13, 2010**

The Bay Tree Lakes Property Owner's Association, Inc Board of Directors monthly meeting was held at the Club House on Tuesday July 13, 2010. The following Board Members were present: Charles Atkinson, Clark Wooten, Clark Valentiner, Junior Rideout, and Dennis Ford. Others present were Tish Herrmann (POA Clerk) and Roy Dew (Property Manager). The following POA members were also present: Hank Howell, George Starke, Charles Massey, Alfred Tyndall, Tricia and Michael Dilello, John and Mary Jo Ciccarelli, Shannon Scott, Paige Scott, Wyatt Beard, Betty Smith, Michelle Lewis, Sonya Smith, Tanya Wells, and Brian Wolf. Others may have been present that are not recognized in the minutes.

President Charles Atkinson called the meeting to order at 6:59 pm at which time everyone was welcomed to the meeting. President Atkinson expressed his appreciation for everyone's attendance.

Dennis Ford gave the invocation.

President Atkinson distributed the agenda. (Attached as Exhibit A)

**Approval of June, 2010 minutes** (Attached as Exhibit B)

Dennis Ford presented the minutes. There were no corrections.

**Approval of Financial Report** (Attached as Exhibit C)

Clark Valentiner presented the June financial report. Our income for June was \$6,204.18 and expenses were \$14,564.83. We currently have \$125,530.90 in all accounts. (Check book account, Road loan payment account, and Money Market account) The principal on the road loan was \$279,324.76.

**Property Manager's Report** (Attached as Exhibit D)

Roy Dew presented his report. Roy indicated that the guard entrance gate, that is the property of the Corporation, still does not have a certificate of occupancy. He indicated that a handicap access ramp was required, handrails in the bathroom were needed, work on some doors was needed, and a handicap parking area designated with a sign was required.

## **Clerks Report** (Attached as Exhibit E)

Clerk Herrmann presented the monthly report.

### **Approval of Consent Items**

In order to expedite the meeting, members reviewed all reports prior to the meeting. President Atkinson asked for any comments or questions regarding any of the reports. There being no other comments a motion was made by Clark Wooten and seconded by Clark Valentiner to approve the reports as presented. The motion was unanimously approved.

### **POA Member Comments & Concerns**

#### **Recreation Room Incident:**

Paige Scott and Wyatt Beard each apologized to the Board and community for damaging the ceiling in the recreation room. Both took responsibility for their actions and told us that it would never occur again. They both asked for some type of community service so they could make amends. Charles Atkinson asked Dennis Ford to talk with the girls regarding the incident. It was agreed that the girls would help clean up the beach and water front on a Saturday morning, day to be determined later. Dennis Ford will coordinate the community service with the parents of Paige and Wyatt.

#### **John Ciccarelli Complaint Review:**

The Board received an anonymous complaint that the Ciccarelli's were operating a jet ski business out of their home. The Board sent a letter to the Ciccarelli's asking them to respond to the complaint so that the board could resolve the matter. A letter was received regarding John Ciccarelli's position on the complaint of operating a jet ski business. John Ciccarelli was provided the opportunity to discuss the issue with the Board where he indicated that the jet ski operation was not a business but a hobby. He indicated that he buys broken jet ski's and repairs them. He sold five jet ski's in 2009 and has sold 10 jet ski's in 2010. Charles Atkinson asked John about the web site that he operates that indicates that he will buy and sell jet ski's. John Ciccarelli indicated that he was doing this as a hobby. The Board decided to seek council advice concerning the Restrictive Covenants and John Ciccarelli's response before proceeding with finalizing the complaint.

#### **Sonya Smith:**

Sonya Smith gave the Board a copy of several items that she wanted to be put on the agenda for July 13, 2010. The Board received the additional agenda items at 6:50 PM prior to the meeting. Sonya Smith presented the following items requesting an answer from the Board:

1. Gym/Recreation room
  - How to address donated equipment (Allen Stepro).
  - Can we do sealed bid for pool table?
  - Foosball table to screened porch.
  - Who decides how much to be spent on equipment?

- Who's doing work?
  - With there be additional charge?
  - Age limits?
2. Is there a maximum amount to be spent on improvements, etc that can be approved by board only and not at annual meeting?
  3. Property manager
    - Why no response to those applied?
    - Who decided to pay mileage?
    - Why not someone in Bay Tree?
    - Property manager should be more available.
  4. Security gate
    - Is it still necessary to have guard with improved security gate?
    - How much paid and is there a Christmas bonus?
    - \$17.50 per hour?

Sonya Smith also indicated that she reads the minutes regularly and that there is not enough detail in them so she does not know everything going on in the community.

Charles Atkinson gave the Board's response to Sonya Smith's questions. Charles indicated that it was the position of the Board to sell the pool table as part of a way to control cost during the construction. The Board decides how much to spend on the project based on the budget that was put up at the Annual Meeting for all present to see. We stick to the budget and our priority is paying off the roads. He indicated that we took on projects that were needed and not projects that we would like to do. He further indicated that we are following the vote taken at the Annual Meeting where members approved closing the recreation room and making the area a workout room. Charles also advised that J & D Construction made the renovations that are almost complete. Charles also said that the age limit had not been decided.

Charles Atkinson then talked about the property manager position and said that he was proud to have Roy Dew as our property manager. Charles further stated that the Board has not found the right person in Bay Tree to take his place.

Charles Atkinson stated that we pay about \$4,000 a summer to have guards at the guard house. He thought that this was reasonable and did not see a reason to not have guards at the gate. He indicated that the community appreciated the guards being there. Charles Atkinson also stated that we did not pay a Christmas bonus. He indicated that the deputy in charge of setting up guards for the gate for the summer months was contacted by the Board and that this deputy made all of the calls to other deputies. He made the schedule for the entire summer and would also fill in if another deputy could not come or he could not get a weekend filled. This deputy was not paid anything for his time in setting this up and managing the summer schedule. The Board approved a \$200.00 payment to show the community's appreciation for his time.

**Business:**

**Lake and Canal Issues:**

Committee Report on Lake and Canal Study:

Clark Wooten advised that the committee and Board continue to work on and monitor the water issues at Bay Tree. He indicated that currently we have water in the lake for recreation but did not have further information to report.

Report on potential electronic monitoring equipment:

Dennis Ford indicated that he is purchasing and installing a new device on his personal weather station so we could measure evaporation at Bay Tree Lakes. The Water Study Committee made the request for the additional equipment.

Horsepen Lift and Channel Marking & Response to letter to Corporation:

Clark Wooten advised that he had not sent the letter to the Corporation yet on repairing the Horsepen lift but would do so in the next few days.

**Job Descriptions:**

Charles Atkinson asked all of the Board members to review the job descriptions and make changes if needed so we could discuss them before the 4<sup>th</sup> Quarter of the year started. All members agreed to this request.

**Policies:**

Discussion and approval of a policy for posting in bulletin board:

The draft containing the regulations for use of the bulletin board was discussed but not formally approved at the meeting.

Grass mowing issues:

A contractor requested a gate card so that he could access the Bay Tree Community so that he could regularly cut a lot that has been foreclosed on. The Board agreed to stay with the policy of one gate card per property owner. A gate card is already in the possession of the realtor selling the property. The contractor was told and will again be told to get the card from the realtor or come on Tuesday or Thursday to perform the service when the property manager can let him in Bay Tree.

**Buildings and Grounds:**

Roadway shoulders and walking paths:

Roy Dew advised that that it would cost approximately \$1000 to put dirt along the side of the roads where erosion was causing problems. He indicated the Red would do the repair if approved. Clark Wooten agreed to help Roy Dew decide how much sod would be needed in order to prevent erosion problems in the affected areas.

Roadway cracking on Bay Tree Drive:

Charles Atkinson reported that he contacted Barnhill Construction and they reported that cracking in the crest of a road was common and could be repaired by placing tar in the cracks.

Repairs were also made at the intersection of Blue Heron Drive about 8 weeks ago when a water main broke. The Board agreed to send a letter asking the Corporation to properly pave the area as agreed to in the paving contract.

Exercise Room upgrade status report:

Roy indicated that the exercise room was almost complete and that we should complete the renovations with a savings of at least \$500 under the budgeted amount. Mr. Stepro wanted to donate a piece of exercise equipment to the new room and Mike Delillo was asked to look the equipment over to see if we could use the equipment in an effort to trim cost of purchasing new equipment. Roy Dew suggested that we get a signed form donating the equipment to the community when we decide to put use equipment in the room. Mike Delillo also passed out new equipment pricing and some suggested rules and regulations for the use of the room for the Board to review.

Roy Dew also stated that the proposal to exchange the pool table in exchange for work performed did not go thru and that we needed to decide what to do with the equipment. Sonya Smith said that the foosball table was offered to her at no charge and that since the community paid for it she thought the items should be put up for bid. The Board agree to put the pool table and foosball table up for bid and to leave it for 45 days in an effort to allow property owners that do not live at Bay Tree Lakes full time an opportunity to place a sealed bid.

**Other Reports & Issues:**

Report from Security Committee/Larceny:

Dennis Ford reported that there were a couple of larcenies in the community where sailboats were taken from beach areas. Dennis Ford reported that the Sheriff Department investigated and charged the person with larceny. Tanya Wells indicated that the items that the person took were abandoned property and were not stolen. Dennis Ford advised that a property owner identified the property as theirs and that they use the sailboat often and did not give anyone permission to take it.

Note: Dennis Ford spoke with the head deputy at the gate on July 17<sup>th</sup> and he indicated that he thought the case may still be under investigation and that charges might not have been filed to date. He indicated that he would follow up and report back to the Board so we will know the case status.

July 4<sup>th</sup> Committee Report:

David Campbell has volunteered to attend classes and get certified in firework management so that he can help the community with our fireworks display in 2011.

Architectural Study Committee Update:

George Starke indicated that he was waiting on Steven Jones to contact him again regarding further discussion.

West Insurance Request:

A local insurance representative (Paul Johnson) requested an opportunity to bid on insurance for the common areas of Bay Tree when the next renewal process opens. The Board agreed.

The Bay Tree Lakes Property Owners Association meeting was adjourned at 8:22 PM with the Board's executive session to follow.

**Executive Session:**

Executive Session began at 8:34 and ended at 9:02 PM.

**Adjourn:**

With there being no other business, at 9:02 PM a motion was made by Dennis Ford to adjourn seconded by Charles Atkinson. The motion carried.

Respectfully submitted,  
Dennis Ford  
Secretary  
Bay Tree POA

**Exhibit A**  
**Bay Tree Lakes Property Owners Association**  
**Board of Directors Meeting**  
**Agenda**  
 Tuesday, July 13, 2010

**Call to Order and Welcome**

Charles Atkinson  
 Roy Dew

**Invocation**

**Presentation of Consent Agenda Items:**

- |   |                  |
|---|------------------|
| 1. Approval of Prior Meeting Minutes (June 8, 2010)   | Dennis Ford      |
| 2. Approval of Months Financial Report (June 8, 2010) | Clark Valentiner |
| 3. Property Manager's Report (June 2010)              | Roy Dew          |
| 4. POA Clerk's Report (June 2010)                     | Tish Herrmann    |

**POA Member Comments & Concerns:** (Three minute time limit per member)

- |   |             |
|---|-------------|
| 1. Rec Room Incident 05-29-2010 Paige Scott & Wyatt Beard | Dennis Ford |
| 2. John Ciccarelli Complaint Review                       | Board       |

**Business:**

Lake and Canal Issues:

- |   |                      |
|---|----------------------|
| 1. Committee Report on Lake & Canal Water Study                           | Clark Wooten         |
| 2. Report on potential electronic monitoring equipment                    | Dennis Ford, Roy Dew |
| 3. Horsepen Lift, and Channel Marking & response to letter to Corporation | Clark Wooten         |

**Job Descriptions**

- |                     |                                    |
|---------------------|------------------------------------|
| 1. Property Manager | Clark Wooten                       |
| 2. POA Clerk        | Clark Wooten                       |
| 3. President        | Clark Wooten                       |
| 4. Vice – President | Charles Atkinson                   |
| 5. Secretary        | Clark Wooten                       |
| 6. Treasurer        | Dennis Ford                        |
| 7. Member At large  | Clark Valentiner<br>Junior Rideout |

**Policies:**

- |  |                  |
|--|------------------|
| 1. Discussion and approval of a policy for posting in bulletin board | Board            |
| 2. Grass Mowing issues   | Charles Atkinson |
| o Richard Hoffman/Rachel Skipper                                     |                  |
| o Josh Myers / Joe Geisen's Property                                 |                  |

Buildings and Grounds:

- |  |         |
|--|---------|
| 1. Roadway shoulders and walking path repairs                      | Roy Dew |
| 2. Roadway cracking on Bay Tree Drive                              |         |
| 3. Exercise Room upgrade status report                             |         |
| a. Official Vote for Pool table in exchange for goods and services |         |

**Other Reports& Issues**

- |  |                  |
|--|------------------|
| 1. Report from Security Committee        | Dennis Ford      |
| a. Larceny Report                        | Dennis ford      |
| 2. 4 <sup>th</sup> July Committee Report | Charles Atkinson |
| 3. Architectural Study Committee Update  | George Starke    |
| 4. West Insurance Request                | Charles Atkinson |

**Exhibit C**  
 Bay Tree Lakes Property Owners Association  
 Profit & Loss  
 June 2010

	<b>Total</b>
Income	
Non-Profit Income	
Dues	3,354.18
Gate Access	250.00
Mowing Income	520.00
Rental	600.00
Roads	1,480.00
Total Non-Profit Income	6,204.18
Total Income	\$6,204.18
Expenses	
Building cleaning	340.00
Building fire protection	75.00
Cost of Labor	
Cost of Labor	
Clerk	500.00
Guard	1,540.00
Prop Mgr Mileage	369.05
Property Manager	900.00
Total Cost of Labor	3,309.05
Total Cost of Labor	3,309.05
Funds transfer	5,230.00
Gate	274.79
Grounds	
Mowing & cleaning	600.00
Total Grounds	600.00
Office Expenses	
Bank Charges	8.95
Internet	71.57
Postage	93.70
Quick Books Online	24.95
Supplies	38.94
Telephone	149.81
Web site	34.90
Total Office Expenses	422.82
Repair & Maintenance	
Boat Lift	107.95



	<b>Total</b>
Cabana	843.08
Clubhouse	2,373.47
Playground	323.25
Total Repair & Maintenance	3,647.75
Trailer storage facility	78.00
Utilities	
Electricity	469.98
Water/Sewer	117.44
Total Utilities	587.42
Total Expenses	\$14,564.83
Net Operating Income	\$ -8,360.65
Other Expenses	
Miscellaneous	66.25
Total Other Expenses	\$66.25
Net Other Income	\$ -66.25
Net Income	\$ -8,426.90

## Exhibit D

### Property Managers Report June 2010

#### Clubhouse:

1. 11 loads of sand was put on the beach, the area was leveled and cleaned.
2. The exercise room is approximately 90% complete.
3. Replaced the outside wood walkway as a result of someone tripping over a uneven board, an incident report was filed out and is on file.
4. A dog bite was reported on July 4<sup>th</sup>. The deputy on duty investigated the incident and filed a report.

#### Entrance Gates:

1. Several thunderstorms occurred causing power lost to the gates. **The 3 year old generator is still in storage because the gate house has not been completed.**
2. Had several telephone conversations with Southern Time technician on repairing the entrance gate, which resulted in us not having a service call.

**Exhibit E**  
**Clerk's Report**  
**July 13, 2010**

**Dues:**

Outstanding Balance June 30, 2010: \$30,591.94

Credit Balance June 30, 2010: \$4,959.42

**Billing July 1, 2010**

Dues: \$54,747.00 (434.5 lots)

Interest: 917.46

Outstanding 30,591.94

Total \$86,256.40

**Lots reported sold in June**

<u>Buyer</u>	<u>Lot</u>	<u>Home</u>	<u>Seller</u>
East Bladen Land Co	937	Harrells	LPS, LLC
Dexter Edwards	541	Beulaville, NC	East Bladen Land Co