

# *Bay Tree Lakes*

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## *Property Owners Association*

### **Monthly Board of Directors Meeting October 11, 2012**

The Bay Tree Lakes Property Owner's Association, Inc. Board of Directors monthly meeting was held at the clubhouse on Thursday October 11, 2012. The following Board Members were present: Brenda Cherry, Troy Votaw, Clark Valentiner, Junior Rideout, and Mick Robeson. Staff present was: Tish Herrmann (POA Clerk), Carl Cain (Property Manager) and Roy Dew (Asst. Property Manager). The following POA members were also present: Debbie Kettle, Hank Howell.

President Brenda Cherry called the meeting to order at 7:00 pm at which time everyone was welcomed to the meeting. She expressed her appreciation for everyone's attendance.

Treasurer Clark Valentiner gave the invocation.

**Approval of Previous Months minutes:** J.Rideout 1<sup>st</sup>, T Votaw 2<sup>nd</sup>

**Approval of Financial Report:** (Attached as Exhibit B) M. Robeson 1<sup>st</sup>, Rideout 2<sup>nd</sup>

Operations Checking: \$37,853.95

Road Loan Checking: \$15,690.00

Money Market Acct: \$55,554.67

Total Monies: \$109,098.62

Road Loan Principal: \$56,677.59

**Approval of Property Manager's Report:** (Attached as Exhibit C)

Carl Cain reported:

- Cape Fear Appraisal Group requested a gate card for their firm. Board denied request. Recommend they contact the home or property owner for access.
- Generator for front gate is 25% complete. Gas tank will need to be buried and installation fees will be encountered. (Approximately \$150). Anticipated to be operational by end of October or mid-November.
- Horsepen Boat Lift has been serviced and is operating much better.
- Light weight dumbbells have been purchased and placed in the fitness center.
- New gate arms have been installed. Old ones kept for spares.
- Dead pine tree on lot #71 has been removed.
- 2 first time users have accessed the fitness center.
- Notice of tree trimming branches overhanging the road way has been posted on the Bulletin Board. Work should be done before month end.
- 6 gate passes were issued in September.
- 11 lots were mowed by the POA for non-compliance in September.
- The Cabana will be winterized and closed for use on November 1<sup>st</sup>. The main water valve needs to be replaced. T. Votaw moved and M. Robeson seconded to replace the water valve at a cost of approximately \$125.00.

**Approval of Clerks Report:** (Attached as Exhibit D)

From the Clerk

**October 11, 2012**

September 30, 2012 Outstanding Dues: \$23,323.37  
September 30, 2012 Credit Balance: \$3,506.72

**Billing October 1, 2012**

436.5 lots \$54,999.00  
Interest \$700.00  
Outstanding \$23,323.37

## **Lots Reported Sold September 2012**

Buyer	Lot	Home	Seller
Albert & Kimberly Wise	155	Fayetteville, NC	Jeremy Marsh
Davis King/ Ivey Pope	PHIV 2&3	Bladenboro, NC	Steve Tatum

## **Business & Issues:**

- Update on Meeting with Attorneys: President Cherry met with Attorneys Cliff Hester, representing Lake Creek, Morgan Mehler, representing the POA, and Mr. Steve Jones Jr. to come to a reasonable solution on the voting process as set forth in the restrictive covenants that were drafted back in 1972. Both attorneys have reviewed all past votes and are drafting new procedures and language to amend the current rules. The new policies will be forwarded to the board and Mr. Jones for approval. Once that is accomplished, Mr. Mehler will draft a letter to be sent to all property owners and a special meeting will be called and a vote will be taken and all "A" and "B" votes must be counted. The attorneys are working to have everything done before the end of the year and both attorneys have agreed to be present at this special meeting to answer any questions.

Another item that Mr. Mehler is looking into and advise the board on is the clubhouse rental changes that were proposed last month. The topic had been brought up at an annual meeting and voted on by the membership.

- 1) Boating and Fishing Regulations were put up for a vote by the board. The board passed the new rules and regulations by a vote of 4 for and 1 against.
- 2) Road Repairs and missing signs were brought up and President Cherry is to discuss again with Mr. S. Jones Jr.
- 3) Proposals made by Clerk Tish Herrmann last month were voted on and passed by the board. The proposals were:
  - (1) The charge for new cards for the exercise room will be \$20.00 per card regardless whether it is a first time card or replacement.
  - (2) The procedure for collection of dues referencing the "second letter": "member must remit the outstanding balance within 30 days. (This letter will be referred to as the "second letter".)" Time limit changing from 30 days to 14 days.

### **Committee Reports & Issues:**

Rental Committee: Had No Report

Water Committee: Had No Report

Pool Committee: Ms. Sonya Smith had e-mailed a letter to Secretary Robeson stating that they were awaiting a decision before proceeding.

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

- 1) Cell Phone Gate Access: Mr. Hank Howell stated that he would head up the project of researching the possibility of using cell phones for gate access. He was going to get in contact with John Ciccarelli, Henry Cashwell and Debbie Kettle and work with Roy Dew and Carl Cain. He would research the project and identify cost and details involved. He also requested that Bay Tree Committee members and the chairperson be listed on the website, which the board agrees to get done.
- 2) Mr. T. Votaw noted that Ms. Leda Votaw was the chairwoman of the playground committee. With members Ms. Karen Pack and Ms. Sue Gillis
- 3) President Cherry stated that she had a call into "Kristen" with NC Wildlife to get an update from her on their investigation on lake levels. She was apparently awaiting ruling on jurisdiction but is apparently out on vacation this past week.
- 4) Mr. Hank Howell noted that the website still shows that our monthly meetings are on Tuesdays and not Thursdays. Mr. Robeson stated he would contact the web master to correct.
- 5) Prior months request for the Bay Tree Fire Department Golf Tournament donation of \$1500 was passed by the board and Treasurer Valentiner cut a check.

There being no more business the meeting ended.

**EXHIBIT A**  
**Bay Tree Lakes Property Owners Association**  
**Board of Directors Meeting**

Agenda  
Thursday, October 13, 2012

<b>Call to Order and Welcome Members &amp; Guests</b>	Brenda Cherry
<b>Invocation</b>	Clark Valentiner
<b>Presentation of Consent Agenda Items:</b>	
1. Approval of Prior Meeting Minutes (Sept. 2012 )	Mick Robeson
2. Approval of Prior Month's Financial Report (Sept. 2012 )	Clark Valentiner
3. Property Manager's Report (Sept. 2012)	Carl Cain
4. POA Clerk's Report (Sept. 2012)	Tish Herrmann
<b>Business:</b>	
• Update on Meeting With Attorneys	Brenda Cherry
• Boating & Fishing Regulations	POA Board
• Generator Hookup to Gatehouse	Carl Cain
• Boat Lift at Horsepen Lake Dropping	Carl Cain
<b>Committee Reports &amp; Issues:</b>	
• Safety/Security Committee (Cell Phone Gate Access?)	No Report
• Rental Committee	No Report
• Water Committee Update	No Report
• Swimming Pool Update	No Report
<b>POA Member Comments &amp; Concerns:</b>	
• Open	

Executive Session will be held immediately following monthly board meeting.

**EXHIBIT B**

Attached are our Financials for September 2012:

Operations Checking: \$37,853.95

Road Loan Checking: \$15,690.00

Money Market: \$55,554.67

Total Monies: \$109,098.62

Road Loan Principal: \$56,677.59

**Bay Tree Lakes Property Owners Association  
Profit & Loss  
September 2012**

**Income**

**Non-Profit Income**

Club Card	10.00
Dues	1,696.16
Gate Access	380.00
POA Lot Mowing	75.00
Rental	200.00
Roads	712.00
<b>Total Non-Profit Income</b>	<b>3,073.16</b>
<b>Total Income</b>	<b>\$3,073.16</b>

**Expenses**

Building cleaning	655.00
Building fire protection	75.00
Cost of Labor	
Cost of Labor	
Clerk	600.00
Guard	760.00
Property Manager	1,657.50
<b>Total Cost of Labor</b>	<b>3,017.50</b>
<b>Total Cost of Labor</b>	<b>3,017.50</b>

**Funds transfer**

Interest Paid	299.23
Principal Paid	4,930.77
<b>Total Funds transfer</b>	<b>5,230.00</b>

Gate	7.28
Grounds	
Mowing & cleaning	725.00
<b>Total Grounds</b>	<b>725.00</b>
Member Event	-96.00
<b>Office Expenses</b>	
Bank Charges	11.95
Internet	71.61
Postage	152.25
Quick Books Online	26.95
Telephone	155.66
Web site	20.00
<b>Total Office Expenses</b>	<b>438.42</b>
<b>Repair &amp; Maintenance</b>	
Boat Lift	384.50
Clubhouse	1,187.76
Playground	75.00
<b>Total Repair &amp; Maintenance</b>	<b>1,647.26</b>
Road Repair & Maintenance	300.00
Trailer storage facility	78.00
<b>Utilities</b>	
Electricity	634.46
Water/Sewer	42.98
<b>Total Utilities</b>	<b>677.44</b>
VFD Support	2,100.00
<b>Total Expenses</b>	<b>\$14,854.90</b>
<b>Net Operating Income</b>	<b>\$ -11,781.74</b>
<b>Net Income</b>	<b>\$ -11,781.74</b>

Monday, Oct 08, 2012 05:58:28 PM GMT-4 - Cash Basis  
This report was created using QuickBooks Online.

QuickBooks Online.

Oct. 08, 2012

Exhibit C



## Property Manager's Report- Sept 2012

For Board action- Cape Fear Appraisal Group- Mr. Bobby Hensley has request a gate card for use by his firm while working in Bay Tree.

- Generator installation approximately 25% completed. Met with Progress Energy about electrical service and 2 gas companies about the tank and associated gas piping. Mr. Steve Jones asked the gas tank be buried which means the POA will have to purchase the tank. I agree with his request for security, and appearance. This cost will be additional to that projected. Also Progress Energy now has a service install fee for small users, it will be approximately 150\$. Anticipate the generator will be operational by the end of October-mid November.
- HP boat lift has been service and adjusted by SmithCo. It is functioning better.
- Light weight dumbbells have been purchased and placed in the fitness center.
- New gate arms have arrived and been installed.
- Dead pine tree at lot # 71 has been removed.
- 2 new/first time users have accessed the Library/ Fitness Center. 112 users have entered the room in September. Most users in one day was 12, average usage per day was 5. Average for last month was 6.
- The notice of tree branches overhanging the road was posted on the web and BB, vendor completed the work on \_\_\_\_\_ 2012.
- 6 gate passes were issued in September.
- 11 lots were mowed by the POA for non-compliance in September.
- The cabana will be winterized and closed for use on November 1, 2012. The main water valve will need to be replaced, it is not functioning, the county water service valve is questionable as to it's continued operation.

**EXHIBIT D**

From the Clerk

**October 11, 2012**

September 30, 2012 Outstanding Dues: \$23,323.37

September 30, 2012 Credit Balance: \$3,506.72

**Billing October 1, 2012**

436.5 lots \$54,999.00

Interest 700.67

Outstanding 23,323.37

Total \$79,023.04

**Lots Reported Sold September 2012**

Buyer Lot Home Seller

Albert & Kimberly Wise 155 Fayetteville, NC Jeremy Marsh

David King/Ivey Pope PHIV 2 & 3 Bladenboro, NC Steve Tatum

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