

Bay Tree Lakes

Property Owners Association

The Bay Tree Lakes Property Owner's Association, Inc. Board of Directors monthly meeting was held at the Clubhouse on Thursday, November 14, 2013. The following Board Members were present: Troy Votaw, Clark Valentiner, Jim Crayton, Junior Rideout and Roger Wright. Staff present was: Tish Herrmann (POA Clerk).

President Troy Votaw called the meeting to order at 7:00 pm and welcomed all POA members to the meeting. Clark Valentiner gave the invocation.

President Votaw shared with the POA Members in attendance that anyone that would like to share comments or ask questions must be recognized by the POA Board President.

President Votaw also shared that individual comments/question would be taken at the end of the board business discussion and individual guest comments/questions would be limited to three (3) minutes.

Approval of Prior Meeting Minutes: October 10, 2013 Roger Wright 1st, Jim Crayton 2nd Unanimous affirmative vote by the board

Approval of Prior Month's Financial Report: October 2013 (Attached as Exhibit A)
Jim Crayton 1st, Junior Rideout 2nd Unanimous affirmative vote by the board
Operation Checking: \$ 100,058.61

Pool Checking: \$ 82,882.93 (incl - \$ 55,573.07 balance of Pool loan)

Money Market: \$ 55,659.87

Total Monies: \$ 238,601.41

Approval of Property Manager's Report: (Attached as Exhibit B)
Submitted by Jim Crayton Clark Valentiner 1st, Jr Rideout 2nd Unanimous affirmative vote by the Board

Approval of Clerks Report: (Attached as Exhibit C) Submitted by Tish Herrmann
JR Rideout 1st Clark Valentiner 2nd Unanimous affirmative vote by the Board

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Business & Issues:

- **NC Wildlife Commission:**

A letter has been sent to the Bay Tree Property Owners advising:

1. All Bay Tree Waters including the Canals and Horsepen Lake are currently considered "PUBLIC" waters by the state of NC.
 - a. Meaning the NCWC has the authority to enforce NCWC rules and regulations and the authority to write tickets on the Canals, Horsepen and Bay Tree Lake.
2. The letter advised that we can petition the NCWC Director to give the Canals and Horsepen "PRIVATE" status if perimeter property owners around the Canals and Horsepen would like to do so.
 - a. Only property owners with land around the perimeter of the Canals and Horsepen Lake are eligible to vote.
3. The letter further advised that we will petition the NCWC Director to grant "Private" status if a majority of the Canal and Horsepen perimeter property owners vote:
 - a. Yes—we want the Bay Tree Canals and Horsepen Lake to be recognized as "Private" waters.
4. We will advise the NCWC that no action is required if a majority of the Canal and Horsepen property owners vote:
 - a. No---indicating a desire to keep the Canals and Horsepen waters Public.
5. **On Friday, November 15, the POA Board counted the votes and posted the following results.**
 - a. **158 yes votes**
 - b. **17 no votes**
 - c. **Two votes that did not circle "yes" or "no"**
6. Based on the results of the vote the POA Board will submit the signed votes to the NCWC Director and request the NCWC to grant "PRIVATE" status to the Bay Tree Canals and Horsepen Lake.
 - a. We will continue to provide updates as this process moves forward.

Road Maintenance:

1. The POA Board is mindful of the need to protect our road investment by maintaining and repairing damage that results from wear and time.
 - a. We have solicited and received several bids to repair cracks.
 - b. The contract for this work will be triggered in Q1 of 2014.
 - i. Winter months tend to be the "off" season for Paving Contractors and electing to do this work in Q1, 2014 allows us to get more

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attractive pricing and more attention from capable paving companies.

Bladen County Tax Revaluation:

1. Bladen County Tax revaluation process takes place every eight (8) years.
2. The next revaluation is to be implemented in January, 2015.
3. Assessment Solutions, Owned by Tim Cain, the same company that performed the 2007 revaluation has been contracted to handle the 2015 cycle.
 - a. Assessment Solutions already has people visiting properties, collecting data, confirming what is on property, etc.
4. Per the Bladen County Tax office website the 2015 implementation will use data telling what the market has been doing in the last 18 months to place a value on property.
5. The POA Board assumes Bladen County will base values on the previous 18 Month sales history in a fair and equitable manner however the POA Board also believes it prudent for the Bay Tree Community to present a very united front to the County Tax Administrator and make sure the Bay Tree Community as well as the County Tax Assessment Team have a clear and factual understanding of the previous 18 months sales history in the Bay Tree Community.
 - a. The POA Board is working to form a team of seven Bay Tree residents to review the sales history of Bay Tree Properties from July 1, 2012 through December 31, 2013.
 - i. Understand and present other issues that may negatively influence Bay Tree Property values.
 - b. The team will seek to review this data with the Bladen County Tax Office with the goal of confirming 2015 assessments are in line with the previous 18 months of Bay Tree Property sales history.
 - i. Other factors that may influence value.
 - c. The expectation is the County data and Bay Tree Team data will be in sync however if there are differences the team will ask the Tax Office to provide further explanation and detail.
 - d. Bottom line most Bay Tree residents were shocked by the 2007 revaluation and did not understand the logic or supporting data that produced huge increases in Bay Tree Property values.
 - i. Our expectation is that a more proactive approach for the 2015 revaluation will allow us to better understand the basis for values and if there is conflict we will be prepared to present factual data that supports the position of a united Bay Tree Community on this issue.

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e. If you would like to be a member of this team please contact:

Roger B. Wright
1038 Bay Tree Drive
rogfishin@gmail.com
910-874-1458

Replenish Lake:

1. The POA Board does not believe we have the expertise to fully understand and define root cause of the lake level issue.
2. The POA Board does not believe the negative publicity the lake level issue is receiving is leading to a solution to the problem.
3. The POA Board believes the solution to the problem is for the Bay Tree Community to unite and stand shoulder to shoulder and factually address this issue.
 - a. Combine the talent and resources within our community with outside expertise to determine if there is a problem beyond the less than average P/A rainfall in recent years.
 - i. Define the problem in very specific terms.
 - ii. Take the problem and supporting facts and compelling documentation to the proper Bladen County and/or NC Department of water management authorities
 1. Seek their help in finding a solution.
 - b. If there is not a problem that can be identified and defined;
 - i. Concentrate our united efforts on finding ways to replenish our lake.
 1. Do this within the boundaries of Bladen Co. and NC law.

Bay Tree Weather Station:

1. Jr. Rideout shared that the weather station is up and running and collecting data.
2. The Current weather can be viewed at the Bay Tree web site.

Pool Update:

1. In recent weeks our focus has been and continues to be on developing a clear understanding of “all” DOI and ADA requirements for a “Public” swimming pool.
2. Laurel Wight, Chief Accessibility Code Consultant for the state of NC and G. Cleveland Pate, PLLC Architecture –Planning are working in concert to provide a road map that outlines all incremental steps required to allow

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our finished pool to meet the needs and expectations of all of Bay Tree Property Owners..

3. We will provide a more detailed update after the “roadmap” is finalized and the incremental steps further defined.

POA Board Attorney (s) Requirements:

1. The POA Board is in the process of filling two different requirements for legal support.
 - a. **Local (Elizabethtown) attorney to:**
 - i. Write letters outlining requirements and consequences of not paying POA dues.
 - ii. File liens and other legal actions when dues have not been paid and the grace period is over.
 - iii. Day to day legal needs and support requirements.
 - b. **POA Expertise:**
 - i. The POA Board is working with the Fayetteville, NC Law Firm of Lewis, Deese and Nance.
 - ii. The primary focus is on determining Bay Tree Property Owners rights as pertains to control of key issues in running, maintaining and managing Bay Tree.
 - iii. Going into this discussion we realize this is a very complex issue and a good bit of research and understanding of the complexities of Bay Tree Bylaws and other governing documents as well as NC law pertaining to Property Owners Associations will be required before a legal opinion can be given.
 - iv. We have full confidence that Lewis, Deese and Nance have the capability to develop a clear understanding of our rights and options as Bay Tree Property Owners.
 - v. **The POA Board will continue to pursue this issue with the firm of Lewis, Deese and Nance as long as there are compelling reasons offered by the law firm to persuade us that we can bring about positive change for the Bay Tree Community.**
 1. **The Board is mindful of the cost/benefit relationship and will be good stewards of the dollars invested in this cause.**

A motion was made by Jim Crayton and Seconded by Jr. Rideout to adjourn. The affirmative vote by the board was unanimous.

Minutes submitted by:
 Roger B. Wright
 POA Board Secretary

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Exhibit "A"

**Bay Tree Lakes Property Owners Association
Profit & Loss
October 2013**

**Total
Income**

Non-Profit Income

Dues 25,825.56

Pool 10,428.00

Total Non-Profit Income 36,253.56

Total Income \$36,253.56

Expenses

Building cleaning 425.00

Cost of Labor

Cost of Labor

Asst Property Manager - SL 30.00

Certified Pool Operator 145.00

Clerk 600.00

Property Manager 532.50

Total Cost of Labor 1,307.50

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Funds transfer

Interest Paid Pool 1,130.12

Total Funds transfer 1,130.12

Grounds

Mowing & cleaning 350.00

Trash removal 25.00

Total Grounds 375.00

Legal & Professional Fees 375.00

Office Expenses

Bank Charges 9.95

Quick Books Online 26.95

Supplies 310.97

Telephone 279.91

Web site 29.90

Total Office Expenses 657.68

Repair & Maintenance

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Boat Lift	40.00	
Clubhouse	830.00	
Exercise Room	231.88	
Pest Control	85.00	
Total Repair & Maintenance	1,186.88	
Trailer storage facility	83.00	
Utilities		
Electricity	1,006.92	
Water/Sewer	320.95	
Total Utilities	1,327.87	
VFD Support	1,500.00	
Total Expenses	\$8,368.05	
Net Operating Income	\$27,885.51	
Net Income	\$27,885.51	

Monday, Nov 04, 2013 08:44:33 PM PST GMT-5 - Cash Basis

This report was created using QuickBooks Online.

Exhibit "B"
Property Manager's Report
October 2013

Issued 6 Windshield Tags

911 gate operation successfully tested

Replaced additional bulbs at gate

We had a serious malfunction of exit gate. I made several attempts to repair it but was unsuccessful. Called Southern Time and their rep came and replaced the controller board with a loaner. He advised us that the entire control mechanism needed rebuilding at an estimated cost of \$1,500. He will rebuild it and replace our controller as soon as he gets the parts.

Had Gloria do a final cleaning on the Cabana and then winterized it...twice. Had a problem locating correct key topadlocks and by the time I got back someone had

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used three of the toilets so I had to turn the water back on in order to flush them and then drain the system again. New locks have been installed with clearly marked keys placed in gate office. The Cabana will re-open in the spring.

Solicited and received several bids to repair cracks in streets. Took each contractor through the community and pointed out places that needed repair.

Repaired floor in exercise room and monitored treadmills.

Exhibit "C"

From the Clerk

November 7, 2013

October 31, 2013 Outstanding Dues:	\$35,376.89	
October 31, 2013 Credit Balance:	\$	676.82

No Lots reported sold October 2013