

Bay Tree Lakes

Property Owners Association

Annual Bay Tree Lakes POA Meeting April 14, 2012

The Bay Tree Lakes Property Owner's Association, Inc. Annual Meeting was held at the Club House on Saturday, April 14, 2012. President Clark Wooten called the meeting to order at 10:15 am at which time everyone was welcomed to the meeting. President Wooten expressed his appreciation to those who helped this year and for everyone's attendance. President Wooten requested John Hemmingway give the invocation.

The 2012 POA Meeting Agenda was made available (see Exhibit A)

2011 Annual Meeting Minutes

Since the Annual Meeting Minutes had been on our web site for more than one month, President Wooten requested the membership approve the minutes as indicated on the web site. A motion was made, seconded and approved unanimously.

2011 Calendar Year Financial Report (see Exhibit B)

Clark Valentiner presented the Annual financial report. The total income for the year was \$224,356.60 and the expenses for the year were \$213,624.31. The amount of the road loan as of 31Dec.2010 was \$231,584.11 and at 31Dec.2011 was \$129,535.70. A motion was made and seconded to approve the financial report as presented. The motion carried.

2011 Accomplishments (See Exhibit C)

Along with the Accomplishments, President Wooten gave a special thanks to Mr. Carl Cain (Property Manager) and Mr Roy Dew (Assistant Property Manager) for their help throughout the year.

Proxy Voting 2012

President Wooten discussed the process and indicated that the Board agreed to indicate to the membership, how many Proxies were assigned to the Board. In addition, this years Board voted to split the total number of proxies evenly among the Board members so each could vote as they saw fit. This agreement was for the 2012 Annual Meeting only. Ms. Betty Wegman questioned why the vote was divided and not voted by majority as had been done in the past. Mr. Charles Massey indicated agreement with the division of votes.

Property Owner Recognition

President Wooten recognized the following Property Owners for their contributions to the community throughout the year:

Mike Dilello for supervising the exercise room upgrade project.

Bay Tree Women's Club for fostering community goodwill through monthly dinners and assisting with various functions (Annual Meeting, Christmas Auction, etc.)

Trisha Dilello for organizing the Thanksgiving Party and Children's Christmas Party.

Brenda Cherry for organizing the Independence Day Celebration.

Bob Latham, Mick Robeson, and Chris Cherry for organizing C.E.R.T.

Michelle Lewis for her efforts with the tennis court backboard project.

Steve Jones for his cooperation with the Board and Property Owners.

Request for Committee Volunteers

President Wooten asked the membership for volunteers for the various community committees. President Wooten expressed gratitude for the response received (see Exhibit D).

Reports

Bay Tree Lake Fire Department:

The Bay Tree Lakes Fire Department report was presented by Bob Latham who thanked the board and membership for their financial support. He indicated that the fire department recently purchased a new fire truck and thanked Mr. Jim Crayton for his work getting the truck ready. Bob also reported he submitted a proposal to the Bladen County Commissioners to install pressurized fire hydrants in the community to replace the Dry Hydrants currently installed. The Commissioners agreed to take the request under advisement. Bob discussed the progress of the C.E.R.T. indicating the need for additional volunteers. The team purchased a heat sensitive camera for determining hot spots. Bob also reminded the membership of the October VFD Golf Tournament which is their major fund raiser.

Bay Tree Women's Club:

Sue Smith 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 "Pot Luck" dinner that evening with children welcome. In December, the Club will have an adults only charity auction with all proceeds going to the Bladen County Crisis Center. Last year a total of \$3,000 was raised for the center.

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 is open to all women in the community, whether or not they are over the age of 50. If anyone is interested in receiving an activity list, please send an email to Hilda Ingram at lsleyburt1956@intrstar.net. Information is also posted on the bulletin board and our community web site.

Community Cleanup:

Mary Jo Ciccarelli organized a community a Community Cleanup day. Volunteers will meet at the Clubhouse on May 12, 2012 at 9:00am.

Committee Reports

Community Pool Presentation:

Ms. Brenda Cherry gave a presentation on the progress of the Pool Committee prepared by Ms. Sonya Smith. After the presentation and a Q&A period, a vote was taken. 101 property owners were in favor of proceeding with the pool plans with 84 property owners against any further action.

Short Term Rentals:

Ms. Brenda Cherry presented a growing concern regarding short term rental of properties in Bay Tree (See Exhibit E). There currently is no rental policy in Bay Tree. After the presentation, Ms. Cherry asked if this was something the property owners wanted the POA Board to investigate further. Although a formal vote was not taken, a voice vote indicated the membership wanted the board to follow up.

Proxy Voting Process:

Ms. Brenda Cherry presented a proposal prepared by Mr. George Starke regarding modifying the Proxy Voting Process (See Exhibit F). The process outlined would include notification of POA Board candidates and any process requiring large expenditures of money, months ahead of the Annual Meeting. Mr. Charles Massey indicated this was long overdue. The membership indicated this should be followed up by the POA Board.

Water Committee/Bay Tree Lake Level:

Mike Smith indicated the Committee is very concerned about falling lake levels. The Committee also asked the Board to provide the Committee all data collected during the past several years which the Board agreed to do.

Election of Board Members:

Clerk Tish Herrmann advised that we had a quorum.

President Wooten indicated there are two vacancies for the Board this year and opened the floor for nominations. The following POA members were nominated:

- Brenda Cherry
- Troy Votaw
- Mick Robeson

After voting to close the nominations, a membership vote by ballot was taken with the following results:

- | | |
|------------------|-----------|
| 1. Brenda Cherry | 153 votes |
| 2. Troy Votaw | 113 votes |
| 3. Mick Robeson | 71 votes |

Brenda Cherry and Troy Votaw were elected to two year terms.

There being no additional items for discussion the annual meeting was adjourned at 1:45 PM.

The next annual meeting will be April 3, 2013.

Respectfully submitted,
Bay Tree POA Board

Exhibit A

Bay Tree Lakes Property Owners Association 2012 Annual Meeting

Agenda
April 14, 2012

Call to Order and Welcome Members & Guests

Clark Wooten

Invocation

John Hemingway

Presentation of Consent Agenda Items:

- Approval of 2011 Annual Meeting Minutes
- Approval of 2011 Financial Report

George Starke

Clark Valentiner

Presidents Comments

Clark Wooten

2011 Board Accomplishments
Request for Committee volunteers
Membership Recognition

Community Updates

1. Bay Tree VFD
2. Bay Tree Woman's Association
3. Nifty Fifties Woman's Social Club
4. Community Cleanup

Bob Latham
Sue Smith
Hilda Ingram
Mary Jo Ciccarella

Committee Reports & Issues

1. Community Pool Presentation
2. Exercise Room Update
3. Short-Term Rentals
4. Proxy Voting Process

Sonya Smith
Mike Dilello
Brenda Cherry
George Starke

POA Member Comments & Concerns:

Business:

Election of Officers

Exhibit B

Bay Tree Lakes Property Owners Association
Profit & Loss
January - December 2011

	Total
Income	
Non-Profit Income	
Club Card	150.00
Contractor Code	50.00
Dues	156,024.60
Gate Access	2,510.00
Key Deposit	50.00
POA Lot Mowing	1,650.00
Rental	2,000.00
Roads	61,922.00
Total Non-Profit Income	224,356.60
Total Income	\$224,356.60
Expenses	
Advertising	50.00
Building cleaning	2,400.00
Building fire protection	1,947.02
Cost of Labor	
Cost of Labor	

Clerk	6,000.00
Guard	4,540.00
Prop Mgr Mileage	4,491.25
Property Manager	16,184.99
Total Cost of Labor	31,216.24
Total Cost of Labor	31,216.24
Funds transfer	
Interest Paid	10,701.59
Principal Paid	102,058.41
Total Funds transfer	112,760.00
Gate	5,549.85
Grounds	
Mowing & cleaning	9,115.00
Trash removal	380.00
Total Grounds	9,495.00
Insurance	7,035.00
Legal & Professional Fees	1,425.00
Local Property Taxes	32.47
Member Event	568.37
Office Expenses	
Bank Charges	192.12
Equipment	495.30
Internet	858.51
Postage	1,300.01
Quick Books Online	299.40
Stationery & Printing	719.80
Supplies	862.80
Telephone	1,781.47
Web site	824.40
Total Office Expenses	7,333.81
Repair & Maintenance	
Boat Lift	1,392.36
Boat Ramps	195.28
Cabana	7,135.76
Canals	366.36
Clubhouse	7,539.03
Pest Control	1,027.12
Pier	184.67
Playground	1,347.10
Total Repair & Maintenance	19,187.68
Road Repair & Maintenance	564.22
Taxes & Licenses	120.00
Taxes Paid	22.00
Trailer storage facility	1,448.03
Utilities	
Electricity	6,693.84
Water/Sewer	1,467.54
Total Utilities	8,161.38
VFD Support	4,308.24
Total Expenses	\$213,624.31
Net Operating Income	\$10,732.29
Net Income	\$10,732.29

Exhibit C

POA Board Accomplishments –2011-2012

Completed Cabana foundation re-enforcement and re-roofing projects

Completed Exercise Room upgrade

Responded to Membership transparency concerns by:

 Publishing Monthly Meeting Agenda 5 days prior to meeting

 Including list of topics discussed during Executive Sessions

 Developed email database for faster information dissemination

Added reflectors to speed humps for better nighttime identification

Expanded Library with additional shelving

Replaced Clubhouse stairs and added Rain Guards over stairs

Added additional padding to Boat Lift

Promoted and supported formation of C.E.R.T in Bay Tree

Clubhouse brought up to Bladen County fire code standards

Installed new signage prohibiting pets on beach and pier areas

Paid down Road Loan principal an additional \$40,000

Community now patrolled by Sheriff's Department

Tennis Court Backboard

Requested by POA Membership

Exhibit D

2012 Committee Makeup

Architectural:
John Ciccarelli
Daniel Lytch
Jim Crayton

Security/Safety:
John Ciccarelli
Daniel Lytch
Janet Hosking

Playground:
Sue Gillis
Lida Votaw

Fish/Aquatic Control:
Bob Latham
Mick Robeson

Water Study:
Mike Smith
Steve Coles
Allen Wells
Jeremy Marsh
Charles Atkinson
Charles Massey
Junior Rideout

Short Term Rental:
Brenda Cherry
Rebecca Horrell
Michelle Lewis
John Shaw
Jim Crayton
Mike Smith

Swimming Pool Committee:
Sonya Smith
Brenda Cherry
Troy Votaw
Byron Massey
Mike Dilello
Steve Tatum
Tonya Todd
Chad Devane

Exhibit E

RENTAL PROPERTY AT BAY TREE LAKES

As Bay Tree Lakes continues to grow we have seen an increase in rental property. Some homes are rented by the day, week and month. There was even an ad posted on U Tube for a rental, with all the amenities listed for Bay Tree.

Some of the concerns have been as follows:

1. Renters utilizing the lake for swimming, fishing and boating
2. Renters utilizing the exercise room
3. Loud noise & music all hours of the night
4. Trash being thrown out of cars and left on premises

5.Exceeding the speed limit

Currently, Bay Tree does not have a Rental Policy in place. We do not know which homes are being rented, how long it is being rented or by whom.

Before the Board goes any further, with the concerns, we wanted to ask you the Property and Home Owners if you wanted the Board to work on establishing a Rental Policy for Bay Tree?

Exhibit F

Voting By Proxy

- Voting by proxy is granted under Article III, Section 6, of the By-Laws.
- Voting by proxy allows those not able to attend the annual meeting the ability to have input into the decision making process.
- Problem not with proxy voting per se., but rather the information provided to form an objective opinion.

Information Types

- POA Board Membership Information
- Information on Major Issues to be voted on at Annual Meeting

Suggestions for Improvement

New Board Membership

- Sometime early fourth quarter, a letter and/or email will go out to the membership asking if anyone is interested in running for membership on the next POA Board of directors.
- Interested member asked to inform POA Board and return brief biography no later than December as well as who will be nominating the member (this could be an individual, POA Board, or other entity).
- When Notice of Annual Meeting is mailed to membership, each property owner in good standing will be asked to indicate by an "X" on the proxy statement, who they would like to vote for, if anyone.
- Proxy Vote will be mailed back to Clerk as is current practice.

Information on Major issues

- Press for the formation of committees to investigate an issue
- Strongly suggest continued updating of Committee progress so results could be included in Meeting Minutes and disseminated to membership.
- Include in the Notice of Annual Meeting, a sentence or two describing the issues (if any) to be voted on at the meeting.
- Provide a check box (Y or N) in the proxy portion to be used to indicate approval or disapproval of the issue.

Proxy **EXAMPLE ONLY**

Please use this page for your proxy statement. All mailed-in statements must be received by the Clerk no later than April 13, 2012 to be counted. However, proxy statements presented the day of the Annual Meeting will be accepted. **No other voting form will be accepted.** If you are planning to attend the Annual Meeting, completing this form is not required.

1. To grant your proxy to the POA Board of Directors complete the proxy statement in #1.
- Or**
2. To grant your proxy to another individual, complete the proxy statement in #2.

Please be sure to sign and date the appropriate section (#1 or #2).

• **Board of Directors Proxy Statement:**

Know all men by these present, that I (we), the undersigned member(s) of the Bay Tree Lakes Property Owners Association do hereby constitute and appoint the **Bay Tree Lakes POA Board of Directors** my (our) true and lawful proxy, for me (us) and in my (our) name and stead to attend the organizational meeting of said association to be held on the 14th day of April, 2012 and all adjourned sessions thereof and to cast all votes to which my (our) membership may be entitled upon all questions under the call therefore.

Signature(s): _____

Printed Name(s): _____

Lot #(s) _____ Date: _____

• **Individual Proxy Statement:**

Know all men by these present, that I (we), the undersigned member(s) of the Bay Tree Lakes Property Owner's Association do hereby constitute and appoint _____ my (our) true

and lawful proxy, for me (us) and in my (our) name and stead to attend the organizational meeting of said association to be held on the 14th day of April, 2012 and all adjourned sessions thereof and to cast all votes to which my (our) membership may be entitled upon all questions under the call therefore.

Signature(s): _____

Printed Name(s): _____

Lot #(s) _____ Date: _____

If you wish to vote for a member of the Board of Directors or an issue, see page 2. The proxy you indicated above, will vote as you indicate on the following page. For your vote to be counted, you must indicate a proxy.

To be counted, mailed-in forms must be received by the Clerk no later than April 13, 2012. Please send to the following address:

**Bay Tree POA
640 Bay Tree Drive
Harrells, NC 28444**

EXAMPLE ONLY

Persons running for POA Board of Directors (please select two of the following):

Mary Poppins

Homeowner for 10 years with experience on homeowners association board of directors, volunteer for Crisis Center. Retired teacher.

John Smith

Property owner for 15 years, Volunteer Fire Fighter, Project Manager for large corporation.

Bill Murrey

Home Owner for 5 years, Community service including Board of Directors of Red Cross, Habitat for Humanity. Member of World Poker Tour.

Please indicate your vote for the following issue:

**Yes No No
 Preference**

A petting zoo has been proposed for our community. The area will be located on the area between Horsepen Drive and Bay Tree Drive. It will be fenced in and contain various animals friendly to children. The cost will be approximately \$100,000 and be financed by a 5 year loan at

an annual interest rate of 5.25%. There will be no need for an increase in our property owner dues.

For your vote to be counted, you must indicate a proxy on page 1.

Signature: _____ Date: _____