

# *Bay Tree Lakes*

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## *Property Owners Association*

December 12, 2013

The Bay Tree Lakes Property Owner's Association, Inc. Board of Directors monthly meeting was held at the Clubhouse on Thursday, December 12, 2013. The following Board Members were present: Troy Votaw, Clark Valentiner, Jim Crayton, Junior Rideout and Roger Wright. POA Clerk Tish Herrmann and Property Manager Jim Crayton attended.

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 and time would be allocated at the end of the meeting for questions/comments.

**Approval of Prior Meeting Minutes:** October 10, 2013 Roger Wright 1<sup>st</sup>, Junior Rideout 2<sup>nd</sup> Unanimous affirmative vote by the board

**Approval of Prior Month's Financial Report: October 2013** (Attached as Exhibit A)  
Jim Crayton 1<sup>st</sup>, Junior Rideout 2<sup>nd</sup> Unanimous affirmative vote by the board.

Operations Checking:	\$ 92,101.78
Pool Checking:	\$ 80,526.22 ( Incls \$ 55,573.07 - of Pool Loan )
Money Market	\$ 55,667.68
Total Monies:	\$ 228,295.68

Pool Loan: 1st Payment has been made: \$ 4012.70 out of Pool Checking Acct

Pool Principal Balance	\$ 394,478.71
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**Approval of Property Manager's Report:** (Attached as Exhibit B)

Submitted by Jim Crayton Clark Valentiner 1<sup>st</sup>, Jr Rideout 2nd Unanimous affirmative vote by the Board

**Approval of Clerks Report:** (Attached as Exhibit C) Submitted by Tish Hermann

JR Rideout 1<sup>st</sup> Clark Valentiner 2nd Unanimous affirmative vote by the Board

**Business & Issues:**

- NC Wildlife Commission: Raleigh office of the NCWC is reviewing our request to privatize the Bay Tree Canals and Horsepen Lake.
  - We will update property owners as we receive information from the NCWC.
- **Boat Permits (Canal)**
  - **All fishing craft should be registered with BTL Property Owners Association and have a decal attached in a visible location.**
    - **Please contact The BTL Property Manager to register and obtain a tag for your fishing boat.**
- **Road Maintenance:**
  - A motion was made by Jim Crayton and seconded by Junior Rideout to contract Diamond Constructors, Inc. to patch and repair the Bay Tree Roads. Cost of Patching and repairs not to exceed \$3,200.
    - The cracks need to be filled ASAP since any water that freezes in the cracks will only make them worse.
    - Diamond Constructors, is a full service asphalt contractor.
  - Hold off on pool paving parking area until we have a clear understanding of the Pate plan requirements.
  - The motion passed unanimously

**Bladen County Tax Revaluation:**

1. The POA Board reinforced their belief that it is prudent to have a knowledgeable and united position on the 2015 tax revaluation.
2. Our purpose is simply to make sure we understand the revaluation process and effectively communicate to the Bladen County Tax Office, information we may have that may influence property values.
3. 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

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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.

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

**Roger B. Wright**  
**1038 Bay Tree Drive**  
[rogfishin@gmail.com](mailto:rogfishin@gmail.com)  
**910-874-1458**

### **Replenish Lake:**

Board member Junior Rideout summarized the Boards November 17, 2013 meeting with Dr. Richard Spruill.

1. The Board met with Dr. Spruill to discuss his thoughts and observations concerning Bay Tree Lake water level and to determine if he had recommendations for replenishing the lake.
2. Prior to the meeting with the board Dr. Spruill toured the Bay Tree property with Board member Junior Rideout to determine if there had been changes since his last visit that may impact water flow, lake levels, etc.
3. Dr. Spruill stated that Bay Tree is a ground water lake meaning, ground water and precipitation are the primary sources of water.
  - a. Dr. Spruill has theories about underground water movement and the impact that flow patterns have on Bay Tree Lake.
4. Dr. Spruill believes a detailed water study is needed to fully understand underground and surface water movement.
  - a. Dr, Spruill stated the factual information generated from the study should provide insight on how to replenish the lake level.
  - b. Unfortunately Dr. Spruill cannot guarantee the water study will produce a solution to address lake level concerns.
5. Dr. Spruill summarized his position with the following options:
  - a. Wait, do nothing and see if precipitation eventually fixes the problem.
  - b. Pursue reclaiming water from the Island Pond (New Marina).
  - c. Pump low quality water (stained water) from peat area (s).
  - d. Pump ground water.
  - e. Stop water running away from the lake by inverting all ditches.
  - f. **D. Spruill stated his preferred option is to:**
    - i. **Complete the water study and move forward based on options that will be more apparent with factual data in hand.**
6. The Board took no action on Dr. Spruill's recommendation to move forward with the water study primarily because we cannot quantify the benefit vs. the potential cost.

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7. The Board has asked Board member Rideout to ask Dr. Spruill for a detailed roadmap that outlines the incremental steps he believes necessary to get from where we are today to a full lake.
  - a. Roadmap will include incremental steps and projected cost.
8. The Board has asked Board member Rideout to talk with the developer and explore possibilities of"
  - a. Diverting water back toward the lake.
  - b. Pumping water.
    - i. **Please note—NO action plan has been developed or triggered the above steps are simply designed to provide more information that combined with other factual information will help us eventually make a decision on how we move forward.**

### **Pool Update:**

1. President Votaw advised the road map for completing the pool project has been received from Architect Cleve Pate.
  - a. The Cleve Pate report Includes all “ADA” requirements and Laurel Wright (NC DOI) has confirmed that all inspection requirements have been included.
2. The Board is now ready to begin interviewing contractors and gathering information that will allow us to enter into an agreement with the selected contractor.
3. The Board met with Tarheel Pool Construction and the outcome of that meeting is included in a motion (below) made by Board member Wright and seconded by Board member Rideout. The Board voted Unanimously in support of the motion.
  - a. Fill the pool with water.
  - b. Put in the proper amount of salt (supervision of TPC).
  - c. Bring all three pumps on line (supervision of TPC).
  - d. Start and confirm proper performance of the Chlorinator (supervision of TPC)
  - e. Invite Corey Haire, Bladen Co. Inspection Dept. to meet with the POA Board or available Board members and Mitch Collin (TPC) at the pool.

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- f. Request Corey in his role as Bladen Co. Health Inspector to confirm all work done by Tarheel Pool Construction meets or exceeds County/State requirements.
  - i. If it does not---point out the defects to the POA Board and Mitch Collins (TPC)
- g. If Corey Haire, Bladen County Health inspection department confirms all required work pertaining to the Bladen Co. Health Dept. inspection requirements has been satisfactorily completed by Tarheel Pool Construction**
  - 1. BTL Board to Immediately pay Tarheel Pool Construction \$20,000 of the \$23,000 total outstanding balance.
- h. The Board will delay paying the \$3,000 no later than May 1, 2014.
  - i. The delay in paying the \$3,000 will allow us to keep the contract open until we have an opportunity to more thoroughly confirm that all pool systems are operating/functioning as designed to operate.
    - a. Please note in what I believe to be a good faith movement Mitch Collins (TPC) has agreed that we can hold the \$3,000 as outlined above.**

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- i. **All of the above is contingent on receiving proper confirmation of full warranty of the pool and operating system.**
- 4. The above motion has been carried out and a check for \$20,000 was given to Tarheel Pool Construction on December 18, 2013.**

### **POA Board Attorney (s) Requirements:**

- 1. The POA Board is in the process of filling two different requirements for legal support.
  - a. **The POA Board has asked local attorney Cynthia A. Singletary** (Elizabethtown, NC) to work with the POA Board to collect delinquent dues and other day to day requirements.
  - b. Attorney Singletary is reviewing established rules pertaining to property owners paying dues and the consequences of not paying dues.
    - i. The expectation is Attorney Singletary will implement a strategy that will encourage all property owners to pay dues in a timely fashion.
      - 1. Our desire is to avoid the consequence side of the equation however we recognize it is the responsibility of all property owners to pay and for this reason Attorney Singletary will pursue consequences as require.
  - c. **POA Expertise:**
    - i. The POA Board is working with the Fayetteville, NC Law Firm of Lewis, Deese and Nance.
    - ii. **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.**

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### **Questions and comments from Property Owners:**

1. Concern was voiced about the BTL property owners taking financial responsibility for patching/repairing the streets, streets that have not been conveyed to the POA.
  - a. The Boards position is spending the \$3,200, required to patch and repair streets is a prudent move to help protect the significant investment property owners made to pave the streets.
    - i. The Board believes if the POA does not make the repairs they simply will not be made.
  - b. Comments shared about the lake front acreage across the canal from the boat ramp suggested there may be multiple advantages for the BTL POA to purchase this property.
    - i. BTL Park
    - ii. Keeping this land in its natural state
    - iii. Responsibility/right to manage water flow.
  - c. As a result of this discussion Board member Wright made a motion that we establish a team of Bay Tree property owners to look at the feasibility of the BTL property owners buying this property.
    - i. Motion was seconded by Board member Jim Crayton and passed unanimously by the Board.
  - d. The expectation for the team is to determine cost, usage options, desire of the BTL property owners and all other pertinent information/data required to understand and determine if we as a community have a sincere interest in pursuing this objective.
    - i. Please advise the BTL Board if you would like to be a member of this team.

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  
November 2013

	<b>Total</b>
Income	
Non-Profit Income	
Club Card	40.00
Dues	4,088.38
Gate Access	315.00
Pool	1,656.00
Rental	200.00
Total Non-Profit Income	<b>6,299.38</b>
Total Income	<b>\$6,299.38</b>
Expenses	
Building cleaning	425.00
Cost of Labor	
Cost of Labor	
Certified Pool Operator	45.00
Clerk	600.00
Property Manager	510.00
Total Cost of Labor	<b>1,155.00</b>
Total Cost of Labor	<b>1,155.00</b>
Funds transfer	
Interest Paid Pool	1,262.73
Principal Paid Pool	2,749.98
Total Funds transfer	<b>4,012.71</b>
Office Expenses	
Bank Charges	21.95
Internet	72.10
Postage	168.78
Quick Books Online	26.95
Stationery & Printing	138.13
Supplies	
Bay Tree Lakes Property Owners Association Profit & Loss November 2013	300.00
<b>Total</b>	<b></b>



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Income	
Non-Profit Income	
Club Card	40.00
Dues	4,088.38
Gate Access	315.00
Pool	1,656.00
Rental	200.00
Total Non-Profit Income	<b>6,299.38</b>
Total Income	<b>\$6,299.38</b>
Expenses	
Building cleaning	425.00
Cost of Labor	
Cost of Labor	
Certified Pool Operator	45.00
Clerk	600.00
Property Manager	510.00
Total Cost of Labor	<b>1,155.00</b>
Total Cost of Labor	<b>1,155.00</b>
Funds transfer	
Interest Paid Pool	1,262.73
Principal Paid Pool	2,749.98
Total Funds transfer	<b>4,012.71</b>
Office Expenses	
Bank Charges	21.95
Internet	72.10
Postage	168.78
Quick Books Online	26.95
Stationery & Printing	138.13
Supplies	300.00
Telephone	204.14
Web site	80.00
Total Office Expenses	<b>1,012.05</b>
Trailer storage facility	83.00
Utilities	
Electricity	932.76
Water/Sewer	220.40
Total Utilities	<b>1,153.16</b>
Total Expenses	<b>\$7,840.92</b>
Net Operating Income	<b>\$ -1,541.54</b>

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Net Income

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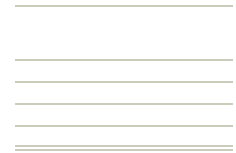


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**\$ -1,541.54**

Friday, Dec 06, 2013 11:02:52 AM PST GMT-5 - Cash Basis

This report was created using QuickBooks Online.



**Exhibit "B"**  
**Property Manager's Report**  
**Through December 12, 2013**

**Property Managers Report**

**November, 2013**

- 1- 2 windshield cards issued since last report.
- 2- Fitness Center usage has increased dramatically since the weather has turned colder. This is based on first hand observation since precise figures are unavailable due to the computer being replaced in anticipation of switching over to new card system. The old treadmill continues to cause problems. Per board instructions I have ordered a new one. Cost approx. \$3,000
- 3- Adjusted exit gate arm several times. Still waiting for refurbishment by Southern Time. Parts have been ordered.
- 4- I met with several asphalt contractors and received 3 bids for street repair. Diamond Constructors out of Fayetteville will be doing the street repairs. Their bid was significantly lower than the other two.
- 5- Per Board request have redone job descriptions for Asst. Property Mgrs. and Certified Pool Operator.
- 6- Currently working on some beaver control issues with USDA.
- 7- Arranged for some Christmas decorations at gate house.
- 8- Purchased a "Notice" sign for the bulletin board to call attention to new information.
- 9- Continuing to work on a beautification plan for the common properties.

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10- We have had floor buckling problems in the fitness room. Because of this, I had State Pest Control do an inspection of the underneath part of the clubhouse. They determined that we have a very high moisture content in the woodwork. They recommended and will install a vapor barrier on Monday in hopes that this will alleviate the problem.

### **Exhibit "C"**

December 12, 2013

November 30, 2013	Outstanding Dues:	\$29,829.62
October 31, 2013	Credit Balance:	\$ 804.04

Lot reported sold November 2013

Buyer	Lot	Home	Seller
Gieszewski Trust (new lot)	431	Ocean Isle, NC	Lake Creek Corporation