

Bay Tree Lakes

Property Owners Association

Board Meeting Minutes

November 19, 2015

The monthly meeting of the Bay Tree Lakes (BTL) Property Owners Association (POA) Board of Directors (Board) was held in the Clubhouse on Thursday, November 19, 2015.

Four of the Board members were present: Charles Atkinson, Bob Latham, Junior Rideout and Troy Votaw. John Ciccarella was unable to attend. POA Clerk Tish Herrmann, POA Property Manager Jim Crayton and Assistant Secretary Hank Howell also were in attendance. Property owners in attendance were Jeanne Dellinger, Tim Dellinger, Clark Valentiner and Debbi Kettle.

President Charles Atkinson called the meeting to order at 7:00 pm and welcomed all POA members to the meeting. Mr. Atkinson then asked Bob Latham to provide us with the invocation.

Approval of Prior Meeting Minutes (October 15, 2015): A motion to approve the minutes of the monthly meeting was made by Bob Latham, seconded by Junior Rideout. Unanimous affirmative vote by those present. These minutes will be posted on the BTL POA website, www.baytreecommunity.com.

Approval of Prior Month's Financial Report (October 2015): Report was presented by Charles Atkinson in the absence of Treasurer John Ciccarella and is attached herein as Exhibit B. Motion to approve was made by Troy Votaw and seconded by Junior Rideout. Unanimous affirmative vote by those present was made.

Financials as of October 31, 2015:

Operations Checking:	\$ 79,005.54
Second Checking	\$ 10,972.89
Pool Checking:	\$ 23,884.44
Money Market:	\$ 55,827.61
Total Monies:	\$169,690.48

Pool Loan Principal:	\$331,626.58
ADA Contract Principal:	\$108,597.01

POA Clerk's Report (October 2015): The report was presented by Tish Herrmann, and is attached herein as Exhibit C. Main discussion centered on the collection of nearly \$9,000 of delinquent dues since letters were sent to delinquent property owners on October 1st and October 16th. Eight accounts were identified as qualified to be turned over to the POA attorney for the third letter and possible lien filing. This will be done at the end of November. Motion to approve the report was made by Junior Rideout, seconded by Troy Votaw. Unanimous affirmative vote by those present.

Property Manager's Report (October/November) The report was presented by Jim Crayton and is attached herein as Exhibit D. Included in the report was a request from Bladen County Emergency Management for permission to use the area around the “donut pond” as their base of operations as they practice water rescue scenarios around the end of April next year. Motion to approve this request was made by Junior Rideout, seconded by Bob Latham. Unanimous affirmative vote by those present. Motion to approve the report was made by Junior Rideout, seconded by Troy Votaw. Unanimous affirmative vote by those present.

Old Business:

ARC Development. President Atkinson has been in contact with Mr. Steve Jones, Jr., and expects to meet with him by the end of November. Jim Crayton presented a draft, prepared by architect Terry Cox about a year ago, of proposed ARC makeup, procedures and guidelines. Board members were asked to review this draft and send comments to Mr. Atkinson prior to November 30th as this may be the basis of the discussion with Mr. Jones.

Boat Lift Modifications. The still active status of the Horsepen lift repair was covered in the Property Manager's report. The Property Manager also reported that three engineers have been contacted to look at the main boat lift project. He has a goal of developing a plan for the project by the end of this year.

Clear Drainage Ditch on Horsepen. The status of this issue was covered in the Property Manager's report.

Foreclosures/Liens of Properties. Bob Latham summarized the status, with five accounts submitted to the POA attorney. Of those, one has paid the delinquent dues upon receiving the attorney's letter, one has not responded to the attorney's letter, and a

lien has been filed on the other three. (Those three also have a foreclosure action filed by Bladen County.) Eight more accounts will be turned over to the attorney at the end of November. He also reported that the attorney has informed him the POA cannot request attorney's fees be paid by a property owner if the owner pays the requested amount within 15 days of receiving the notice (“the third letter”) from the attorney. The owner can be required to pay attorney's fees once the lien has been filed.

Lot Maintenance Policy. Jim Crayton presented a further revised version of the Lot Maintenance Policy for the Board to approve. The revisions dealt mainly with the wording relative to lawns being cut to a “uniform 3” maximum height” and the bushes over walkways being trimmed back so as not to interfere with pedestrian traffic. The motion to approve this policy was made by Troy Votaw, seconded by Bob Latham. Unanimous affirmative vote by those present. The approved policy is attached herein as Exhibit E.

Short Term Rentals. Bob Latham presented a proposed Bay Tree Lakes Rental Policy, revised from the version presented at the previous Board meeting. The revisions removed the charging of a fee to long term renters for use of restricted facilities and clarified the issuance of gate card and/or stickers to renters. During the meeting, it was clarified that persons leasing a property with an option to buy are also considered 'long term renters' with respect to this policy. A motion to approve this policy was made by Troy Votaw, seconded by Bob Latham. Unanimous affirmative vote by those present. That approved policy is attached herein as Exhibit F.

Sealing Cracks In The Roads. As reported as part of the Property Manager's report, three new companies are preparing bids on this project, in addition to Diamond Constructors Inc. All bids are expected to be received within the next week. Debbi Kettle reminded the Board that there are some significant pot holes on Bay Ridge Road that need patching before the cracks are sealed.

Gate Policy Review. As reported in the Property Manager's report, the abuse of gate codes as reported in the previous Board meeting was addressed by the Property Manager following research into the problem. It is believed that this solves the reported problem.

New Business:

Other Business:

Debbi Kettle informed the Board that she has been approached by a donor who would like to donate four round picnic tables to the POA to be used outside the Clubhouse in the picnic areas. After a very brief discussion, the Board agreed to accept the donation.

There being no further business, a motion to adjourn was made by Troy Votaw, seconded by Bob Latham, and passed at 8:46 pm.

Respectfully submitted,

Bob Latham
Secretary

Exhibit A

Bay Tree Lakes
Property Owners Association

Board of Directors Meeting Agenda

November 19, 2015

Call to Order and Welcome Members and Guests	Charles Atkinson
Invocation	Bob Latham
Approval of Prior Meeting Minutes (October 15, 2015)	Bob Latham
Approval of Prior Month's Financial Report (October 2015)	John Ciccarelli
POA Clerk's Report (October 2015)	Tish Herrmann
Property Manager's Report (October/November 2015)	Jim Crayton

Old Business:

1. ARC Development	Charles Atkinson
2. Boat Lift Modifications	Jim Crayton
3. Clear Drainage Ditch on Horsepen	Jim Crayton
4. Foreclosures/Liens of Properties	Bob Latham
5. Lot Maintenance Policy	Jim Crayton
6. Short Term Rentals	Bob Latham
7. Sealing Cracks in the Roads	Jim Crayton
8. Gate Policy Review	Jim Crayton

New Business:

Other Business:

POA Member Comments:

- ~ **Please note that POA members that would like to share comments must be recognized by the Presiding Officer.**
- ~ **Please note also that individual comments will be limited to three (3) minutes.**

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Exhibit B

Bay Tree Lakes Property Owners Association Profit and Loss – October 2015

	TOTAL
Income	(\$)
Non-Profit Income	
Dues	30,844.24
Gate Access	485.00
Pool	16,504.84
Total Non-Profit Income	47,834.08
Total Income	47,834.08
Expenses	
Building Cleaning	600.00
Cost of Labor	
Certified Pool Operator	370.00
Clerk	600.00
Prop. Mgr. Travel	200.00
Property Manager	800.00
Total Cost of Labor	1,970.00
Funds Transfer	
Interest Paid Pool	1,433.40
Principal Paid Pool	3,863.64
Total Funds Transfer	5,297.04
Grounds	
Trash removal	1,500.00
Total Grounds	1,500.00
Legal & Professional Fees	400.00
Meals and Entertainment	2,100.00
Office Expenses	

Bank Charges	9.95
Equipment	93.30
Internet	9.90
Postage	269.36
Quick Books Online	53.90
Stationery & Printing	181.77
Supplies	190.89
Telephone	342.89
Total Office Expenses	1,151.96
Pool Construction	2,407.00
Repair & Maintenance	
Boat Lift	225.89
Canals	425.00
Clubhouse	196.91
Exercise Room	150.00
Gate	1,137.22
Pest Control	170.00
Total Repair & Maintenance	2,305.02
Utilities	
Electricity	1,094.86
Sewer	150.40
Water	95.58
Total Utilities	1,340.84
Total Expenses	19,071.86
Net Operating Income	28,762.22
Other Income	
Interest Earned	102.24
Total Other Income	102.24
Net Other Income	102.24
Net Income	28,864.46

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Exhibit C: Clerk's Report

From the Clerk

November 19, 2015

October 31, 2015	Outstanding Dues	\$49,564.71
October 31, 2015	Credit Balance	\$ 699.81

Lots reported sold in October 2015

Buyer	Lot	Home	Seller
Ryan Burney	526	Avon, IN	Edward Burney*
Stephen Jones, Jr.	127	Charlotte, NC	Bank of America

*Inherited

Billable Lots 457.5

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Exhibit D Property Manager Report Oct/Nov. 2015

1. Only issued a few cards and stickers this month. I have added quite a few cell phones to the system. I did issue a contractor code for the Mike Duke house on the east island and Devane Const. has notified me that they need one for the Gamble house on S. Horsepen. That makes two new house starts recently.
2. After researching the apparent abuse of the trash pile issues, I changed Steve Jones' gate code and a few others. My research revealed that his old code was being used multiple times on days he was not here. He now has a new code.
3. The sheriff came to see me about issues his deputies are having getting in quietly to patrol or serve papers. They have had turnover in the 911 center causing problem with the dispatchers knowing how the gate works. Keeping in mind that the siren function is designed for emergencies and announces their presence, I issued them their own code to facilitate a quieter way to enter. The sheriff was emphatic that the deputies will not abuse it. This seemed the most practical solution to make sure we get good coverage. I will add that I have noticed a significant increase in their presence since Sheriff McVicker has been in office. He is frequently here in person.
4. I have been approached by Bladen Co. Emergency Management to see if they can use parts of the area for a state-wide water rescue event sometime around the end of April. We had the event here three or four years ago and to my knowledge there were no issues. The event brings in some rescue helicopters and personnel from around the state and they practice various water rescue scenarios. They are asking for use of the same area around the donut pond they used last time to set up their base of operations.
5. We had a gate issue last week that was caused by a bad phone line but it was repaired within a few hours. The problem was NOT in any of our equipment.
6. All the materials for Golf Cart/ATV registration are in hand and the process is posted at the gate. Simply download and sign the form, bring it to me and I will issue the decals

7. The property owners with clutter issues have resolved their issues. I do have a related matter for your discussion in executive session.
8. The Horsepen Lift project is still on-going. The rain last week and the week before have hampered finishing the project. I talked to Mike today and he is going to try to get back before Thanksgiving. I am told that all parts are in hand and it is just a matter of getting back down here to finish.
9. In addition to Diamond Constructors, I have three new companies preparing bids on the crack seal project. They are B & B paving, Sykes Asphalt, and Darrigan Seal all of Fayetteville. I hope to have them in hand by Thanksgiving. Note that this project will focus on North and South Horsepen, Oak Island and Spring Branch. The other streets were done that last time. If anyone knows of problems elsewhere, they need to contact me immediately so we can get them included.
10. It took a while to locate and contact some that were interested in the project but, I now have three engineers looking at the main boat lift project. I have sent each of them photos of the lift. The first Fleming & Assoc. in Fayetteville wants \$500-600 just to come look it over and make a proposal. The other two, Joe Smith Engineering from Goldsboro and Rob Armstrong in Bladenboro have not requested a fee for coming to look so I am waiting on them to complete their visits and see what they propose before going any further with Fleming. My goal is to have a plan by January.
11. I got the utility locator service here to mark the drainage the ditch on Horsepen but do not have a price from Red yet to do the actual work. He promised me he would try to have it to me by the end of this week.
12. I had maintenance work done on one of the machines in the exercise facility and everything is functioning as it should there. The repair was delayed somewhat in order to have it done during the regularly scheduled PM visit. This saved us having to pay an extra service call fee. The function that was broken was available on two other machines so there was no loss of use to property owners.
13. We had an erroneous report this week of a rabid fox in the N. Horsepen area. I talked with Brenda Cherry, who the report was attributed to, and she said there was a fox in her yard but that it did not attack anyone. Apparently this was one

of those stories that got more interesting each time it was re-told. If anyone does notice a fox or any other animal acting strangely I hope they will immediately call 911 and THEN let me know about it.

14. We recently received a rather large bill from Southern Time who is our service provider for gate maintenance. The total was approximately \$6,700. The bill covered the problems caused by the lightning storm that occurred on August 5th. The process went on for 5 or 6 days of trips to fix the problems. During the process, we decided to buy some spare parts (roughly \$2,700 worth) which are included in the bill. I am currently negotiating the bill with them because of what I think is an excess labor charge. As best I can tell, the labor charge is the only thing I would challenge.
15. The pool and cabana have been closed for the winter and winterized. During the process we discovered what may be a leaking main water valve. This problem has just come to light and I do not have a resolution at this time. It appears to be minor and I will advise.
16. You should find in your materials a draft Architectural Review Document that was presented to us last year by Terry Cox who is the architect we were working with at the time. This came out of the meetings that I had with him and Steve Jr. and later adding Roger Wright to the process. It was not acted on before we stopped meeting.
17. The Fire Department is scheduled to have its' ISO inspection for re-certification in June of next year. As previously reported this is part of their effort to reduce our insurance premiums. We can expect frequent activity in the community as they train for this event.

11/19/2015

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Exhibit E

Bay Tree Lakes Property Owners Association Lot Maintenance Policy

In an effort to keep and maintain the overall beauty and safety of the Bay Tree Lakes community, the Board of Directors of the Bay Tree Lakes Property Owners Association has established this policy regarding the maintenance of the grounds and structures within.

All lawns and lots will be neatly maintained by the property owner at all times. During the active grass growing season, generally from April through October, all lawns and/or lots must be cleaned and grass mowed at least once per month. At the beginning of each month, the Property Manager will inspect all lots. At that time grass must have the appearance of being freshly cut, with a uniform 3" maximum height. Grass should be cut all the way to the street on all lots (water to pavement, as applicable).

On cleared lots, tree limbs should be pruned so as to allow easy grass cutting under the overhang with trunks clearly visible. Ornamental trees, such as magnolias and cedars, that naturally produce limbs close to the ground, may be exempt. Otherwise, there shall be no undergrowth around the base of trees. Ornamental plant beds that are neatly mulched, or otherwise clearly defined as such, are encouraged. The above does not apply to a lot that has NEVER been cleared. Once a lot is cleared, it must be maintained as such.

There shall be no brush piles, logs or debris allowed to accumulate on any lot. Dead and/or diseased trees must be removed.

Canal banks should be cleared of brush. Bushes that grow out into the canals are prohibited. Trees that overhang the banks are allowed but must be kept trimmed to be well clear of the water surface. Bushes that border the community walkways should be trimmed back so as not to interfere with pedestrian traffic (generally 2-3 feet).

All grounds maintenance contractors are required to adhere to these standards. If using a contractor, property owners are required to inform the Property Manager who is tending their lot at the beginning of each season.

As stated above, the Property Manager will inspect lots at the beginning of each month in season. If it is determined that a lot is not in compliance with this policy, a letter will be sent to the owner identifying the infraction and giving the owner ten (10) days to have the necessary maintenance completed. Should the property owner fail to correct the problem within the allotted time, the Property Manager will have the maintenance done and the POA clerk will bill the property owner for the cost of the maintenance plus a \$75.00 service charge. **If the owner fails to comply a second time, the Property Manager will have the maintenance done without sending a warning letter and the owner will be billed as above.**

In addition, any structures that are allowed to fall into obvious disrepair will be brought to the attention of the Board of Directors and a letter will be sent to the owner identifying the problem. If the owner refuses, or is unable, to remedy the situation, the Board may, after appropriate notice to the owner, perform such exterior maintenance that it deems necessary or advisable. In such case, the property owner will be billed by the POA Clerk for the cost of the maintenance plus a \$100.00 service charge.

This policy is approved by the Board of Directors of the Bay Tree Lakes Property Owners Association for immediate implementation as of November 19, 2015.

Exhibit F

Bay Tree Lakes Rental Policy

1. Property owners must advise the Property Manager and the POA Clerk of the following:
 - A. Name of renter(s)
 - B. Address of rental property
 - C. Duration of rental (starting and ending dates)
2. Property owner will provide renters with copies of all rules, regulations, policies and procedures of the Bay Tree Lakes community.
3. Property owner will advise the renter(s) that this is a residential community and that the renter(s) should be courteous to their neighbors and obey all rules, regulations, policies and procedures and speed limits.
4. The renter's rights will be dependent on the duration of the rental, as follows:

Long Term Rentals/Leases (Six months or longer)

Long term renters will have access to all facilities available to property owners. They will be allowed to purchase access cards, gate entry window stickers and use the phone entry capabilities. Basically, they will have the same rights as property owners with the exception of voting rights at Property Owners Association meetings.

Short Term Rentals (Less than six months)

Short term renters will have access to all common areas except those requiring an access card (currently the pool and the fitness center). The property owner must provide a gate card to the renter for access to the community. No window stickers will be issued and phone entry access will not be provided.

11/19/2015

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