

Bay Tree Lakes

Property Owners Association

Board Meeting Minutes

August 24, 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, August 24, 2015, postponed from the scheduled date of August 20, 2015..

All of the Board members were present: Charles Atkinson, John Ciccarelli, Bob Latham, Junior Rideout and Troy Votaw. POA Clerk Tish Herrmann, POA Property Manager Jim Crayton and Assistant Secretary Hank Howell also were in attendance. Property owners in attendance were Brenda Barnes, Larry Barnes, Clark Valentiner, Maryellen Robeson, Mick Robeson, Jim Smith, Jill Stevens, Cathy Ross, Jeanne Dellinger, Roger Wright, Charles Massey 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 (July 16, 2015): A motion to approve those minutes was made by Bob Latham, seconded by Troy Votaw. 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 (July 2015): Report was presented by Treasurer John Ciccarelli and is attached herein as Exhibit B. Motion to approve was made by John Ciccarelli and seconded by Junior Rideout. Unanimous affirmative vote by those present was made.

Financials for July 2015:

Operations Checking:	\$ 89,234.14
Pool Checking:	\$ 6,800.72
Money Market:	\$ 55,806.28
Total Monies:	\$151,841.14

Pool Loan Principal: \$ 340,429.29
ADA Contract Principal: \$ 111,251.12

POA Clerk's Report (July 2015): The report was presented by Tish Herrmann, and is attached herein as Exhibit C. Motion to approve was made by Junior Rideout, seconded by Troy Votaw. Unanimous affirmative vote by those present.

Property Manager's Report (July/August 2015): The report was presented by Jim Crayton and is attached herein as Exhibit D. Motion to approve was made by Junior Rideout, seconded by Bob Latham. Unanimous affirmative vote by those present.

In Mr. Crayton's report was a recommendation that the Yard Waste Trash Pile be burned as it has grown dramatically following the storm of August 6th. The estimated cost would be \$2,000. Alternatives were discussed briefly. Junior Rideout moved that the Board hire Red Mote to burn it at a cost not to exceed \$2,000. The motion was seconded by John Ciccarelli and passed unanimously by all those present.

Old Business:

Positive Facts of BTL on the Web. John Ciccarelli reported that he had created an input function on the POA web site where residents/property owners of BTL could compose their brief essays on why he/she chose to purchase property and/or live in Bay Tree Lakes. Once reviewed, these essays would be made available for viewing on a page (or more) within the POA web site. This collection of good reasons would then present a broad positive picture of living in Bay Tree Lakes. Pictures that help to illustrate an essay would be acceptable and could be posted beside the essay. It was pointed out that now what is needed is some significant publicity on the what, why and how of this project. It was agreed to consider publicizing this in the next billing mailout, scheduled for October 1st.

ARC Development. President Atkinson's continues to pursue this item with Mr. Steve Jones, Jr., but no report was available at this meeting.

Boat Lift Modifications. The Board had previously moved that Greg Bagley be hired to prepare and present engineering drawings to upgrade and certify the weight capacity of the boat lift structure to be at least 10,000 pounds. No work on the structure would begin before the Fall of 2015. However, a decision as to whether any work, and what work, should take place then needs to be made before the Fall. Jim Crayton had previously provided a copy of the Short Form Agreement, offered by Mr. Bagley, for review and discussion by the Board prior to a meeting with Mr. Bagley. The Board asked Mr. Crayton to contact Mr. Bagley and set up a meeting with him and the Board

within the period of September 8 and September 18, and to ask Mr. Bagley to be prepared to discuss the cost differences between his proposal for 10,000 pounds and lower figures, like 7,500 pounds.

Jim Crayton had explained that no contact had been made with Mike Smith (Smithco) on the repairs to be made to the Horsepen Lift. It was recommended that he pursue alternative sources for the repair and maintenance of the Horsepen Lift.

Grass Mowing Bids. The new vendor appears to be performing quite satisfactorily, per his bid, and without a written contract. No further action on this subject is foreseen.

Clear Drainage Ditch on Horsepen. The drainage ditch at the beginning of Horsepen Road, before the canal tunnel overpass, does not drain properly. President Atkinson is pursuing this matter with the developer. No update was available at this meeting.

Requests for Copies. President Atkinson provided copies of the existing POA Member Privacy and Confidentiality Policy and asked that Board members study this document and be prepared to recommend specifically any changes, at the next monthly Board meeting.

Golf Carts and ATV's in Bay Tree Lakes. At the previous meeting, Bob Latham had presented a proposed set of Rules and Regulations applicable to the use of Golf Carts and ATV's in BTL. At this meeting he presented an updated version of those proposals. Much discussion took place on the proposals and the major question related to enforcement (similar to the problems with Animal Control). There seemed to be general agreement that a set of guidelines, as a minimum, is needed in order to identify infractions, regardless of the method of enforcement. Another major concern with the proposals appeared to be the minimum age for drivers. Some Board members and several property owners in attendance voiced a preference that there be no minimum age requirement but that an unlicensed driver must have an adult present in the front seat of the cart/ATV. Mr. Latham noted the preferred revisions and agreed to update his proposal and provide it to Board members for review. Mr. Latham was also asked to have the POA attorney review the proposed policies.

Registration of Approved By-Laws Changes. Approval signatures of all Board members were obtained at the last Board meeting and the revised document was presented by Mr. Latham to the Bladen County Register of Deeds. The document is now available for viewing on the POA web site, and online via the Bladen County Register of Deeds data base. The original document was presented to the POA Clerk for proper storing in the POA office files.

Foreclosures/Liens of 6 Properties. Bob Latham reported that Bladen County has initiated foreclosure procedures against the three Patel properties (lots 637, 639 and 932) for taxes due and owing. These are the same three properties for which the POA has placed a lien (actually two liens, in October of 2014 and in February of 2012). If this matter continues its normal course, the three properties will be sold and the POA will be paid delinquent dues (plus interest and attorneys' fees) if any money is left after the County is paid for the back taxes and the Deed of Trust holder (BB&T) is paid any amounts due for unpaid mortgages.

Liens on three other properties are still in place. The list of delinquent dues was reviewed briefly and action postponed to the Executive Session which was to follow this meeting.

Legal Representation for POA. The Board previously agreed to engage Mr. Michael Levine for specific purposes on an hourly basis for routine association matters. A decision was made not to engage the "POA attorney" previously being considered to represent the BTL POA in matters requiring POA expertise, due to the extraordinary expense that would be charged.

August 1st Cookout Report. The hot dog cookout and DJ music at the pool was considered a success, in spite of the crowd being much smaller than expected.

Sealing Cracks in the Roads. At its July meeting, the Board authorized the Property Manager to collect bids, primarily for the sealing of cracks in the roads, but also the sealing of the spaces between concrete driveways and the asphalt roads, plus advice on drainage problems and other engineering issues created by the paving done years ago. These bids were not available for review by the Board, so President Atkinson requested that the cost figures be presented before agreeing to begin the sealing.

Pets on the Pier. The Board agreed to take no further action on this subject at this time.

Delinquent Owners Using The Pool. This topic is to be addressed by the Board in Executive Session, in line with consideration of modifying and updating the Dues Collection Policy.

New Business:

Clutter / Beautification. Bob Latham presented a draft of a letter he proposed that the Board send to all BTL property owners. It addresses the need for all property owners to participate in removing the clutter that is growing in the neighborhood, as well as certain actions the Board intends to take to support that effort.

As part of the Property Manager's Report, Mr. Crayton had provided each Board member with a draft of a proposed Lot Maintenance Policy. Mr. Atkinson asked that the two authors incorporate Mr. Latham's suggestion into the Lot Maintenance Policy and provide it to the Board members for review prior to the next monthly Board meeting.

Short Term Rentals. Mr. Crayton provided examples of a number of incidents involving guests of a property owner, renting the property, with no property owner present, typically renting for a week or a weekend. It is generally understood that a long term renter should enjoy most, if not all, privileges involving community property as the owner. This is not so for a short term renter. The problem is there is no clear definition of a short term renter. The covenants say, in effect, that a "tenant" enjoys the same privileges as an owner. Mr. Crayton proposes that the Board establish a Short Term Rental Policy wherein a "tenant" is defined as one holding a lease of at least six consecutive months duration. Mr. Atkinson asked that Mr. Latham get a legal opinion from the POA attorney on this proposal.

Camping on the Beach. An incident was addressed by the Property Manager which involved many (perhaps 30 or more) people camping out overnight on the beach just west of the Clubhouse, as guests of a BTL property owner. It was thought that perhaps a policy on this subject should be addressed by the Board, but a decision was made to postpone any further action at this time.

Yard Waste Trash Pile Burning. This issue was addressed as part of the Property Manager's Report (see above).

Other Business:

Roger Wright expressed concern that modifying the Boat Lift so that only 95% of its users would be safe was not acceptable.

Roger Wright asked that the Board set up an accrual account for 80% of the new dues coming in as of July 1, 2015. Mr. Atkinson asked the Treasurer to establish such an account.

Roger Wright questioned the status of hiring a Business Manager for the POA and was told by Mr. Atkinson that current finances would not permit that hiring this year.

Maryellen Robeson asked that kudos be given to Jim Crayton for his rapid and thorough response to an emergency in her household.

Mick Robeson asked that the Board seek a remedy for the problem of people reaching over the pool gate and opening the gate without using a card.

There being no further business, a motion to adjourn was made by Troy Votaw, seconded by John Ciccarelli, and passed at 9:15 pm.

Respectfully submitted,

Bob Latham
Secretary

Exhibit A

Bay Tree Lakes
Property Owners Association

Board of Directors Meeting Agenda

August 24, 2015

Call to Order and Welcome Members and Guests	Charles Atkinson
Invocation	Bob Latham
Approval of Prior Meeting Minutes (July 16, 2015)	Bob Latham
Approval of Prior Month's Financial Report (July 2015)	John Ciccarelli
POA Clerk's Report (July 2015)	Tish Herrmann
Property Manager's Report (July/August 2015)	Jim Crayton
Old Business:	
1. Positive Facts of BTL on the Web	Charles Atkinson
2. ARC Development	Charles Atkinson
3. Boat Lift Modifications	Jim Crayton
4. Grass Mowing Bids	Jim Crayton
5. Clear Drainage Ditch on Horsepen	Charles Atkinson
6. Contracts/Lists Copies for Members	Charles Atkinson
7. Golf Carts and ATV's in Bay Tree Lakes	Charles Atkinson
8. Registration of Approved By-Laws Changes	Bob Latham

- 9. Foreclosures/Liens of 6 Properties Bob Latham
- 10. Legal Representation for POA Charles Atkinson
- 11. August 1st Cookout Report Jim Crayton
- 12. Sealing Cracks in the Roads Jim Crayton
- 13. Pets on the Pier Jim Crayton
- 14. Delinquent Owners Using The Pool Charles Atkinson

New Business:

- 1. Clutter / Beautification Bob Latham
- 2. Short Term Rentals Jim Crayton
- 3. Camping on the Beach Jim Crayton
- 4. Yard Waste Trash Pile Burning Jim Crayton

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 – July 2015

	TOTAL
Income	(\$)
Non-Profit Income	
Dues	33,719.85
Pool	12,036.00
Rental	1,000.00
Total Non-Profit Income	46,755.85
Total Income	46,755.85
Expenses	
Bereavement	232.50
Building cleaning	600.00
Cost of Labor	
Asst Pool Operator – JA	180.00
Asst. Property Manager – JC	190.00
Certified Pool Operator	305.00
Clerk	600.00
Prop. Mgr. Travel	200.00
Property Manager	800.00
Total Cost of Labor	2,275.00
Funds Transfer	
Interest Paid Pool	1,470.28
Principal Paid Pool	3,826.76
Total Funds Transfer	5,297.04
Grounds	
Mowing & cleaning	1,145.00
Trash removal	37.50
Total Grounds	1,182.50
Legal & Professional Fees	231.25

Meals and Entertainment	556.63
Member Event	76.86
Office Expenses	10.68
Bank Charges	9.95
Quick Books Online	26.95
Stationery & Printing	19.95
Supplies	28.90
Telephone	364.03
Total Office Expenses	460.46
Repair & Maintenance	
Pool	307.81
Supplies & Equipment	34.16
Total Repair & Maintenance	341.97
Trailer storage facility	85.00
Utilities	
Electricity	1,350.36
Water	125.36
Total Utilities	1,475.72
Total Expenses	12,814.93
Net Operating Income	33,940.92
Other Income	
Interest Earned	91.19
Total Other Income	91.19
Net Other Income	91.19
Net Income	34,032.11

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Exhibit C: Clerk's Report

From the Clerk

August 20, 2015

July 31, 2015	Outstanding Dues	\$47,150.67
July 31, 2015	Credit Balance	\$ 3,461.37

Lots reported sold July 2015

Buyer	Lot	Home	Seller
William & Jamie Biddle	922	Wilmington, NC	New Lot
Larry & Karen Barnhart	62	Elizabethtown, NC	Glenn Paige
Steven & Sincha Grenchik	545	Triangle, VA	Carl Langdon
Timothy & Jeanne Dellinger	333	Pinehurst, NC	Sam Cribbs
Marianne Cavanaugh	638	Manchester, CT	Complete Marketing Sol. LLC

Billable Lots 457.5

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Exhibit D Property Mgr. Report July/August 2015

The lake has come up at least 7” in the last 2-3 weeks. At last check we were 4” above full pool.

As you will recall we had a bad storm here on Aug. 6th. During that storm, lightning struck the main gate and burned out the primary control board, the sub board in the guest gate, the controller for that gate, the phone line and the connection to the computer in the office. All has been restored but we are still having problems with the phone dialing function. As of this writing I am waiting to hear from Southern Time about correcting this problem. Most of the delay in fixing the gate was due to parts having to be ordered. I have had conversations with several of their people and they assure me that the parts issues will be corrected. We have so far not received a bill.

The storm was really strong. One property owner was checking our weather station during it and observed an 82 mph wind gust. It appeared to be mostly straight line winds and not tornadic. Many residents had severe damage to electrical components due to lightning. We were very lucky not to have any structural damage.

We had an issue with camping on the beach at the clubhouse. I explained to the property owner that this is not allowed. I think it would be a good idea to post some signs to this effect.

I sent you a revised grass policy that I would like for you to consider.

We sent a number of letters about grass, debris/clutter on lots and dead or downed trees. Response has been generally good however, I would like to discuss a particular issue with you in executive session.

I ordered and have received new windshield cards.

Finally, we really need to get something done about the trash pile. Steve Jones indicated last year the he was doing his part by providing us a place to dump our debris but did not feel obligated to continue burning it since it was not his trash. The consensus of the past board was that he is correct... it is mostly our debris and therefore our responsibility to dispose of it. We had signs made to that effect. Burning seems to be the best option. The recent storm damage caused the pile to grow quickly.

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