

Bay Tree Lakes

Property Owners Association

Board Meeting Minutes

November 16, 2017

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 16, 2017.

All Board members were present: Charles Atkinson, Bob Latham, Billy McGavock, Junior Rideout, and Troy Votaw. Property Manager Jim Crayton, POA Clerk Tish Herrman and Assistant Secretary Hank Howell were also in attendance. Property owners in attendance were Robert Gamble, Debbi Kettle, Butch Conklin, Greg Ruark, Ginny Ruark and Clark Valentiner.

President Atkinson called the meeting to order at 7:03 pm and welcomed all attendees. He then asked Bob Latham to provide the invocation.

Approval of Prior Meeting Minutes (October 19, 2017): A correction to the presented minutes was made. A motion to approve those corrected minutes of the October monthly meeting was made by Bob Latham and seconded by Troy Votaw. Unanimous affirmative vote by those present. The minutes of the monthly meeting will be posted on the BTL POA website, www.baytreecommunity.com

Approval of Prior Month's Financial Report (October 2017): Billy McGavock presented the report for October via email prior to the meeting, It is attached herein as Exhibit B, and the financial summary is shown below. A motion to approve that report was made by Junior Rideout, seconded by Troy Votaw. Unanimous affirmative vote by those present.

Financials as of November 1, 2017:

BB&T Second Checking	\$ 59,674.05	(as of 10/31/17)
Southern Operations Checking	\$ 204,416.51	(as of 10/31/17)
Southern MM Savings	\$ 55,995.12	(as of 10/26/17)
TOTAL	\$ 320,085.68	
Loan Principal	\$ 603,426.02	(as of 10/31/17)

POA Clerk's Report (October 2017): The report was presented by Tish Herrmann, and is attached as Exhibit C. Motion to approve the report was made by Junior Rideout and seconded by Troy Votaw. Unanimous affirmative vote by those present.

A review of overdue property owner accounts resulted in a decision to send the attorney's letter (the "Third Letter") to the owners of four lots. Bob Latham agreed to work with the Clerk and the POA's attorney to get this done.

Property Manager's Report (October/November): The report was presented by Jim Crayton and is attached herein as Exhibit D. Motion to approve the report was made by Billy McGavock and seconded by Troy Votaw. Unanimous affirmative vote by those present.

Old Business:

Foreclosures/Liens of Properties. Mr. Latham reported no known changes in the status of the one attorney-related issue currently in play. It is believed that settlement of the Britt Estate is imminent. Per the request of Mr. Votaw at the previous Board meeting, the POA Clerk informed the Board that the names of the attorneys handling the settlement of the Britt Estate were Amanda Thomas and Cliff Hester.

Steve Jones Sr. Memorial. Mr. Votaw reported no progress of this topic with Steve Jones, Jr. Per suggestion from Mr. Atkinson, Mr. Votaw agreed to inform Mr Jones that with no further action, the Board intends to drop this proposal.

Policy for Back Dues at Un-Amalgamation. Troy Votaw moved that the Board adopt as policy the draft version entitled “Lot Amalgamation and Separation Policy” drafted by Troy Votaw and Hank Howell, dated September 19, 2017. That draft version is attached herein as Exhibit E. Billy McGavock seconded the motion and it was approved unanimously by all Board members present.

Lake and Canal Drainage Issues. Mr. Atkinson reported no known progress toward a resolution of these issues and asked that the topic in its current form be removed from future agendas, to be raised again only if a solution is provided.

Bay Tree Lakes Tree Lighting. Robert Gamble reported that the pipes for the tree are to be delivered on November 22nd and the hole is to be dug November 17th or 20th. The estimated cost thus far (excluding the cost of lights) is \$1,242. In order to stay close to the original estimate and the approved expenditure of \$1,000, Mr. Gamble agreed to provide the lights at his expense. After further discussion, it was agreed to conduct a Tree Lighting Ceremony on December 2nd at 6:30 PM, to be followed by the planned social and food donation event at 7:00 PM.

Short Term Rentals. Mr. Atkinson reported that two of the alleged violators had modified their advertisements to clarify what benefits are available to Short Term Renters (less than six months). A third had not and Mr. Atkinson agreed to call that property owner and remind him of the apparent violation.

Canal Banks Trimming: Per the Property Manager's report (see Exhibit D), this need has been met.

Property Manager Job Description Revision. Discussion of this topic was postponed to the next Executive Session of the Board.

New Business:

Revision of POA Member Privacy Policy. Tish Herrmann explained her view, as POA Clerk, of the need to modify the current privacy policy (“Member Privacy and Confidentiality Policy”), citing the frequent need for one property owner to know who is, and how to contact, the current owner of a given property. The current policy prevents her from divulging that information. She offered several changes, any one of which could resolve the issue. Mr. Atkinson explained his view that the need for privacy of POA member information is paramount and he opposes the suggested changes to the policy. There was no objection or comment from the remainder of the Board so the item was closed.

Other Business:

There being no further business, a motion to adjourn was made by Junior Rideout and seconded by Troy Votaw. The meeting was adjourned at 8:07 pm.

Respectfully Submitted,

Bob Latham, Secretary

Exhibit A

Bay Tree Lakes *Property Owners Association*

Board of Directors Meeting Agenda

November 16, 2017

Call to Order and Welcome Members and Guests	Charles Atkinson
Invocation	Bob Latham
Approval of Prior Meeting Minutes (October 19, 2017)	Bob Latham
Approval of Prior Month's Financial Report (October 2017)	Billy McGavock
POA Clerk's Report (October 2017)	Tish Herrmann
Property Manager's Report (October/November)	Jim Crayton

Old Business:

1. Foreclosures/Liens of Properties	Bob Latham
2. Steve Jones, Sr. Memorial	Troy Votaw
3. Policy for Back Dues at Amalgamation/Separation	Troy Votaw
4. Lake and Canal Drainage Issues	Charles Atkinson
5. Bay Tree Lakes Tree Lighting (December 2017)	Charles Atkinson
6. Short Term Rental Violations	Charles Atkinson
7. Canal Banks Trimming	Jim Crayton
8. Property Manager Job Description Revision	Charles Atkinson

New Business:

1. Revision of POA Member Privacy Policy	Tish Herrmann
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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.

Exhibit B

Bay Tree Lakes Property Owners Association Profit and Loss – October 2017

	TOTAL (\$)
INCOME	
Dues Collected from Lot Separation	2,920.00
Non-Profit Income	
Dues	40,159.45
Interest Paid by Members on Dues	179.76
Gate Access (cards, stickers)	13,570.00
Total Non-Profit Income	53,909.21
Total INCOME	56,829.21
EXPENSES	
Building Cleaning	750.00
Cost of Labor	
Certified Pool Operator	210.00
Clerk	600.00
Property Manager	1,000.00
Total Cost of Labor	1,810.00
Grounds	
General Landscape Work for POA	2,305.00
Total Grounds	2,305.00
Office Expenses	
Bank Charges	32.40
Telephone	371.36
Total Office Expenses	403.76
Repair & Maintenance	
Gate	1,377.08
Pool	1,064.21
Total Repair & Maintenance	2,441.29
Uncategorized Expense	10,287.38
Utilities	
Electricity	1,004.65
Sewer	75.20
Water	73.47
Total Utilities	1,153.32
Total EXPENSES	19,150.75
NET OPERATING INCOME	37,678.46
OTHER INCOME – Interest Earned	7.65
OTHER EXPENSES – Reconciliation Discrepancies	1,874.00
NET INCOME	35,812.11

Exhibit C

Clerk's Report

From the Clerk

November 1, 2017

October 31, 2017	Outstanding Dues	\$52,511.60
October 31, 2017	Credit Balance	\$ 1,991.68

Lots Reported Sold in October 2017

Buyer	Lot	Home	Seller
George Conklin/Dottie Burns	255	Harrells, NC	William Walsh

Total Billable Lots 454.5

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Exhibit D Property Mgr. Report Oct/Nov. 2017

1. Card list will be attached
2. Minor issue with exit gate was fixed. Two pulleys and two belts replaced. Still having a little problem with speaker volume at gate. Working on trying to balance it out. Also had one incidence of exit gate staying open. I reset it and have had no further reports of recurrence. Also had one of the photocells replace by Mr. Rideout.
3. Last Sunday I got a report from a contractor that someone was stealing materials from his job site and was sent a video of same. Per the contractor's request I did not contact law enforcement. Instead, I posted it on NEXTDOOR to make the community aware. The contractor advised the neither he nor the owner had given permission to anyone to remove materials from the site. I was subsequently contacted with information that this waas a property owner taking material from what he thought was the scrap bin. All parites have been made aware and as far as I know the issue is closed.
4. Above investigation resulted in the discovery that gate cameras were not working. The power supply had failed and killed power to all cameras. I replaced the power supply it is working properly at this time.
5. In a follow-up to the recent break-ins, two people have been charged and are currently in jail under a heavy bond. Both were arrested within 48 hrs. of reporting it. There are two other suspects that have not been charged but are being watched by the Sheriff's office. The Sheriff and his deputies have done an outstanding job on this.
6. Pool is closed and running on one pump at this time. Wilmington Pools is working to get a factory rep. to come check out our pumps. They believe we should be getting better service. Will advise when we have something new to report.
7. I had planned on winterizing and closing the cabana this week since we had another freeze warning for Sunday night. The forecast has moderated so we will likely stay open another week or so dependent on the forecast.
8. Had final yard maintenance of the season done last week. Trimmed all canal banks in common area and cut back about 50 feet of bank close to the main boat lift as was discussed at the last meeting.
9. Still no movement on burning brush piles....my understanding is that Red got the go-ahead but is waiting on weather.
10. As most property owners are aware we have been visited several times recently by a baby bear. I spoke with a NC Wildlife Biologist and was told to make sure everyone knows NOT to feed it. This is the time of year when cubs are being kicked out of the dens and are learning to forage on their own. Instead, they

advise we should try to scare it off while it is still very young. They are very shy and easily frightened by loud noises and shouting. What we do not want is a 150# adult bear taking up residency...which is what this cub will weigh this time next year.

Gate Sales Oct/Nov 2017

Device #	Type	Owner
1547	WS	Ginny Rogers
1548	WS	Scott Detwiler
1549	WS	“
1578	WS	“
1579	WS	Kristian Kelly
1560	WS	“
1558	WS	Hank Purvis (Warwick)
1561	WS	Phillip Warwick
31571	Card	Jesse Cox
1562	WS	“
1559	WS	“
31752	Card	Steve Lambert
1581	WS	“
1582	WS	Chip Lankert

Lot Amalgamation and Separation Policy

The purpose of this policy is to clarify the process of amalgamating (“putting together”) adjoining lots and the process of separating amalgamated lots. There are a number of relevant restrictions in the various Bay Tree Lakes (BTL) Covenants that pertain to the joining of lots, but none that pertain to the subsequent separation of previously joined lots and, equally important, no explanation nor interpretation as to how these actions affect the responsibilities for payment of dues to the BTL Property Owners Association (POA). This policy combines and expands on the relevant restrictions and provides guidelines for those considering or involved in the subject.

In this policy, “**amalgamation**” refers to the process of enlarging a lot by adding all or a portion of one (or more) adjacent lot(s). Such action cannot result in a remaining lot with an average width of less than eighty (80) feet, or less than eighty (80) feet frontage on any lake or waterway in Bay Tree Lakes. The portions must be owned by the same Property Owner and share a property line. The resulting combined lot is considered one lot in regards to dues to be paid to the BTL POA.

In this policy, “**separation**” refers to the process of dividing an amalgamated lot to the lots (or portions thereof) previously amalgamated.

To avoid incalculable POA dues portions, with cascading amalgamations, no portions of a lot to be amalgamated or separated will be less than 50% of the original lot size.

Since, in most cases, a separation which results in a 50% lot will violate the eighty (80) feet requirements of the Covenants if not immediately amalgamated, the acquisition of the 50% portion can only be done by the owner of the adjacent lot, and such acquisition must be done simultaneously with the separation.

Prior to selling all or a portion of an amalgamated lot, all BTL POA dues that were not paid during the previous five years that the property was amalgamated must be paid.

Per the Covenants, written permission from the Corporation is required for amalgamation. Within the POA, either process should begin with the POA Clerk who will make the calculations relative to POA dues and coordinate the changes in lot alignments with the Bladen County Register of Deeds.

It is important to understand that the process of amalgamating property is a long term decision, not a short term way to save money on POA dues.