

Annual Bay Tree Lakes POA Meeting
April 12, 2014

The Bay Tree Lakes Property Owner's Association, Inc. Annual Meeting was held at the Clubhouse on Saturday, April 12, 2014. President Troy Votaw called the meeting to order at 10:04 am and shared a warm welcome with all. President Votaw called on Roger Wright to give the Invocation.

AGENDA:

1. **North Carolina Wildlife Commission:** Officer Spivey and Officer McConnell from the NCWC stated the information Officer McConnell and Officer Campbell shared at our October, 2013 monthly board meeting was flawed.
 - i. They were mistaken when they said Bay Tree property owners could petition the NC Wildlife Director to grant permission to make the Bay Tree Canals and Horse Pen Lake "private".
 - ii. The NCWC (Raleigh) has ruled that we cannot gain "private" status for these bodies of water.
- b. **PLEASE NOTE: All Bay Tree canals and Horsepen Lake are public waters and all NC Wildlife Commission regulations and laws that apply to Bay Tree Lake also apply to the Bay Tree canal system and Horsepen Lake.**
 - i. **Please share this information with all Bay Tree Property Owners.**
- c. Captain Spivey shared that the NCWC would like to partner with the Bay Tree Community to provide:
 - i. Safety Training
 - ii. Boat driver certifications
 - iii. Boat compliance inspections
 - iv. Overview of NCWC rules and regulations

- v. Relationship building between our community and the NCWC
- d. Please note: A VERY SPECIAL THANK YOU to Captain Spivey and Officer McConnell for taking time from their busy schedule to be a part of our 2014 Bay Tree Annual Meeting.

2. **2013 Calendar Year Financial Report---Clark Valentin:**

- a. Operations Checking: \$ 90,354.51
- b. Pool Checking: \$ 54,011.26
- c. Money Market: \$ 55,674.09
- d. Total Monies: \$ 200,039.86
- i. Pool Loan Principal: \$394,478.71

Bay Tree Lakes Property Owners Association
Profit and Loss
January - December 2013

| | Total |
|----------------------------|---------------------|
| Income | |
| Non-Profit Income | |
| Club Card | 270.00 |
| Contractor Code | 125.00 |
| Dues | 176,257.90 |
| Gate Access | 2,705.00 |
| POA Lot Mowing | 150.00 |
| Pool | 41,207.75 |
| Recovery | 125.00 |
| Rental | 2,400.00 |
| Roads | 20,133.00 |
| Total Non-Profit Income | 243,373.65 |
| Total Income | \$243,373.65 |
| Expenses | |
| Building cleaning | 4,912.50 |
| Building fire protection | 430.71 |
| Cost of Labor | |
| Cost of Labor | |
| Asst Property Manager - JR | 100.00 |
| Asst Property Manager - SL | 180.00 |
| Certified Pool Operator | 764.00 |
| Clerk | 7,200.00 |
| Guard | 325.00 |
| Property Manager | 8,486.90 |
| Total Cost of Labor | 17,055.90 |

| | |
|----------------------------|------------------|
| Total Cost of Labor | 17,055.90 |
| Funds transfer | |
| Interest Paid Pool | 7,272.87 |
| Interest Paid Roads | 329.98 |
| Principal Paid Pool | 5,521.28 |
| Principal Paid Roads | 31,693.09 |
| Total Funds transfer | 44,817.22 |
| Grounds | |
| Mowing & cleaning | 6,142.53 |
| Trash removal | 25.00 |
| Total Grounds | 6,167.53 |
| Insurance | 9,179.50 |
| Legal & Professional Fees | 4,386.00 |
| Local Property Taxes | 32.47 |
| Member Event | 5,556.84 |
| Office Expenses | |
| Bank Charges | 155.40 |
| Internet | 863.05 |
| Postage | 1,421.92 |
| Quick Books Online | 323.40 |
| Stationery & Printing | 789.60 |
| Supplies | 1,433.60 |
| Telephone | 2,193.31 |
| Web site | 743.50 |
| Total Office Expenses | 7,923.78 |
| Repair & Maintenance | |
| Boat Lift | 938.23 |
| Boat Ramps | 290.55 |
| Cabana | 997.06 |
| Canals | 3,212.61 |
| Clubhouse | 10,127.15 |
| Exercise Room | 1,319.13 |
| Gate | 7,860.16 |
| Pest Control | 1,893.00 |
| Pier | 15.00 |
| Playground | 502.73 |
| Pool | 45,914.93 |
| Total Repair & Maintenance | 73,070.55 |
| Road Repair & Maintenance | 1,650.46 |
| Taxes & Licenses | 220.00 |
| Trailer storage facility | 1,137.94 |
| Utilities | |
| Electricity | 8,841.32 |
| Water | 2,166.21 |
| Total Utilities | 11,007.53 |
| VFD Support | 3,600.00 |

| | |
|----------------------|--------------|
| Total Expenses | \$191,148.93 |
| Net Operating Income | \$52,224.72 |
| Net Income | \$52,224.72 |

3. Bay Tree Lakes Fire Department shared by Bob Latham:

- a. The Bay Tree Fire Department continues to work toward improving capability and insurance rates by:
 - i. Training
 - ii. Acquiring new equipment
- b. **The call for NEW MEMBERS was extended to all with great emphasis on the fact that capability to fight fire is greatly enhanced by well trained volunteers.**
 - i. **If you would like to be part of this much needed and appreciated organization please contact the Bay Tree Volunteer Fire Department.**

4. Bay Tree Lakes C.E.R.T. (Community Emergency Response Team)—presented by Hank Howell:

- a. CERT, Community Emergency response Team was established at Bay Tree about three years ago. CERT members are trained to take care of themselves and then to help others in the community when the area is hit by hurricanes, tornadoes, floods and man-made disasters and the community is cut off from outside emergency support.
- b. CERT has been mapping the neighborhood to determine the following for each property: homeowner, how many people in the home children/adults, part or full-time residents, contact numbers, location of propane tanks and any medical needs that may require assistance. This information will be compiled on spreadsheets and given to the POA board and Bay Tree Lakes Fire Department for use in emergency situations.
- c. After the mapping project is complete, CERT will enter an inactive status. A CERT team in a community of our size should have 15+ members. There were only five or six at the last meeting. There doesn't seem to be enough interest in this program to continue at this time. I would like to thank all those who turned out for the programs and projects CERT has held over the years.

5. Bay Tree Lakes Women's Association presented by Neta Massey:

- a. Saturday, May 31, will be a day of celebration at the Bay Tree Pool.
 - i. Food---hog dogs with the trimmings
 - ii. Music----
 - iii. Fun
 - iv. Fellowship
 - v. Swimming
 - vi. Concert/Dance music by Caroling Breakers Band

1. PLEASE MARK YOUR CALENDARS and plan to be a part of this day of celebration

6. The Year in Review-----POA President Troy Votaw:

- a. President Votaw shared an overview of the steps the pool project has taken over the last couple of years.
- b. President Votaw advised that records pertaining to the incremental steps and decisions made are available for review.
- c. President Votaw acknowledged the paper trail confirms that mistakes were made throughout the process.
 - i. Early cost projections were understated and that to a large degree this was because “requirements” were not properly defined and included in the early plans.
- d. The Board signed a contract with Tarheel Pool on February 14, 2013 to construct the pool.
 - i. **PLEASE NOTE: Tarheel Heel Pool has delivered what was required and the delay in opening the pool is not a Tarheel Pool issue.**
- e. Several weeks after signing the contract with Tarheel Pool the Board reached agreement with DeVane Builders to build the bathrooms and other structures surrounding the pool.
 - i. Contract with DeVane Builders signed in March, 2013.
 - ii. **PLEASE NOTE: Devane Builders has delivered what was required and the delay in opening the pool is not a DeVane Builders issue.**
- f. President Votaw shared the original pool vote was not done per the POA governances and:
 - i. To make the “original” pool vote legal
 - ii. **A Special POA Board meeting was called**
 - 1. **Consulted with legal counsel**
 - 2. **Pool vote validated by the citizens of Bay Tree**
- g. After significant work had been done to prepare the pool site and dig the hole for the pool it was decided to change the location of the pool.
 - 1. Additionally other changes including fence location and fence height were made.
 - a. The original drawings were not updated to reflect these changes.
 - b. New drawings were not prepared to show specific details of the pool facility.
 - ii. The Developer has the final say in where a building, pool or other Structure is located on a Bay Tree property
 - 1. The Developer was not consulted when the pool was originally located.
 - iii. After the location was brought to the attention of the Developer he requested it be relocated.
 - 1. The Board supported this decision (100%)

- a. The Board also supported the idea of raising the pool above ground level
 - iv. The developer raised questions about the height of the fence
 - 1. The Board supported suggested changes in the fence.
- h. As the pool project moved forward the Bladen County Department of Inspection in general terms gave positive reinforcement that the construction and features of the Bay Tree Pool met all inspection requirements and there was verbal agreement that all was well. and the Bladen County Department of Inspection would issue a Certificate of Occupancy (CO).
- i. On the day the CO was to be issued a problem was detected with the pool “phone” no dial tone and the CO was not issued.
- j. Shortly after the phone issue the Bladen County Inspectors indicated that the NC Department of Inspection based in Raleigh, NC had taken over the project and the rules of engagement had officially changed.
- k. The new requirements defined the Bay Tree Pool as a public pool and for this reason it would be required to meet all laws, rules and regulations pertaining to a public access pool and specifically this would require full ADA Compliance.
- l. President Votaw reminded us the original contracts with Tarheel Pool, Devane Builders and the other contractors did not specify nor make provisions for full ADA Compliance.
 - i. **President Votaw shared that a detail review of the pool process paints a clear picture that none of the participants including the original pool committee, the POA Board, or those hired to do the construction fully appreciated the implications of the full “ADA” Compliance requirement and for this reasons these requirements were never properly defined, communicated or funded.**
- m. President Votaw suggested that when the NC Department of Inspection became a part of the process it was apparent that the pool would not open until approved by the NCDOI and for this to happen it would be necessary to upgrade the project design to bring the Bay Tree Pool Facility into full “ADA” Compliance.
- n. This process started with Laurel Wright from the NCDOI sharing in specific details what was required, this took place in September of 2013 per President Votaw.
 - i. Laurel suggested that we consult a well qualified Architect to draw a road map of the steps required to bring our pool facility into ADA compliance.
 - ii. Laurel suggested the Architect should work in concert with her office to make sure the final plan would in fact pass the scrutiny of the NCDOI.
- o. President Votaw shared the following statement from Cleve Pate, Architect, pertaining to the Bay Tree Pool Facility project and the added ADA Compliance project.
 - i. “Please note that this project (ADA Compliance) is being built under special conditions in so much as it (pool project) did not receive proper

drawings, review, or oversight during its primary phase of development, and thus is subject to oversight directly from NCDOT. Current drawings used for construction (ADA compliance) were completed with that a primary directive, and were guided by review comments directly from NCDOT. **This is typically not the case on commercial projects but in this case that remains the guide to project completion.**

- p. President Votaw closed out his comments by saying that we are now following the exact path for the ADA Compliance project outlined by the NCDOT as presented by Architect Cleve Pate
- q. President Votaw encouraged all property owners to focus on the fact that the pool will soon be complete and in compliance with Bladen County and North Carolina Department of Inspection requirements.

7. A vision for the future of Bay Tree Roger Wright:

- a. Outside audits of our finances as a normal business practice.
- b. Review our accounting practices and make sure we have consistent capability and processes in place to properly manage our finances.
 - i. Consistent year to year.
- c. Take on the responsibility of targeting and achieving acceptable cash reserves.
- d. Review how we manage our affairs by moving toward and Administrative Assistant that will take on the responsibilities of the Secretary, Treasurer and Clerk.
- e. Better utilize our facilities specifically the clubhouse.
- f. Promote creative thinking and have a process for developing and implementing ideas that create an opportunity to enhance our community.
- g. Be better stewards of our revenue and find the proper balance between revenue and benefit.
 - i. Stay in a conservative mode until we achieve our cash reserve target.
- h. Prepare to govern and respond when we get those things that we have been asking the Corporation for.
- i. Behave like responsible adults and handle our differences in a manner that demonstrates our love for each other and our community.
- j. Develop open and effective means of communication that allows each of us to better understand the big picture.
 - i. **PLEASE NOTE: The Board plans no action on the issue listed above until we receive confirmation from the Property Owners that these steps represent the direction the Bay Tree Property Owners want to go.**

8. Street Issue presented by property owner Mike Walsh:

- a. Mike shared that he had owned property on Little Dock Loop Road for approximately nine years and repetitiously over the years he has been told the road would be paved.

- i. Mike shared there are approximately 23 lots on Little Dock Loop Road and this street represents 20% or so of the total developed lots.
- b. Mike acknowledged that he does not believe the POA has any responsibility for or power to pave the road.
 - i. Mike stated that he believes it is helpful for all property owners to push for and encourage the Developer to pave this street as promised.
 - 1. He requested the support of his neighbors and fellow property owners in encouraging the developer to pave this road.

9. Use of Alcohol at the pool:

- a. Prior to the vote several people offered compelling reasons as to why we should not approve the use of alcohol at the pool
 - i. The vote was:
 - 1. 137 “no”
 - 2. 37 “yes”
- b. Alcohol is not allowed at the Bay Tree Pool

10. Election of two board members:

- a. George Starke nominated Junior Rideout seconded by J.R. Wise
- b. Mick Robeson nominated Lee Hauser seconded by Charles Massey
- c. Larry Barnes nominated John Shaw seconded by Hilda Ingram
 - i. Junior Rideout was re-elected to the board with 150 votes and Lee Hauser received 147 votes and will replace Troy Votaw.
 - ii. John Shaw came in third.

11. Open floor, questions, comments, general discussion:

- a. Pool Policy Sign—no glass containers
 - i. Serious consequences if glass is used at pool
- b. Metal Shelters and other unapproved practices
 - i. “People should be neighbors”
 - 1. Consideration for others is always a good rule of the thumb
- c. We were reminded: “be part of the solution, or you are part of the problem”
- d. REMINDER: gate cards/gate cards and exercise room cards are issued by Property Manager Jim Crayton
 - i. Please see Jim if you need a card or have a card issue