

Bay Tree Lakes

Property Owners Association

Monthly Board of Directors Meeting September 13, 2012

The Bay Tree Lakes Property Owner's Association, Inc. Board of Directors monthly meeting was held at the clubhouse on Thursday September 13, 2012. The following Board Members were present: Troy Votaw, Junior Rideout, and Mick Robeson. Staff present were Tish Herrmann (POA Clerk), Roy Dew (Asst. Property Manager). The following POA members were also present: Debbie Kettle, Hank Howell, George Stark, Bob & Phyllis Latham, Jon & Janet Hosking, Robert Walton, Henry Cashwell, Karen Pack, L.D. Brock, and Ed Stone.

Vice President Troy Votaw called the meeting to order at 7:00 pm at which time everyone was welcomed to the meeting. He expressed his appreciation for everyone's attendance and advised that President Cherry was out on a long overdue vacation and Treasurer Clark Valentiner was out of town.

Vice President Votaw gave the invocation.

Approval of Previous Months minutes: J.Rideout 1st, M. Robeson 2nd

Approval of Financial Report: (Attached as Exhibit B) M. Robeson 1st, Rideout 2nd

Junior Rideout read the Treasurer's reported financials for August 2012:

Operations Checking: \$49,635.69

Money Market Acct: \$55,545.56

Total Monies: \$120,871.25

Road Loan Principal: \$61,608.36

Approval of Property Manager's Report: (Attached as Exhibit C)

Roy Dew reported:

- Leaking shower valve & sink strainer repaired in Cabana (listed as clubhouse on report)

- Install electrical service to fence enclosure to place generator for entrance gate operation when a power outage is experienced, approximately \$2,200. Motion made and seconded to go ahead and make it an auto switching service.
- 3 new first time users of Fitness Center. (See Prop. Mgr.Report for usage data. Exhibit C)
- Survey completed of tree branches overhanging streets & walkways. Approx. \$400 to removed hazards. Motion made and passed to proceed with corrections.
- 18 window and gate passes issued in August.
- 6 lots were mowed for non-compliance. Survey was completed on Sept. 11th. 33 lots were identified to need services.

Approval of Clerks Report: (Attached as Exhibit D)

From the Clerk

Proposals for New Fitness Room Card cost and dues collections submitted for review by the board. (See proposals in clerks report, Exhibit D)

September 13, 2012

August 31, 2012 Outstanding Dues: \$26,438.82
 August 31, 2012 Credit Balance: \$3,194.66

Lots Reported Sold August 2012

Buyer	Lot	Home	Seller
Malaro/Ross	84 & 85	Harrells, NC	Dennis Ford
Lynwood & Nancy Brock	192	Fayetteville, NC	Malaro/Ross

Business & Issues:

- Boating & Fishing Rules and Regulations were discussed and Mick Robeson gave an overview of the proposals noting that they have been posted on the website and bulletin board for residents to review. The purpose was to protect the resources and prevent outsiders from coming in and taking out fish that belong to the community. Mr. Henry Cashwell advised that he is against putting any additional stickers on his boat and not being allowed to have guest come in and fish. Ms. Karen Pack also is against not

allowing guest to come in and fish. Another issue brought up was enforcement. Vice President Votaw stated that we would table it for now to allow others to give their input.

- Generator hook up to the front gate system was discussed. Time frame of installation is uncertain at this time as permits need to be secured.
- Boat lift on Horsepen Lake needs maintenance. Mr. Mike Smith, (not our resident), is the hydraulic engineer that maintains both lift systems, is currently working on it and should be in on Friday or Saturday (14th or 15th) with a recommended fix from the manufacturer.
- October Road Payment: Motion made and approved to make the additional \$10,000 toward principle. (J. Rideout made motion, 2nd by M. Robeson)
- Road Repairs next steps were explained. President Cherry is to discuss in a joint meeting with Mr. S. Jones Jr. and the attorneys.
- New Clubhouse Rental Policy was brought up with changes to allow outside organizations, churches, clubs, etc. to rent the clubhouse with the Board of Directors approval. The board felt that income could be generated for the community instead of it going somewhere else. A number of residents spoke out against it. Mr. George Stark stated that it had been brought up at an annual meeting and voted on by the membership. Mr. Votaw asked Mr. Stark if the dollars, deposits and rental fees, needed to be voted on and is there anything in the covenants covering such. Mr. Stark advised that there wasn't. Vice President Votaw stated that we would not proceed with posting them until there was further discussion.
- Cell Phone Gate Access was brought up for discussion. The board had discussed it and decided against it at this time and so notified the Safety/Security Committee Chairman, who subsequently resigned. There were some that wanted to get more details on what the cost would be and if it could be initiated in a secure manner. Vice President Votaw asked if there were any volunteers who would join the safety & security committee to investigate cost and security issues and report back to the board. Mr. Hank Howell and Mr. Henry Cashwell volunteered to join Ms. Debbie Kettle.

Committee Reports & Issues:

Rental Committee: Had No Report

Water Committee: Mr. Henry Cashwell reported that they had gotten the right people involved and that everything was turned over to the state agencies, The Army Corp of Engineers, and the Parks Service. He stated that they were having a meeting with Mr. Steve Jones Jr. earlier today. It was brought up, that last month Mr. Mike Smith had requested that the board send a registered letter to the "corporation" requesting items be addressed on the property on the west side of the development, but the board wanted Mr. Smith to draft it and present to the board for review prior to sending. Mr. Cashwell stated that he would have a letter drafted.

Pool Committee: Ms. Sonya Smith had e-mailed a letter to Vice President Votaw, which he read. There were several questions regarding the passage of the vote, what were the cost, when will something be posted for the membership to get updated. Vice President Votaw stated that there were problems with the way that the covenants read and the way things have been done in the past. The community attorney and the corporation's attorney are working on a solution and we will get the information out there when things are resolved but that we will proceed legally.

POA Member Comments & Concerns:

- 1) A request was received to purchase lighter weights for the fitness room which had been approved by the board and they should be in place within the next couple of weeks.
- 2) A request was received for a list of recommended realtors. The response was that the board does not recommend realtors and to use the local newspaper or yellow pages.
- 3) Mr. Bob Latham thanked the board for allowing the fire department to do the pig picking and that they had received the check from the treasurer.
- 4) Mr. Latham notified every one of the upcoming Bay Tree Lakes Volunteer Fire Department Annual Golf Tournament on October 13th.
Sponsorships are available for: GOLD=\$1000
SILVER=\$500
BRONZE=\$250
HOLE=\$100
ALL DONATIONS ARE TAX DEDUCTIBLE
He requested the POA's support; last year's donation was \$1500.
- 5) Mr. Latham asked if the board would purchase a new exercise tape or DVD which the board approved.
- 6) Mr. Latham asked if there was an update sewer cost. The board needs to contact the NC Utility Commission, which has not been accomplished yet.
- 7) Mr. Latham asked if there was an update on the 911 signs for the residents. It was noted that President Cherry was going to contact Mr. Latham about the fire department making them which had been done in the past.
- 8) The weather station came up and Mr. Junior Rideout stated that the cost would run between \$1500 to \$2000. It will be added to a list that the board is making up for future capital projects.
- 9) Vice President Votaw stated that the board was working on a wish list or items that can be capitalized. Ms. Karen Pack brought up playground equipment, Mr. Bob Latham brought up a Driving Range and Putting Greens.

10) Fire Hydrants- Mr. Mick Robeson stated that he and Mr. Jim Crayton had discussed this topic with Mr. Greg Martin, County Manager. Mr. Martin stated that he was trying to get, at least, a few hydrants but they were not included in the county's original water line plans.

There being no more business the meeting ended.

EXHIBIT A
Bay Tree Lakes Property Owners Association
Board of Directors Meeting

Agenda
Thursday, September 13, 2012

Call to Order and Welcome Members & Guests	Brenda Cherry
Invocation	Clark Valentiner
Presentation of Consent Agenda Items:	
1. Approval of Prior Meeting Minutes (Aug. 2012)	Mick Robeson
2. Approval of Prior Month's Financial Report (Aug. 2012)	Clark Valentiner
3. Property Manager's Report (Aug. 2012)	Carl Cain
4. POA Clerk's Report (Aug. 2012)	Tish Herrmann

Business:

- Boating & Fishing Regulations POA Board
- Generator Hookup to Gatehouse POA Board
- Boat Lift at Horsepen Lake Dropping POA Board
- October Road Payment Approval POA Board
- Road Repairs (Next Steps) POA Board
- New Clubhouse Rental Policy (New) POA Board
- Cell Phone Gate Access POA Board

Committee Reports & Issues:

- Rental Committee No Report
- Water Committee Update No Report
- Swimming Pool Update No Report

POA Member Comments & Concerns:

- Request to purchase lighter weights (Exercise Rm) POA Board
- Request for List of Realtors POA Board

Executive Session will be held immediately following monthly board meeting.

EXHIBIT B

Bay Tree Lakes Property Owners Association
Profit & Loss
August 2012

Income	
Non-Profit Income	
Dues	6,031.25
Gate Access	495.00
Key Deposit	-25.00
Roads	2,500.00
Total Non-Profit Income	9,001.25
Total Income	\$9,001.25
Expenses	
Building cleaning	580.00
Cost of Labor	
Cost of Labor	

Clerk	700.00
Guard	1,260.00
Property Manager	2,100.00
Total Cost of Labor	4,060.00
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Funds transfer	
Interest Paid	375.31
Principal Paid	14,854.69
Total Funds transfer	15,230.00
Gate	2,078.33
Grounds	
Mowing & cleaning	1,275.00
Total Grounds	1,275.00
Member Event	-27.71
Office Expenses	
Bank Charges	23.95
Internet	71.61
Postage	37.50
Quick Books Online	26.95
Supplies	187.98
Telephone	154.89
Web site	29.90
Total Office Expenses	532.78
Repair & Maintenance	
Cabana	90.00
Clubhouse	548.29
Pier	1,114.88
Playground	75.00
Total Repair & Maintenance	1,828.17
Trailer storage facility	78.00
Utilities	
Electricity	625.57
Water/Sewer	166.66
Total Utilities	792.23
Total Expenses	\$26,426.80
Net Operating Income	\$ -17,425.55
Net Income	\$ -17,425.55

Property Manager's Report
August 2012

- Leaking shower valve and sink strainer repaired in club house.
- To install a new electrical service and equipment to fenced enclosure to place generator into service will be approximately \$2,200. To place generator (gas piping etc) to enable a drop cord to be pulled during power outages will be less than \$500.
- 3 new/first time users have accessed the Library/ Fitness Center. 96 users have entered the room in the 16 days data was collected. Remaining data lost due to storage capacity of system software. Most users in one day was 10, average usage per day was 6.0 (during the 16 day period)
- A survey has been completed of the branches that overhang the roads or sidewalk in the Community. 33 trees have limbs overhanging the road that could strike a van or cargo type vehicle. Worst areas are Horse Pen Drive at pipe, Bull Bay Drive near gate house/canal and Oak Island Road.
- 18 gate passes were issued in August.
- 6 lots were mowed for non-compliance, the September lot maintenance survey was completed September 11,2012. 33 lots were found to be in need of services.

From the Clerk

September 13, 2012

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EXERCISE ROOM NEW CARD PROPOSAL

Proposals

1. The new cards for the exercise room are almost \$9.00 each. I would recommend we charge \$20.00 per card regardless whether it is a first time card or a replacement card.
2. The procedure for collection of dues is as follows below: I would propose the property owner has two weeks, not a month to respond to the second letter. That gives them six weeks to pay or arrange for payments. Sometimes the member does not pick up the certified letter. It takes up to a month for the POA to get that letter back and by then, we can run into the next quarter's billing.

“Should a member not remit dues in a timely manner, the POA Clerk will notify the POA Board of Directors in writing of all delinquent accounts. After an account is two quarters or 180 days delinquent, the POA President will send the member a certified letter return receipt requested, advising the member's dues are past due. This letter will give the member 30 days to pay the outstanding balance. (This letter will be referred to as the “first letter”.) Should the member not respond or pay the outstanding membership dues within thirty days, the POA President will send another certified letter, return receipt requested, advising the member the account is still past due and the member must remit the outstanding balance within 30 days. (This letter will be referred to as the “second letter”.) Should the member not pay the outstanding balance or respond after thirty days, the POA President will send notification to our attorney to collect the outstanding balance, including interest, all legal fees and administrative cost. This letter will be sent certified mail return receipt requested. (This letter will be referred to as the “third letter”.) Additionally, the POA Board will ask the attorney to file a lien on the member's property. Said lien will remain on the property until all POA dues and cost of the action are paid in full. There will be no exceptions to this policy unless the majority of the POA Board of Directors approves any modification(s).“

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EXHIBIT E

BAY TREE LAKES BOATING AND FISHING REGULATIONS

The following rules and regulations have been established by the Board of Directors of Bay Tree Lakes Property Owners Association. We submit these rules and regulations as a guide for all property owners to observe to ensure the safety and protection of our natural environment, canal waterways, fish habitat, and shore line properties. These rules and regulations cover the canal system and Horsepen Lake. Bay Tree Lake, the big lake, is a public lake and covered by all North Carolina State Laws regarding boating and fishing rules and regulations. It is the property owners responsibility to notify other family members and guest of these rules and regulations.

BOATING

- All boaters and water craft operators should adhere to all North Carolina state laws, rules and regulations.
- All fishing craft should be registered with BTL Property Owners Association and have a decal attached in a visible location. (Decal design to be decided)
- All canal systems in Bay Tree Lakes are “NO WAKE ZONES”. Horsepen Lake has designated areas marked. “NO WAKE ZONES” will also be defined as within 50 yards of any boat dock or the boatlift on Horsepen Lake.
- “NO LITTERING” in any of the waterways within Bay Tree Lakes. All disposable items including but not limited to; Food and beverage containers, bait containers, paper and plastics of any kind must be secured in your vessel and disposed of properly.
- Boat Lifts are to be operated by property owners only or those who have been trained in its operation.

FISHING

- All property owners and their guest should adhere to all North Carolina state fishing laws, rules and regulations.
- All largemouth bass in the canal system and Horsepen Lake are CATCH AND RELEASE. Defined as, after capture, the fish is unhooked and returned to the water before experiencing any serious exhaustion or injury. **NO LARGEMOUTH BASS ARE TO BE REMOVED FROM THE PROPERTY.**
- Guest, excluding family members, must be accompanied by the property owner at all times when fishing from any vessel, including kayaks, in the canal systems or on Horsepen Lake.
- Family members are defined as: parent, siblings, sons or daughters, including in-laws, stepchild, grandchild, niece or nephew.

EXHIBIT F

E-mail received by the POA Board on Sept.13th 2012

The goal of the pool committee is to have the pool ready by the spring of 2013. We are patiently waiting for the boards approval to move forward.

We realize building a community pool is a huge undertaking. Fortunately, it couldn't have come at a better time. The road assessments will be gone at the beginning of 2013. Therefore, our monthly dues will be around the same amount we are used to paying.

The pool will be an asset to POA members that live in the community as well as those selling their homes and lots. The added amenity will bring potential buyers to Bay Tree.

If you won't utilize the pool please take a moment to think about who will inherit your property down the road. What a gift to give your children or grandchildren. Think how happy they will be to spend quality time with family and make lasting memories at Bay Tree. My father left my family a house in Bay Tree. My daughters are so thankful for their "Pa~Daddy" and the potential he saw in Bay Tree 30 years ago.

My vision for Bay Tree is to grow to a prosperous community. Thank you for your continued support.

Sincerely,

Sonya Catlett Smith
Pool Committee Chair