

Bay Tree Lakes

Property Owners Association

Monthly Board of Directors Meeting February 14, 2013

The Bay Tree Lakes Property Owner's Association, Inc. Board of Directors monthly meeting was held at the clubhouse on Thursday, February 14, 2013. The following Board Members were present: Brenda Cherry, Troy Votaw, Clark Valentiner, Junior Rideout, and Mick Robeson. Staff present was: Tish Herrmann (POA Clerk), Carl Cain (Property Manager). The following POA members were also present: Debbie Kettle, George Stark, Brenda Barnes, Larry Barnes, Bob Latham, Hank Howell, Jon Hosking, Karen Pack, Michele Lewis, Mike Smith, Lynn Rideout, Donovan Vinson, Glenn Page, Leanne Page, Terry Randall, Chris Cherry, Sonya Smith, John Ciccarelli, and Mary Jo Ciccarelli.

President Brenda Cherry called the meeting to order at 7:05 pm at which time everyone was welcomed to the meeting. She expressed her appreciation for everyone's attendance.

Treasurer Clark Valentiner gave the invocation. Special prayers sent to Loren Becker, Christine Stevens, Vidrene Lynch, and the Hemingway family.

Approval of Previous Months minutes: January 2013, J. Rideout 1st, C. Valentiner 2nd.

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

Operations Checking: \$ 76,663.36

Road Loan Checking: \$ 15,690.00

Money Market Acct: \$ 55,592.05

Total Monies: \$ 147,945.41

Road Loan Principal: \$ 26,618.65

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

Carl Cain reported:

- Follow up letter mailed to Bladen County Sherriff's Department concerning a 911 call from the gate January 8, 2013, that was denied. Copy attached (Exhibit E). Approval has been given to Property Manager to test 911 gate operations at least monthly.
 - 5 gate passes were issued in January. 8 wind shield tags updated this month.
 - Fitness Center/Library update: 192 users have entered the room in January. Most users in one day was 10, average usage per day was 5. Average for last month was 4. 6 new users accessed the room this month.
 - Quarterly preventive maintenance was complete on exercise equipment.
 - Annual fire alarm inspection and testing completed on club house system.
 - 5 damaged screens on Clubhouse porch replaced, 4 ridge cap shingles were blown off the clubhouse roof during high winds-repaired.
 - Ice melt granules have been procured for use on steps for heavy frosts or icing. Product is stored under front walk/decking.
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Approval of Clerks Report: (Attached as Exhibit D)

From the Clerk

February 14, 2013

January 1, 2013 Billing \$81,452.60

January 31, 2013 Outstanding Dues: \$32,461.54

January 31, 2013 Credit Balance \$4,491.16

No lots were reported sold in January.

Business & Issues:

- **Update to 1/26/13 Meeting:** President Cherry stated that the changes to the covenants haven't been registered yet with the court house and she was following up with Cliff Hester, the attorney for Lake Creek Corp..

- **Lake Level Investigation**: President Cherry read the following letter she received from Ms. Kristen Woodruff regarding the lake level investigation and information on installing sea walls on Bay Tree Lake.

Brenda,

The following message is a synopsis of what we discussed today in reference to the jurisdictional assessment and permitting requirements for Bay Tree Lake. It is my hope that this will aid in your property owners association meeting this weekend.

The US Army Corps of Engineers has asserted jurisdiction on the lake and the review area included the lake up to the ordinary high water mark. They came out and did a survey on the lake and its surroundings. This makes the water subject to permit requirements of the Clean Water Act. In simple terms pertaining to our office and state lake permits/business, this means that there will be an additional permit required for residents to build sea walls and place any fill material in the lake. In the past, this fill material was typically sand. Our regular state lake permits will apply as they have in the past, but the US Army Corps of Engineers will also require a permit for a sea wall to be constructed/fill material to be placed in the lake and it will be the responsibility of the owner to obtain all needed documents to avoid any violations/fines. This will result in a longer process, but a necessity based on jurisdiction and regulations/laws. Basically, there is just another step and permit in the process of building a sea wall. These changes do not apply to piers and state lake business will continue as usual with those.

You mentioned the drainage issues at Bay Tree and this jurisdictional study did not pertain to those specifically. There have been no findings or results that implicate a direct violation of draining the lake. Based on a thorough investigation by the US Army Corps of Engineers, there have been no pipes, culverts, etc in the lake that are a point source for this type of activity. I anticipate that as the season changes and the lake use increases, this will still be a concern if the lake levels are consistent with last year. I understand the history of the concerns by residents. If you have any other questions, feel free to contact me at the park office. I appreciate your patience and thank you for your continued support.

Have a great day.

Kristen L. Woodruff

Park Superintendent

Singletary Lake State Park

6707 NC Highway 53 East

Kelly , NC 28448

(910)669-2928 - Office

(910)669-2034 - Fax

Below is another response from Ms. Woodruff to a property owner who had an inquiry through our website about lake level issues here in Bay Tree that President Cherry was copied on.

Mr. XXXXX,

I have been included in your correspondence pertaining to the lake levels at Bay Tree. The surveying done by the Army Corps of Engineers did not yield any direct results of any draining of the lake. There have been numerous site visits by different state agencies pertaining to issues at Bay Tree. I know the group is already aware of this. The question came up during a site visit about jurisdiction, which yielded the Corp of Engineers to come out and survey the entire lake and shoreline to determine whether or not they had any jurisdiction; which they do.

This results in a slight change of the way permits are issued for sea walls and the adding of any fill material into the water (typically sand). This is not directly related to lake levels, but this was discussed during meetings and surveys with various agencies, including the Corps of Engineers. There have been no findings of any activities occurring on Bay Tree Lake that are lowering the water levels. Some of the explanations in the past include droughts (over long periods of time), wild fire activity and suppression efforts in the surrounding bay vegetation, and the overall historical changes to the hydrology of this body of water. Some of the other bay lakes in the area have not had this same activity. Some lakes are more shallow than others as well.

I understand that this does not solve the issue at hand and I understand the board's position. Singletary Lake State Park's position remains that any safety issues are a concern with the state lake's office and staff. State Lake regulations limit what can be done in a state lake, but there have not been any findings that provide a course of action for illegal activity in Bay Tree Lake. If you have further questions or concerns, feel free to contact me.

Thank you and have a great day.

Kristen L. Woodruff

Park Superintendent

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President Cherry also read the following letter from Ms. Woodruff pertaining to Hydrilla that is affecting Lake Waccamaw.

To: Brenda Cherry

Subject: Hydrilla

Brenda,

I wanted to follow up our recent conversation pertaining to Hydrilla in Lake Waccamaw . This exotic/invasive weed has been confirmed as a resident in Lake Waccamaw. It is impacting about 608 acres as of right now. I cannot stress the detrimental effects that this aquatic weed can have on a body of water. A rough estimate as of right now for the first year's treatment of this 608 acre area is about \$450,000. Keep in mind this is only the first

year of treatment, with multiple years to come. Overall, it is looking like a project that will come close to 4.5 million in its entirety. Not treating this weed is not an option because it will engulf the entire lake and will ruin the opportunity for a boat to navigate the water at all. Not to mention, the negative impacts it will have on the natural communities found in Lake Waccamaw that are not found anywhere else in the world.

Not only is it expensive to chemically treat, but the only other "option" for the state lakes would be to introduce another non-native species of sterile grass-eating carp. This of course has its issues as well. As you can see, this is a huge deal and we want to be as proactive as we can to keep this out of Bladen County and our bodies of water. I will be meeting with the White Lake Town Board and we have discussed preventive measures already. Some of these include:

-Public education/information

-Signage/displays/brochures

-Visually inspecting vessels and trailers (includes kayaks, canoes, etc)

-And most importantly, users thoroughly rinsing boats and trailers after taking out of a body of water, before entering another body of water

This includes any body of water, not just ones with Hydrilla

Knowingly transporting this weed is a violation of law and subject to criminal charges, but most people do not even realize what they're doing.

The Division of Water Quality is set to do surveying and research in Bladen County lakes starting in May so this is high on their agenda. Hydrilla is a monster that we need to avoid in all ways possible. I will be getting some brochures next week during the Technical Advisory Committee's (which I am a member of) meeting next month at Lake Waccamaw. I will be sure to contact you in helping me disseminate this information. I am also working on getting some wayside exhibits printed and would like to post these at all ramps. This is something I would like to inquire with the board about for Bay Tree's private ramp. This is just to give you and other folks some background on a huge nuisance that is affecting our neighbors that I know we'd all like to avoid. I will be in contact and feel free to contact me with future dates for meetings.

I look forward to us all working together to avoid any possible issues with Hydrilla in Bay Tree Lake.

Thanks and have a great day.

Kristen L. Woodruff

Park Superintendent

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- **Windshield Tag Violations:** Carl Cain stated that 8 tags had been updated this month and that he will monitor compliance and will delete from the gate system any that are not.
- **POA Attorney Replacement:** Morgan Mehler has closed his office in Elizabethtown and did recommend a replacement. President Cherry stated that we would be shopping for one and if anyone knew of one with community law background to let us know. Mr. Mike Smith stated that he would give Brenda a name after the meeting.
- **Property Manager Backup:** President Cherry stated that we were looking for an assistant or two to use as back up for Carl when he is on vacation or otherwise unavailable. That the board has a job description, which needs to be reviewed. Mr. John Ciccarella stated that he would like to be considered. Anyone else interested should please contact one of the board members.

Committee Reports & Issues:

Rental Committee: Had No Report

Safety/Security Committee: Had No Report

Water Committee: Mr. Mike Smith stated that more was coming.

POA Member Comments & Concerns:

- 1) Secretary Robeson stated that a letter was received regarding the paving of "Little Dock Loop" road. The property owner was directed to Mr. Jones. We understand that they are in direct communications with each other so we, at this point, will leave it between the developer and the buyer.
- 2) Mr. Bob Latham stated that the high winds the other week had blown the clubhouse doors facing the lake open. He requested that latches be installed. Mr. Carl Cain stated that latches are there but weren't apparently latched. Latches are located in the door jams and not on the exterior of the doors.
- 3) Property taxes were brought up. President Cherry stated that there is a form that you can get from the tax office and fill out to appeal your property taxes. It must be filed by April 1st. Taxes won't be re-evaluated till 2014.
- 4) Mr. Hank Howell asked about the missing signs. President Cherry stated that we have a quote from the sign company that has to be reviewed by the board.
- 5) President Cherry stated that she had received a copy of a water/sewage bill from the White Lake area as a comparison for ours but has not heard anything from the regulatory agency.
- 6) Mr. Hank Howell brought up the pool vote taken at the special meeting. President Cherry pointed out that the vote at the special meeting was to ratify or defeat the past vote. Ms. Sonya Smith stated that the past vote had passed 101 for to 84 against. President Cherry stated that we weren't going to discuss the pool at this time.

There being no further business the meeting was adjourned.

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

Agenda
Thursday, February 14, 2013

Call to Order and Welcome Members & Guests	Brenda Cherry
Invocation	Clark Valentiner
Presentation of Consent Agenda Items:	
1. Approval of Prior Meeting Minutes (Jan. 2013)	Mick Robeson
2. Approval of Prior Month's Financial Report (Jan. 2013)	Clark Valentiner
3. Property Manager's Report (Jan. 2013)	Carl Cain
4. POA Clerk's Report (Jan. 2013)	Tish Herrmann

Business:

- | | |
|--|---------------|
| • Update to 1/26/13 Meeting | Brenda Cherry |
| • Lake Level Investigation Letter/Next Steps | Brenda Cherry |
| • Website Upgrade | Board |
| • Windshield Tag Update | Carl Cain |
| • POA Attorney Replacement | Board |
| • Property Manager Backup | Board |

Committee Reports & Issues:

- Safety/Security Committee
- Rental Committee
- Swimming Pool Update
- Water Committee Update

POA Member Comments & Concerns:

- Questions Regarding Paving Little Dock Loop

Executive Session will be held immediately following monthly board meeting.

EXHIBIT B

Operations Checking: \$ 76, 663.36
Road Loan Checking: \$ 15, 690.00
Money Market Acct: \$ 55, 592.05
Total Monies: \$ 147, 945.41
Road Loan Principal: \$ 26, 618.65

Bay Tree Lakes Property Owners Association Profit & Loss January 2013

Income

Non-Profit Income

Club Card	60.00
Dues	39,721.13
Gate Access	210.00
Rental	400.00
Roads	15,623.00
Total Non-Profit Income	56,014.13
Total Income	\$56,014.13

Expenses

Building cleaning	300.00
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Cost of Labor

Clerk	600.00
Property Manager	573.75
Total Cost of Labor	1,173.75

Funds transfer	5,074.44
Interest Paid	155.56
Total Funds transfer	5,230.00

Grounds

Mowing & cleaning	150.00
Total Grounds	150.00

Insurance	7,114.00
Legal & Professional Fees	-50.00

Office Expenses

Bank Charges	11.95
Internet	71.48
Postage	180.00
Quick Books Online	26.95
Supplies	13.29
Telephone	154.38
Total Office Expenses	458.05

Repair & Maintenance

Clubhouse	646.00
Pest Control	85.00
Total Repair & Maintenance	731.00
Trailer storage facility	83.00

Utilities

Electricity	605.30
Water/Sewer	123.65
Total Utilities	728.95

Total Expenses	\$15,918.75
Net Operating Income	\$40,095.38
Net Income	\$40,095.38

Wednesday, Feb 13, 2013 12:33:11 PM PST GMT-5 - Cash Basis
This report was created using QuickBooks Online.

EXHIBIT C

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