

# *Bay Tree Lakes*

## *Property Owners Association*

### **Board Meeting Minutes**

**June 18, 2015**

The monthly meeting of the Bay Tree Lakes (BTL) Property Owners Association, Inc. (POA) Board of Directors (Board) was held in the Clubhouse on Thursday, June 18, 2015.

Four of the Board members were present: Charles Atkinson, John Ciccarelli, Bob Latham and Junior Rideout. Troy Votaw was unable to attend. POA Property Manager Jim Crayton and Assistant Secretary Hank Howell also were in attendance. POA Clerk Tish Herrmann was out of town. Property owners in attendance were Debbi Kettle, Brenda Barnes, Larry Barnes, Lee Hauser, Clark Valentiner, Diane Becker and John Shaw.

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 (May 21, 2015):** A motion to approve those minutes was made by Junior Rideout, seconded by Bob Latham. Unanimous affirmative vote by those present. These minutes will be posted on the Bay Tree Lakes POA website, [www.baytreecommunity.com](http://www.baytreecommunity.com).

**Approval of Prior Month's Financial Report (May 2015):** Report was presented by Treasurer John Ciccarelli and is attached herein as Exhibit B. Motion to approve was made by Bob Latham, seconded by Junior Rideout. Unanimous affirmative vote by those present was made.

Financials for May 2015:

Operations Checking:	\$ 75,212.53
Pool Checking:	\$ 6,394.80
Money Market:	\$ 55,792.52
Total Monies:	\$137,399.85

Pool Loan Principal:                 \$ 346,263.54  
ADA Contract Principal:             \$ 113,889.91

**POA Clerk's Report (May 2015):** The Clerk was out of town this week and had had no access to the computer for weeks because it had been removed from the office to correct the problem interfacing with the new printer. Thus, no report was available at the time of this meeting. [The Clerk's Report was issued one week later and is shown below as Exhibit C.]

**Property Manager's Report (May/June 2015):** Report was presented by Jim Crayton and is attached herein as Exhibit D. Motion to approve was made by Bob Latham, seconded by Junior Rideout. Unanimous affirmative vote by those present. The report stated that the A/C was inoperative in the Gate House, but Mr. Crayton amended that by stating that Junior Rideout had been able to implement a fix just prior to the meeting.

President Atkinson called on Brenda Barnes to provide an update on the preparations for the Youth Fishing Tournament to be held on July 4<sup>th</sup>. She reported all was in order and progressing well, with 27 youth already signed up to participate; 11 in the Minnow class (ages 4-7), 10 in the Brim class (ages 8-11). and 6 in the Bass class (ages 12-15). Special T-shirts have been ordered for all participants. Several residents have volunteered to assist, but more would be welcomed.

President Atkinson addressed the issue of repairs needed for the Horsepen Boat Lift. He reported that in a conversation with Steve Jones, Jr. just prior to the meeting (4:38 pm), Mr. Jones agreed to ask his lawyer to prepare the deed transfer of the Horsepen Boat Lift to the POA. With that in mind, realizing the action date is indefinite, Junior Rideout moved that the Board authorize the Property Manager to contract with Mike Smith (who normally performs the maintenance on both lifts) to perform the fixes needed to get that lift fully operational, at a cost not to exceed fifteen hundred dollars (\$1,500). John Ciccarelli seconded the motion and it passed unanimously by all those present..

### **Old Business:**

**Positive Facts of BTL on the Web.** President Atkinson suggested that each property owner in BTL be invited to submit a very brief essay on why he/she chose to purchase property and/or live in Bay Tree Lakes. These compositions then could be collected and made available for viewing on a page (or more) within the POA web site. His thought was that each of us has a story as to why we are here, and probably no two are alike.

The 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. A name or 'anonymous' could be associated with each essay as well. John Ciccarella agreed to investigate the placing of appropriate pages / links on the web site.

**ARC Development.** President Atkinson's conversation with Steve Jones, Jr. today included this subject. Mr. Jones agreed to address this need as soon as he can get to it. President Atkinson offered the idea of an ARC with two levels. The first level would be made up of residents of BTL and would provide the first level of review of any architectural concerns related to new construction or modification to existing construction. Once passed by the first level, consideration would be passed to the second level which would consist of the POA president (or his designee), the developer (or his designee) and a paid architect. The second level committee could overrule the first level committee's decisions. Mr. Atkinson also asked Mr. Jones to arrange a meeting with Mr. Jack Carlisle the next time he visits BTL.

**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. Junior Rideout had agreed to provide Mr. Bagley's engineering proposal to the other Board members for their consideration. It was generally agreed that 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 agreed to arrange a presentation with Mr. Bagley at the next Board meeting. Also, Mr. Crayton agreed to verify whether or not the upper part of the dam at the boat left needs to be in place to preserve the separation of the lake and the canals.

**Pool / Kool Deck Repairs.** Tarheel Pools has been paid all funds due it except for the \$551.40 being held until Mitch Collins produces all of the manuals for the pool equipment purchased by the POA. Mr. Collins has agreed to provide these "in a day or two." The Board agreed to continue to hold those funds until the manuals are produced.

**Grass Mowing Bids.** Bids for grass mowing in the common area, including the grass inside the pool fence area, were to be presented to the Board at this meeting for their vote on accepting one of the bids. President Atkinson asked that this item be placed on hold until all bids are received by the Board for a vote.

**Office Computer Equipment.** Junior Rideout had taken the office computer and the new Brother printer to his place of work to get the interface problem resolved. He returned the equipment today and the problem has been resolved. In addition, the latest

version of Microsoft Office is also installed. The POA paid no fee for this solution, for which the POA and the Board are very grateful to Mr. Rideout. John Ciccarelli needs a newer version of Microsoft Word to facilitate the posting of documents on the POA web site. The Board authorized Mr.Ciccarelli to purchase a copy and install it on his home computer.

At the previous meeting, a question arose as to whether Wi-Fi in the Clubhouse was still free. John Ciccarelli volunteered to check this out.

**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.

**Requests for Copies.** President Atkinson has scheduled a meeting to pursue this issue on June 26 with Matthew Davis, an attorney specializing in POA-related matters. Mr. Davis is with the firm of Marshall, Williams and Gorham, LLP, located in Wilmington. This firm is being considered for legal representation of the BTL POA.

**Golf Carts and ATV's in Bay Tree Lakes.** Prior to this meeting, Junior Rideout had provided each Board member with a draft of a policy on the use of Golf Carts and ATV's in BTL. Bob Latham had expanded on that draft and presented a proposed set of Rules and Regulations applicable to their use. Much discussion took place on these proposals and the major question related to enforcement. 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. President Atkinson asked the Board members to review the proposals and recommend any changes in order to produce a draft of an acceptable policy within two weeks of this meeting, i.e., by July 2<sup>nd</sup>.

**Registration of Approved By-Laws Changes.** Bob Latham related his pursuit of this matter, resulting in an opinion from Cynthia Singletary, the POA's legal representative, that although there is no legal requirement that the POA's By-Laws be registered with the county's Register of Deeds, it is a good business practice. The Board agreed to register the current version of the By-Laws with the Bladen County Register of Deeds. Bob Latham agreed to pursue this goal.

**July 4<sup>th</sup> Celebration Plans.** The plans remain as described in the previous set of minutes, except for a minor modification in the event times on Saturday. The current schedule is as follows:

Friday, July 3 <sup>rd</sup>	DJ Lee Hauser by the Pool	7:00 PM
	Fireworks by the Clubhouse	9:00 PM
Saturday, July 4 <sup>th</sup>	Youth Fishing Tournament	8 AM to 11 AM

Bike and Golf Cart Parade	4:30 PM
Cook-out at the Clubhouse	5:30 PM
Flotilla by the Clubhouse	8:30 PM

**New Business:**

**Foreclosures/Liens of 6 Properties.** Bob Latham reported that his conversations with Cynthia Singletary revealed that she will initiate the liens on the 3 additional properties identified at the May 21<sup>st</sup> meeting of the Board. She suggests, however, that the action required for the 3 foreclosures be handled by a different attorney. Specifically, she recommended Michael Levine of the firm, Goldston Womble (Womble & Campbell?). Bob Latham will pursue an arrangement with Mr. Levine.

**Legal Representation for POA:** Cynthia Singletary has suggested that Michael Levine “may be more suited to” the needs of the POA than she is. See the notes above under the topics of **Requests for Copies** and **Registration of Approved By-Laws Changes**.

**Pig Picking Plans / Dates.** As has been done for several years, the end of summer will be celebrated in BTL with a Pig Picking on the Saturday before Labor Day, which this year will be on September 5<sup>th</sup>. The Board agreed to contract with the BTL Volunteer Fire Department to cater the event, providing all food and supplies for 300 people, in exchange for a donation of \$7 per person. There will be no charge for BTL property owners and their guests. The serving times will be 12:00 pm until 2:00 pm.

**Comments Via the POA Web Site.** Viewers of the POA web site can submit comments or questions that are emailed to a designated individual for a response. Usually, that is the POA president. The change has not been made since the change of presidents in April. John Ciccarelli agreed to change the routing from Roger Wright to Charles Atkinson who will then distribute the email to other Board members for their input. There have been three questions submitted since the new president took office: one on May 1<sup>st</sup> from Dottie Burns asking when the audit reports will be posted on the web site; a second one on May 18th from Fred Burnisky asking who is our developer now, Steve Jones or Jack Carlisle; and a third one on June 15<sup>th</sup> from Sincha Grenchik, a new property owner, asking the recipient to share his experience living in this community. Roger Wright supplied a very good response to the third question. The date that the audit reports will appear on the web site is not yet known. Someone needs to respond to Mr. Burnisky concerning the role of Jack Carlisle who is mentioned often in the minutes of our Board meetings.

**Other Business:**

**Geese Are a Problem in BTL.** This was a statement offered by Clark Valentiner. An explanation was provided by Jim Crayton of the addling work done earlier this year to rid the neighborhood of geese. Apparently, three nests were missed and we must live with them until next spring.

There being no further business, a motion to adjourn was made by Bob Latham, seconded by John Ciccarelli, and passed at 8:45 pm.

Respectfully submitted,

Bob Latham  
Secretary

**Exhibit A**

***Bay Tree Lakes***  
***Property Owners Association***

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**Board of Directors Meeting Agenda**

**June 18, 2015**

Call to Order and Welcome Members and Guests	Charles Atkinson
Invocation	Bob Latham
Approval of Prior Meeting Minutes (May 21, 2015)	Bob Latham
Approval of Prior Month's Financial Report (May 2015)	John Ciccarelli
POA Clerk's Report (May 2015)	Tish Herrmann
Property Manager's Report (May/June 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. Tarheel Pools Payment/Manuals	John Ciccarelli
4. Grass Mowing Bids	Jim Crayton
5. Office Computer Equipment	Junior Rideout
6. Clear Drainage Ditch on Horsepen	Charles Atkinson
7. Contracts/Lists Copies for Members	Charles Atkinson
8. Golf Carts and ATV's in Bay Tree Lakes	Charles Atkinson

- 9. Registration of Approved By-Laws Changes Bob Latham
- 10. July 4<sup>th</sup> Celebration Plans Jim Crayton

**New Business:**

- 1. Foreclosures/Liens of 6 Properties Bob Latham
- 2. Legal Representation for POA Charles Atkinson
- 3. Pig Picking Plans / Date Charles Atkinson
- 4. Comments Via the POA Web Site Charles Atkinson

**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 – May 2015**

	<b>TOTAL</b>
<b>Income</b>	<b>(\$)</b>
Non-Profit Income	
Dues	5,586.00
Gate Access	460.00
Misc. Income	25.00
Pool	2,256.00
Total Non-Profit Income	8,327.00
Total Income	8,327.00
<b>Expenses</b>	
Building cleaning	300.00
Building Fire Protection	75.00
Cost of Labor	
Certified Pool Operator	120.00
Clerk	600.00
Guard	120.00
Prop. Mgr. Travel	200.00
Property Manager	800.00
Total Cost of Labor	1,840.00
Gate	1,083.51
Grounds	
Mowing & cleaning	125.00
Trash removal	37.50
Total Grounds	162.50
Legal & Professional Fees	1,020.00
Meals and Entertainment	2,174.54

Office Expenses	
Bank Charges	9.95
Equipment	481.48
Postage	102.00
Supplies	245.46
Telephone	382.67
Total Office Expenses	1,221.56
Repair & Maintenance	
Pool	7,305.20
Total Repair & Maintenance	7,305.20
Trailer storage facility	85.00
Utilities	
Electricity	763.04
Water	89.88
Total Utilities	852.92
VFD Support	1,500.00
Total Expenses	17,620.23
Net Operating Income	-9,293.23
Other Income	
Interest Earned	11.22
Total Other Income	11.22
Net Other Income	11.22
Net Income	-9,282.01

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## **Exhibit C: Clerk's Report**

From the Clerk

**June 18, 2015**

May 31, 2015	Outstanding Dues	\$33,465.66
May 31, 2015	Credit Balance	\$ 4,309.88

### **Lots reported sold May 2015**

<b>Buyer</b>	<b>Lot</b>	<b>Home</b>	<b>Seller</b>
Redbird LLC	126	Harrells, NC	Lake Creek Corporation
Redbird LLC	263	Harrells, NC	Tomahawk Land Carolina
Redbird LLC	150	Harrells, NC	Tomahawk Land Carolina
Redbird LLC	168	Harrells, NC	Charles Matthew Hardee
Redbird LLC	418	Harrells, NC	Donald Crane

**Billable Lots 456.5**

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**Exhibit D      Property Mgr. Report May/June 2015**

1. 8 windshield tags; 3 gate cards; 1 boat storage key
2. Grass cutting has been going smoothly. After the first round of letters most folks are cutting their grass on time. We have had to cut very few lots. The rain has made it difficult for some to cut all of their lots due to inaccessibility.
3. The cutting of the common properties is going very well and I think the place looks better than it has in a while. Tomorrow, weather permitting they will redo the beach for us and till the whole area to get rid of the grass. They will also do the pool area for the first time. They wanted to do it once before committing to a price. They are also going to trim the canal bank tomorrow in preparation for the fishing tournament on the 4<sup>th</sup>.
4. As you have probably noticed, I had a sign made advertising the events of the 4<sup>th</sup> Week-end. It looks very good. Bob Latham and I discussed the times for the Saturday events and adjusted them a little in order to make the events flow better. We need some volunteers to help with the cookout. I will have all the fixin's here as well as a large grill so all I need is some help to serve. Larry and Brenda Barnes have the fishing tournament well in hand.
5. The pool is running smoothly except for the fact that the patch on the bottom of the pool is coming up. Donovan is checking into some materials that we can use to patch it ourselves. I will let you know when we find out more about it but I don't think we will do anything until the fall.
6. There has been some construction going on...piers etc...and I anticipate at least two new homes starting in the near future. A number of people have contacted me about the processes involved in building. I think things are starting to pick back up. Along this line I had a discussion with Steve Jones today about some appearance issues and he is going to take care of them. He also indicated a willingness to renew talks about getting the ARC up and running. I will continue to push for this.
7. A/C is out in the gate house. Temp has been 96+ for the last several days...inside. Junior Rideout is going to hopefully help us get it fixed.
8. Hopefully tonight we can have some discussion on getting the Horsepen boat lift repaired. I have an estimate of approx.. \$1,000 to repair it from Mike Smith of Smithco. They are the ones doing the preventive maintenance on both lifts. I have received a number of inquiries about this and would urge you to move forward with it.
9. Finally, we apparently have some more Beaver issues. I am in the process of trying to get them resolved.

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