

Bay Tree Lakes

Property Owners Association

Board Meeting Minutes

July 16, 2015

The monthly meeting of the Bay Tree Lakes (BTL) Property Owners Association (POA) Board of Directors (Board) was held in the Clubhouse on Thursday, July 16, 2015.

Four of the Board members were present: John Ciccarelli, Bob Latham, Junior Rideout and Troy Votaw. Charles Atkinson was unable to attend. POA Clerk Tish Herrmann, POA Property Manager Jim Crayton and Assistant Secretary Hank Howell also were in attendance. Property owners in attendance were Brenda Barnes, Larry Barnes, Clark Valentiner and Sonya C. Smith.

Vice President Troy Votaw, presiding in the absence of Charles Atkinson, called the meeting to order at 7:10 pm and welcomed all POA members to the meeting. Mr. Votaw then asked Bob Latham to provide us with the invocation.

Approval of Prior Meeting Minutes (June 18, 2015): A motion to approve those minutes was made by Bob Latham, seconded by Junior Rideout. Unanimous affirmative vote by those present. These minutes will be posted on the BTL POA website, www.baytreecommunity.com.

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

Financials for May 2015:

Operations Checking:	\$ 49,904.99
Pool Checking:	\$ 12,097.76
Money Market:	\$ 55,798.94
Total Monies:	\$117,801.69

Pool Loan Principal:	\$ 343,368.97
ADA Contract Principal:	\$ 112,138.20

For a brief period following the transition of the Treasurer's duties from the previous Treasurer, the new Treasurer was unable to access the accounts with Southern Bank, dealing primarily with the Pool loans. Thus, updates to the reports from April and May of 2015 were required. The modifications for April involved the change of Income: Pool from \$8,898 to \$11,198, and the addition of Funds Transfer: Interest Paid Pool of \$1,557.04 and Funds Transfer: Principal Paid Pool of \$3,740.00. This then changed the Net Income on the bottom line of the report from \$29,927.22 to \$26,930.18. Junior Rideout moved that this update be approved by the Board, Bob Latham seconded, and the motion was approved by all Board members present.

Next, the modifications for May involved the change of ADA Principal from \$113,889.91 to \$113,008.84 and the addition of Funds Transfer:Interest Paid Pool of \$1,495.16 and Funds Transfer:Principal Paid Pool of \$3,801.88. This then changed the Net Income on the bottom line of the report from \$-9,282.01 to \$-14,579.05. Junior Rideout moved that this update be approved by the Board, Bob Latham seconded, and the motion was approved by all Board members present.

POA Clerk's Report (June 2015): The report was presented by Tish Herrmann, and is attached herein as Exhibit C. Motion to approve was made by Junior Rideout, seconded by Bob Latham. Unanimous affirmative vote by those present. Since the Clerk was absent from the June Board meeting, the Clerk's Report for May was submitted after the meeting. Junior Rideout moved that the Board approve that report for May. Bob Latham seconded and the motion was approved by all Board members present.

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 Junior Rideout, seconded by Bob Latham. Unanimous affirmative vote by those present. Mr. Crayton supplemented his report with an acknowledgment of a family of beavers in a canal bank along South Horsepen, which now will receive attention.

Old Business:

Registration of Approved By-Laws Changes. Following direction given by the Board at its last meeting, Bob Latham pursued the registration of the complete set of POA By-Laws which, apparently, had never been registered with the Bladen County Register of Deeds. One of the requirements for registration was that the notarized signature of each of the current Board members must be on the document. Ramonia Murphy, a Notary Public who serves on the BTL Volunteer Fire Department, was present at the meeting for this purpose. All signatures were secured and notarized (Mr. Atkinson's was previously acquired.).

Positive Facts of BTL on the Web. President Atkinson suggested at the June Board meeting 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 Ciccarelli has agreed to investigate the placing of appropriate pages / links on the web site. Discussion of this item was postponed until the next meeting with Mr. Atkinson in attendance.

ARC Development. President Atkinson's continues to pursue this item with Mr. Steve Jones, Jr., but no report was available at this meeting.

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. 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 provided a copy of the Short Form Agreement, offered by Mr. Bagley, for review and discussion by the Board prior to a meeting with Mr. Bagley.

As explained in the Property Manager's report, no contact had been made with Mike Smith (Smithco) on the repairs to be made to the Horsepen Lift.

Grass Mowing Bids. As explained in the Property Manager's report, the grass mowing and cleanup around the Clubhouse, the Cabana, the Pool and the Beach seems to be progressing quite satisfactorily, by the low bidder. There appears to be no need for a contract. Discussion on this subject was postponed until Mr. Atkinson's return.

Free Wi-Fi In Clubhouse. At a previous meeting, a question arose as to whether Wi-Fi in the Clubhouse was still free. John Ciccarelli volunteered to check this out. Impromptu tests and discussions at the meeting appeared to verify that Wi-Fi was available in the Clubhouse by virtue of a wireless router between the computer and the STAR internet interface, with no extra charges incurred. A minor discussion relative to making Wi-Fi available to the complete community was quickly terminated with a decision to restrict its use to the Board and Office personnel.

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. No update was available at this meeting.

Requests for Copies. President Atkinson had 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. No update was available at this meeting.

Golf Carts and ATV's in Bay Tree Lakes. At the previous meeting, Bob Latham had presented a proposed set of Rules and Regulations applicable to the use of Golf Carts and ATV's in BTL. At this meeting he presented an updated version of those proposals. Much discussion took place on the proposals and the major question related to enforcement (similar to the problems with Animal Control). 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. It was suggested that the Governance Review Committee be called back by President Atkinson to review all of the existing policies and, in conjunction with the potential POA attorney to be hired, make the necessary modifications to produce a set of proper enforceable policies. Further discussion on this subject was postponed until the return of Mr. Atkinson.

Kudos to July 4th Celebration Volunteers. Kudos for this purpose began in the Property Manager's report and continued to be voiced by the acting President. The Youth Fishing Tournament, especially, was quite successful, and the parade, cookout and DJ music also received praise and commendations. It was noted that there was some confusion over the schedule and times of events, as they did change from one report to the next. Improvements are expected next year.

Foreclosures/Liens of 6 Properties. Bob Latham reported that his conversations with Cynthia Singletary revealed that she had initiated the liens on the 3 additional properties identified at the May 21st meeting of the Board. She had suggested, 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 had met with Mr. Levine and presented a page of Payment Options from Mr. Levine's firm, Womble & Campbell, P.A. In the process, Mr. Latham had discovered that one of the properties about to be foreclosed by the POA had already been foreclosed (apparently) by BB&T, with no funds going to the BTL POA in spite of the lien placed last fall. Mr. Latham moved that the Board terminate its agreement for services with Cynthia Singletary and hire Mr. Levine on an hourly basis to follow up on

the six outstanding liens, to determine why there were no funds coming to the POA from the Patel foreclosure by BB&T, and to explain further the benefits to the POA of its initiating lien and/or foreclosure actions. The Board has postponed its foreclosure action on the Patel properties. John Ciccarelli seconded the motion and it passed with affirmative vote by all members present.

Legal Representation for POA. The Board voted to terminate the service agreement with Cynthia Singletary. Also, the Board agreed to engage Mr. Michael Levine for specific purposes on an hourly basis (see previous paragraph in these minutes) for routine association matters. A decision on engaging a POA attorney to represent the BTL POA in matters requiring POA expertise was postponed until the return of Mr. Atkinson.

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. That individual has been designated to be the POA President and the proper modifications to the POA web site have been made for that to be effective. It is not clear that all questions submitted since the change in presidents in April have been answered.

New Business:

August 1st Cookout. All of the consumables acquired for the July 4th cookout were not consumed. There was almost enough left for another cookout. Junior Rideout moved that the Board sponsor another cookout of the same type on August 1st, at a cost not to exceed \$300, complete with music provided by our favorite DJ, Mr. Lee Hauser (who has already agreed to perform once again). John Ciccarelli seconded the motion and it passed with affirmative votes by all members present. Some attendees in the audience volunteered to donate foodstuffs (e.g., chili, slaw, desserts) and others are encouraged to do the same.

Cracks In The Roads. This subject was first addressed in the Property Manager's report. Junior Rideout moved that the Board authorize the Property Manager to collect bids, primarily for the sealing of cracks in the roads, but also the sealing of the spaces between concrete driveways and the asphalt roads, plus advice on drainage problems and other engineering issues created by the paving done years ago. John Ciccarelli seconded the motion and it passed with affirmative votes by all members present.

Fire Marshall's Report. The Property Manager had sent copies to all Board members of an inspection report from the Bladen County Fire Marshall's Office, detailing the annual inspection of the Clubhouse by that office. All points passed inspection. That report is attached to these minutes as Exhibit E.

Other Business:

Bulletin Board Needs Updating. Jim Crayton agreed to trash old postings.

Pets On The Pier. There have been several sightings of pets (dogs in this case) on the pier, inside the pool fence and on the beach, all of which is in violation of POA policies. The Board authorized the Property Manager to acquire and install another “NO PETS” sign, to be placed between the Cabana and the road.

Delinquent Owners Using The Pool. There have also been sightings of owners who are delinquent in their dues using the pool, in violation of POA policies. A procedure must be developed to prohibit gate access for cards held by owners in such situations. Other pool usage violations were mentioned. A discussion of 'what to do' was postponed until the return of Mr. Atkinson.

There being no further business, a motion to adjourn was made by Junior Rideout, seconded by John Ciccarelli, and passed at 9:14 pm.

Respectfully submitted,

Bob Latham
Secretary

Exhibit A

Bay Tree Lakes
Property Owners Association

Board of Directors Meeting Agenda

July 16, 2015

Call to Order and Welcome Members and Guests	Charles Atkinson
Invocation	Bob Latham
Approval of Prior Meeting Minutes (June 18, 2015)	Bob Latham
Approval of Prior Month's Financial Report (June 2015) (Modify reports for April and May)	John Ciccarelli
POA Clerk's Report (June 2015)	Tish Herrmann
Property Manager's Report (June/July 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. Free Wi-Fi In Clubhouse	John Ciccarelli
6. Clear Drainage Ditch on Horsepen	Charles Atkinson
7. Contracts/Lists Copies for Members	Charles Atkinson

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| 8. Golf Carts and ATV's in Bay Tree Lakes | Charles Atkinson |
| 9. Registration of Approved By-Laws Changes | Bob Latham |
| 10. Kudos to July 4 th Celebration Volunteers
Atkinson | Charles |
| 11. Foreclosures/Liens of 6 Properties | Bob Latham |
| 12. Legal Representation for POA | Charles Atkinson |
| 13. Comments Via the POA Web Site | Charles Atkinson |

New Business:

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 – June 2015

	TOTAL
Income	(\$)
Non-Profit Income	
Dues	2,670.00
Gate Access	770.00
Misc. Income	25.00
POA Lot Mowing	75.00
Pool	1,068.00
Total Non-Profit Income	4,608.00
Total Income	4,608.00
Expenses	
Building cleaning	525.00
Building Fire Protection	75.00
Cost of Labor	
Asst Pool Operator – JA	120.00
Certified Pool Operator	255.00
Clerk	600.00
Prop. Mgr. Travel	200.00
Property Manager	800.00
Total Cost of Labor	1,975.00
Funds Transfer	
Interest Paid Pool	1,531.73
Principal Paid Pool	3,765.31
Total Funds Transfer	5,297.04
Grounds	
Mowing & cleaning	1,360.00
Trash removal	37.50
Yard Waste	1,500.00
Total Grounds	2,897.50

Interest Expense	34.90
Legal & Professional Fees	10,425.96
Office Expenses	
Bank Charges	9.95
Equipment	62.98
Quick Books Online	26.95
Telephone	474.20
Total Office Expenses	574.08
Repair & Maintenance	
Clubhouse	17.10
Pest Control	990.15
Total Repair & Maintenance	1,007.25
Trailer storage facility	85.00
Utilities	
Electricity	1,104.50
Sewer	150.40
Water	100.60
Total Utilities	1,355.50
Total Expenses	24,252.23
Net Operating Income	-19,644.23
Other Income	
Interest Earned	39.65
Total Other Income	39.65
Net Other Income	39.65
Net Income	-19,604.58

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Exhibit C: Clerk's Report

From the Clerk

July 16, 2015

June 30, 2015	Outstanding Dues	\$27,062.50
June 30, 2015	Credit Balance	\$ 4,393.88

Billing July 1, 2015

Billable 456.5 Lots	\$64,366.50
Interest	810.83
Outstanding	27,062.50
Total	\$92,239.83

Lots reported sold June 2015

Buyer	Lot	Home	Seller
BB&T Collateral Service Corp.	637	Wilson, NC	Neil Patel*

*Foreclosure Lost Revenue: \$2,538.36

Billable Lots 456.5

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Exhibit D Property Mgr. Report June/July 2015

1. It has been a pretty routine month since our last meeting. Issued cards and stickers to several new residents.
2. 4th of July celebration went well with lots of compliments on the fireworks and other events.
3. I was able to contact Mike Smith of Smithco about the Horsepen lift once. He wanted me to call him after the week of the 4th and I have made attempts but so far have not re-established contact with him. I will keep trying.
4. I sent you all copies of an engineer's proposal for upgrading the main lift. I talked to Charles and neither of us thought we needed him here until after everyone saw the proposal and talked about it.
5. Grass cutting at the clubhouse etc... seems to be working well and the beach looks great. I am really happy with the new crew doing the work. I have copies of the bids for your perusal. We have not executed a contract and I really don't see the need to do so. We have the proposals to go by.
6. We have several potential issues to discuss.
7. So far I have not found anyone who can tell me conclusively about the canal dam re: private/public. None of the ones I have asked think anything has changed about the ownership. It is private property that falls under public regulations is what they tell me.
 - a. We need to start thinking about another round of sealing the cracks in the roadway. We did a good bit last year but more have appeared that need addressing.
 - b. I strongly recommend hiring the new attorney we discussed and having him file liens on everyone who is more than a year in arrears as well as proceeding with foreclosure where necessary.
 - c. We have a potential problem with the pool as I showed you and I believe we need to get a good game plan on how to rectify it. This is another reason I feel strongly that we need to settle on the attorney issue.

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Exhibit E

Bladen County Fire Marshal's Office



Occupancy: **Bay Tree Club House**
 Address: **640 Bay Tree DR**
Harrells NC 28444

Inspection Type: **Annual**
 Inspection Date: **7/8/2015** By: **Coleman, Joey (Fire5)**
 Time In: **10:31** Time Out: **10:45**
 Authorized Date: **Not Author** By:

Form: Bladen Co. Fire
 Inspection

Next Inspection Date: **06/08/2016 Annual**

Inspection Description:
Bladen Co. Fire Inspection
Inspection Topics:
General Requirements
General Housekeeping Interior & Exterior Storage, Filters Status: PASS Notes:
Ignition Sources and Open Burning Status: PASS Notes:
Hazards to Firefighters Trapdoor, Pitfalls, Security Devices Status: PASS Notes:
Fire Services Features
Fire Apparatus Access Roads Access roads and Fire Lanes Status: PASS Notes:
Premises Identification 911 address posted, back doors labeled Status: PASS Notes:
Door Signage Electrical, Mechanical, Sprinkler Status: PASS Notes:
Building Services and Systems
Electrical Equipment, Wiring and Hazards Section 605 Status: PASS Notes:
Commercial Kitchen Hoods Cleaning, Inspections, and Records Status: PASS Notes:

Fire Rated Construction
Fire Rated walls ceiling Status: PASS Notes:
Doors hold open, roll up doors test, fire rating Status: PASS Notes:
Interior Finish, Decorative Materials, and Furnishings
Interior Wall and Ceiling Finish Section 803 requirements are met. Status: PASS Notes:
Decorative Materials and Vegetation Natural cut trees, Artificial plants, decorative lighting, artwork, etc Status: PASS Notes:
Fire Protection Systems
Fire Alarm and Detection Systems Installed, Tested, and Maintained Status: PASS Notes:
Means of Egress
General Means of Egress Height, Width, Ramps, Stairs, Handrails, Aisle, Corridors, and Continuity Status: PASS Notes:
Number of Exits Travel Distance & Occupant Load Status: PASS Notes:
Exit Signage Installed and Maintained Status: PASS Notes:
Exit Doors Installed and Maintained with Approved Locks and Panic Hardware if applicable. Status: PASS Notes:
Occupant Load Posted in Conspicuous Place Status: PASS Notes:
Other Hazards/Violations
Other Violation See Notes Status: PASS Notes:

Other Violation See Notes Status: PASS Notes:		
Additional Time Spent on Inspection:		
Category	Start Date / Time	End Date / Time
Notes: No Additional time recorded		

Total Additional Time: 0 minutes
Inspection Time: 14 minutes
Total Time: 14 minutes

Summary:	
Overall Result: Passed with Comments	
Inspector Notes:	
Inspector:	
Name: Coleman, Joey Rank: Fire Inspector Work Phone(s): None on file Email(s): jcoleman@bladenco.org Coleman, Joey:	
	Signed on: 07/08/2015 13:59
Occupant Signature:	