

**Wolf Laurel Roads Maintenance and Security Property Owners Association
Minutes of the Meeting of the Board of Directors
December 18, 2015**

The meeting was called to order by Larry Smith, President, at 10:00 A.M.

Directors in attendance: McKnight

Beneke, Ames, Foster, Freeman, and Potts, joined by conference call. Johnson started by conference and later joined in person.

Faliero was absent.

Staff in attendance: Brown, Gwozdo, and Wyatt.

Minutes: Upon motion made by Beneke and seconded by Foster, minutes of November 20, 2015, were approved.

Finance: Board received November 30, 2015, financial report from Louise Wyatt. Wyatt reported that the income is equal to that of November 2014. Road expenses ran \$25,000 less in November due to salt purchases in 2014 and good weather. Security expenses continue at normal pace. The RMS credit line is good and cleared of all ties with BMDC. **Beneke** noted a new item on the balance sheet, Road Maintenance Reserve in the amount of \$500. Additional monies will be deposited to the Reserve each month. This is a cash reserve and cannot be used without a super majority Board vote. **Wyatt** reported that after replacing her computer the accounting program began showing flaws and errors. She purchased a 2016 accounting program at a cost of \$300; it will require updates as the computer is updated at a yearly cost of between \$550 and \$600. **Beneke** reminded the Board that this is normal with accounting programs and commended Wyatt for her decision.

Roads: Jason Brown

1. Leaves have been removed from all roadways using WLCC maintenance equipment.
2. All ditches and culverts have been cleaned.
3. We are stockpiling dirt at the Buck House Rd. storage area for use in the continuing drainage project next year.
4. A few minor rain events caused a slide on El Miner which has been repaired, and a dozen trees have been cut on the right of way after a high wind.
5. Due to the late winter we have had the time to refurbish and paint all our equipment. The equipment fleet is currently in the best shape ever.
6. The trailer has been purchased; brakes, bands, and seals have been replaced. It has been painted and the wiring, lights, and decking should be completed by Christmas.

Beneke reported that within the week he will have secured the financing for the dump truck and will send information to the Board.

Smith asked Brown about the erosion of the bank below the tennis court. Brown deferred to Potts and the Road Committee.

Security: Sandy Gwozdo

The Security Committee has recommended that a summary of security incident reports be made public each month. Sandy reported that she has contacted the owner of property on

Phacelia relating to the problem with a dog. The son of the property owner assured her that the renters were informed that if there were any further issues they would be required to move. Since that contact, there have been no further issues with the dog.

1. Staff responded to two reports of gun-shots from property owners. No hunters or vehicles found. Brown has dismantled the tree stand in the Ridges' undeveloped property after discussion with Game Warden and Security.
2. Ken Porche on security patrol has warned two workmen about speeding.
3. We received photos of a man and a vehicle, captured by property owners' security cameras; the man was identified as another property owner.
4. Brown visited a home on El Miner when the property owner reported that a neighbor had reported a strange car in the driveway. Brown found no vehicle and home was secure. Property owner was notified.
5. Porche noted septic alarm while patrolling Chestnut Village. Prop owner was notified.
6. Contractor reported that a lumber supply truck had broken the arm at the Preserve gate. Porche tracked him down; the company agreed to replace the arm.
7. Gwozdo responded to a home on Mountain Top after a report that men with chainsaws confronted a woman walking her dog on golf course. The men, hired by the property owner, remembered talking to the woman, petting her dog, and said they did not realize that she was frightened. The property owner also remembered the woman. During conversation the property owner claimed that he was not aware of the ARB requirement to submit a tree cutting application. The violation was turned over to the ARB.
8. A realtor reported a break-in on Finney Lane. Porche responded and called 911. Upon further investigation, including a review of the log-in sheets at the gate, it was discovered that workmen had left the property unsecured.
9. Porche visited two property owners for "wellness checks" after relatives could not contact them.
10. Gate called 911 for property owner having difficulty breathing.
11. Gwozdo was notified of English Ridge house fire and directed gate to close English Ridge to non-emergency vehicles and to call Porche. She arrived as first truck from Ebbs Chapel arrived on scene. Mars Hill and West Yancey Fire Departments also responded. Brown responded with U.S. Forest Service. Porche contacted owner of home and called Water Company. Gwozdo provided information to investigators, gathered fire photos from neighbors, and sent info to McKnight who alerted the Board. Both Porche and Gwozdo answered inquiries about the fire and turned back property owners who wanted to observe. Brown used the backhoe to push debris into foundation and dug a trench around the foundation to contain the fire. Ebbs Chapel responded that evening as neighboring property owners alerted them of a flare up at the fire site.

With the exception of the house fire this represents the normal activity of our Security staff.

Security would like to remind property owners:

1. We don't mind calling 911, but the property owner should call 911 personally in order to receive a faster response and to answer vital questions and receive assistance over the phone.
2. When something suspicious is observed, the gate should be called directly. Information is lost and response is delayed when the report comes from a third party.

Smith suggested to **Ames** that the community be made aware of what security does as this report was a bit of an eye opener. Many think that security only mans the gate! **Ames** responded in full agreement. He and his committee have a list of educational/informative email topics with the intent to be sent, one each week with posting to the website.

Committee Reports:

Communications & Community Relations: John Ames

1. **Committee Organization and Procedures:** Documents prepared and submitted to the Board for review and approval on December 7.
2. **Standing Committee News Release:** prepared and submitted to the Board for review and approval on December 7.
3. **Email address request:** prepared and submitted to the Board for review and approval, submitted on December 7. With some changes requested by Sandy, it was approved. She will coordinate production for inclusion in the annual invoice mailing.
4. **Privacy Policy:** requested Sharon's assistance in the preparation of a Board endorsed and approved Privacy Policy as an assurance to property owners that we will not sell, share, or use their email addresses for any purpose other than WLRMS communication needs.
5. **WLRMS website:** conducted a telephone meeting with David Biddix of Pegasus Creations to discuss possible changes to the website. Requested his proposal on what changes he would make and what his role would be on the WLRMS website going forward. Also discussed was a proposal from Jim Landry for him to provide services for website maintenance, which will be considered in conjunction with the proposal from Pegasus Creations.
6. **Forest Service Project Communications:** I have reviewed the materials provided through Jason by the Forest Service and others. I have asked Jason for some follow-up information and am awaiting a decision on which Committee Chair is the lead in supervising this project on behalf of the Board.
7. Newly elected Board Member Bio's forwarded to Pegasus Creations to up-date website.
8. An email was sent to the community in regard to the motel purchase. Replies were received by Sandy, who forwarded to me. I have answered all but one at this time. The response appears to run about 70% in favor of the Board's decision.

Finance Committee – John Beneke

1. The pledges and collection of donations for the motel purchase are being tracked by Sandy and forwarded on a spreadsheet to me on a daily basis. I will report contents to the Board.

Road Impact - John Beneke

Our committee continues to review information gathered from approximately 25 other communities. We hope to have a report and proposal next month.

Legal: Sharon Foster

1. **Maintenance Shed Property**
We are still awaiting a response from Mr. Parker, lawyer for Banks family.

2. Julia Monroe drainage claim

We sent Ms. Monroe a letter stating that we do not have any liability for her drainage problems. She called and spoke to the President of the Board and asked to surrender her lot, paying all costs associated with the transfer, for common area usage (which would result in no tax implications for us). This is under review and a recommendation will be developed for the next Board meeting.

3. Litigation

The Smith litigation has not progressed much. They have denied that the covenants apply to them (and by implication to all of Deer Run), but they have provided no reason or defense. We are proceeding with the suit.

4. Tony Martin Appeal

None filed. Time has expired. David Etheridge is proceeding with collection. Notice sent, as required by law, that we are instituting collection.

5. Collection Matters

No problems to report. We have received several payments since November 1. Our collection team, Louise, Patricia Elgin and Mindy Fisher (Stahl law firm), has taken in around \$24,000 over the last two months.

6. Development of Policies and Procedures

I am continuing to prepare a document that will specify our policies and procedures.

7. Development of Standardized Fines for ARB

I will work with ARB next spring to develop a standardized schedule to the extent that this is feasible.

8. Dog Nuisance Matter

We sent a letter to the owner of the property at which the tenant's dog has become a nuisance. The owner has told the tenant that if the dog is not contained the tenant will be evicted. If the dog continues to be a nuisance, we will impose fines and other sanctions. No infractions reported last month.

9. Hicks Combination of Lots

Mr. Hicks is purchasing two lots adjacent to his homestead. He has fulfilled our requirements for combination of one of these lots with his homestead lot: he has applied in writing and has provided the requisite certification of non-perkability for the lots to be combined (Health Department notice). A previous Board (Kaney) entered into a settlement agreement with the sellers (the Watkin brothers) under which they will pay their past due assessments for the two lots they are selling to Mr. Hicks out of the proceeds of the sale. Foster moved that the Board approve the application for combination. Motion was seconded by Beneke, and the Board agreed unanimously.

10. Repurchase of 125 Valley View Circle

David Etheridge has agreed to represent us in the initial stages of this undertaking. He will contact the seller's attorney and initiate the repurchase. He cannot, however, close for us, as he does not handle real estate closings. He will arrange for another attorney to handle the closing process. Wyatt is to open a trust account immediately.

Beneke explained that donations for the purchase of the motel are not tax deductible as RMS is a non-profit organization; it is not a 501C3 charitable organization.

Insurance – Warren Johnson

1. The report by insurance agent has not been finalized for our building damage claim.

2. The committee has reviewed the current coverage and has approved cost and coverage. Members of the standing committees will be covered. Liability insurance for the Board and Officers is ready for signature.

Beneke moved that McKnight sign the policy, this seconded by Johnson. Motion passed.

Road Maintenance & Equipment – Charlie Potts

1. **Potts** made a motion that the purchase of the dump truck be approved. The motion was seconded by **McKnight** and passed unanimously by the Board.
2. Several drainage issues, including the tennis court and the Cagney property have been turned over to the committee. We are reviewing the historical data and investigating each issue. We will have a formal report and some recommendations prior to the next meeting.

Ames asked if the committee will have a report regarding the USFS proposal. **Potts** agreed that he was the point man for Brown and will give a status update at each Board Meeting. **Brown** asked if the contract has been signed. **McKnight** said she would sign the contract. **Ames** suggested that the contract be reviewed carefully prior to signing. **McKnight** asked for Board approval of her authority to sign the contract. **Smith** made the motion which was seconded by **Beneke** and the Board approved unanimously.

Security – Rebecca McKnight

The security committee met early in December and will meet on regular bases. If Sandy, Ken, or a property owner has an issue, we will meet immediately.

1. Based on the reaction of the attendees when the monthly incident report was given, **McKnight** asked that the report be included in the minutes every month.
2. **Ames**, suggested that in redesigning the RMS website, space could be designated for a monthly security report if the security committee agreed and could make available a monthly report. **McKnight** lauded the idea and agreed that the report could be made available.
3. At the committee meeting **Sandy Gwozdo** shared her concern of the heavy demand placed on security staff during ski season. Normally she adds hours for both the gate and patrol. This is difficult when payment is not received from the ski slopes. **Gwozdo** explained that the extra staff is not to welcome the skiers, but to keep the bar code lane open for property owners and EMS as more than 4 vehicles in the left lane blocks the bar code lane.

ARB: Chuck Freeman

In the past month, the ARB has processed the following:
One (1) minor construction permit request - approved.
Two (2) tree cut/trim permit requests - approved.

In addition, one possible violation is still under legal review. Results will be reported when available.

During the past calendar year, the ARB has collected:
\$3100 in construction permit fees
\$1000 in tree cut/trim permit fees

\$700 in fines for a total of \$4800, which is indicative of the very low construction rate for the year.

Smith opened discussion of hiring a replacement for Philip Banks by asking what the contractual agreement was between him and the ARB. **Freeman** responded that Banks, a civil engineer, was paid approximately \$35.00 an hour to review building plans, inspect the building site, review tree cutting applications, visit the site, and provide a report to the ARB. **Freeman** added that the reason he reported the total ARB fees and fines to date was to show the financial complications of hiring a replacement. **Beneke** suggested that perhaps **Brown** would be willing to review the tree cutting applications as he has done in the past. **Brown** stated that the fees don't cover his time nor did they cover Bank's time. Additionally he did not want the final say, as in the past he had approved projects that caused an outcry from the community even though he and the property owner clearly met the ARB guidelines. **Smith** suggested that the ARB consider someone with law enforcement experience to investigate reports of ARB violations rather than an engineer. **Freeman** was asked to discuss requirements with the ARB members and present a proposal to the Board. **Freeman** agreed and noted that currently the ARB Board had three members who are full time residents; therefore the replacement of Banks has no urgency.

Old Business:

Smith asked for a closed session to address strategy for the (Banks)Tatter Knob property.

New Business:

Smith called for a reaffirmation of vote to purchase the property at 125 Valley View Dr. The Board had been polled prior to the meeting and this is for purpose of recording the vote in the minutes. **Smith** asked for a motion. **Beneke** so moved and **Foster** seconded.

McKnight called for discussion, explaining that she had voted against the proposal to purchase the property because of costs that might affect RMS in relations to the new septic system. She has since received an email from Fred Tygart, President of the WL POA, informing and clarifying this issue. Mr. Tygart wrote that the cost of installation of the new septic system for the village and RMS would be based on each party's pro rata use. He told McKnight that the POA Board had voted to approve the water usage approach to a portion cost of the new system. Based on this information McKnight changed her vote from no to yes.

Smith announced that with **McKnight's** change the vote was now 8 votes for yes. A motion was made and seconded to purchase the property at 125 Valley View Dr. The Board responded with a vote of 8 to 0 in favor of the proposal.

Audience Comments:

Steve McKnight suggested that the road impact fee committee be ready to implement the procedure by May 1st or revenue will be lost. **Beneke** replied that the committee plans to announce the rates and procedure by March and implement fully by May 1st.

Next meeting scheduled for **January 15, 2016, at 10:00 A.M.**

The meeting was adjourned.

Respectfully submitted,

John Beneke
Secretary/Treasurer