

Wolf Laurel Road Maintenance & Security Homeowners Association
Minutes of the Meeting of the Board of Directors
June 16, 2017

The meeting was called to order by President Beneke at 10:00 A.M.

Directors in attendance in person: Ames, Beneke, Foster, McCaghren, McKnight, Moeller, Potts, Romero, Smith

Directors in attendance by telephone:

Directors absent:

Staff in attendance: Brown, Porche, Wyatt

Audience: 15 in attendance

Minutes:

Upon motion made by Smith and seconded by Ames, the Minutes of May 19, 2017 were **approved**.

Finance: Louise Wyatt

Wyatt reported collections through May 2017 for homes were more than they were this time last year. Collections for lots were less than they were this time last year. The amount billed vs. amount collected for homes are at 94% and are 81% for lots.

Road maintenance operating expenses through May are at 36% of the budget and administrative expenses for roads are at 55% of the budget. Security operating expenses are at 38% of the budget and administrative expenses are at 44% of the budget.

Smith pointed out that the monies spent for the ARB staff person is ahead of what was budgeted. The budget was \$500/month and we are spending \$750/month and are just now getting into the busy season. Smith wanted the board to be cognizant of this. Wrenn added that if the system runs properly, the fees charged will cover the cost.

Roads: Jason Brown

Only items listed in “ “ will be brought up in the board meeting.

“Since last report: Wolf Laurel has received 3.32 inches of rain including one severe storm on 5/27/17 resulting in severe tree damage, “the majority isolated to the Yancey side”, severe drainage damage, and moderate road damage. The mountain has received three more thunderstorms since the severe one that have resulted in minor, to moderate damage.”

Roads:

“Removed all trees, brush, and debris form roadways. Regraded, compacted, and cleaned ditches where needed due to storm damage.”

“Hammered out ditch line on May Apple Dr. with excavator mounted rock hammer rented from the water company’s subcontractor.”

“Mowed all ditches/ road edges/and most intersections. RM has now begun to mow road banks and when done with the banks start back on the road edges.”

“Regraded, sloped, and graveled the intersection of Bee Tree Ln. @ Ridgeway Dr. and are in the process of regrading the ditches along Bee Tree where needed.”

“RM is in the process of regrading the intersection of Upper Haw Dr. @ Lookout Dr. due to drainage issues. The intersection will be shut down to all non-emergency traffic for up to 5 working days. Upon completion of the intersection RM will proceed down lookout with the regrading project and certain sections of the road will be shut down to all non-emergency traffic for up to 10 working days.”

Equipment:

“At this moment, all equipment is in good working order. That being said, since last report RM has experienced either a major or minor breakdown on just about every piece of equipment in the fleet. All repairs have been made and everything is operational except for the track hoe which will be out of commission for a week and a half week being repaired at the cost of \$220.” If the board would like a list of breakdowns and repairs I can make it available. The Ford L-9000 dump truck has been repaired but is still out of on road service due to compliance issues and is being used on site.

Personnel:

“RM has been shorthanded by at least one employee every working day since the last report which has slowed down production. All duties are getting done, but RM is behind schedule on certain duties and are looking into options to get back on schedule.” If the board would like me to elaborate on the situation I can list the issues if need be but one way or another RM will get the job done.

Security: Sandy Gwozdo

Before I give the Security report, I would like to report on our Director of Security. As most of you know by now, Sandy had an automobile accident on Memorial Day, May 29. She was taken to the hospital where she stayed 5 days. Fortunately, the accident only caused her a broken clavicle and many bruises. But, while she was going through several diagnostic tests, the doctor found that because of a previous infection she has had for quite a while, several chemicals in her system were very low, so she is still being monitored and treated to stabilize these chemicals. She will continue with her duties as Director of Security, but will be doing a good deal of the work from her home. She has a very good team of security personnel who will be helping her with her duties until she recovers enough to resume them. The gate guards, as well as Ronnie, Melanie, and Ken, will be on hand to do whatever is needed. She would like the property owners to know that if anyone needs to report any security concern they should first call the gate guard, and the person on duty at that time will call either Sandy or one of her staff. Some of you may not know this, but Sandy has always been on call 24 hours a day, 7 days a week. Ronnie, Melanie, and Ken took it upon themselves to continue this service while Sandy has been incapacitated. They will continue to offer their services until Sandy is ready to take over.

Sandy has asked me to convey her thanks for all the get well wishes from all who have come by the office or called to check on her. It has meant a great deal to her.

Now for the Security report since the last Board meeting:

Security Report to the Wolf Laurel RMS Board

June 16, 2017

1. Patrol provided traffic control and assistance for one 911 medical call and one vehicular accident.
2. A property owner with a door bell camera reported a possible break in on Sarvis Lane. Patrol responded to find residence locked and secure with no sign of an intruder. Neighbors and contractors in the area had noticed no activity at the residence. Property owner will bring photos in for possible identification.
3. Patrol has spent a great deal of time at Big Bald Rd. and Wolf Laurel Rd. reminding motorists that there is a stop sign at the end of Big Bald Rd. The majority of motorists do not stop. This jeopardizes motorists attempting to enter Wolf Laurel Rd. from Mountainside.
4. The Gate received two requests from home owners to send security to remove bears from decks. Security does not remove bears. Until the berries and vegetation comes in higher on the mountain, bears will be looking for easy snacks. Remove your bird feeders, clean and stow your grills, and secure your garbage. Bears will move on if they find no food. Noise (metal pot lids or an air horn) will usually hasten them on their way.

Committee Reports

Communications & Community Relations: John Ames

1. Community Town Hall Meetings announcement – an email announcing a series of Community Town Hall Meetings was distributed May 23rd to all property owners with an email address at the WLRMS offices. The announcement was also posted on the WLRMS website.

Insurance / Finance Committee: Willie Romero

No Report

Legal: Sharon Foster

MATTERS UNDER REVIEW

1. **Trademark Issues**
These issues will require some conversation at the next work session. I will circulate a memo prior to that time.
2. **Policies With Respect to Standing Committees, Board Meetings, and Covenant Amendment; Election Bylaw Amendment**
Proposed protocols as well as an election bylaw amendment will be submitted for review and discussion at next work session.
3. **Pate Litigation**
I met with David Etheridge regarding the Pate litigation. A motion for summary judgment will be filed within the month.

4. **Longstanding Covenant Violations**

Security provided the list of apparent long-standing violations. Letters have been sent seeking property owner cooperation. [The specific long-standing violation was attached to each letter.] The letter is attached for placement in the minutes. It will be posted on the website.

June x, 2017

Address of Recipient

Dear Property Owner [insert name],

It has been almost four years since the Wolf Laurel Road Maintenance & Security Homeowners' Association ("RMS") took over the management of the Wolf Laurel Resort from the developer. During this time, the Board of Directors, composed of nine volunteer property-owners, elected by the remainder of the lot and home owners in the community, has committed itself to the full and fair enforcement of our covenants so that Wolf Laurel may continue to enjoy the natural beauty and tranquility that attracted us all in the first place. We are hoping that you will agree with us that full and fair enforcement of our covenants protects everyone and promotes community harmony.

The Wolf Laurel covenants restrict certain usages of our property. They were crafted to prohibit usages that would detract from Wolf Laurel's natural beauty (such as unrestricted tree cutting; gaudily painted structures; random outbuildings; unfettered storage of recreational vehicles) or peaceful atmosphere (such as loud music; all-night lighting; motorcycle riding). Other covenants were designed to maintain our character as a residential community (such as prohibiting commercial enterprises run out of homes; prohibiting livestock and other barnyard animals; prohibiting camping). In this regard, the Wolf Laurel covenants are very similar to those protecting other communities like ours, including Mountain Air and those subdivisions on the mountain that are not within Wolf Laurel, such as Mountainside or Blue Mountain.

In the past, various developers for a variety of reasons failed to enforce our covenants fully and fairly. Some property owners were permitted to use their property in ways that directly violated one or more of our covenants. Nothing was done about these violations, in some cases, for many years.

These long-standing violations have done much to sow seeds of dissension in Wolf Laurel. RMS routinely gets complaints about these violations from other property owners, many of whom accuse RMS of selective enforcement of the covenants and favoritism for certain property owners. There is a pervasive sentiment that enforcement of the Wolf Laurel covenants depends upon who you are. All can agree that such a sentiment breeds an atmosphere of distrust and resentment.

The new Board of Directors for RMS is composed of your neighbors. We are not developers; we are not professional property managers. We merely temporarily occupy seats on your Board of Directors. Any authority we wield comes from you, the community, and your support for RMS and Wolf Laurel. Therefore, we come to you now to solicit your support for a new day in Wolf Laurel.

The RMS Board of Directors is asking all property owners to voluntarily conform their properties to the Wolf Laurel restrictive covenants. This means that even though you may have been storing something on your

property for a long time, we are hoping you will make other arrangements for it. If you have certain non-conforming structures on your property, we are hoping you will remove them. If you are leaving your lights on twenty-four hours a day, we hope you will stop. Your neighbors will thank you and we thank you. (We have attached a Notice concerning covenant requirements that is given to all new property owners. We have highlighted the violation on your property.)

We recognize that this request will cause inconvenience for those whose property usages violate the Wolf Laurel covenants. Some of you may have even created these violations without knowing they were violations; and previous developers did nothing to help you conform your property to the covenants. We regret this past practice by developers and the inconvenience that rectifying the situation may now cause.

Doing nothing, however, is not the answer. The community as a whole has a right to expect that RMS will protect its property values by enforcing the covenants fully and fairly. We are writing this letter because we recognize that duty. We ask that you consider giving us your support by voluntarily complying with the Wolf Laurel covenants.

Sincerely,

*John Beneke
President, Board of Directors
Wolf Laurel Road Maintenance and Security Homeowners' Association*

Collections: Brent McCaghren

No Report

Road Maintenance & Equipment: Charlie Potts

Potts and Brown plan to meet within the next month to update the 3-year Road Plan. They will then take it to the committee for review and hopeful approval. They hope to present the plan by the next board meeting.

Potts also added that construction equipment is always going to need repairs and scheduled maintenance. He said as opportunities present themselves, they will continue to upgrade the quality of the equipment rotating out the older or unsafe equipment.

Security: Becky McKnight

No Report

Property and Facilities: Larry Smith & Dick Moeller

Moeller has contacted other contractors to quote the repainting of the outside of the RMS office building.

ARB: Tom Wrenn

Since our May report we have

Applications Approved

1 Major

4 Minor

5 Tree

Completed Approved Projects

3 Minor

Bob Super is earning his keep as over the last month he has had 27 contacts with property owners and contractors. The activities include initial contact, follow-up contacts, assisting with applications, project reviews and inspections to see that the project has not grown and is still in compliance with application, and finally the completion or closing out of the process.

Bob Super's Monthly Activity

48 Grouse Thicket Lane	Tree
1209 McKinney Gap	Site Visit
188 Oak Ridge	Site Visit Major Approved
1013 McKinney Gap	Minor
39 Mountain Top	Minor
294 Trillium	Major Approved
233 Lucius Lane	Tree
404 Glen Air	Tree
302 Upper Lookout	Review
999 May Apple	Tree
234 Trillium	Major Approved
3149 El Miner	Minor (Driveway)
742 Buckeye	Tree
846 English Ridge	Deck (construction review)

302 Upper Overlook	Project review
120 Silver Knob	Minor Application
Bee Tree (James Grey)	Minor Approved (reroof)
998 McKinney	Review
61 Green Way	Shed
691 Fox den	Review
656 Granny Lewis	Tree
202 Phacelia	No action
430 Oak Ridge	New dumpster
620 Flame Azalea	Tree
585 Granny Lewis	Close
853 Granny Lewis	Tree
448 Flame Azalea	Minor App

Long Range Planning: John Beneke

Beneke reported the LRP committee held a Town Hall meeting June 10th. Beneke is working on an email to send to each of the homeowner association presidents to encourage them to appoint at least 2 members to a committee who will begin to study ways to develop synergies among all the HOAs.

Ames suggested when the joint LR Planning committee is formed, those committee members should be able to transition years because of the time this process will take.

POA Liaison: John Beneke

No Report.

Old Business:

By consensus of the board, discussion on the waste treatment will be deferred. A work session will be held Friday, June 23rd to discuss it.

New Business:

2017 Nominating Committee – Beneke presented the names to serve on the nominating committee for the 2017 election for approval by the board. The names are as follows: Willie Romero – Chair, Carol Kruger, Gail

Barr and Ed Waller. Motion was made by Smith and seconded by Moeller. The board took a vote and the names were approved.

The election process and schedule is as follows:

- Petition nominees are due July 17.
- Slate of six (6) candidates must be announced by July 21.
- “Meet the Candidates” Town Hall Forum will be held on Saturday, July 22.
- Ballots will be mailed on July 26. *
- The election will be held on August 16.
- New Board members seated at August 18 monthly Board meeting.

****Property owners who wish to pick their ballots up from the WLRMS rather than have them mailed to their permanent address on record must notify the WLRMS office prior to July 21, 2017. The ballots may be picked up at the office after July 26th.***

Beneke pointed out there is an election committee. Jim Hill is the chair of the committee and will need help counting ballots. Any help is appreciated.

Audience Comments:

Audience Member #1 wanted to know what covenant violations in the community have been addressed by the board. Foster will supply a list.

They also requested that the town hall meeting times be moved to 10AM. A motion was made by Moeller to move to 10AM and was seconded by _____. Motion was approved.

Audience Member #2 inquired about the status of the \$40K grant awarded to Wolf Laurel by the Forest Service to sunlight the roads. Beneke and Romero will meet with Brown, who has been following up with the Forest Service on this matter.

Audience Member #1 suggested a property transfer fee be assessed when a home is transferred. This could supplement the RMS's tight budget.

Audience Member #3 complimented Brown and his crew on the conditions of the roads.

They voiced concern about the brush being pushed over toward the streams which may change the direction of the stream.

They also want to meet with Brown to come up with a solution for the culvert that dumps water on to their property. Brown agreed to meet with them again.

Audience Member #4 wanted everyone to be aware that someone is pulling current posters off the mailbox kiosks and asks that the posters be left alone.

They also asked if the tennis court culvert is affecting the playground. Brown said it is not and is aware of the issues with the tennis court and playground culverts. Action will be taken to correct the problems when a decision has been made concerning the sewage treatment plant.

Motion for adjournment was made by Moeller. Foster seconded.

The meeting was adjourned.

Next RMS HOA Board meeting is scheduled **July 21, 2017, at 10:00 A.M.**

Respectfully submitted,

Willie Romero
Secretary /Treasurer