

Wolf Laurel Road Maintenance & Security Homeowners Association
Minutes of the Meeting of the Board of Directors
April 20, 2018

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

Directors in attendance in person: Kessler, Krueger, Moeller, Pendleton, Shook, Smith

Directors in attendance by telephone: Romero, Simmons

Directors absent: McCaghren

Staff in attendance: Brown, Connor, Kinsey, Porche', Wyatt

Audience: 6 in attendance

Minutes: Upon motion by Kessler and seconded by Krueger, the Minutes of March 16, 2018 meeting were approved 8-0.

Finance: Louise Wyatt

Wyatt presented the financial report and balance sheet for March 2018. Wyatt noted that the financial reports reflect the funding approved in March concerning storm damage as a temporary notation awaiting instructions from the CPA for proper form. Balance sheet and income/expense reports show normal year to date activity. Year to date collections stand at 86 % collected for homes and 71% for lots. At the end of the first quarter, Road Maintenance and Security are as expected, having spent 25% of their budget and in line with last year.

Wyatt also reported that WLRMS 2017 federal and state taxes were filed.

Roads: Jason Brown (written report read into the minutes edited to condense)

Since last report: Wolf Laurel has received 5.77 inches of rain (the majority of this rain up to 2 inches per hour fell on 4-15-18) and also 10 inches of snow. Along with this rain and snow Wolf Laurel sustained some 40 to 60 mph wind gusts resulting in power outages and numerous downed trees.

4-15-18 Storm Update: the majority of the wind and rain passed through last Sunday mid day with a 24 hour accumulation of 4 to 5 inches. The drainage system of wolf laurel could not handle the deluge of water in that short period of time and the resulting damages were: just about every culvert, ditch, and creek were clogged up with silt and debris which turned the normal storm water flow into the roadway causing significant damage. Most of the significant damages were confined to Puncheon Ln., Village Ln., Town Mt. Rd., Fox Den, May Apple Ln., Buckhouse Rd., Bee Tree Ln.,

Phacelia Ln., Weaver Ln., Flame Azalea Ln., Zebulon, Lower portion of El Minor along the golf course, Trillium Ln., and Chestnut Ln. The majority of the slides were in areas that the roadways were pitched away from the ditch lines towards the down slope shoulders of the roadways due to either solid rock on the ditch side or previous construction techniques. Other damages were caused by improper drainage control of owners or the larger creek crossings where the culverts could not handle the water and debris flow.

That being said no damages occurred where recent drainage work or road crowning had been accomplished except for the top of Oak Ridge Ln. All newer culverts, ditches, ponds, and road crowning, where there was material to use for crowning, performed as designed.

WLRM is now up to 3 months behind where we were this time last week. All roads, ditches, creek crossings, drainages, slides and culverts will either need re crowning, re graveled, re graded, dug out, repaired, stabilized, or replaced. WLRM is starting at the bottom of Town Mt. Rd. and working up to the club house hitting every road on the way up then will be starting at Village Ln. and working our way up to the club house hitting every road on the way up. WLRM is averaging 2 miles per of roadway per working day so this process will take up to 8 weeks to complete and then we will go back and regrade the sections of roadway that need it the most. Then will proceed on to re shoulder stoning the paved roads and then onto replacing culverts. This storm and project has hit at the worse time as the club will be opening back up within the month and most residents will be making the trek back to the mountains. There will be inconveniences: rough roads, clogged drainages, construction traffic, long WLRM working hours sometimes into the night to avoid traffic congestions, dust, mud, soft or no shoulders, detours, broken pavement, not to mention the financial demands of the work. I am humbly asking for patience and realistic expectations of our residents, and acknowledging matters which are outside of WLRMS control. WLRM is devoting our full efforts and resources to restoring the roads.

Equipment: Changed thermostat, alternator, and alternator bracket on CAT 305 excavator. Demobilized all snow removal and salt distribution equipment. Mobilized all road grading equipment. The exhaust on the Ford dump truck will need to be repaired. The water pump and front seal still needs to be replaced on the CAT 416 backhoe. One of the lift arms on the John Deer tractor has been replaced. Installed summer tires on the black GMC truck. Replaced a busted hydraulic line on the CAT 272 skid steer. Replaced clutch, rear main engine seal, and starter on the Ford dump truck. Replaced cutting edges on grader blades. Repaired leaking hydraulic pump and coupler on the John Deer tractor. Both the Mahindra tractor and John Deer tractor need to be serviced

Roads: Repaired previous slide on Lower El Minor with 2 Lds of boulders, 4 Lds of rip rap, 2 Lds of dirt. Crowned most of the gravel roads that had material to be crowned. Removed numerous trees and debris from the roadways. Cleaned up roadway around the gate house. Picked up rocks out of roadways. Repaired speed bumps at gate house. Paved the sidewalk at the WLRMSHOA office. Cleaned all culverts. Cleaned out pond on Chestnut. Repaired small slide on Chestnut with 4 loads of dirt. Pushed snow and distributed 10 loads of salt mix on paved roads and cleared snow off of gravel roads. Repaired both slides on Big Bald Rd. with 5 loads of boulders, 5 loads riprap, and 6

loads of dirt. Repaired slide on Wolf Laurel with 2 loads of boulders, 2 loads of rip rap, and 4 loads of dirt. Repaired slide on Trillium Ln. with 2 loads of boulders, 2 loads of riprap, and 1 load of dirt.

Moving forward, in light of the immediate need of addressing storm damage, the infrastructure replacement identified on the 3-year rolling schedule for 2018 Spring, Summer, and Fall will likely be pushed back to 2019. Road Maintenance will be engaging contract labor for parts of the work. Culvert replacement will be contracted to Freemans Construction, a licensed and insured utility contractor who also works for the water companies, and the cost of which will be allocated to the drainage budget. The larger slides that will take larger equipment will be contracted out to Clifton Hamlin. The mowing of all RR0W's will be contracted out to Mtn. Top Landscaping. Road Maintenance will continue using these contractors until the work is completed or the budget line item is depleted.

Brown also reported that a private contractor engaged by a homeowner had performed work in a streambed resulting in action by the state water quality office. The homeowner will pay for the remediation which will be performed partially on RMS right of way.

Romero asked whether the storm damage would have been mitigated if RMS was further along with replacing infrastructure. Brown noted that it was an extraordinary rain event and impossible to say what would have happened, but repeated that all areas that had been re-worked performed as expected. Brown stressed the role of lack of erosion control on individual owner's properties; lack of drainage control of runoff of driveways is a significant contributing factor to damage to the roads.

Romero requested that an email about road conditions and the work schedule be sent to all property owners.

Smith noted that many complaints about trees had been received, but that in light of the immediate needs of addressing storm damage to the roads, tree removal will be deferred. Smith continued that additional rain events are predicted and that new construction is gearing up on the mountain both of which will have an effect on road quality. Smith reported that initial inquires are being made about striping Wolf Laurel Rd. as part of painting all traffic calming devices.

Security: Ken Porche (Written report read into the minutes)

We have had a couple of calls to go on involving homeowner medical issues, one involving heart attack.

The speed calming devices have been repaired, which has been a good and bad thing, the good being that there has been a lot of thank you's but the bad is the speed has increased, by employees visitors and home owners. (this was seen by a couple of homeowners while we were at the gate area.)

Had a complaint from a homeowner that someone was cutting trees on his property, we responded and found tree service from residence above was cutting trees above and was pulling trees to

residence below to cut up and grind. We were in contact with lower owner who said he wanted them to stop. They did, we then got a call from above property owner who said to let his people work. Which we did not. Told both parties that it would be turned over to Mr. Super and ARB.

Call from Mr. Brown about sink hole on Bee Tree found hole, put cones out roped off until he could get to it.

Had a home owner come through bar code lane very fast, almost hit a car and a homeowner bringing key back to gate, we checked reader and went to person's house, wrote incident report and placed on his windshield advising him of his bad driving and speeding.

Security has gone on several service related calls for home owner cars.

Security responded to a request for wellness check on Hampton gap, found no one home, at request of homeowner we checked remainder of home and garage. (Front door open)

4/12/18 call from gatehouse that homeowner at double back had alarms going off responded searched found nothing wrong, called owner told him what I found he thanked us for our quick response.

Got a request from Jason to go around and find trouble areas after the heavy rains, we did and turned reports over to him.

Caught an ex- renter on wolf laurel rd. asked him for his sticker, he gave it to me said he had went to get his mail. Told him he needed to get his mail forwarded.

Porche added to his written report that in the early morning while the gate guard was absent, an individual had attempted entry with a deactivated barcode, ultimately gaining entry by using an active barcode. Security plans on investigating the incident.

Porche concluded with a prepared statement reflecting that when he was hired 5 years ago as a roving patrol guard, and now as director, speeding and reckless driving control was part of the job description. Porche emphasized that Security staff are not the police, nor are they trying to be. Their main concern is to keep the residents of Wolf Laurel safe.

Committee Reports

Communications & Community Relations: Larry Smith

Smith reported that there will be a series of articles in the Top of the Bald addressing mailboxes and the ARB Guidelines (enforcing our building regulations).

With May 4th being Community Wildfire Prevention Day, Kessler suggested WLRMS send an email to the community about wildfire prevention, including links to websites that are both instructional

and educational. Shook suggested including a link to the forest service where homeowners can print off a burning permit to give it to the front gate and Ebbs Chapel so they will be aware of any fires people intend to burn.

Insurance / Finance Committee: Dick Moeller and David Pendleton

Pendleton reported that RMS' current policy contains fiduciary coverage on employees up to \$50,000, and reported the cost of increasing and expanding coverage to board members. Pendleton moved to place the proposal for discussion, Kessler seconded. The board discussed the costs compared to the low likelihood of the need for expanded coverage.

The board voted not to purchase additional coverage, with Kessler dissenting.

Brown reported that the insurance claim on the accident that damaged the snowplow is still in negotiations with the insurance company.

Legal: Brent McCaghren and Cynthia Kessler:

No Report.

Security: Carol Krueger

Krueger thanked Ken and his staff for the job they do.

Krueger said that with summer coming, there will be an increase in speeding and reckless driving. The security committee has put together a proposal which was presented by Ken Porche', DOS.

Porche' proposed that Security would start issuing a written warning, not a ticket, for speeding and reckless driving. Porche' stressed that there would be not penalties, that it was just a warning. The warning references the covenants, Article III, Paragraph 3.3 which states the speed on paved and gravel roads. Porche' said this is an effort to get people to come through the gate at a slower speed in order to preserve the barcode reader and for safety of staff and residents.

Lewis Daniels suggested putting a note at the bottom of the warning saying "Please observe the speed limits for your safety and the safety of other homeowners" and file the warning in the owner's file. If there is a consistent problem, a follow up letter could be sent.

Kessler asked if the offenders were the same individuals, and if so whether any previous efforts of Security had been effective, including radar gun, speed bumps, stopping speeders and

reprimanding them. Porche' said the speeders were repeat offenders, contractors and homeowners, and no prior efforts had been effective in causing them to observe the speed limit.

Smith said his concern was not only speeding but impaired driving and asked what kind of support, if any, could we get from the Sheriff's Department or Highway Patrol. Porche' said that law enforcement would respond but penalties and fines would be issued which would mean points on your driver license, not merely suspension of bar code use, a far worse consequence.

Shook commented that he thinks Porche' is on the right track with the warnings. He said that there are five or fewer chronic, habitual, dangerous drivers on the mountain. These are the people that need some type of penalty. He stated that as a board, and there being covenant language, this is the least the board can do to support Security.

Shook made a motion to adopt the written warning followed by barcode suspension. Smith seconded the motion. After discussion the motion was amended to specify that upon the third offense occurring within 12 months, the barcode being used by the offender would be suspended for thirty days. Also, that information will be kept on file. The new procedure would be implemented June 1, 2018. Smith seconded the amendment.

Stan Wetschler suggested to document the offenses and if they continue to have a collegial intervention with the offender. He offered his services to assist with chronic offenders.

Romero agreed violators need to be addressed. He suggested communicating to the residents what the board has decided to do and that it is for the safety of the community. Smith said he will be sending an email to the community explaining what to expect.

A vote was taken on the motion as amended: 7 – yes with Krueger, Moeller, Pendleton, Shook, Smith, Romero, and Simmons in favor, 1 – no, with Kessler dissenting.

Road Maintenance & Equipment: Jim Simmons

Simmons thanked Jason and his crew after a really tough winter. The storm damage will set back the work schedule on the 3-year plan. The committee evaluated use of contract labor, and found the additional cost involved was outweighed by the benefits, and will enable our staff to focus on regular road work. Work on the three major slides for which funds were appropriated last month has begun, again using outside contractors.

Property and Facilities: Dick Moeller

Moeller reported on the mailbox shortage that the Post Office may potentially pay for additional mailboxes. He said only a few mailboxes available now. The unusable mailboxes on Big Bald cannot

be repaired. He also said that due to issues with the mailboxes the Post Office has no interest in facilitating the use of the Blue Mountain mailboxes. The committee is aware of the need and is working on getting more parcel boxes.

Moeller spoke with Walker Ferguson about the replacement septic system, and was given a two week timeframe for information on the design and permitting of the system. Kessler suggested finding out the cost of putting the system in before we apply for a permit. Moeller agreed.

Smith reported that there was confusion about the ownership of two pieces of property that RMS thought it owned, but that the tax assessor's office still showed as Bald Mountain Development, and refused to accept RMS' deed as proof of ownership. Smith asked Property and Facilities to look into the situation. Real property taxes are owed on the property. The committee was asked to determine if the property was strategic for RMS, essential to maintaining road right of way, appropriate green space, or whether there were other considerations RMS should consider about the property. If not, RMS does not have to take any action. If considerations exist that make the land desirable, the committee can make a recommendation for action. Kessler volunteered to assist the committee.

ARB: written report submitted in the absence of Steve McKnight

Since last report, the ARB has approved 12 applications, including two tree permits, seven minor, one major and two interior applications. Five additional applications are pending: one minor and four major. The ARB expects to receive two or three new home applications. Bob Super has had preliminary discussions, but no formal application has yet been made.

The ARB sent an email alert reminding homeowners of the need to obtain an approved application before beginning repairs, renovations or new construction. Bob Super has received several follow-ups to that alert. One question that has been asked is the difference between a minor and a major exterior repair or renovation. The difference is explained on the application form for each category, and the application forms are available on the RMS website or in the RMS office.

I should also like to report that the ARB is getting good cooperation from Security in verifying that construction workers or deliveries are going to an approved project. If Security cannot verify that an application has been approved, Bob Super is contacted to follow-up.

Long Range Planning: Larry Smith and Cynthia Kessler

Kessler has met with all committee chairs to get their input which will be compiled in a single document before the work session. It will be handed out to the board for comment and input.

POA Liaison: Larry Smith

Smith attended their last meeting. He met with their officers after the meeting to discuss the WWTP.

Old Business:

Tax Returns for 2017: filed (US and NC) No Changes noted from 2016

New Business:

HGTV Visit

Smith reported that HGTV will be coming to Wolf Laurel in May to do a program involving up to five log cabins in Wolf Laurel. There will be two camera crews on site for approximately 4 days. The first camera crew will be filming the log homes and will be coordinated by local realtors. The second camera crew will be making video footage of the Wolf Laurel community and Cindy Tucker with the POA will be assisting. Smith requested the board to suspend the policy concerning Big Bald Access and the policy concerning drone filming for the HGTV camera crews as needed, as well as to make such other accommodations appropriate to ensure the crews a good experience in Wolf Laurel. Krueger moved to suspend the Drone Policy and the Bald Access Policy for the HGTV camera crews as needed. Pendleton seconded.

Krueger asked how many vehicles will be going to the Bald and whether the vehicles would be 4WD. Smith said if they do not have 4WD that he would want our staff to take them to the Bald to get the footage they needed. He did not know how many vehicles they would have. Porche' said the camera crews will be given special yellow tags to put on their dash to identify them.

A vote was taken: 8 – yes, 0 – no.

Contractor Issue Follow Up

Pendleton noted that the board had been contacted by a home builder and separately by complaining owners both concerning contractors parking in the road, and questioned what resolution had occurred. Smith reported that the contractors and owners had each been received a response. Pendleton encouraged the board to work out a compromise with the builders commenting on the value they add to the community.

Smith noted that the policy on new construction is that in the initial permit request the applicant must address parking during construction. The applicant must agree to build on site parking off the road for construction vehicles. He said there are times when heavy construction vehicles have to park in the road and we work with them when that happens. Smith said there are several things contractors can do:

1. Build a landing site for parking.
2. When the contractor knows there will be heavy equipment in the road, provide staff, at their expense, to supervise traffic trying to get by.
3. Car pool laborers who do not need immediate access to their vehicles to the job site to reduce parking demands.

Porche' added that security puts "No Parking on the Road" reminders on any vehicles that are parked in the road, residents or contractors.

Krueger suggested that RMS meet with the builders and contractors to discuss this and work things out. Smith agreed that a meeting would be beneficial.

Audience Comments:

Stan Wetschler brought to the board's attention the intersection of Wolf Laurel Rd, Big Bald Rd, Buck House and the Mountainside Homes entrance. He said cars and trucks fly up to and through the intersection from Big Bald and it is dangerous for home owners who live in Mountainside Homes to pull out of their entrance. He suggested that a warning sign (Stop Sign Ahead) or speed bumps be added coming down Big Bald.

Gayle Barr suggested that the cones in front of the gate house be removed when HGTV comes to the mountain.

Jameson Cox appreciated hearing that the board was evaluating the tree policy in light of forestry practices. He also commented that he is very concerned about our forests. He urged the board to look over the covenants and how RMS practices affect the forests.

Jameson Cox asked if our culverts are being designed to handle a 100 year storm or a 50 year storm. He is concerned about the run off from storms.

Jameson Cox asked the board what the schedule was for road repair to his road May Apple. He complained about damage to his BMW and its tires from driving on the road. He expressed concerned about property values. He criticized the use of washed stone and ballast rock on the road. He criticized the resources spent on May Apple by the board in response to his earlier complaints, asserting he could have fixed the road better for one-half the cost spent. He believes the board is not aware of money wasted on road repair, and has considered contacting OSHA.

Jameson Cox asked if RMS has a list of year round residents, and asked why roads were snowplowed in the order and priority they were. He suggested that roads with full time residents need more attention.

Jameson Cox complained that the wrong kind of crush and run was being used on the roads and invited the board to go with him to see a driveway that was constructed with crush and run from a special quarry.

Jameson Cox complained that what a homeowner does to the interior of their house is not the ARB's business. He said we need to make it clear what the responsibilities of the ARB are. Permits for visual, nonvisual, maintenance, etc.

Jameson Cox complained about his treatment by RMS and noted his wife took offense to a recent interaction with staff.

Board and staff responded to Mr. Cox' comments:

Smith commented that main artery roads are plowed for snow first and then secondary roads are plowed. Smith said that RMS is aware that full time residents are distributed throughout the entire community, as are year round vacation rental properties and the Roads crew tries to accommodate those who live here year round and have to get to work.

Simmons summarized the road committee report on May Apple from last month, addressing Mr. Cox' concern on May Apple. Smith added that the roller is being repaired and resurfacing gravel roads cannot be finished until we get the roller back. Smith reminded Cox that May Apple got into the shape it is in because of the construction on May Apple and the 4 concrete trucks driving on the road at the worst possible time in the worst possible road conditions to bear their weight.

Kessler noted that Mr. Cox was not at the last meeting and the minutes were not yet available on the website to receive Simmons update on May Apple, but took strong issue with Cox' characterization of materials being used by RMS on the roads, noting that in the January meeting Mr. Cox presented to the board a written memo advocating for the use of 4 inch diameter stone applied 4 inches deep to support the road base, to be topped with crusher run material having 30% fines, crowned and compacted with a roller. Kessler felt the criticism of RMS for employing the materials he had advocated for was an unfair criticism.

Smith noted that interior permits are informational and to assure access of contractors entering the gates.

L. Wyatt and S. Conner both spoke on behalf of RMS office staff challenging the perception of the interaction with office staff and assuring the board that all interactions between the office staff and homeowners are professional

The meeting was adjourned by President Smith.

Next RMS HOA Board meeting is scheduled **May 18, 2018, at 10:00 A.M.**

Respectfully submitted, **Cynthia Kessler, Secretary**