

LVPOA Board of Directors

Monthly Meeting Minutes

Date: November 8, 2011 6:30 p.m.

Members Present:

Jerry Roper, President Patsy Hunt-Durkin, Treasurer Melody Silverberg, Secretary
Bud Hopkins, Security Jim Rose, Facilitator

Guests: Bob Tabout, Lou Charette, Dan Pope and his fiancée, Diana

Old Business:

Topic: Water Project – Laurel, Kelly Ridge and Bear Den Roads

Discussion: Bob Tabout and Lou Charette presented a summary of the water project that will impact Laurel Valley residents. The utility will be able to take Bear Den into project earlier than anticipated. It is not a private project, but is an extension of the existing Tuckaleechee water system. This will add 42 users to the system. The system will continue to belong to Tuckaleechee. There is a legal agreement between the utility and the new user group. Installation will be within the easements and consistent with the Laurel Valley by-laws. Some driveways may be affected, but the impact will be kept as minimal as possible. The cuts will be compacted, and once the compaction is complete, any asphalt disturbed will be replaced. If the road is cut, it will also be repaired to its previous condition. It is projected that construction will start in the Feb-March time frame. The work is out for bid and the actual start date will depend on the contracting process. The line will start at Sequoia Village and go up Kelly Ridge to Mineral Springs. Mineral Springs will have access to the water system as private users, but are not part of the current project. The line will go up Bear Den to Katydid Road and stop. There will be three pumps to maintain pressure, along with a tank. Everything below the tank will be gravity fed, with pumps above the tank to serve those at higher elevations. The pumps will be buried in underground vaults, out of sight. They are redundant pumps in case of system failure. They will be placed near a power pole to assure a source of power. The water line will be six inch steel to maintain the needed pressure from Sequoia Village to the pumps. The individuals who are currently on the existing system should not have interruption of services. Those who did not choose to sign on now would have access later through the utility. The Cold Springs owners will have to deal with the utility directly to resolve any questions. The 42 new users are paying out of pocket for some of the expenses of this project. The rest is covered by a grant received by the utility. The tank will be located below the Stokes's house. The tank will set back into the side of the hill painted to blend in with the background, and be disguised with landscaping. The tank holds 40,000 gallons. The property it will be located on consists of about ¼ acre, and this property is being sold to the utility. That action is in process. A question came up about the potential for a washout along the side of the road. There is a concern that a serious washout could impact the integrity of the roadbed. The line will be buried three feet deep in the ditch. There will be

some compaction to be done over time. The utility is responsible for any repairs. The contractors have to meet state requirements for insurance and bonding for their work. There should be a minimum of heavy equipment on the roads.

Action: Because this project is being done by the utility, the Board has no jurisdiction over their actions. The easements belong to the utility. Any questions regarding the specifics of the project should be addressed with the utility. The Board has requested that the utility notify home owners in advance of the construction activity that could impact them.

Follow-up: Any changes to the parameters of the project will be shared with the Board as they become available.

Topic: October Meeting Minutes

Discussion: The minutes were approved.

Action: A copy was provided to Bud to post at the gate house.

Follow-up: Each month.

Topic: Initiatives – Landscaping Committee

Discussion: At this time there appears to be no need to start any new initiatives. We have a Landscaping Committee in the “parking lot” section of the agenda. The group agreed that this is not a priority at the moment. The volunteers keep the entrance beautifully decorated without a charter. There does not appear to be a desire to expand the area being landscaped outside the current entrance area.

Action: There will not be a formal charter for a Landscaping Committee. We will continue with the status quo. Jim will remove the topic from the “parking lot.”

Follow-up: None needed at this time.

Topic: Initiatives-By-laws Committee

Discussion: This topic has been raised many times, but past efforts have been unfruitful. Most home owners associations have an on-going review and revision process, but the LVPOA by-laws have not been changed since 1996. They contain provisions which are no longer appropriate or enforceable. This is a complex issue and the process could be approached from an incremental perspective rather than attempting a complete revision of the documents. Changes could be introduced one or two at a time. There has also been a lack of volunteers from the home owners to participate in the process. (The Board has shown that volunteers who are dedicated to a process can make a positive impact. The Finance Committee is the perfect example). An additional obstacle is the by-laws are contradictory regarding how voting is to be done, and we have trouble changing anything. We have received guidance from our attorney on how voting is to be done, and that interpretation presents challenges for obtaining any legitimate vote of the members. The Board should continue to work through the attorney to find a

way to get changes made. Patsy will finalize the number of members so we can establish the appropriate numbers for a quorum or majority.

Action: Patsy will finalize the number of "members." Bud will provide information on the need for volunteers in the January edition of the Echoes. Jim will put this on the agenda for January.

Follow-up: January 2011.

Topic: Road update

Discussion: Jerry gave an update. The small paving repairs discussed last months have been completed. The High Springs road issue remains to be resolved, due to having to dig out the current road bed and replace it. George says he will begin work on it shortly. We have no report on the issue raised by the Bearly Rustic cabins about damage from run-off.

Action: Ken will continue to follow-up.

Follow-up: Next month.

New Business:

Topic: Financial Reports from Management Company

Discussion: We have a final balance sheet for 2010-2011. The previous balance sheet was set up on an accrual basis. The current spread sheet is set up on a cash basis. Some additional clarifying categories were added. An example is "Deposits in Transit." This was for money that was deposited in the bank, but the funds should have been applied to the next fiscal year. Pre-paid dues would fall into this category. Deposits which have not cleared also fall into this category. Patsy provided copies of monthly balance sheets for August-September 2011. These are summary reports only. The journal was not provided, but is available to the Board if needed. Any variances in balances from month to month can be reviewed on the journal. The balances in the various accounts were reviewed. The budget for 2011-2012 was reviewed. Discussion ensued about the term "unrestricted reserves" and the need to define more clearly what those funds represent in the budget.

Action: Patsy is going to be meeting with the Finance Committee to review the process to date. Patsy will work with Melody to go familiarize her with the process. They will start working together in January.

Follow-up: Monthly.

Topic: Liens

Discussion: We have some liens that have produced results. Four liens were filed this year, and three have been paid. We have 12 outstanding liens from prior years. One individual is working to catch up from previous years. The status of other liens was presented.

Action: Judgments will be pursued against property owners who are long term delinquent.

Follow-up: Monthly.

Topic: Property taxes

Discussion: Some property was deeded to the LVOPA last year as part of a road right of way. Normally, property transferred for this purpose is “given” or “donated” to the POA, which makes it tax exempt. Because this property was deeded to the POA, we now owe taxes on it. We have a tax liability for last year.

Action: We will pay the bill and try to clarify the status before next year. We may be liable for taxes going forward.

Follow-up: Jerry will report next month.

Topic: October Social at Elkmont

Discussion: The Social Committee is commended for the great social event held in October. It was very well attended, and the feed-back has been overwhelmingly positive. There was lots of delicious food, good fellowship, and great music.

Action: The Committee will be planning a spring social

Follow-up: Patsy will keep the Board informed of future plans.

Topic: Echoes

Discussion: Bud thanked everyone for their contribution to the Echoes. Melody requested that if Board members or others have nice pictures of Laurel Valley they would be willing to share, we will include them in future issues of the Echoes. It helps to personalize the publication.

Action: Bud will continue to produce the quarterly publication.

Follow-up: Next issue will be sent out in January.

Topic: Security

Discussion: No issues with security at this time.

Action: None

Follow-up: Bud will provide monthly reports.

Topic: Bear Committee

Discussion: No updates

Action: The Committee continues to provide updates to the bulletin board.

Follow-up: Next meeting

Topic: Paint and other inappropriate items in the dumpster

Discussion: People are leaving buckets containing paint at the dumpster. We have to pay extra for that disposal. The landfill will take it if it is taken down there, but we cannot put it in our dumpster or compactor. Empty cans of water based paint should be rinsed and disposed of in the compactor. Cans containing residue of water based paint cannot be put in the compactor or dumpster. Oil based paint or cans which contained oil based paint cannot be put in the dumpster or the compactor. Home owners need to comply with environmental ordinances, and take responsibility for appropriate disposal. If you have questions, please contact the landfill for guidance.

Action: We will continue to have updates in the Echoes.

Follow-up: Next month.

Topic: Compactor

Discussion: Because the compactor is filling up so fast, we may need to have more frequent pulls. We should set up a standardized schedule.

Action: Bud will call about having the compactor emptied next Thursday. He will also talk to the vendor about setting up a regular schedule. We cannot continue to have garbage being left on the ground or put in the recycling areas.

Follow-up: Next month.

Topic: Recycling

Discussion: Jim Rose reported that the "recycling" area in Maryville is under different management. Jim questioned a driver there, who told him the items are no longer being recycled. They are being taken to the dump.

Action: For those who wish to continue to recycle plastic, glass, etc., they will need to contact the county to find out where real recycling locations are being maintained.

Follow-up: Next month.

With no further business to discuss, a motion to adjourn was made and seconded. Motion carried and the meeting was adjourned at 8:30 p.m.