

**Birchwood Lakes Community Association, Inc.**  
**Regular Board Meeting Minutes**  
**September 10, 2016**

The Organizational Meeting did not take place after the Annual meeting because there were four new Board members missing. Subsequently, members were interviewed and in Executive Session a decision will be made and the members that have been elected will be seated today.

**Motion to go into Executive Session at 10:00 am made by Secretary Flatt, seconded by Vice President McMahon. All in favor. Motion passed.**

**Motion to adjourn Execution Session at 10:20 am made by Vice President McMahon, seconded by Director McConnon. All in favor. Motion passed.**

Present: Marcella Livingston, President; Dennis McMahon, Vice President; Vincent Flatt, Secretary; Treasurer, Adam Fass and Director, Thomas McConnon.

Also Present: Carrie Ridner, Community Manager.

Absent: Director, Cecilia Buckle

President Livingston announced the three new Board members. Jessie Burris serving a 1 year term, Kevin Crawley serving a 3 year term and Charles Ritson serving a 1 year term.

President Livingston opened the meeting at 10:25 am with the Pledge of Allegiance.

APPROVAL OF THE MINUTES FROM PRIOR MEETING:

- August 9, 2016 Board Meeting Minutes

**Motion to approve the August 9, 2016 Regular Session Meeting Minutes made by Secretary Flatt, seconded by Vice President McMahon. All in favor. Motion passed.**

- August 27, 2016 Annual Meeting Minutes

**Motion to approve the August 27, 2016 Annual Meeting Minutes made by Vice President McMahon, seconded by Secretary Flatt. All others in favor. Motion passed.**

- August 27, 2016 Organizational Meeting Minutes

**Motion to approve the August 27, 2016 Organizational Meeting Minutes made by Treasurer Fass, seconded by Vice President McMahon. Director Ritson abstained because he was not on the Board at that time. All others in favor. Motion passed.**

- Action Without A Meeting - August 11, 2016

This Action Without A Meeting is to approve the Audit Report and supporting documents for the fiscal year ending April 30, 2016 as prepared and presented by William E. Owens, CPA.

Comment: Board needs to formally approve the draft audit before the auditor can finalize the document for presentation at the Annual Membership Meeting.

All Directors were contacted. Assistant Treasurer Livingston, Director McMahon abstained because they think that we should meet with the Accountant first. Director McConnon was not available. All others in favor.

**Motion to approve the Action Without A Meeting dated August 11, 2016 made by Vice President McMahon, seconded by Secretary Flatt. Treasurer Fass and Directors; Ritson and Burris abstained because they were not on the Board at that time. All others in favor. Motion did not passed.**

- Action Without A Meeting - August 23, 2016

This Action Without A Meeting is to approve the Audit Report and supporting documents for the fiscal year ending April 30, 2016 as prepared and presented by William E. Owens, CPA.

Comment: Board needs to formally approve the draft audit before the auditor can finalize the document for presentation at the Annual Membership Meeting.

Several Board Members and management met with Bill Owens, CPA to review the audit and answer questions.

All Directors were contacted. Director McConnon was not available. All others in favor.

**Motion to approve the Action Without A Meeting dated August 23, 2016 made by Vice President McMahon, seconded by Secretary Flatt. Treasurer Fass and Directors; Ritson and Burris abstained because they were not on the Board at that time. All others in favor. Motion passed.**

- Action Without A Meeting – August 23, 2016

This Action Without A Meeting is to approve an expenditure NOT to exceed \$5,500 for the replacement of the Gate Entry Box at the Church Road Entrance. Funding to come from Acct # 79800-001 – Contingency.

Discussion: This gate is 15 years old, was installed in 2001. The problems with the gate are:

Arm does not reverse when vehicle enters the safety loop.. (when gate arm comes down before a car is all the way through it does not go back up when it hits the object)

Internal Up and Down switch does not work

Excessive wear on gear box and linkage assembly

Reverse sensor control does not work (does stay up long enough for a car to pass through)

All Directors were contacted. Director McConnon was not available. All others in favor.

**Motion to approve the Action Without A Meeting dated August 23, 2016 made by Secretary Flatt, seconded by Vice President McMahon. Treasurer Fass and Directors; Ritson and Burris abstained because they were not on the Board at that time. All others in favor. Motion passed.**

- Action Without A Meeting – August 23, 2016

This Action Without A Meeting is to approve and authorize Management to open the following new accounts:

- 1 Dime Checking – UBL Dam
2. Dime Cdars – UBL Dam

These two accounts will segregate from the Membership Approved Special Assessment the \$1,100,000 budgeted for the UBL Dam. Management will transfer 36.67% of total Special Assessment funding collected each month into these accounts.

Comment: Several owners have requested the Board consider this option in order to ensure the money allocated for the UBL Dam is not used for anything else. The Board discussed this with Bill Owens, CPA and he had no objections.

The budget set for the three projects is:

Maintenance Building	450,000	- 15.00%
Shared Well	1,450,000	- 48.33%
UBL Dam	<u>1,100,000</u>	<u>- 36.67%</u>
	3,000,000	- 100.00%

All Directors were contacted. Director McConnon was not available. Vice President Wagner voted no. All others in favor.

**Motion to approve the Action Without A Meeting dated August 23, 2016 made by Vice President McMahon, seconded by Director McConnon. Treasurer Fass and Directors; Ritson and Burris abstained because they were not on the Board at that time. All others in favor. Motion passed.**

- Acton Without A Meeting – August 24, 2016

This Action Without A Meeting is to approve a reimbursement for vehicle damage caused by the Church Road gate to Colton Mastriaco of 147 Pepperidge Road (Owner Name: Fredericks) for \$1,132.16. A paid receipt shall be submitted to the Administration Office within 60 days.

Discussion: The Board of Directors voted at the August 9<sup>th</sup> Board Meeting to reimburse this claim, upon receipt of a paid invoice not to exceed \$1,132.16. Property Owner has requested to the Board via email for consider to be paid directly since, son (vehicle owner) is in Florida at school.

All Directors were contacted. Director McMahon was not available. Assistant Treasurer Livingston voted no. All others in favor.

**Motion to approve the Action Without A Meeting dated August 24, 2016 made by Secretary Flatt, seconded by Director McConnon. Treasurer Fass and Directors; Ritson and Burris abstained because they were not on the Board at that time. Vice President McMahon abstained because he was not at the August 9<sup>th</sup> meeting when this was discussed. All others in favor. Motion passed.**

- Action Without A Meeting – August 24, 2016

This Action Without A Meeting is to approve tree request from 172 Outer Drive for removal of approximately ten (10) trees.

Discussion: Director Flatt was concerned about potential drainage issues and had requested to meet with maintenance supervisor at the location to review drainage. The inspection of the property revealed that there is no impact of drainage issues.

All Directors were contacted. Director McMahon was not available. All others in favor.

**Motion to approve the Action Without A Meeting dated August 24, 2016 made by Secretary Flatt, seconded by Director McConnon. Treasurer Fass and Directors; Ritson, and abstained because they were not on the Board at the time. Vice President McMahon abstained because he was not at the August 9<sup>th</sup> meeting when this was discussed. All others in favor. Motion passed.**

#### TREASURER'S REPORT:

Treasurer Fass presented the Bank Balances and the Income and Expenditure Reports.

Collections – Treasurer Fass updated the Board on the status of Collections.

Write-Offs: None

#### MANAGER'S REPORT:

CM Ridner provided the Manager's, Maintenance and Public Safety Reports.

The 739 Entrances was discussed. Management forwarded to the Board a memorandum regarding the status and needs for each of the entrances and additional survey work needed for both Lancet and Church. This has been tabled for further review.

#### COMMITTEE REPORTS:

Recreation – Chairperson Flatt thanked everyone who participated in the events held this year. This is his final term on this committee.

Lake Management – Chairperson Ritson discussed the conditions of the Lakes. The well water testing program will be tabled until the Spring.

Governing Documents – Chairperson McMahon stated that the committee continues meeting and is in the process of reviewing the suggestions from the attorney regarding the By-Laws. Changes have been made to the Tree Guidelines which will be discussed later under Other Unfinished Business.

Beautification – Chairperson McConnon congratulated Carl Fredrickson on his award and thanked him and JoAnn Woods for their work. The design for the 739 entrance sign is still being discussed.

PAYMENT OF BILLS - None

**OTHER UNFINISHED BUSINESS:**

Salt Advisory/Shared Well – Bid documents have been sent out to the ten bidders for the production well construction. Bids will go to Brian Oram for evaluation and recommendations. A pre-bid conference has been set up for September 27<sup>th</sup> at 1 pm.

Upper Birchwood Lake Dam – CM Ridner stated that the draw down on Lower Lake began on September 6<sup>th</sup> and is about 5 inches down. The draw down is only done during working hours in order to avoid any issues in the Community or outside. CM Ridner also updated the Board on Chuck Gilver’s design explanation for the purpose berm, existing bridge, dam stability and foundation.

Maintenance Facility – The Townships holds the opinion that for each lot combination, we would need to have the meets and bounds and legal description recorded in the deeds. This would require significant additional survey work. Many of the lots do not have this information because they were plotted back in the 60’s and it was not required back then. Cornerstone confirms that we only need 23 lots in all to build the Maintenance Facility and it would cost an additional \$1,500 to get the additional survey done.

**Motion to approve \$1,500.00 for additional survey work made by Secretary Flatt, seconded by Director Ritson. All in favor. Motion passed.**

Tree Policy – 2<sup>nd</sup> Reading

President Livingston completed the second reading of the proposed Rules and Regulations change sent to the membership in the last mailing.

**Motion to adopt the proposed Rules and Regulations change following the second reading made by Vice President McMahon, seconded by Director McConnon. All in favor. Motion passed.**

Roads – Additional Road work was tabled at the August 9<sup>th</sup> meeting. CM Ridner reviewed the work road to be done on Pine Lane, Primrose Lane and Red Pine Road by the mailboxes. Pine Lane and Primrose Lane have been tabled so the new Board Members can go out to see these roads on Monday. Once the Board Members have visited these roads, an Action Without a Meeting will go out. Red Pine Road was discussed as this road serves a large portion of the community and is the location of the mailboxes. There is water table underneath the road and this causes continuous pot holes. CM Ridner also explained the budget for these projects.

**Motion to approve paving on Red Pine Road in the amount of \$10,000.00 made by Secretary Flatt, seconded by Director Ritson. All in favor. Motion passed.**

COMMENTS:

NEW BUSINESS:

Tree Removal Requests

**Motion to approve tree removal request for 133 Wisperwood Drive made by Secretary Flatt, seconded by Vice President McMahon. All in favor. Motion Passed.**

**Motion to approve tree removal request for 148 Wisperwood Drive made by Director Crawley, seconded by Treasurer Fass. All in favor. Motion passed.**

**Motion to approve tree removal request for 105 Bitterfern made by Vice President McMahon, seconded by Treasurer Fass. All in favor. Motion passed.**

**Motion to approve tree removal request for 117 Beech Road made by Treasurer Fass, seconded by Director Crawley. All in favor. Motion passed.**

**Motion to approve tree removal request for 124 Beech Road made by Secretary Flatt, seconded by Director Crawley. All in favor. Motion passed.**

Tree Removal BLCA

Member filed complaint about 5 trees on BLCA lot that directly borders his driveway. The trees are at least 30 feet. tall and they are very close to the home. Our Maintenance staff cannot cut them. CM Ridner received two quotes.

**Motion to accept Blue Ridge Tree Service to cut 5 trees on BLCA lot made by Secretary Flatt, seconded by Treasurer Fass. All in favor. Motion passed.**

Document Request – I008-75-10

Member requested a security report from an incident that happened with his vehicle.

**Motion to approve document request made by Director Crawley, seconded by Secretary Flatt. All in favor. Motion passed.**

Conference Calling – Policy & Cost

Two different types of conference calling was discussed, one for a Board Member to call in and the other one is for members to call in and hear the meeting. This has been tabled in order to get more details and cost.

Board Review Panel –

President Livingston explained the procedures of the Board Review Panel. The panel consists of 3 Board of Directors. Directors; Crawley, Burris and President Livingston volunteered to review the next appeal.

COMMUNICATIONS, WRITTEN & ORAL:

- A. Petitions - None
- B. Hearings – None
- C. Properties – None
- D. Community Affairs Committee Members/Complaints Resolutions - None

A member in the audience gave a written proposal on the Special Assessment to the Board.

Email Requests to meet with the UBL Dam Engineer –

Several emails have been received from concerned members regarding the Upper Lake Dam. They requested to have the Dam Engineer attend the October meeting. Their request has been reviewed and tabled so that the new Board Members can meet with the Engineer.

CM Ridner presented to the Board with an upcoming developmental workshop conducted by CAI (Community Association Institute) and asked if any Board Member would be interested in attending to let her know.

MISCELLANEOUS

**Motion to adjourn the Regular Board Meeting at 12:30 pm and go into Executive Session made by Secretary Flatt, seconded by Vice President McMahon. All in favor. Motion passed.**

Respectfully submitted,

Vincent Flatt  
Secretary