

April 26, 2014

Dear Grants Mountain POA Member:

This is a reminder that the semi-annual **Grants Mountain POA meeting will be held at 1:00PM on Saturday, April 26, 2014 at the Glenwood Community Center** located behind the Glenwood Volunteer Fire Department at 1745 Old Hwy 221, Marion, NC.

Following is a **summary of the agenda topics** for our meeting:

- **Welcome and Call to Order**
- **Guest speaker** - Doug Walker, McDowell County Emergency Management Services 911 center and manager for hazardous materials. William Keller is over services. Angie Wright is the emergency management assistant and handles addressing. Upgrading PC's for addressing, introducing [craig.walker@mcdowell.gov](mailto:craig.walker@mcdowell.gov),
  - \*Stephan question – Does this community have a watch program? Response: It has fallen to the way side, some communities have started this locally, but no community watch.
  - \*Tower – Upgrades, dealing with problems grading the road, opening 1-2 pipes for draining. Ditch line problems, request forest service for bridge crew to come in and work on ditch and clean areas around tower of debris. Clean for fire possibilities. HOA has had problems and would be the person to contact about issues. Added porta-john
  - \*Stephan asked about reseeding due to the tractor trailer damage. Response: 4 more weeks to completion. In 3 weeks this seeding should be finished, if not please call Craig and he would make sure they did it.
  - \*Water tower, who keeps it full? Brush fire tower was used and not sure if it was refilled. Steph said fire marshal will come back up and do training and insure water is filled.
- Review November 2, 2013 POA meeting minutes  
There were no questions from the members present about previous minute. Motion for minutes, approved.
- **Treasurer's Report**
  - Current financial status and taxes – Total \$75.5K available. Received, \$20k, \$4k is from 2013 dues. Several accounts of past due balances. The Benzs family, never paid road assessment. We are charging them past due, and interest. They have agreed to pay \$100 each month to work this off. The lot is listed for sale through a Charlotte agent. Did offer to give the lot to the POA and we take over loan. They were asked to pay 8% interest and \$20 each month. Chris agreed to drop the \$20 each month since he is paying the \$100 each month.
  - The Fortunes paid off about \$1500 of debit by working it off doing maintenance around the mountain.
  - Mr. Turner is placing his check in the mail.
  - A few small balances because of \$5700 collected by Chris, \$12,900
    - Past due accounts and collection activities
    - 2014-15 proposed budget – View of 2012-2013 budget and 2014-2015 proposed budget. In past we paid taxes that we actually didn't owe. We did get the money back from this payment. Filed taxes and 1099's. There were higher expenses on postage and copies. HOA member Emails are changed and we are not notified, so postage increases. Also wanted to make sure each POA person received details because of lawsuit.
    - Mowing was in budget. Road repair we are well below budget. Ditch and culvert cleaning was higher at \$3k. We asked several others contractors, but they did not want the job. Joey Fortune was approached to perform ditch/culvert maintenance. We paid him 50% and removed 50% from his balance due to HOA.

- Placed big rocks at front entrance due to parked cars causing damage to front entrance grass. Cost \$190.

**Proposed 2014-15 budget.** Have comparison form last year. Feel transferring \$17k to road fund for future improvements. \$250 a year only equals \$4k per year for road repairs. Proactive repairs, 2013 was also below budget on road repairs because of the lawsuit.

Increased expenses for postage supplies because of above mentioned details. Legal fees increased, power increased, landscaping increases. Increase money for grass seed and ditch cleaning. Focus on road improvements.

Vote on budget? Approved, Quesiton from floor: If annual assessment is passed will it change the budget. The funds would be for road projects.

- **General status, including update on the paving lawsuit**

Settled law suit, went to court and mediation fell through. Lawyer suggested we not accept. Confession of judgment going forward would max out at \$35K. After court ordered mediation, he was sent to rehab for 1 month. He also let us know that he was going through divorce. All vehicles and home had liens on them. The board asked HOA membership if we should keep going with this lawsuit and it was denied. We “played chicken” and told Mr. Shipman we were going to court, but offered \$25K to settle, he then came back and offered \$20k. We accepted a certified check and the lawsuit was finished. Stephan is planning on bashing the paver individually to prevent this for happening to others. Lawyer said if we state truths then it would be ok to go after him. Payton said that if we would have kept on going after this lawsuit he would have filed bankruptcy and we would have not received anything money.

The Millers asked about the starting point of \$35k. Stephan said the board started at \$600k to do the roads correctly. Millers: \$35k was for the confession of guilt, moved up to \$150k? Attorney said not to go after this process, it would not work out. Cash would not be paid out at time, paid over 3 years and we would have to keep going after him for years for payout. Summary for judgment does not guaranty payment, we would have to go after him again in court.

We can go to The Better Business Bureau in Asheville or Angie’s List and give negative ratings on this paving company.

He would not admit to any underpaving other than a section in front of Stephans house was paved at 3/8” thick. Question from floor: How did this get missed,? Someone asked about engineering company that was let go. Go to past meeting notes for story. Mr. Shipman did not have Arizona Mission’s Policy Insurance. Road repair: Plan B is a special assessments. Use money to repair sections at a time. Next board will be given the 2 sets of quotes for road work. Sections highlighted on map are the worst damage and cover most homeowners. Plan to repair the 6 worst sections first. The board and homeowners present discussed these sections. Any questions regarding the sections were asked to be filtered through Peyton. There were no other questions.

- New house going to start build in June. House has been approved by board. We let them know about truck limit. The Millers asked about tucks going to the towers. A truck was too large and caused damage on roads and fences. They have regraded area, fixed fence, painted and will seed. Did trucks damage roads? We cannot prove damage to road other than damage to banks and fence.
- The Millers brought up past details about collecting funds for these damages. Alan brought up past meetings where we tried to have a cost for new project builds to cover additional road damage. This was denied.
- We could use other land to build other towers to generate our own cost. Timerline did work with Crown Castle to figure out where the dead zones for cell towers were and Timerblin would buy land, develop areas and then Crown Castle would build towers to generate revenue

- **Status of Roads / Road plan**

Kudzu - Joe Summers gave us spray that is an answer for kudzu. Backpack and spray is up for POA to use for areas to help control.

- Red box for fire has been added at the gate. Code has been removed from keypad. Asked fire department how they keep up with code changes. They do have the lock code and have been notified.
- Asked what the property owner's code is? Gave the updated codes.
- Issues with Fortune house hold. People that were questionable in the development that may be responsible for issues we have seen on the mountain. We gave them remote gate openers, but did not give them the gate codes. Discussed past issues with them, divorce, kidnaping, stealing power and so on. The board asked everyone to not give out gate codes to Fortunes.
- Contactor code is now correct and is on timer. Camera is still taking pictures at the gate. Biggs trailer was stolen, mower stolen, house door kicked in. The POA gave the camera card to The Biggs to look through to hopefully find a picture of this incident.
- Added separate mail box for Fortunes. Box was pried open so we decided to add separate mailbox. Post office was notified about the breaking, but nothing happened. Since we gave them a mail box we are not responsible for what happens to their mail going forward. Joey Fortune admitted they lost the key to their box, but that is it.
- POA had thought about foreclosing on lot the Fortune's. Did not want to because of the kids. POA found out the house was not on Grants Mountain. House does not have power because of issues. House does have another driveway.

Peyton met with Emery paving on Thursday April 23<sup>rd</sup>. Asked opinion on road compared to road last year. He agreed that the road has gotten significantly worse. We should fix the banks with baskets but the cost is too high. We have since decided to use mining waste to help prevent future slope damage and Emery agreed with this method because it is cost affective. The roads were sloped toward the banks which is incorrect. We are going after 4 areas, before and after Allen Fradey's house, across from Stephans house and area between Dawn and Richs house. Total project would be \$35k for mine waste. A1 paving cost for T is \$8.5 - \$9.5K for mining waste. Discuss chip and seal and what it is. Seals roads to prevent rain running into pavement cracks. Winter also freezes these cracked areas causing continued damage. They do work in 300 sub-divisions. Gate to T, layer of chip and seal, come back where road is dropped and level these areas with asphalt. Then come back and chip and seal over these raised areas \$29.5K for this project. He also suggested adding curbing on the areas that are slopped in the wrong direction. These would be 8" tall and \$? Per running foot. Also discussed how to test banks to see if they are moving or slipping further.

Linda had question – What would they use to raise road areas. Chip and Seal then asphalt then chip and seal again. Asphalt cannot stretch, the chip and seal is flexible and can handle some dips in roads without cracking.

Last year we quoted doing the entire road with chip and seal for \$120K. This did not cover road improvements to slopes and foundation.

NC State University has studied other versions of this chip and seal that can flex up to 1'

A1 said steep paved areas have more rock and was an older standard from the State that is not used any more.

Question -Asphalt and chip and seal are not the problems it is the road under the payment. We need road bed to be stable. Mining waste is one solution for these road bed issues. If the road beds are stepper than 2:1 pitch then it will start failing. State recommends adding mining waste to give the 2:1 pitch. Assessment failed in the past that would fix 6 major areas. Now we are focusing on how to slow down damages. In future we need to ask that the contractors for solvency. To insure the works holds up this needs to be done going forward. Stephan ask that Engineering is brought in and was agreed on originally.

- Presentation and discussion of proposed covenant amendment for annual road improvements fee  
We are asking for mining waste approval at Allen Fraties. Allen has agreed to the mining dumping. \$9K for A-1, \$14K for Bennick. A1 would be good for this job but not good for larger jobs. Rock is used for compacting and holding the banks.

Request approval for mining waste at Allen's lot. Millers motion, Ledbetter 2nds. Approved for A-1 to do work. 35 loads of material at 16,000 lbs. each

**Covenant amendment presentation** – Road maintenance only. Would be used yearly for road projects to be approved by the HOA. Lot owner with no home will get a discount. Past assessment did not pass so we are looking at amending covenant. This is not a fee so it does not need 75% approval. We can go after the 67% approval with this. Miller question: Is the calendar correct? POA yearly calendar runs to July 1 to June 30. The board would like to get approval for 2015. First year would be minimum amount. The information was sent to everyone, we have 30 days for answers.

2 quotes that were obtained are higher end firms. Baker would not quote cheaper versions. T project was \$32K because they are using geo-walls. With mining waste project will be \$9.5k.

- **Volunteer recognition**

- Thanks to Chris A. for taking over Treasurers job and fixing all of the issues. Accounting procedures have been improved, went after non-paying lot owners.
- Thanks to Peyton for road repairs, meeting with contractors.
- Thanks to the Ledbetter's for gate maintenance and rock install
- Joel for website
- Linda and Ron make it look nice for holidays.
- Doug added culvert stakes and marked locations on map.
- Thanks to Stephan for the president duties.
- Appreciation for all of the boards service.

- **New board election**

- Proposed slate – Approved
  - Alan Ledbetter, President
  - Peyton Miller, Vice President
  - Joe Summers, Treasurer (Crystal Ledbetter to assist)
  - Melissa Taber, Secretary
  - Ron Tadlock, Member at large

- **Open Discussion**

- How many lots for sale? We think 8-9 are currently for sale.
- Prior to adding Fortunes mail box. Stephan called Asheville Times and they do not use the paper boxes at the main mail box. We did remove the newspaper boxes and they were contacted to get them and they did not. Stephan gave them months and they did not pick them up. Stephan got rid of them. The Dokktor's receive their paper close to their home.
- 

- **Adjourned**