

GRANTS MTN HOA MEETING
Saturday November 2, 2013
Glenwood Ruitan Community Center

Meeting called to order by POA President Stephan Amsbary at 1:07 pm

Board members present: Stephan Amsbary – President
Crystal Ledbetter – Vice President
Chris Amsbary - Interim Treasurer
Peyton Miller – Member at Large
Vacant – Secretary

Meeting will be recorded via smart phone by POA VP Crystal Ledbetter and transcribed into minutes at a later date.

Sign in sheet provided and passed to all in attendance. Updates to lot owner addresses, phone numbers, e-mail addresses requested.

Lots represented at meeting: 14 total
Lot 2 Elizabeth Moore
Lot 4 Alan and Crystal Ledbetter
Lot 6 Allen Frady
Lot 30 Bill Hawkins/Ann Bertlesman
Lot 90 Stephan and Chris Amsbary
Lot 16 Joe Summers
Lot 18 Peyton Miller
Lot 81 Dillon and Myra Robinson
Lot 74 Ron and Linda Tadlock
Lot 64 Rich and Joan Messner
Lot 48 Jan Dokter
Lot 42 Joel & Teresa Carley
Lot 32 Steven and Sherri Krause
Lot 5 & 34 Melissa Tauber

Prior to the meeting POA President Stephan Amsbary provided each lot owner the following: meeting agenda, treasurer reports x 2, road repair quotes x 2 and pre-meeting FAQ sheet from various community member questions. Stephan gave the members time to read over the documents provided before starting the meeting. He reminded everyone that we would follow previous meeting guidelines and those who wished to speak or ask questions should keep to the 3 minute rule.

Welcome to our new neighbors Lot 5 & 34 Doug Tuttle and Melissa Taber (Previous home of Mike and Phyllis Howell)

Discussion regarding June 8, 2013 meeting minutes

Stephan stated the previous June 8, 2013 meeting minutes were posted on the Grants Mountain website and there were minutes provided via computer for members to read if needed. He asked for a motion to accept the meeting minutes. Joan Messner stated she had a question about the previous minutes, she wished to know who had prepared the minutes. Stephan informed her VP Crystal Ledbetter had recorded the June 8 minutes and then transcribed the minutes. Joan had another question about the minutes under "General Status" under the reference "Bill Hawkins debated the word "removed" stating the tree sections were still lying on the road side. Stephan reminded him that the sections were left because at the last meeting, several home owners requested, that any cut trees be left for them to remove and use as fire wood. At this meeting the same home owners now are complaining that the wood is an eye sore." Joan wanted clarification on which home owners were referenced as, "the same home owners now are complaining that the wood is an eye sore." Both Stephan and Crystal advised that per the recording those lot owners were Bill Hawkins Lot 30 and Rich Messner Lot 64. Stephan offered to play back the recording of that meeting.

The tree in question was/is located between Lot 64 and 26. Rich Messner stated that this tree had not been cut but had fallen on its own and he was unhappy with the limb debris that is on the side of the bank and ditches. He stated Stephan bragged about getting such a great deal getting trees cut down and then they weren't removed. Stephan reiterated that at previous meetings home owners had stated they would like any cut trees left as potential firewood for them to use.

Stephan asked Joan Messner if she had any other questions regarding the June 8, 2013 minutes and she stated she had no other questions.

POA VP, Crystal Ledbetter, asked Rich and Joan if there was a reason they had not brought these questions and concerns to the board months ago. Rich stated that at the last meeting Stephan agreed the board would try to remove the cut tree at no cost to the community but volunteers would be welcome and that was over 6 months ago and nothing had happened. Stephan replied they had not gotten to it due to lack of time and Chris Amsbary stated that Stephan had rolled some logs over the side. Stephan also mentioned the logs remaining are too large for him to handle by himself. No one in the community expressed any interest to have any of the remaining wood.

Stephan asked for a motion to accept the minutes, a motion was made then a second, none opposed and the minutes were accepted.

Treasurers Report

Two documents were provided to the members, a treasury summary sheet and a spread sheet. Before the discussion began interim Treasurer Chris Amsbary explained that she had become the treasurer 1 month ago. She took on the responsibility when the previous treasurer Phyllis Howell moved. Chris stated the position of treasurer had appeared to be overwhelming as a result Chris has spent hours cleaning up records and updating information. She welcomed any questions and would answer them to the best of her ability. Chris then began to cover the financial records. All balances were current as of October 31, 2013.

Fifth Third Checking account balance: \$12,382.50
Capital One Savings account balance: \$24,176.26
Capital One Emergency Fund account balance: \$20,997.87

Due to time constraints, Chris has not transferred any money from the checking to savings account. The Savings and Emergency accounts are interest bearing and we must maintain \$3,500.00 in the checking account to avoid any service fees.

Twenty-four (24) owners have not paid dues for 2013/2014 which amounts to \$6,250.00 and 10 Grants Mountain community members have past dues that equal \$18,940.86. The total account receivables equal \$25,190.86.

Chris also presented the top 5 past due balances. She explained that she needed to update the top two with past due fees that were never applied, once applied she will send letters to these individuals. She already sent letters to the other past due individuals. One individual in particular has made email communication and has committed to paying the outstanding balance by January. Chris stated she had not received any other communication with any other past due individuals.

Since the member meeting, Crystal Ledbetter POA VP corresponded via email with another past due individual who requested their balance, stating they would like to sell both their lots and would make attempts to pay their past due balance.

Lawsuit legal expenses since 11/9/2012: \$8,105.54
The POA approved \$10,000.00 toward legal expenses for the lawsuit.

Chris then asked the members present if they had any questions regarding the summary report. Rich Messner stated he did not envy her jumping into this position. He asked if the \$18,940.86 owed by 10 lot owners included Mr. & Mrs. Benz and Chris confirmed it did. Chris also reminded those present that the POA only charges \$25.00 per year in late fees if dues are not paid on time.

After no other questions regarding the summary sheet Chris explained the spread sheet. The spread sheet shows the 2012 and 2013 budgets. She pointed out one area for the membership to focus on which was a charge that included the POA paying Federal and State Income Taxes. Chris explained this was a mistake by the previous treasurer and our tax preparer H&R Block. H&R Block filled out the wrong tax form. Chris spoke with H&R Block and they have filled amended returns. We should receive around \$1,500.00 in refunds from state and federal. We were not charged any additional fees for the tax service to amend these forms. We did pay the original tax preparation charge and a state franchise fee.

Chris then explained some other larger expenses on the spread sheet which included road repairs and fees included in the lawsuit.

Linda Tadlock, lot 74 asked if there was a possibility to collect any interest from the government in regards to the \$1,500.00 mentioned above. Chris stated this was not possible.

Chris stated she had the following information for the members present to review if anyone was interested: general ledgers printed and available from the last fiscal year and this fiscal year which would show every transaction that has occurred, current list of all property owners who have outstanding balances and owners who paid last year.

There were no other questions regarding the treasurer report and a motion was made by Stephan to accept the treasurer report. A motion was made by Jan Dokter and seconded by Joe Summers to accept the report. Motion passed. The reports will be available on the website.

General Status

1 South Eastern Paving Lawsuit

As a reminder to the members Stephan stated that South Eastern Paving under paved the roads on Grants Mtn by 27% +/- (per Kessel Engineering) and charged roughly \$550,000.

The original proposition by the board to Mr. Shipman was that he needed to return to the mountain and place another 1 inch of asphalt over the current surface with an engineering company testing their work. Mr. Shipman has not responded to this request.

Three weeks ago plaintiff Jeff Shipman filed a motion to dismiss the case in Henderson County. The judge dismissed the motion. The current board has a court ordered mediation scheduled 11-15-2013. Prior to mediation the board will also meet with our attorney to be briefed on what to expect during the mediation. Several depositions have been given by previous board members and the case looks promising per our attorney.

Since the meeting three of the Board members attended the mediation session, and other two were consulted via telephone at various times during the negotiations.

Chris Amsbary, Interim Treasurer, reminded the members present that the goal is to end this case in mediation. She stated if the case went to court the POA would incur more monetary costs. Chris felt that the members present needed to discuss how far the community would like to go with the court case.

She stated that even if the community won a court case there might be a problem collecting the monetary award. Rich Messner asked if the attorney had given any indication on what monetary amount would be appropriate. Stephan responded the pre-mediation meeting would be the time to discuss this. Alan Ledbetter, of lot 2, asked if the board had thought about a minimum amount to accept from Jeff Shipman. Stephan stated \$50,000 was one amount mentioned by board members but this would not be the starting amount. Alan suggested that the members present should discuss and agree upon a minimum and maximum amount. Stephan agreed and this will be a topic later in the meeting. Linda Tadlock asked what the community would do if Mr. Shipman elected in the end to apply 1 inch of asphalt rather than pay a monetary settlement. Stephan advised this could be acceptable but only once the road bed issues were resolved.

2 Mowing

The board is still using a new company for mowing the road sides and banks. They are much cheaper and more reliable than previous company. They have mowed twice.

3 Roads

A section of road between lots 32 & 42 suffered a partial failure after heavy rains in the spring. The board elected to grade into the mountain side in this area by 3 feet. To cut into the mountain more would have cost significantly more.

This road failure prompted the board to take a closer look at our roads. They felt like it would be beneficial to identify areas of potential future road failure and develop a plan to handle such issues. The board contacted several experts in road bed failure.

Peyton Miller, Member at Large, contacted and meet with the McDowell County EMS Director Terry Young in regards to the roadway failure preceding the cell towers. The County will try to find funds to bring in a bulldozer to repair this section of gravel road. Peyton also mentioned that recently a tractor trailer collapsed some ditches near the cell towers. Mr. Young will also attempt to repair these ditches and the gravel road by the end of November.

Stephan contacted community member Joey Fortune, lot 3, and discussed opportunities for him to perform various maintenance tasks around the mountain this fall. Joey has helped previous boards in this capacity to pay down owed dues. It is hoped that Mr. Fortune will be able to clean out ditch lines, clear culverts and blow leaves from the ditches.

Quotes for road repairs have been obtained from 2 companies. Charles Baker and Todd Bennick (Copies of these quotes were provided to the members present and will be available on the website)

4 Local Attorney

The current board obtained a new attorney by the name Lee Lattimore.

Special Assessment Explanation

At the June 2013 POA meeting the board mentioned the possibility of a special assessment and most of the community members present at this meeting agreed. The board chose road sections to repair based on the 2 quotes from Charles Baker and Todd Bennick. Both companies identified sections of the road by severity classes: A= Severe B=Moderate C=Mild. The board used criteria to pick the areas to repair based on most critical (closest to failure) and the number of houses/lots that would be cut off if these areas failed. The board then took into account the potential for severe winter weather and that this could change and accelerate our road problems and the cost of repair. Also included into the assessment amount was the cost of hiring an engineering company to follow the contractor chosen during the repair to monitor their work and test our road beds. Previously, the board proposed a road bed survey but that was voted down because of the expense of \$8,000.00 to conduct the survey. The plan by all contractors contacted was to dig into the road until they hit stone, add base rock, gravel then use a vibrating compactor to compact these layers. During this work the board planned to have the engineering company on site testing the road bed. After the road bed repair was complete

2 inches of asphalt would be installed and the engineering company would test for correct asphalt thickness. The board took into account the expectation that a few community members would not pay and the potential for product price increases between now and the spring. All of the above mentioned items are how the board came to the final decision to assess each lot \$2,000.00.

All community members obtained the assessment letter and ballot either by e-mail or US mail. The board had two old email addresses for community members and their assessments were returned so the board contacted them, updated our information and emailed the information to them again. All lot owners received the information. Stephan reminded everyone present at the meeting that the assessment stated that if any community members had any questions regarding any part of the assessment to please contact a board member. The board did not receive any questions until Tuesday October 29 and all the questions received were strikingly similar in content.

Also, on Tuesday or there after several lot owners changed their vote from a yes to a no and also posed questions that were similar in nature. Stephan then opened up the floor to those present to ask any questions regarding the assessment.

Bill Hawkins, lot 30, stated he had a clarification regarding the second bullet point on the papers provided to those present at the meeting named "Special Assessment FAQ". The section he wished to clarify stated in red the following, "Part of our expense includes retaining Kessel engineering to test the roadbed work and paving. When we paved the road 5 years ago the engineering company was released by the board because they kept reporting roadbed preparation failures." Bill stated he wished to correct the record on this statement because it was false. Stephan Amsbary, POA President, proceeded to hand out copies from Kessel engineering showing the date of 9/9/08 and stating the following, "KEG Rep was requested to visit the site by Mr. Bill Hawkins of Grants Mtn. POA to perform asphalt testing and retest failing stone density test results from 8/28/08. Rep informed upon arriving on site that testing services had been terminated." The document was signed by the field representative and Ron Anderson of Kessel Engineering Group. Stephan also provided a document dated 8/11/08 stating the board had also changed the paving group voted upon by the membership, Johnson Paving, to Southeastern Asphalt. Stephan explained to those present that due to the firing of the engineering company the asphalt thickness was not tested during the paving of the community.

Bill Hawkins wished to respond to the two documents provided. He stated that during a discussion with Greg Johnson of Johnson Paving in Rich Messner's living room, Bill asked Mr. Johnson if there was any wiggle room in his estimate for paving the community and Mr. Johnson stated no. Bill explained that while the preparations were taking place for the paving of the community gas prices were skyrocketing and due to this the cost of asphalt was increasing. Bill explained that the board was under pressure to begin the paving process due to these factors. He then stated that Kessel engineering could not be retained because of their cost and it was taking all the money the board had received in the assessment to pay for the asphalt. Bill stated to compensate for the lack of money he and other board members went to several banks in Marion trying to borrow money. The banks would agree to loan money only if the board members would be personally responsible for the loan. The board members at that time did not feel this was a good option.

Bill then stated that in regards to Johnson Paving, he wished to hire them due to the fact that they were a local company. The board at that time moved from Johnson Paving to Southeast Paving for various reasons. The owner of Johnson Paving later had another conversation with Bill Hawkins and Bill explained to him the reason the board chose another company was because Mr. Johnson wasn't willing to adjust the estimate.

Stephan Amsbary then stated it was his opinion and the current board's opinion that Kessel Engineering should not have been fired during the paving of our community.

Rich Messner then asked if he could interject and stated he had just joined the board in 2008 when the above mentioned things occurred. Rich joined the board because Stephan had stepped down at this time. Stephan stated he stepped down due to the above mentioned things. Mr. Messner wished to back up what Mr. Hawkins had previously stated. He also remembered the conversation with Greg Johnson of Johnson Paving and Mr. Johnson was not willing to give a "bottom line" price for the paving project as Mr. Hawkins had stated. Mr. Messner stated that the estimate with Johnson Paving was open ended based on the fluctuation in the cost of asphalt and there was a very strict budget with the paving project. Rich Messner felt at the time, as a new board member, that hiring Johnson Paving would be equivalent to signing a blank check and handing it over to them. Mr. Messner then stated Southeast Paving had good recommendations and they were willing to give the board a "bottom line" price. He also stated there wasn't enough money to pay Kessel Engineering to follow the paving company during the project.

Current board members Stephan Amsbary and Crystal Ledbetter stated that in 2008 the membership voted to hire an engineering company to monitor the paving project. Rich Messner responded that we could vote on whatever we wanted but if there wasn't money to pay for it what could be done? Stephan responded that if it wasn't possible to pave the roads properly it shouldn't have been paved.

Crystal Ledbetter then asked Rich if he remembered the actual cost to hire Kessel Engineering. She had the cost break down sheet that the 2008 board presented to the membership and it stated they had budgeted \$14,400 for the engineering company and the total project estimate was \$656,000. She wished to know if Kessel Engineering had exceeded the \$14,400. There was no response from Rich Messner. ***(post-meeting note: Kessel was paid \$2,053 in 2008)*** Chris Amsbary felt like the bottom line concern was that it was a unanimous decision by the community to hire an engineering company to monitor the paving and if they had not been fired we might not have road issues today due to under paving.

Stephan Amsbary felt like the point that he was trying to be made at today's meeting was that it was not the right decision to fire the engineering company during the paving project. Bill Hawkins stated the board in 2008 had genuine intentions and it wasn't fair to fault them. There were no more questions or comments from the members present regarding this subject.

The assessment, at the time of the meeting, had appeared to fail. The community had until 11:59 pm to turn in votes. Stephan wanted to comment on a personnel note that there were a lot of derogatory comments attached to the ballots. He stated the community

members currently serving on the board were volunteers and they did not deserve the comments. He would never make those types of comments to other board members.

Crystal Ledbetter added that the negative comments received on the ballots were not necessarily directed at the current board but were in reference to previous boards. Many community members stated they would not vote in favor of anything based on the poor decisions of previous boards.

Jan Dokter asked if there was a final tally available as to how many no vs. yes votes. Chris Ambary stated that out of the possible 80 votes at the time of the meeting only 42 lots had voted. (13 votes in favor of the assessment and 29 against) Chris also stated the current board was aware that a few community members had originally voted yes then changed their vote to no after they were contacted by other community members living on the mountain who convinced them to vote no. Therefore, there were community members working against the board to obtain the funds to repair the failing road sections. It will be very hard to repair the roads if we are fighting against one another. Rich Messner stated the feedback he had gotten from members who do not live on the mountain was the assessment didn't properly explain how the roads would be repaired. He responded that the \$2,000 assessment along with the information regarding a possible yearly assessment of \$300-800 was not taken well because there had not been a lot of communication prior. Stephan explained that the phone numbers for all the current board members was available on the assessment letter and there were no questions until Tuesday October 29. Chris Ambary questioned why those community members who were contacting Rich Messner were not referred to the current board and he responded he had indeed done that. Myra Robinson, lot 81, wished to know how many community members who did not have a house on the mountain voted? That number was not known. Rich Messner asked what criteria the board used to count the assessment votes as pass/fail. The board responded that it was 67% of the community members who voted as per the restrictive covenants.

Dillon Robinson asked for clarification as to how the votes would be counted on those community members who didn't vote at all. The board responded that if a community member didn't vote it wasn't counted at all. You only count the actual votes placed for this type of assessment. This restrictive covenant was placed in 2008 prior to the road paving project. If the community didn't have this covenant it would be required that 67% of ALL lots owners would need to vote according to NC 47f code.

Covenant Amendment for Annual Road Maintenance Fee Proposal

The current board prepared a **draft** based on the membership feedback at the June 2013 meeting. The board also read through the covenants of other communities in this area and extracted some of the ideas from those covenants as well. Stephan read to the members present a draft for the proposal. (Copies were not available to the community members present)

DRAFT

The Declaration of Reservations and Protective Covenants for Grant's Mountain Estates is hereby amended by adding a new section as follows:

Road Maintenance Annual Assessment: With this Declaration there is hereby established a Grant's Mountain Estates Road Maintenance Annual Assessment that is separate and in addition to the Annual Assessment Authorized in Article X. Each lot owner will herein be additionally assessed annually, to coincide with the current Annual Assessment due June 30, a minimum amount of \$300.00 and a maximum amount of \$800.00 per lot, per year to be placed in a **Road Maintenance Fund**. For the first year assessment, 2013-2014, the board will only ask for the minimum amount of \$300.00. If a lot is an empty lot, without a structure, said lot will receive a 20% discount on the Annual Road Maintenance Assessment.

Once a lot owner has submitted building plans and said plans have been approved by the Architectural Control Committee the lot is deemed to have a "structure" and the owner will no longer receive the 20% discount. This fund shall be held with the POA Bank in an interest earning savings account. The governing POA Board will assess the communities road maintenance needs for the upcoming year, provide documentation to the HOA membership of said needs prior to assessment and base the yearly amount on these needs.

The Road Maintenance Fund shall be used for the following:

1. Maintenance of road surface
2. Maintenance of road slope
3. Maintenance of road bed
4. Maintenance of ditches and culverts
5. Road failure

Stephan explained to those present that this document was sent to the attorney for review, there will be a special membership meeting to discuss the covenant amendment and then a vote on the amendment in the future. The vote to pass or fail this covenant amendment will be 67% of ALL lot owners. Currently all the board is performing on this amendment is ground work. The board wished to share the status of this project with the members present.

Previous boards have discussed a yearly road maintenance fee and verbiage for this has even gone to the community lawyer for review. It has never gone before the membership for a vote.

Ann Bertlesman, lot 30, stated some community members would rather raise the yearly dues and she wished to know how many lot owners would need to participate in that vote. The response from the floor and the board was 75% of ALL lot owners. Stephan responded that it would very difficult to raise the yearly dues because the vote would require all lot owners to vote. Stephan then asked for questions or comments from the floor.

Jan Doktor suggested that it might be beneficial to change the wording of the amendment from "road improvement" to "improving the possibility of property sales" to get more community feedback. Stephan responded that the thinking behind having the yearly POA dues in addition to the possible yearly road maintenance fee would be to build two reserves for community use. Alan Ledbetter, lot 4, commented that realtors are legally responsible to tell clients any information they may know in regards to the state of our roads and so as Jan suggested it might help those owners improve the possibility of

property sales. The board felt this was a good idea and will add this to the assessment language.

Linda Tadlock, lot 74, commented that the board might have gotten a better response from the membership if the “Special Assessment for Road Repair” had not been paired with general information regarding the possibility of a covenant amendment for an annual road maintenance fee. She felt that community members probably felt like they were being asked for a lot of money at once. Board member Chris Amsbary responded that this was a phased strategy approach and this approach was based off of the comments and wishes of the community members present at the June 2013 POA meeting.

Rich Messner stated that it might be a good idea if the amount projected for the upcoming year is discussed at our annual meeting. This might encourage more community members to attend and the years projected road maintenance fees can be presented. The board and other community members thought this was a good idea. No other comments or questions were voiced on this subject.

Stephan asked for a motion to continue with The Annual Road Maintenance Fee project and proposal. Motion made by Steven Krause and seconded by Jan Dokter. Motion passed

Special Thanks

Stephan thanked Chris Amsbary for taking over the position of Treasurer. He also thanked Peyton Miller for his help on the core drilling project and many other projects. Stephan stated he was thrilled that Ron Tadlock, Joel Carley and Bill Hawkins took on the installation of the gates the front entrance. He said it was a wonderful thing that these community members came together and performed this project after no one else volunteered. Many community members present also thanked these gentleman for their work. Thanks to the Ledbetter’s for gate maintenance and entrance weeding/mulching. Thanks to Joel Carley for roadside weed eating. Stephan stated that a lot of community members take on tasks on the mountain without being asked and this keeps down maintenance costs.

Prior to election of a new board some current board members wished to speak to the members present.

Chris Amsbary thanked those who have served on the board for the past two years. She stated that anyone who has served on the board knows what a thankless job it can be and it takes up a lot of your personal time. She stated that the current board has spent a lot of time on weekends and nights to work on various issues and that all of the decisions the board has made were for the good of the community.

Board members Peyton Miller and Crystal Ledbetter elected not to speak.

Board Election

Stephan began the discussion advising that the meeting agenda posted on the website stated that the proposed board slate was: Stephan Amsbary, President; Peyton Miller,

VP; Crystal Ledbetter, Secretary; Bill Callaghan, MAL; Chris Amsbary, Interim Treasurer. Stephan acknowledged that he was aware that his staying in the same position was a violation of the community's by-laws. He stated there was already a precedent that was set because a previous board served a 2 ½ year term due to a shift in the timing of POA meetings. The current board wishes to remain because of the upcoming law suit mediation on 11-15-13. It is felt that it would not be beneficial to our community if we switch boards during our suit against Southeast Paving and try to bring a new board up to speed in just two weeks. The board proposed they would only serve until the spring meeting when the law suit will hopefully be settled.

Stephan reminded those present that when the positions of secretary and treasurer became vacant over the last two years no other community members were willing to fill those slots.

Bill Callaghan was asked to join the slated board because he is a retired Magistrate from Buncombe County and his legal back ground would be very helpful. This week the current board members received an email from Ann Bertlesman stating there was an alternative board slated. The slated board members were not divulged to the current board when asked by Crystal Ledbetter via email.

Stephan proceeded to speak on a personal note and told those present that there were community members who have done nothing but criticize, second guess and subvert everything the current board has attempted to do. Stephan stated it was very tiring..

When some community members arrived at the meeting today they presented the current board with proxy votes on a proposed slate of new board members. Stephan was concerned by this because the current board had not been given the opportunity to discuss and explain, with the members present, their reasons for staying on the board. Stephan voiced his disappointment in all the community members who were involved in this proxy vote.

There were 14 proxy votes presented and the proposed board was: President: Rich Messner, VP: Ann Bertlesman, Treasurer: Joel Carley, Member at Large: Ron Tadlock. No Secretary was proposed. Stephan then asked if the alternate slate would present their reasons and wishes for becoming the new board. Rich Messner began the discussion by saying the first reason was due to the current board's lack of communication. Rich stated the current board had sent out very few emails to the membership and those were usually within a few months of meetings. He continued by informing those present that the alternative slate was also due to the by-laws stating a board only serves for 2 years. Rich stated the proposed board was assuming the current board would just disappear. Mr. Messner explained that when the agenda was sent out and it was apparent that the current board wished to remain, there should have been information attached to that regarding the reasons. He went on to state that the general maintenance on the mountain, specifically cleaning ditches and culverts, had not been performed by the current board. Stephan and other community members countered this statement by informing Rich that the ditches had been cleaned and that mowing on the mountain had increased under the current board's management. Stephan also has a community member who is scheduled to begin cleaning ditches and culverts to help reduce his past due HOA dues. Rich stated he

wasn't the only community member who could remark on the above issues but no one else commented.

Stephan then asked for those present to begin the voting processes for the current board to remain in place until the spring or elect the new proposed board. Immediately after Stephan requested the vote, Peyton Miller (Member at Large) stated he wanted off the board as quickly as possible due to the fact that fellow community members had treated the current board so poorly and he did not wish to ever associate with those community members again. Peyton proceeded to inform those present that the only reason he wanted to remain on the board was to get through the law suit because it was a very bad idea to change the board two weeks prior to mediation. Myra Robinson then stood up and began to clarify that the proposed board did not know that the current board wished to remain and the current board didn't know about the proposed alternate board. She posed that the alternate board agree to allow the current board to remain and then the alternate board could take over in the spring. Bill Hawkins wished to comment on Myra's suggestion. He stated that the premises of Myra's thought was the reason for the board to continue was solely based on the law suit. Bill felt it was presumptive because it appeared she felt the proposed board was not qualified to handle the law suit. Myra and other community members responded that was not the case, it was based solely on the fact that the current board has been following this suit from the beginning. Bill felt like all the knowledge regarding the law suit could be transferred to the proposed board in one meeting with the attorney and if a current board member was retained as a consultant.

Crystal Ledbetter, VP, wished to divulge to the members present that our attorney informed the current board that Jeff Shipman refused to communicate with two previous board members per the plaintiff's attorney. If these previous board members are involved in the law suit Mr. Shipman will not negotiate. Rich Messner then requested the identity of those previous board members. Stephan responded Joel Carley and Bill Hawkins. Stephan did not wish to make any of this personal but due to members asking direct questions things are being brought to light and the current board did not wish for this to happen. Joan Messner wished to know what our attorney had to say about Mr. Shipman's refusal to speak with these individuals. Stephan responded that there would be no mediation and the case would go straight to court. Teresa Carley responded that we could just change attorneys, but Stephan reminded her that it was Mr. Shipman's attorney who informed the board of this, so a new attorney for Grants Mtn. wouldn't matter. Rich Messner felt Mr. Shipman was a business man and would look more at the monetary bottom line rather than who was on the board. Rich then posed the request that the proposed board (if voted in) would like to have the current board members set in on meetings for the continuity of the legal case. All 4 board members stated that they would not be willing to do this because it had become too personal.

Melissa Tauber, lot 5 & 34, wished to give her opinion on this situation. She stated she was a new resident and she felt the current board should remain in place. Melissa felt that if you looked at the situation in strict business sense it would be best to leave the current board in place. She felt that if we disrupted the relationships the current board has with our attorney and Mr. Shipman's attorney our case could go south quickly. She then went back to an earlier discussion on dues and felt increasing the current HOA dues would be beneficial to our community. Dillon Robinson expressed his concern with the fact that we are a whole community and he would personally have problems voting when

there are two groups opposing one another. His wishes were that the whole community could get along and the current board stated they also wished for this. Mr. Robinson stated he was aware of previous board mistakes and previous board attributes, but what mattered was how you move forward for the future. His feeling was the current board should remain and in the spring the membership could elect a new board which might contain those slated for today or other community members. Chris Amsbary didn't feel like the proposed board was fairly distributed to everyone in the community and Ann Bertlesman responded that the community also didn't know of the current board wished to remain until the agenda was distributed this week. Stephan reminded those present that never before had proxy votes for board members been distributed to community members before a meeting. The board elections have always been done by those present at the actual meeting.

After a lengthy discussion Ann Bertlesman announced that the proposed board elected to step aside and allow the current board to remain in place.

Stephan stated that there were enough proxy votes presented to vote in the proposed board and unless community members present wished to change their vote we had to honor these votes. Rich Messner stated the alternate board would stand down. It was then requested by Stephan that the alternate board unanimously step down and allow the current board with the addition of Bill Callaghan to remain until the spring meeting. Rich Messner then stated that the alternate board was in agreement and they were withdrawing their bid for the POA board. He also wished to let everyone know that this wasn't personal. Steven Krause, lot 32 stated that his perspective was this was indeed personal.

Mr. Krause stated he and his wife Sherri have only attended 2 POA meetings and the meetings are always like this. They have their lot for sale and don't wish to live here because it appears that no one gets along. Rich wished to clarify that the proxy voting for a new board was spearheaded by community members who had contacted them and requested it over the course of the year. Rich said these community members wished to be updated on the status of projects around the mountain and felt they were not getting the updates from the current board. Stephan explained that all the board members have full time jobs and this was part of the reason for a decrease in the communication to other community members.

Stephan also stated that the two biggest things the current board was dealing with were the law suit and the Special Assessment. The board can only give out limited information in regards to the law suit per instructions from our attorney and the Special Assessment was something that was discussed at the June 2013 POA meeting and explained in the meeting minutes. Other items like general maintenance (mowing, ditches, culverts) around the mountain have never been activities that previous boards reported on except at POA meetings. The board had hoped that community members would call or email board members themselves to discuss any concerns or questions they might have. He agreed that the board could be better about this. Before the spring meeting it was suggested by Alan Ledbetter that anyone who wishes to join the board make their wishes clear to all community members prior to the next meeting. This would allow everyone a chance to process this information prior to the meeting and make a more informed decision. Joe Summers, lot 16, wanted to clarify that in the spring there would be an overall new vote for the POA board. The current board members, proposed alternate

board members and community members agreed that in the spring there would be a new vote with any community member who wished to present themselves as a board candidate. There were no more comments or questions. Stephan asked if there was a motion to accept the following: Until out spring meeting the board will be: Stephan Amsbary: President, Peyton Miller: VP, Chris Amsbary: Treasurer, Crystal Ledbetter: Secretary, Bill Callaghan: Member at Large.

Joe Summers made to motion to accept and Rich Messner seconded the motion.

A discussion then began in regards again to a special assessment to collect money from the community for road repairs in the spring. Stephan asked those present at the meeting what their feelings were in regards to posing another Special Assessment to the community. He asked if members were opposed or in favor. Stephan stated another proposed assessment could be for less money with fewer areas of roadway repaired in the spring, keeping in mind that winter weather could change the conditions of our roads. Rich Messner asked what basis the board would use to decide a pass or fail on the assessment. Stephan stated that per our covenants it would be 67% of votes cast and the money obtained has to be spent within 1 year.

Rich felt this was not adequately spelled out in the previous assessment and several members of the board stated that community members had an obligation to read and understand the covenants of this community which is provided on our website or by request. Chris Amsbary, Treasurer, reminded those present that the proposal was 3 pages long and if all the details had been placed in the proposal it would have been 5 pages long and the possibility of members reading a 5 page proposal was slim.

Stephan then asked the members how they felt about decreasing the proposals monetary amount to \$1,000, repairing only 2 critical sections of roadway and pave the section between lots 34 and 42. This would hopefully help the board taking over in the spring have money to execute any needed road repairs.

Bill Hawkins made an objection. Bill wished to suggest to the alternate proposed board members who were present: Rich Messner, Ann Bertlesman, Joel Carley and Ron Taddlock, that they acquiesce and make a condition that there is no road repair begun until they are in a position to authorize this. Chris Amsbary stated that by doing this they would “tie the hands” of the current board to fix our roads if they fall apart between now and the spring. Bill Hawkins felt that the proposed assessment of \$2,000 has impacted any future boards negatively. The membership will be put off by any other assessments in the future. Crystal Ledbetter stated that the current board had indeed run into this very problem. Many of the comments written by community members on their returned proxies were to the effect that they had just paid \$8,000 5 years ago and they were not able or willing to pay any more. Alan and Crystal Ledbetter requested that Bill give a suggestion on a better way to obtain money from community members. He stated he was not naïve and knew that money needed to be obtained but that the approach by the board on this particular assessment should have been feathered. Ann Bertlesman felt that some type of documentation reflecting how the board obtained the monetary amount they were requesting in the assessment would have been beneficial in this assessment and any subsequent assessments.

Joel Carley felt that it might be better if the board established the yearly road fund first then present a second special assessment for road repairs to the membership. Stephan felt

that the community has inadequate funds to repair a road failure and money should be collected for this possibility first. Joel Carley stated that the community has \$57,000 plus in the bank that could be used on a road failure. The board reminded him that this money also needed to be used for utilities and general maintenance around the mountain.

Stephan asked the members at the meeting what their wishes were in regards to proposing another Special Road Assessment verses the covenant amendment for an annual road fund. Liz Moore felt that the assessment would be better because it would net more money and let the road fund fall behind until it was necessary. Steven Krause asked the board what their target monetary amount was exactly. Stephan stated that the average estimate cost to repair 3 road areas was \$10,000 each (\$30,000), the engineering company was estimated at \$10,000, paving was estimated at \$10,000, inflation prices and then we need to factor in community members who will not pay. This is where the previous mentioned \$1,000 amount came from. It was suggested that the board wait to see what happens with the law suit and use that money for repairs. The board didn't feel this was a good solution because we are not guaranteed any money and if we are awarded any money it might take a while to collect.

The community members present voted on sending out another Special Assessment to the membership for road repairs in the spring. This proposal will include an update on the progress for a potential covenant amendment for an Annual Road Maintenance Fee in the future. Liz Moore made a motion and Myra Robinson seconded. Motion passed

Southeast Paving upcoming mediation information

The court ordered mediation meeting is scheduled on 11-15-13 with Mr. Shipman. The meeting is in Asheville between the plaintiff and the defendant along with a court ordered mediator. There are a few potential problems that we may encounter. The board has been told Mr. Shipman is being sued for divorce by his wife, he might try to sale equipment, or he might file for bankruptcy.

The board has almost reached the monetary amount the membership had agreed to spend on legal fees for the lawsuit. Stephan requested that the members present approve more funds to see us through mediation. The amount he asked for was \$5,000. There was a motion from the floor to approve \$5,000 to see us through mediation and it was seconded. Motion passed

Alan Ledbetter then requested that the members discuss how much money we would be happy to accept at mediation from Mr. Shipman. Joe Summers felt the amount could be between \$75,000 - \$200,000 with the stipulation that the board could use their best judgment while in the mediation process and a different settlement amount might be accepted. It was agreed that a high number of \$200,000 would cover the 27% the community was shorted on asphalt, cost of the engineer and inflation costs. Community members voiced their concern in regards to Mr. Shipman coming back on the mountain to do more work. It was agreed by some that a monetary settlement would be ideal because his trustworthiness was questionable. Stephan informed everyone if mediation fails the board will get a cost estimate together on the projected cost of a court case and send the information out to the membership. We will vote as a whole on going forward with the law suit.

Open Discussion

Alan Ledbetter wished for the board to look into incorporating to protect members from possible lawsuits.

Steven Krause voiced his concern about a small pile of crushed asphalt on a lot near his own lot. He felt that lot owners should be contacted and permission asked by them for anything to be placed on their lot by the board or any other community member.

Stephan asked for a motion to adjourn the meeting. Joel Carley made a motion and Jan Dokter seconded. Meeting adjourned. Meeting lasted 2 hours 20 minutes

These minutes were recorded via smart phone and transcribed by Crystal Ledbetter Secretary.

Special Assessment Questions / Answers (FAQ)

We discussed the board's approach and strategy during last meeting, we were tasked with getting this assessment to the membership for this meeting. The board spent hours and hours on this to ensure we pursued all reasonable avenues. We can and should continue discussing this approach. Net-net it is the board's responsibility to determine the proper course of action, requesting the community for their vote and feedback at each step.

- Once again we are addressing the roads. From the beginning, the roads have been a concern, five years ago, we voted for a \$8,000 road assessment to provide a long term solution. What went wrong, and it wasn't just the recent rain.

The majority of our current problems are the roadbed issues, which was not properly prepared. This special assessment addresses only the first most critical roadbed problems. As mentioned in the special assessment letter, we obtained the advice from several sources: USA Dept of Agriculture, WNC erosion expert, Kessel Engineering and three roadbed/erosion correction companies; we selected the first areas based upon feedback from the roadbed companies and our self-imposed criteria that areas affecting the most number of lots should be corrected ... This doesn't mean these will be areas we correct, we can't begin work till spring and this winter could easily change all our plans.

Our largest fear is a complete failure this winter and we having inadequate funds to correct it. We have a total of \$57K so far to support this community till Jun2014. We still need to pay taxes, electricity, gate maintenance, etc therefore, we've decided hold \$30K back from any work until we get through the winter.

- Several of us at the time said that we have to establish the foundation of the road, the road bed, as the first order of business, and to have the road work supervised by a certified engineer. Can we get it right the next time, we hope so.

Part of our expense includes retaining Kessel engineering to test the roadbed work and paving. When we paved the road five years ago the engineering company was released by the board because they kept reporting roadbed preparation failures. We are beyond the time limit where we can go after Jay Cook who prepared the roadbed for his work.

- We think there needs to be an updated review of the roads, and attention given to the most critical problems. Obviously, we will have to take a phased in approach to repairing the entire road(s). The Special Road Assessment will need to be addressed again and maybe at a lower amount.

We tiered the problem areas into A = critical, B= should be fixed soon and C = would be good to fix, We have identified over 18 areas that need fixing, we selected on the first few for fear they might slide if we have a strong winter. We also decided to pave the strip where we cut into the mountain 3" to make the graveled area more usable.

There are currently 18 areas

- 9 class A area (or critical areas)
- 3 class B areas (should be corrected soon areas)
2 class B/C areas, need to see how it develops over time
- 4 class C areas (should be addressed in the future)

We also must: 1) correct approximately 3 miles of under-paved roads to prevent incremental problems, and 2) pave the two cul de sacs.

- The Annual Assessment for Road Maintenance Proposal also needs further discussion. This idea has been presented earlier and defeated. If the proposal were \$250, it would be a doubling of the current annual dues of \$250, equaling \$500 per property owner. This is to be added on top of a "Special Assessment." These financial requests may be more than many POA members are willing or able to make.

The board's sole function is the community's infrastructure. Several members voted for the assessment and asked for a payment plan, we agree this should be done on a case by case basis.

We are also proposing an annual assessment varies depending on the severity of the problems in front of us that year. None of us likes spending money on the roadway, however, it is failing faster than expected due to the problems previously mentioned. We are trying to stage incremental fixes based on reasonability and the urgency of the problem. We hope the annual assessment will ultimately provide us a buffer to incrementally correct lesser problems and provide a cushion for any major roadway failure.

- Some of us are concerned about the status of our legal suit with SE Paving Company. The litigation and mediation seems to be dragging out, and we wonder if our lawyer is being aggressive to move the resolution along.

The pace of work is largely determined by the defendant's attorney and the the legal system generally. Our attorney can't accelerate anything beyond what a court instructs them to obey. As mentioned in the last meeting the court ordered mediation period runs through this year and the court date is February 2014. We hope we can mediate this problem out of court to cut our costs and time.

- If/when the POA receives a monetary award, this could impact our financial resources for the road work. Since it was stated in the proposal that no road work would begin until Spring 2014, maybe the legal action will be completed by then.

Yes, that's true however, we can't depend on the settlement or any guarantee we can collect money's immediately. We discussed and the group agreed we needed to move forward now and if we get funds that would allow us to address other equally pressing roadbed issues and maybe a few paving ones too.

- Also, perhaps we could press Crown Castle and the users of the tower facilities to contribute to the maintenance of the roads. We understand that the companies use the roads, and would require access.

We and the County have pressed Crown Castle to correct roadway problems from their "driveway" eroding, they has simply not responded (even to the County that is their major tenant). We will press them once we begin our work. We have also asked the County for assistance, there answer is they no longer have funds to help like they did in the past. Although they may help us if they can't get to the towers.

- At the first POA meeting Timberline was going to be responsible for the slide area and for how long and he said, "Forever", no one pursued that.

Shortly after that meeting Timberline Corporation was dissolved, there isn't a legal entity to pursue or make good on this statement. Additionally, no fund or County record was made to support this statement.

**Grants Mountain POA Community Meeting
Treasury Report
November 2, 2013**

BALANCES AS OF OCTOBER 31, 2013:

Fifth Third Checking Account: \$12,382.50

Capital One Savings Account: \$24,176.26

Capital One Emergency Fund: \$20,997.87

GRAND TOTAL: \$57,556.63

RECEIVABLES:

24 owners still owe 2013/14 annual dues: \$ 6,250.00

10 owners have past due balances: \$ 18,940.86

Total Account Receivables: \$ 25,190.86

Top 5 past due balances:

- Benz \$11,166.61*
- Fortune \$ 2,149.25*
- Kisch \$ 1,600.00
- Marshall \$ 1,050.00
- Fitzgerald \$ 825.00

*Note: Benz and Fortune balances are low. Interest for past due assessment balances not invoiced since June 2011. Annual dues and associated late fees for annual dues are included in this balance.

Lawsuit legal expenses (since 11/9/2012): \$8,105.54

The POA approved \$10,000 toward legal expenses for the lawsuit.

DAILY SUMMARY

PROJECT: Grants mtn TRAVEL TIME: 1.25 MILEAGE: 60
PROJECT NO.: JM08-1496-01 TIME ON SITE: — CONTRACTOR: _____
CLIENT: Grants mtn Prop Owners ASSO. TOTAL TIME: 1.25 WEATHER: 70 Rainy

KEG rep was on site & found out Client
Wanted no more Testing on Paving & Subgrade
& Left Site. ~~after meeting Rep Bill Pottahin to
pick up Nuclear Density Gauge~~

KEG Rep. was Requested to visit the site by Mr. Bill Hawkins
of Grants Mtn. POA to perform asphalt testing and retest failing stone
density test results from 8/28/08. Rep informed upon Arriving on-site that testing
services had been terminated.

Information contained herein was reported to: _____

NOTE: All data subject to Engineering review

FIELD REPRESENTATIVE

REVIEWED BY

KESSEL ENGINEERING GROUP

Officer's Meeting

August 11, 2008

11:00 A.M.

The Grants Mountain POA officers met to discuss a new development in the selection of road paving contractor. President Bill Hawkins was given the name of another contractor by Jay Cook. This contractor, Southeastern Asphalt came to Grants Mountain and spoke with Bill Hawkins, Joel Carley and Rich Messner on August 7, 2008. Southeastern sent over a written quote which was about \$33,000 less than Johnson Paving. Southeastern will be using SF9.5B type asphalt, which is highway grade and a stronger grade with larger aggregate stone. Johnson Paving was going to use SS9.5A, which is driveway grade, which is not as strong and would not stand up to a lot of heavy traffic. Southeastern quote of \$533,178.45 was firm and would not increase. It was agreed that we would sign a contract with Southeastern Asphalt.

As of this meeting there were 11 POA members that had not paid.

BENNICK

Your Earthmoving and Shoreline Specialists

Bennick Enterprises, LLC.

7836 HWY 70 EAST
NEBO, NC 28761
(828)659-1000 FAX: (828)659-1001

Estimate

Date	Estimate #
7/25/2013	2276

Name / Address
Grants Mtn HOA Attn: Stefan Asbury

Project
Slope repair

Qty	Description	Total
	A: Demo approx 80'x8 section of damaged asphalt	3,000.00
<i>Paver</i>	C Compact subgrade and build up section with approx 1.5' gravel (super road section to keep water from going over fill slope) *see notes	6,700.00
<i>Paver</i>	C B: Demo approx 70'x8' section of damaged asphalt	5,000.00
	Compact subgrade and build up section with gravel (super road section to keep water from going over fill slope) Add 10 lds dirt to fill slope and seed *see notes	8,950.00
<i>Paver</i>	A C: Demo approx 135'x8' section of damaged asphalt	4,800.00
	Compact subgrade and build up section with approx 1.5' gravel (super road section to keep water from going over fill slope) *see notes	
	D: Demo approx 200'x4' section of damaged asphalt	8,500.00
<i>A</i>	Shift roadway over towards cut slope by regrading bank. Repair fill slope once roadway shifts over. Remove trees and brush as needed off cut slope and haul off. Add gravel to new section of roadway. Seed disturbed areas *see notes	6,000.00
<i>A</i>	E: Place approx 20 lds mine screenings on fill slope *Paver needs to demo asphalt and patch road section. Also, paver needs to pave approx 2' wide section on cut bank side on existing gravel. This work not priced *see notes	8,250.00
	<i>that was already done by Al Paving</i>	
<i>A</i>	F: Demo approx 175'x8' section of damaged roadway	11,750.00
	Shift roadway over towards cut slope by regrading bank. Repair fill slope once roadway shifts over. Remove trees and brush as needed off cut slope and haul off. Add gravel to new section of roadway. Seed disturbed areas *see notes	11,750.00
	<i>plus need driveway & culvert moved minus hauling off trees</i>	
<i>Paver</i>	B/C G: Demo approx 60'x8 section of damaged asphalt	2,500.00
	Compact subgrade and build up section with approx 1.5' gravel (super road section to keep water from going over fill slope) *see notes	

Thank you for considering Bennick Grading!

Possibility Paver could do all but mine screenings

www.bennickgrading.com

Signature

Date

*12" \$15 / Ft } Culvert
15" \$18 / Ft }*

carissa@bennickgrading.com

Todd Bennick

+ stone if needed

Note: This proposal may be withdrawn by Todd Bennick, if not signed and returned within 30 days.

*Bid does not include seeding, surveying, soil testing, or undercutting.

*If we hit un-diggable rock, there will be an added expense based on the time it takes to blast, excavate, and dispose.

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NEBO, NC 28761
(828)659-1000 FAX: (828)659-1001

Estimate

Date	Estimate #
7/25/2013	2276

Name / Address
Grants Mtn HOA Attn: Stefan Asbury

Project
Slope repair

Qty	Description	Total
	N: Demo approx 50'x6' section of damaged asphalt. Compact subgrade and build up	4,500.00
B	H: Demo approx 100'x8' section of damaged roadway Shift roadway over towards cut slope by regrading bank. Repair fill slope once roadway shifts over. Remove trees and brush as needed off cut slope and haul off. Add gravel to new section of roadway. Seed disturbed areas *see notes <i>minus hauling off trees</i>	6,700.00
A	I: Demo approx 75'x4' section of damaged roadway Shift roadway over towards cut slope by regrading bank. Repair fill slope once roadway shifts over. Remove trees and brush as needed off cut slope and haul off. Add gravel to new section of roadway. Install 5 lds mine screenings on fill slope. Seed disturbed areas *see notes	8,950.00
A	J: Demo approx 150'x4' section of damaged asphalt. Compact subgrade and build up section with gravel (super road section to keep water from going over fill slope) Install approx 20 lds mine screenings on fill slope *see notes	12,000.00
B	K: Demo approx 200'x6' section of damaged asphalt. Compact subgrade and build up section with gravel (super road section to keep water from going over fill slope) *see notes	6,000.00
A	L: Install 20 lds mine screenings around existing pipe on fill slope *see notes	8,250.00
A	M: Demo approx 160'x8' section of damaged asphalt. Compact subgrade and build up section with gravel (super road section to keep water from going over fill slope) Shift roadway over and reslope cut bank. Haul off brush and waste dirt on site. Install approx 10 lds mine screenings and seed disturbed areas *see notes	11,500.00

Thank you for considering Bennick Grading!

Signature Date

Todd Bennick

www.bennickgrading.com

carissa@bennickgrading.com

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*Bid does not include seeding, surveying, soil testing, or undercutting.
*If we hit un-diggable rock, there will be an added expense based on the time it takes to blast, excavate, and dispose.

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Estimate

Date	Estimate #
7/25/2013	2276

Name / Address
Grants Mtn HOA Attn: Stefan Asbury

Project
Slope repair

Qty	Description	Total
<i>Paver</i> C	N: Demo approx 50'x6' section of damaged asphalt. Compact subgrade and build up section with gravel (super road section to keep water from going over fill slope) Install approx 5 lds mine screenings on fill slope *see notes	4,500.00
<i>Paver?</i> B/c	O: Demo approx 100'x6' section of damaged asphalt. Compact subgrade and build up section with gravel (super road section to keep water from going over fill slope) Install approx 7 lds mine screenings on fill slope *see notes	8,000.00
A	P: Demo approx 250'x8' section of damaged asphalt. Compact subgrade and build up section with gravel (super road section to keep water from going over fill slope) Install approx 25 lds mine screenings on fill slope *see notes <i>needs revisiting</i>	17,000.00
<i>Paver</i> B	Q: Demo approx 160'x8' section of damaged asphalt. Compact subgrade and build up section with gravel (super road section to keep water from going over fill slope) Install approx 10 lds mine screenings on fill slope *see notes	9,750.00
<i>Paver</i> C	R: Demo approx 60'x8' section of damaged asphalt. Compact subgrade and build up section with gravel (super road section to keep water from going over fill slope) Install approx 10 lds mine screenings on fill slope *see notes	6,200.00
Notes: *Not responsible for having utilities located, damage to utilities, or moving utilities *Most of the sections we priced to repair, will need curbing to help keep water from going off fill slopes *Sections not noted (cracked asphalt areas) need to be estimated by paving contractor *All areas quoted will need to be priced by paving contractor (set up and paving)		

Thank you for considering Bennick Grading!

Signature Date

www.bennickgrading.com

Todd Bennick

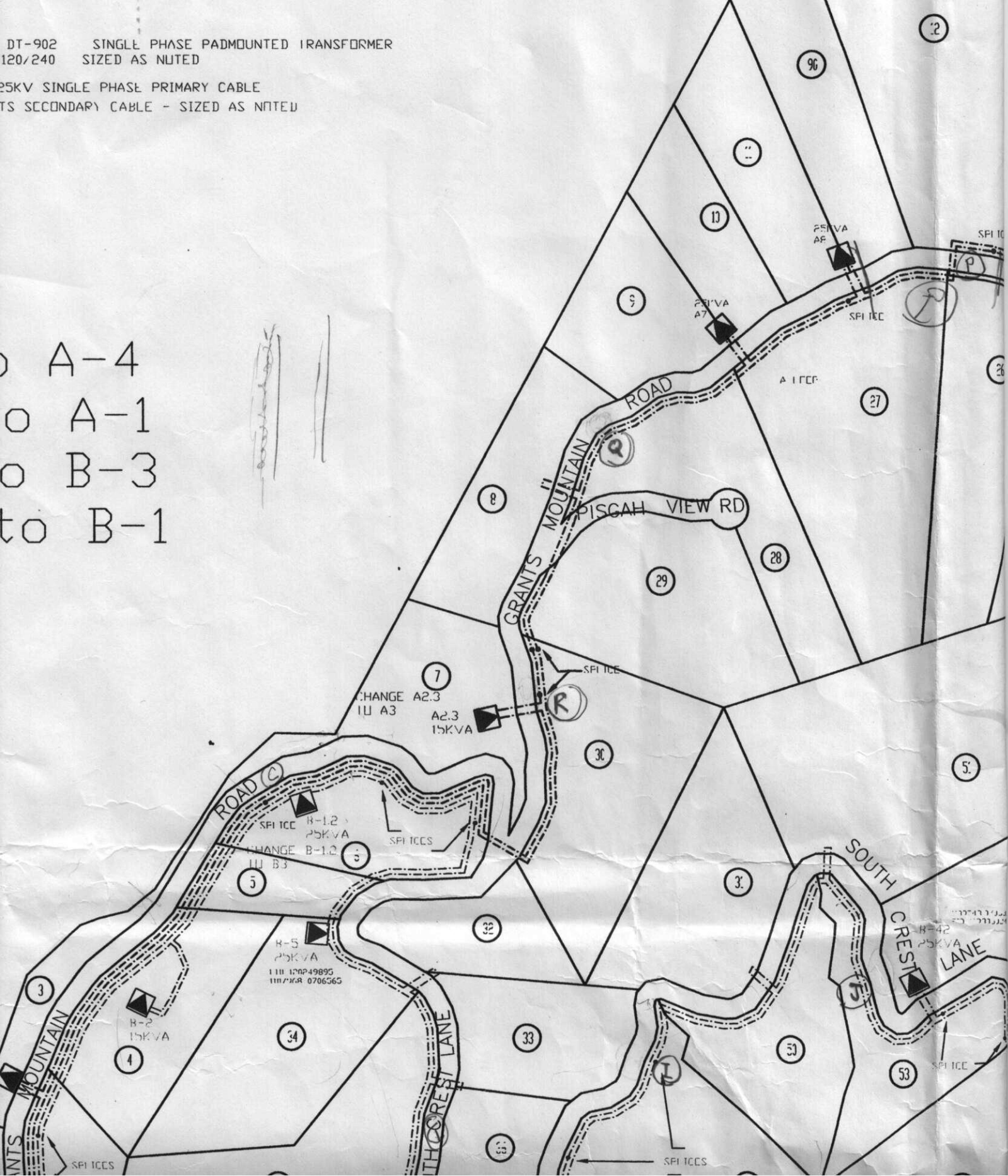
carissa@bennickgrading.com

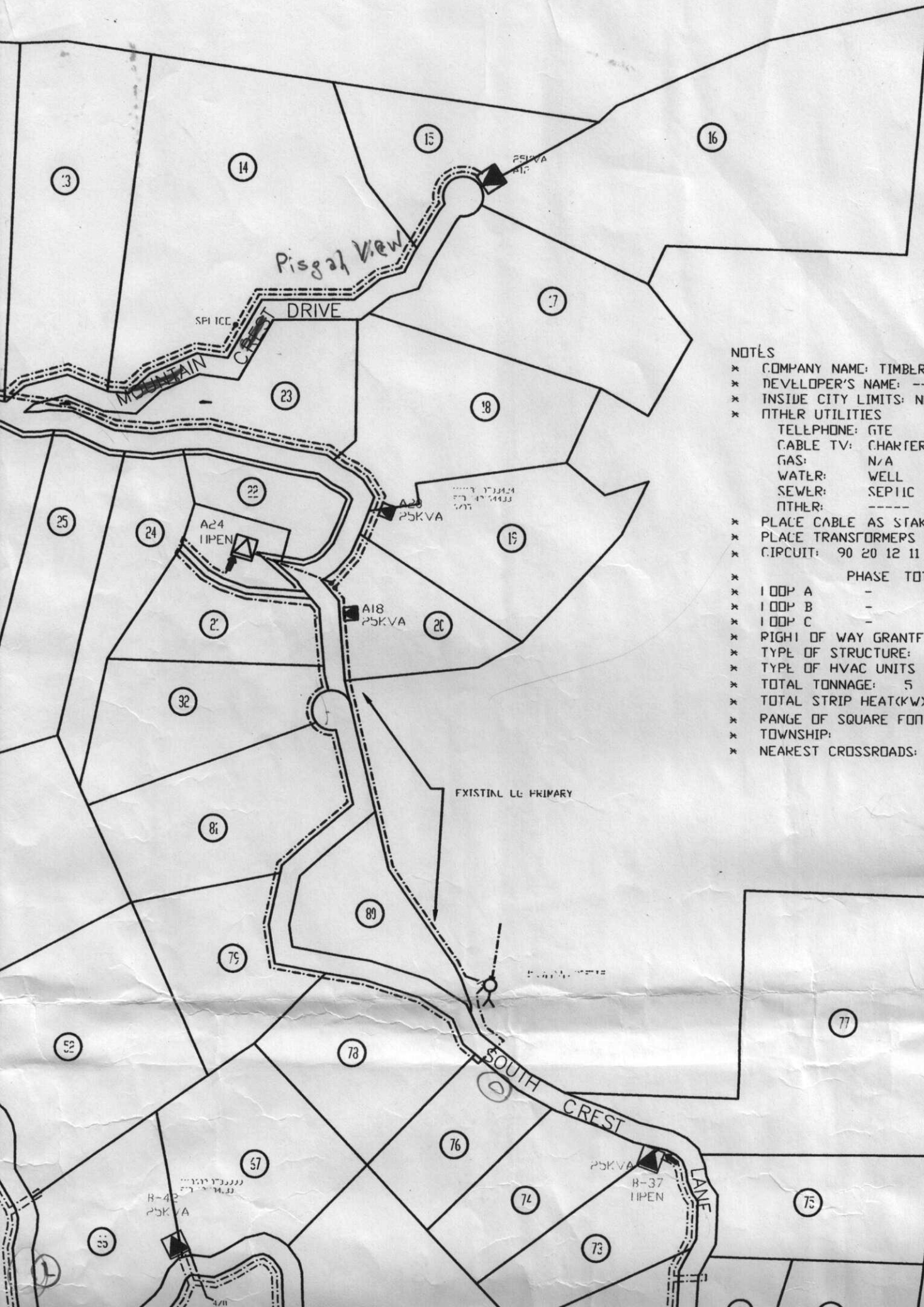
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 *Bid does not include seeding, surveying, soil testing, or undercutting.
 *If we hit un-diggable rock, there will be an added expense based on the time it takes to blast, excavate, and dispose.

DT-902 SINGLE PHASE PADMOUNTED TRANSFORMER
120/240 SIZED AS NOTED

25KV SINGLE PHASE PRIMARY CABLE
25KV SECONDARY CABLE - SIZED AS NOTED

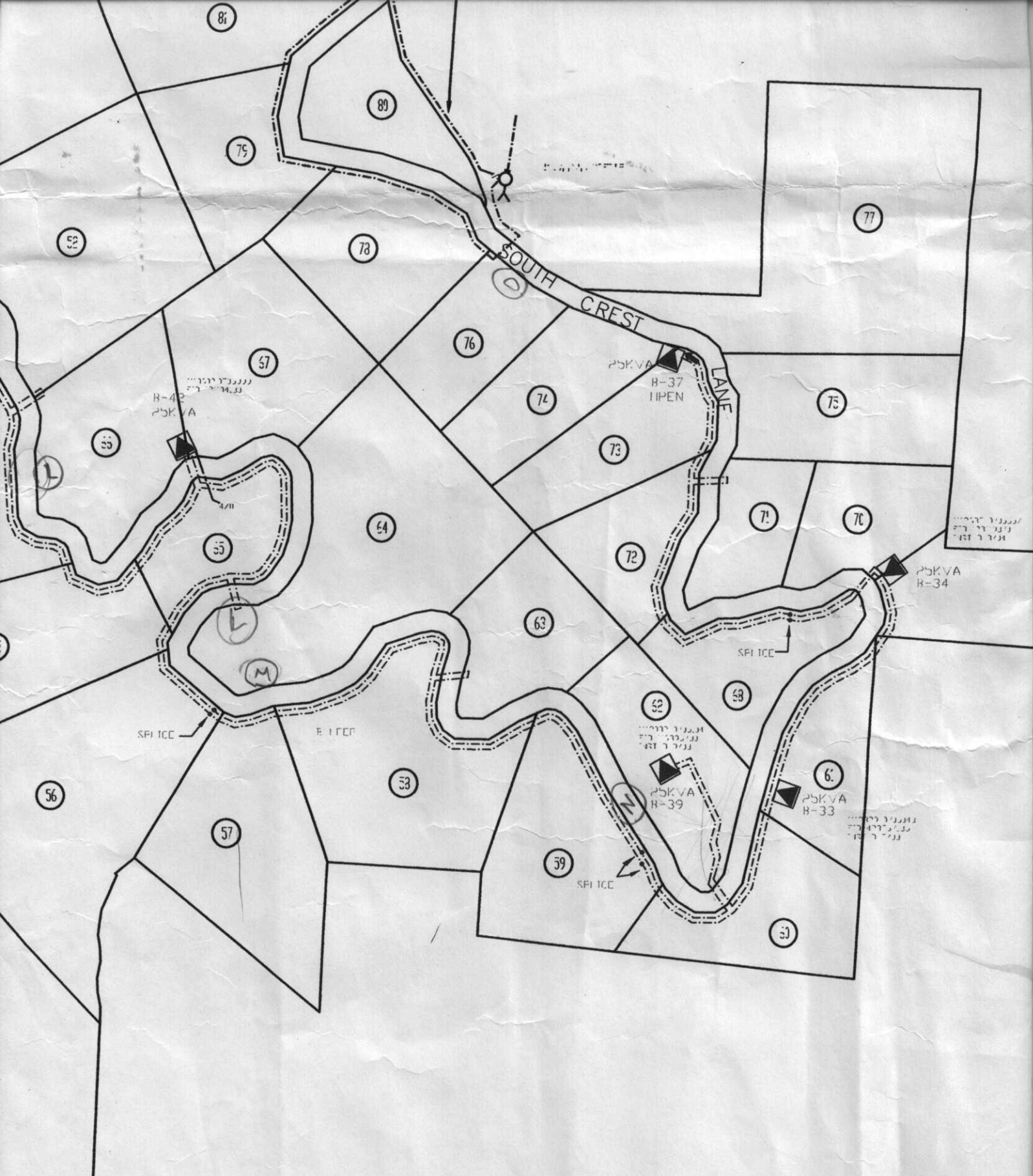
A-4
A-1
B-3
to B-1





NOTES

- * COMPANY NAME: TIMBERLAND/LAND
 - * DEVELOPER'S NAME: -----
 - * INSIDE CITY LIMITS: NO
 - * OTHER UTILITIES
 - TELEPHONE: GTE
 - CABLE TV: CHARTER COMMUNICA
 - GAS: N/A
 - WATER: WELL
 - SEWER: SEPTIC
 - OTHER: -----
 - * PLACE CABLE AS STAKED
 - * PLACE TRANSFORMERS AS STAKED
 - * CIRCUIT: 90 20 12 11
- | | PHASE | TOTAL KVA | F |
|----------|-------|-----------|---|
| * 100P A | - | - | - |
| * 100P B | - | - | - |
| * 100P C | - | - | - |
- * RIGHT OF WAY GRANTED BY: TIMBL
 - * TYPE OF STRUCTURE: SB
 - * TYPE OF HVAC UNITS : HP
 - * TOTAL TONNAGE: 5
 - * TOTAL STRIP HEAT(KW): 12.5
 - * RANGE OF SQUARE FOOTAGE (TOTA
 - * TOWNSHIP: MARIUN
 - * NEAREST CROSSROADS: ASHWORT



Baker Grading & Landscaping, Inc.
 970 Bat Cave Road
 Old Fort, NC 28762
 Tel. (828) 668-5060
 Fax (828) 668-5065
 info@bakergrading.com



Quotation

Contact: Stephan Amsbary	Project: Grant's Mtn Road Repairs
Company: Grant's Mountain Development McDowell County, NC	Description: Sites#: H-C (A), L, G35-39, & G33
Bid Date: 10/02/2013	Date of Plans: -
Terms: Monthly Percentage Completion	Estimate # 13-0147

ITEM	DESCRIPTION	EST. QTY	UNIT	UNIT PRICE	AMOUNT
1.) Site H-C (A)					
1	Asphalt Removal	231	SY	\$4.00	\$924.00
2	Roadway, Shoulder & Slope Excavation & Reconstruction	689	CY	\$14.50	\$9,990.50
3	Geo Walls	690	SF	\$27.00	\$18,630.00
4	Seeding & Mulching	1	LS	\$750.00	\$750.00
5	Aggregate Base Course - 6 inch Compacted	90	TN	\$20.00	\$1,800.00
Total Site 1:					\$32,094.50

"C"

2.) Site L					
6	Asphalt Removal	133	SY	\$4.00	\$532.00
7	Roadway, Shoulder & Slope Excavation & Reconstruction	921	CY	\$14.50	\$13,354.50
8	Geo Walls	415	SF	\$27.00	\$11,205.00
9	Seeding & Mulching	1	LS	\$500.00	\$500.00
10	Rip Rap for Slope Toe Stabilization	90	TN	\$35.00	\$3,150.00
11	Aggregate Base Course - 6 inch Compacted	60	TN	\$20.00	\$1,200.00
Total Site 2:					\$29,941.50

between
Messner
&
Smalley

3.) Site G35-G39					
12	Asphalt Removal	950	SY	\$4.00	\$3,800.00
13	Roadway, Shoulder & Slope Excavation & Reconstruction	2,774	CY	\$13.00	\$36,062.00
14	Geo Walls	2,097	SF	\$20.25	\$42,464.25
15	Seeding & Mulching	1	LS	\$900.00	\$900.00
16	Aggregate Base Course - 6 inch Compacted	330	TN	\$20.00	\$6,600.00
Total Site 3:					\$89,826.25

just
Post
Amsbary

4.) Site G33					
17	Asphalt Removal	216	SY	\$4.00	\$864.00
18	Roadway, Shoulder & Slope Excavation & Reconstruction	578	CY	\$14.50	\$8,381.00
19	Geo Walls	780	SF	\$27.00	\$21,060.00
20	Seeding & Mulching	1	LS	\$450.00	\$450.00
21	Aggregate Base Course - 6 inch Compacted	75	TN	\$20.00	\$1,500.00
Total Site 4:					\$32,255.00

Biggs

Total All: \$184,117.25

5) Site K → \$65k

6) between → 10k

Messner & Smalley

