

TIMBERWOOD MOUNTAIN ESTATES PROPERTY OWNERS ASSOC., INC.
(TMEPOAI)
SECOND QUARTER BOARD OF DIRECTORS MEETING
APRIL 30, 2011

The second quarterly meeting of the Board of Directors (BOD) of TMEPOAI was held April 30, 2011, at 10 am at the home of Lew and Diane Houser. Those in attendance were President John Leder, Vice President Andy Rancourt, Secretary Sharon Crown, Treasurer Jerry Wiggins, and Directors Margaret Rancourt, Lew Houser and David Crown. Property owners Rod and Caryl Branch and Jim and Sandy Defoe also attended the meeting as guests.

The meeting was called to order at 10:15 am. Andy Rancourt moved to accept the agenda as presented, John Leder seconded the motion and it was passed.

The Treasurers report was presented by Jerry Wiggins. Total lots paid in full for 2010 and 2011 are 47, 1 lot has submitted a partial payment leaving 17 lots unpaid, 12 of which are currently held by Timberwood Development Corp. (TDC) and 5 unpaid. Margaret Rancourt moved the Treasurer's Report be accepted as presented. Lew Houser seconded the motion and it was passed. We need to find out if Lot 35 was taken back by foreclosure, in which case the past debt owed would not be allowed.

Old Business:

Sharon Crown and Jerry Wiggins have been to the Clerk of the Court's office to request clarification of the specific language and Certificate of Service required by NC H-806 (SL 2009-515), Home Owner Association Liens. Sharon has now revised the language in our document and will submit it the Clerk of the Court for approval. Upon approval, Liens will be filed for the five lots that have not paid fees for 2010 and/or 2011 with no action to foreclose on the properties. A third invoice will be sent to Lot 20 acknowledging the partial payment and informing that no Lien will be filed if payments continue to be made. This action will be taken by the TMEPOAI prior to our next quarterly meeting on July 16, 2010.

Jerry Wiggins moved that Sharon Crown check with the County Tax Office to see if Lot 8 had been foreclosed on. John Leder seconded the motion and it was passed.

The Board moved on to discussion of culvert repairs. At the previous BOD meeting David Crown presented a quote for Hawkeye culvert repair from Timberwood Development (approx. \$1,700 maximum). A discussion was held regarding getting further quotes for these repairs versus allowing Timberwood Development to complete the work and apply the costs as credit to their account. John Leder moved we award the Hawkeye repairs to Timberwood Development. Margaret seconded the motion and it was passed. David has advised Timberwood Development of the award; however no work has been done at this location.

There are now two more culvert separation problems on the upper end of Timberwood Drive which are much more serious and will require repair prior to those on Hawkeye being completed. TDC has been made aware of both of these and Jeff House has inspected them to see what will be required to make the repairs. Jeff reported that TDC expects to close on the sale of property located in Kentucky and will begin these repairs when monies from that sale are received. It was decided by the Board that we will advise Jeff that the upper Timberwood repairs must be completed in the next 30-60 days. If TDC is unable to perform these repairs, the Board will then need to solicit estimates from others for these repairs because of the possibility of road failure.

The fees for work by Timberwood Development will be credited to the amount they owe for 2011 fees. Any unpaid fees owed by TDE must be paid by the end of September 2011 as set forth at the First Quarterly BOD Meeting on February 19, 2011.

Water system repairs agreed upon at the First Quarterly BOD Meeting are scheduled for the last week in May 2011. Work will be performed by Accent Landscaping & Home Improvement at a cost of approximately \$2,000 and the electrical portion will be performed by John Leder. Well No. 2, Pump Stations Nos. 2-B and 5 will have filters installed. In addition to piping repairs, all wells will be completely refurbished and insulation added to the box covers. It is expected that these repairs will take the entire amount budgeted for Well Maintenance for 2011.

Timberwood Drive Repairs— On April 29, 2011 Crisp Paving began repairing and sealing the cracks on Timberwood Dr. with a hot pressure technique. They will also be putting asphalt in some of the separated areas along the side of the road. This work will be completed during May, 2011. The Board discussed the status of repairs on the area just inside the gate that is TDC responsibility. We will attempt to negotiate with Crisp Paving and TDC to see if it's possible to patch that area and share the cost of patching with TDC. After reviewing the 2011 Budget, Margaret Rancourt moved we begin negotiation of up to \$1,000 total with the expectation that TDC will pay half of the costs. Lew Houser seconded the motion and it was passed. If, however, TDC does not agree to pay half of whatever amount may be negotiated, then all deals are off. It will remain the responsibility of TDC to make the permanent repairs.

Reids Lawn Service began invoicing us \$1000/month for nine months beginning in April and completed the first cleaning of ditches, mowing and weed eating on all common areas as of April 26, 2011.

Regarding the issue of the trees along Lot 13 encroaching on Timberwood Dr., Margaret Rancourt will contact the property owner regarding the need to trim the trees so that they are not encroaching on the Road. David Crown contacted the property owner after our last meeting and was advised that the owner would come over and look over the situation but nothing has been done. Margaret Rancourt will contact the Owner again regarding this problem. If the situation continues, the Board will take further action.

Reflectors have been installed along the outside of the road from gate to the end of the paved portion of Timberwood Drive.

Margaret Rancourt updated the Board regarding the repair/replacement of the wireless key pad at the entrance gate. She has been in touch with "Access Denied" and they advise that our current system is no longer available and this type of system has reverted to using a hard wired keypad. They can replace the keypad and hard wire it to the electrical box at an estimated of about \$500. This to include repairing the surface of Timberwood Drive that would be necessary to bury the cable. Margaret will get a written estimate from "Access Denied" and then the Board will decide whether or not to have the work done.

The gate still needs to be lubricated and painted.

Arrowood Road Paving Update. The new road has been surveyed and trees cut along the road. The contract for fill dirt has been let by NCDOT and surveying to determine the amount of fill needed was underway on April 28, 2011. Per John Leder, Jeff House had reported to him that NCDOT is still waiting on one condemnation to be completed. NCDOT is going ahead with the project and expects to have a surface on the road within their original 90-day estimate.

The Board discussed the consolidation of Lots 26A & 26B as requested by the property owner. After examining the maps and property, it was determined that the property owner will have to work with the County to have the lots consolidated in order to acquire a building permit. John Leder moved that the Board

respond to the property owner that the TMEPOAI BOD will recognize the consolidation of Lots 26A and 26B at the point in time when county records reflect they have been rezoned to a single lot **AND** a building permit has been issued. Margaret Rancourt seconded the motion and it was passed. John Leder will author the response to the property owner.

New Business:

Security Camera - The Board discussed the possibility of added security on the mountain. Andy Rancourt will look into possible measures and report back to the Board.

By-Law Revisions - The Board discussed language changes needed in the current By-Laws. Original text below:

Pg. 3, Article III, Section 1, Quorum of members. – Presence in person or by proxy of members representing a simple majority of the notified voting members shall constitute a quorum at any meeting of the corporation.”

Changes are being considered in order to alleviate a situation that came up at the October 2010 TMEPOAI Annual Meeting where it was determined that we didn't have a Quorum represented by attendance and proxies. At that meeting, the Board called a special meeting and voted to suspend this Article so that those represented could continue with voting on matters before the Association.

Possible revisions discussed centered on amending the verbiage to say “Presence in person or by proxy of ***members entitled to vote that are in good standing*** shall constitute a quorum at any general meeting of the Corporation”. Note: ***members entitled to vote that are in good standing*** are intended to be those members whose fees are paid up to date.

David Crown moved we table changing the By-Law language to the next meeting of the Board to allow time for a more complete review. Margaret Rancourt seconded the motion and it was passed.

Business having been concluded, Sharon Crown moved the meeting be adjourned at 11:55 am. Andy Rancourt seconded the motion and it was passed. The Third Quarter BOD meeting is scheduled for Saturday, July 16, 2011 at 10:00 am at the home of John Leder.