



timberwood mountain estates property owners association, inc.

**1 Timberwood Drive
Marble, NC 28905**

WEB: <http://tmepoa.com> E-mail: info@tmepoa.com

Marble, September 15, 2017

NEWS LETTER 2017

By John Leder, President

News Flash:

- House construction on Lot 42 (Don and Doris Ziegler) is now nearing completion and is expected to receive its CO (Certificate of Occupancy) near the end of September or before.
- Well #6 has been added to HOA infrastructure and produces a good amount of water. That well is 1,410 feet (yes, one thousand four hundred and ten feet) deep.
- Duke Power has now extended power service to well #6 and to Lot #42
- A number house owners have now joined the group of permanently residing folks on the mountain. As of this writing there are now 4 year rounders, 3 semi year rounders (min 3-6 months on the mountain)
- A number of lots have changes hands this year, one and some several times. We have also had 4 reposessions (Timberwood Development turned over 4 lots to the bank). All other repos have been since re-sold.
- Plans are still underway to add monitoring system(s) for Well #2 System as there are now 6 permanent residences on that section of the mountain. There are currently 3, soon to be 4, permanent residences on Well #5.
- Except for some excitement regarding challenges with our everchanging mountain conditions, there have not been any major issues this year. A big area of concern is taking a more serious shape on Timberwood Drive near the traffic cone standing on the downhill side of the road below the Wiggins residence. The Board is in the process of engaging a road engineering firm to assist us in evaluation the condition and steps to consider moving forward. Brian Smith and David Crown are spearheading this effort. The road is safe. It is just a condition that continues to develop and requires addressing.
- A not so new issue regarding the entrance gate is now taking a front seat. The main gate structure is now over 20 years old and is structurally failing slowly but surely. The left-hand gate segment has already been reset once with added new structural elements to keep the gate from sagging. The board has started looking into getting the gate moved and reset. The Board has tentatively voted on the measure to take effect starting with the new fiscal year to reset the gate. The question still open is what to do with current stone columns.
- Board Member Nancy Ricker has created an up-to-date Community directory, some complete with photos. We will be happy to send out a copy via e-mail or via USPS to requesting members.

Ongoing road maintenance is never ending with all the serious rains and storms we have been having this year again. Working wells are maintained on a regular basis and in good shape. All roads are in fairly good condition. Gravel work has been done on unpaved road sections this year, specifically Hawkeye Trail and Spring Branch Road sections.

GATE CODE CHANGES: ALL GATE CODES will change effective January 1, 2018 and again July 1, 2018. Please look for the **RED GATE CODES** with your next year's dues invoice and notice. Timberwood is now under 24/7 video/photographic traffic surveillance.

Wildlife sightings are more numerous this year with a fresh set of bear cubs , bob cats, brown tail foxes and unfortunately, yes, coyotes along with deer almost to the top of the mountain have been seen and some even photographed.

Major Membership issues this year:

The board had been battling with the IRS regarding the HOA's non-profit organization status since the HOA has been turned over to the membership in October 2009. This year the board has been finally been able to close that chapter and the IRS now has TMEPOA, Inc. as a NON-PROFIT HOA on their books and they have dropped the \$4,000+ charge they had carried on the books since 2010 and hounding us to pay. We did not pay a dime.

The Board since has learned that the main reason for this confusion was that the corporate records for the HOA the membership took over from the developer in October of 2009 were not correctly set-up as a NON-PROFIT Corporation with the State of North Carolina and were actually set-up as a FOR-PROFIT Corporation with the functions of a non-profit organization as its base.

The Board has now corrected this with the corrected Articles of Incorporation now filed and recorded with the Secretary of State for the State of North Carolina.

This change required the Board to adopt new HOA by-laws. These new by-laws are now matched with current standard North Carolina HOA practices. The Board considers this a huge accomplishment that the HOA, for the first time ever, is in correct compliance with State of North Carolina HOA laws. I have published the new corrected Articles of Incorporation and duly recorded By-Laws on our website.

The major changes are:

The Annual Membership Meeting will no longer elect a president, vice president, treasurer or secretary but instead votes on 5 board members for the year. The Board then, if needed, elects a new president, vice president, secretary or treasurer ONLY IF NEED BE as those offices are now permanent.

The offices of the President, Vice President, Secretary and Treasurer are now permanent unless or until said members no longer can or wish to serve in that capacity at which point the Board Members will elect a replacement for that office.

I look forward to hearing from interested parties willing to serve as Board Members before the 2017 Annual Meeting. Please forward any information to: tme.president@tmepoa.com or by US mail to our address at the top of this news letter.

I look forward to seeing and hearing from each and every one of you.

John Leder, President