

TMEPOA BoD Meeting 10/18/2023

Minutes

(Meeting held via Zoom video participation of all attendees)

Attendees:

John Leder*, Martin Guinn, Mike Eiffert*, Beth Ellstrom*, Rod Fortney*, Daniel Mills

*=Board Member

Guests:

Hawkeye Drive Residents

Janna Chiappetta

Justin Gheen

Charles Larsen

- Meeting called to order – John Leder – 7:04PM
 - John Leder welcomed the guests attending. Stated that they would be allowed 10 minutes to present their information after which the Board would be going into closed session.
- Guests' presentation period (10 minutes)
 - Justin Gheen started the discussion by thanking the Board for the recent grading and gravel work that was completed on Hawkeye Trail. Justin stated that he felt that the work addressed 80-90% of the concerns on the road. Justin noted that the curve near 300 Hawkeye Trail still seems soft and is hopeful that some usage and gentle rains will pack it down further. Justin stated that the residents of Hawkeye Trails continue to have concerns about the road remaining gravel and the on-going efforts to maintain the road. Jana Chiapetta stated that the Roys had requested that the Peachtree Fire Dept provide their opinion on being able to reach the Roy's and Chiapetta's houses prior to the recent maintenance efforts. Jana stated that the Peachtree FD Chief was uncertain if they would have been able to reach the houses on the upper half of Hawkeye Trail. Justin Gheen presented a proposal from the residents (Gheen, Chiapetta, Roy, Gentzel) where the named residents would each contribute \$7,000.00 towards the cost of paving Hawkeye Trail to a location at the base of the driveway of 300 Hawkeye Trail. The proposed area to be pave presents the move incline and maintenance challenges on Hawkeye Trail. The guests requested that the Board review their proposal and present it the Association members at the 2023 TMEPOA Annual meeting.
 - The Board thanked the guests for their proposal and entered closed session after the guests disconnected from the Zoom meeting session.
- Hawkeye Trail Proposal Board Discussion – Rod Fortney commented that the proposal of financial contribution towards costs with paving is a significant change from prior Hawkeye Trail residents. Others with tenure on the Board agreed. Rod Fortney made

the motion to allow the presentment of the proposal by the Hawkeye residents at the annual meeting. Motion was seconded by Beth Ellstrom. Board unanimously agreed to add it to the agenda of the 2023 annual meeting.

- Review finances
 - 3rd qtr. 2023 expenses
 - Martin Guinn (Treasurer) reported that expenses were in align except for the replacement of the well #5 pump. Combined with expenses earlier this year with the replacement of the well #1 pump, well expenses are near \$21,000 and well reserves have dropped to approximately \$1,700.
 - 4th qtr. forecast expenses.
 - Martin Guinn (Treasurer) reported that recent road maintenance which included grading and gravel on Hawkeye Trail, Spring Branch Rd and upper end of Timberwood Dr have exceeded budgeted road maintenance for the year.
 - Rod Fortney reminded all in attendance that \$15,000 of the 2023 road expenses was a carryover from the 2022 budget in that the crack filling work was not completed until early January 2023.
 - Dues collection
 - The only lot with delinquent dues is lot #6 owned by Timberwood Development Corporation.
- Projects
 - Roads
 - Recent grading project
 - John Leder reported that GA Mountain Grading has completed their work on all roads. Extensive grading including re-digging of ditches was done.
 - Other members reported good efforts noted on the roads.
 - Shared Driveways vs Access Rd (Mike)
 - Mike Eiffert presented that he had sent a request to the Association's attorney (Cynthia Jones, cjones@sellersayers.com) regarding clarification of the Association's for definition "shared driveways" vs access roads and the Association's responsibility for maintaining all. Mike stated that he viewed the attorney's response to be that there is no difference between a shared driveway and access road and, that the Association is responsible for maintaining all.
 - Rod Fortney presented that in previous correspondence with the attorney that she stated that she would need to review the deeds of any driveways/access roads in question to make a determination. Rod Fortney pointed out that the deeds for lots 24, 29 and 40 expressly reference "Access Road" rather

than a shared driveway. Rod Fortney expressed that the what the Developer installed is what the Association is responsible to maintain.

- The Board decided to table the topic for the next Board to take up.
- Metal Grates for open culverts (Mike)
 - Mike Eiffert reported that the vendors that he had contacted had stated that our project was too small for their company.
 - John Leder stated that GA Mountain Grading may be an option for the project and offered to provide their contact information.
- Wells
 - Water tests 1, 3, 5, 7
 - John Leder stated that water tests for the wells 1,3,5,7 had been completed and results were good.
 - Filter changes
 - Rod Fortney reported that he had maintained the planned changing of filters on the wells. Additional water filters are ordered with filters planned to be changed after they arrive.
 - Duke Energy Usage Alerts (Mike)
 - Mike Eiffert reported that he had tried several times to contact Duke to get all wells account signed up for usage alerts. To date he has been unsuccessful to get Duke to accomplish this task.
- Grounds
 - Rod Fortney reported that Hicks Lawn Services had just completed mowing for October, this will be the last mowing of the year. Hicks Lawn Services is scheduled to blow leaves two times in November to complete the contract for 2023.
- Gates
 - John Leder raised concern regarding the delay in the replacement of the gates and the potential for their failure.
 - Rod Fortney presented that the effort to replace the stone columns with something more representative of the value of the homes in TME is needed and well beyond the \$20K budgeted.
 - Martin Guinn (Treasurer) agreed that replacing gates and the stone columns would require much more than budgeted amount.
 - Rod Fortney Proposed that the gate project be presented at the annual meeting and that the Board solicit volunteers from the Association to select a new design.
 - The Board agreed to the proposal to present at the annual meeting.
- CCRs
 - 51% vs 67%

- Mike Eiffert raised concern about the validity of the new CCRs with 51% vs 67% of the Association having signed them. Mike sent information to the Association attorney with various documents regarding prior CCRs and Association by-laws from 2014 where the by-laws stated CCR changes require a 2/3 vote. The attorney responded that while it did not make sense that the corporate by-laws contain anything with regards to CCRs, it could be questionable as to what a court would decide and that to avoid conflict 67% is preferred.
- Rod Fortney shared that he had sent information to the attorney that the 2014 by-laws were replaced in their entirety by by-laws in 2017 that removed any reference to the voting of CCRs. A reply from the attorney had not been received at the time of the meeting.
- It was decided that the topic may be picked up by the new TMEPOA board after the annual meeting.
- 730 Timberwood Dr clear cutting cleanup
 - Mike Eiffert & Rod Fortney visited the property of Alan Vaughn who had raised a complaint with the Board in May 2023 regarding the clear cutting and debris left by the owners of 730 Timberwood Dr. The concern is the unsightly debris that remains behind. Due to foliage remaining on the trees Mike and Rod stated that they could not yet determine if it will be visible to the Vaughn's. Mike and Rod recommended that the new Board follow up on the topic in the November/December timeframe after foliage has dropped from the trees.

New Business:

- Resignation & transition of Secretary
 - Rod Fortney formally announced his resignation as Secretary of TMEPOA via email to all Board members and Officers. Rod offered a transition period through 12/02/2023 to assist with the production and emailing of 2024 Association Dues invoices.
 - John Leder asked if Rod would continue to change well filters. Rod stated that he would do the next full change within the next two weeks and would be willing to continue to change well #5 filters on-going. Rod suggested that the Board seek "Well Captains" for each well to change filters and act as the lead of communication regarding each well.
- 2024 Proposed Budget
 - Martin Guinn presented a proposed 2024 budget that calls for an increase of \$100 for road fees to \$750 and \$50 for water/well fees to \$450. The Board discussed that dues have not been increased since 2016 and that the Association can no longer absorb the inflation. Board voted unanimously to present the proposed budget with dues increase to the association at the annual meeting.
 - Cash reserves

- Martin Guinn presented that with the increased dues cash reserves will increase provided no emergency expenses arise. Un expected expenses that exceed cash reserves will have to be addressed by a special assessment.
 - Capital projects planning.
 - Martin Guinn recommended that the Association adopt a 5-year capital improvements plan. Association members could submit suggestions for projects that would be prioritized and voted upon at the annual meetings.
 - Rod Fortney suggested that capital improvement projects be funded by special assessments rather than continued increase of dues. Rod stated that the special assessment would be specific to projects, ending when the project completed whereas increased dues rarely decrease.
 - The Board agreed to present the proposal of a five-year capital improvements plan to the Association at the annual meeting.
- Owner Committees 2024
 - Mike Eiffert proposed that the Board request the Association members to volunteer for various committees rather than relying a small handful of people (mainly Board members) to handle everything on the mountain. Mike presented examples:
 - Roads
 - Blowing leaves, clearing grates, removing large rocks, etc.
 - Wells
 - Changing filters, being point of contact for issues, checking winterization.
 - Front Entrance
 - Decorating for holidays, keeping neat, gate design
 - Culverts maintenance (“adopt a culvert”)
 - Keeping culverts open so that water flows.
 - The Board agreed to present the proposal of volunteer committees to the Association at the annual meeting.
- 2023 TMEPOA Annual Meeting
 - Agenda
 - Board agreed upon the agenda items. Martin Guinn will present the Financials, 2024 Budget and Fiver Year Capital Improvement. Rod Fortney will present voting process and Volunteer Committees.
 - Send materials (Agenda, financial statement & proposed budget) 10/25/2023.
 - Rod Fortney requested that all annual meeting materials be sent to him by 10/24 so that they can to Association members on 10/25/23.
 - Voting process
 - Rod Fortney reported that with the Annual meeting being held in a hybrid format that Zoom participants will be presented with on-line voting and

in-person attendees will vote by either a show of hands or paper ballot if needed.

- Meeting adjourned
 - Rod Fortney made the motion to adjourn the meeting. Beth Ellstrom second the motion. Board unanimously to adjourn.
 - John Leder adjourned the meeting at 9:49PM EDT.

Submitted by:

Rod Fortney

Secretary / TMEPOA, Inc.