

**Stoney Point Harbor Homeowners' Association, Inc.
2011 Annual Meeting Minutes**

Location:

The 2011 Annual Meeting was held at the Davidson County (Southmont) Fire Station No. 56, 11030NC Hwy 8, Southmont, NC in the South End Meeting Room on Saturday, March 12, 2011 at 7:00 PM.

Directors Present:

Erin Steenwyk, President
Greg O'Brien, Vice-President
Ed Cooper, Treasurer
Sarah Pratt, Secretary
Chris Watson, Member-at-Large

Directors Absent:

None

Welcome:

Erin Steenwyk, president, called the meeting to order at 7:00 P.M. with Sarah Pratt, secretary, recording minutes. Erin welcomed everyone to the meeting, referenced the Power Point presentation to aide members in following the proceedings.

Certification of Notice and Quorum:

Greg O'Brien announced that 50 members are participating either by attending the meeting or by proxy; therefore, a quorum was established.

Approval of the 2010 Annual H.O.A. Meeting Minutes:

Sarah Pratt, secretary, provided copies of the 2010 Homeowners' Association Annual Meeting Minutes to those present. The minutes were approved.

NOTE - Board reports are available in the meeting presentation on the HOA website. Selective comments are included below.

President's Report:

Erin noted that letters were mailed to all members who had dead and damaged trees that endangered the Common Areas. Some members contacted responded by removing their tree(s), others gave no response.

Someone knowledgeable about road repairs and the necessary base for the road will be consulted to determine where repairs are needed for 2011.

Treasurer's Report:

Ed Cooper, treasurer, provided copies of the Treasurer's Report to members present and reviewed the report. He noted that dues for 2011 were paid in both 2010 and 2011. Therefore, the report will be updated to reflect the dues paid in both these time periods. He highlighted the cost of repairs to the front gate that put that item over budget. In addition, he noted the cost of \$500 for renewing for 5 years our webpage service.

Erin Steenwyk moved that the Treasurer's Report and budget be accepted as presented. Gordon Rutzen seconded the motion. The report was approved.

Architectural Review Committee (A.R.C.) Report:

Kim Miller, chairperson of the A.R.C. presented the following summary of activities: 18 tree removals, 1 irrigation system, 1 addition and 1 fence. The home on Lot 12 was completed. The home on Lot 18 will soon have an Occupancy Certificate. One new house was started. A question was asked about the process for tree removal. Kim responded that members complete the Tree Removal Form posted on the website and submit it to the A.R.C. The Committee reviews the petition and gives a response in writing to the lot owner.

Facilities Committee Report:

David Keever, supported by a Power Point charts that he created, gave the report. He thanked Tony Waterhouse for his work on last year's Boat Storage Area project.

David thanked his volunteer team: John Patrick, Wayne Creekmore (gate maintenance), Charles Whitesides (light pole maintenance), Joe Pochowicz and Bobby Miller (boat storage maintenance). This committee meets approximately once per month.

The Association's new Landscaping Committee has been busy. The Committee consists of Sharron Keever, chairperson, Christine O'Brien, Becky Creekmore, Ellen Pochowicz, and Susan Whitesides.

The community is now participating in the North Carolina Adopt-a-Highway Program. All members are encouraged to join this project. In return for cleaning the Stoney Point Road area 4 times a year, the State provides an acknowledgement sign, tools, gloves, vests, bags, et cetera. A 5 minute video, required viewing to participate in the program, was shown immediately after the meeting to all interested members.

A letter has been sent to the Davidson County 911 Agency, the Healing Springs Fire Department and the Southmont Fire Department giving them 2 ways to quickly enter the development in case of emergency. The Davidson County 911 Agency will notify the Sheriff's Department, E.M.S., and other related services.

The State D.O.T., at the request of the Facilities Committee, placed a new Stoney Point Road sign closer to Hwy. 8 in a more visible area.

The Committee met with a representative from Energy United (EU) in an effort to reduce the power bill. Currently, we have a full service contract. This contract provides the Association with electrical power and provides maintenance for all power street lights, with the exception of the base of the street lights. Metered power usage would be less expensive per month than the cost of the full maintenance contract. However, because the Association's electrical service was not originally designed to be metered, the cost to re-wire all of the community's lights would be prohibitive. In addition, EU absorbed all of the cost for the original wiring of the development and for the installation of the street lights and must recover that cost over a period of many years; therefore, they are unwilling to reduce the cost of the Association's contract. There are 29 street lights, 3 tree lights in the Boat Storage Area, and 2 spotlights in the community. Energy United is the only power company servicing this area.

The mowing contract has been extended for another year at a slightly higher cost. The contract covers all of last year's services and has been increased to cover treating the Boat Storage Area for grass/weed growth during each mowing and to mow a pathway around the Boat Storage Area maintaining grass that is no more than 3 inches high.

Purposed Future Facilities Committee projects are as follows:

New Enterprises Company out of Mooresville repaired the entrance gate earlier this year. Because the gate is 10 years old and in need of regular maintenance, the Facilities Committee is considering an annual maintenance contract that would guarantee 4 gate inspections per year and the servicing of the gate. In addition, the Association would receive discounts on emergency servicing, parts, labor, et cetera.

The Facilities Committee will ask the owners of the 2 red clay banks that flank the community's entrance if the Association could landscape these banks to add beauty and value to the community. If they agree, the work will be done in the fall.

Fire Ants are a growing problem; therefore, the new mowing contract includes treatment for Fire Ants to a section of the community's Common Areas. If the chemicals applied solve the Fire Ant problem in the experimental areas, all of the Common Areas will be treated.

A knowledgeable company familiar with road repairs will be consulted to suggest where repairs are needed and to give an opinion on the condition of the road base.

Erin Steenwyk moved that the Architectural Committee Report and the Facilities Committee Report be accepted as presented. Gerry Patrick seconded the motion. The reports were accepted.

Website:

The Association thanked Gordon Rutzen for his faithful service as the Association's Web Master.

Election of Directors:

Three director positions were open. Pat McKim, Bobby Miller, Gerry Patrick and George Pratt agreed to run for positions on the Board. Erin Steenwyk asked if there were any nominations from the floor. None were given. Ballots were collected from members who had not voted by proxy. A short refreshment break was taken while Erin Steenwyk, Greg O'Brien and Sarah Pratt verified the votes. Pat McKim, Bobby Miller, and George Pratt were elected to fill open Board positions. Gerry Patrick graciously agreed to continue to serve on the Architectural Committee.

Community Concerns:

A concern was voiced by a member that dead or dying trees near the Common Areas may fall and damage Association property or injure someone. A suggestion was made that lot owner's be given an ultimatum to clean up their lots or, with 10 days notice, the Association will have the lot cleaned and charge back the cost to the owner under the belief that Article II, Section 4, Subparagraphs (c) and (d) of the Declaration of Covenants, Conditions, and Restrictions of Stoney Point Harbor gives the Board the right to do this and to place a lien on the property should the owners refuse to pay for the clean-up.

The Board responded that is equally concerned that our community maintain a pleasant appearance and a safe environment. However, the Board realizes that the aforementioned Article can be interpreted in more than one way and that moving forward without clearly understanding the Article's language could pose a substantial legal and costly liability to the Association. Therefore, the Board had asked the Association's attorney to clarify the language and to give an opinion on how the Board can safely proceed. As a result, Ryan McNeill, attorney at law for Brinkley Walser, sent a letter to the Board addressing the Board's concerns. The letter has been posted on the Stoney Point Harbor Web Page.

There were a range of comments from members present. They included, but were not limited to the following:

- The Association can amend the Covenants with a 66% vote of the members.
- A member suggested a second lawyer's opinion. Other members felt that a second opinion would not provide a solution to the dilemma and needlessly cost the Association several hundred more dollars.
- Some members suggested that an Amendment to the Covenants should be considered. Others felt that it would be unlikely that 66% of the members (many of whom own the lots in question) would vote for such amendments.
- Several members pointed out that if we could and did revise the Covenants to define "debris" as fallen trees and underbrush, it would be impractical to enforce the change without incurring significant costs and legal proceedings.
- A member suggested this matter be tabled. The Board complied.

Greg O'Brien requested that correspondence be submitted via e-mail whenever possible as this is the quickest and most reliable way to respond to members. No one objected.

Meeting Adjourned:

A motion to adjourn was made and passed and the meeting was adjourned at 9:00 PM.