

**LAKE ROYALE PROPERTY OWNERS ASSOCIATION
BOARD OF DIRECTOS MEETING
AUGUST 19, 2006
10:00 A.M. – CLUBHOUSE**

Call to Order – The meeting was called to order. Present were: Judy Strother, Richard Wainwright, William Wakefield, Dennis Godwin, Ann Marie DellaMorte, Joe Brooks, Ray Robinson, Stuart Nottingham, Ryan Walker, John Smallhorn; Staff present: Robert VanGraafeiland, Tommy Phelps, Jarrett Umstead, T.R. O'Neil.

Pledge of Allegiance – Bill Wakefield led pledge.

Approval of the July 15 Meeting Minutes – The minutes were approved pending the correction of Joe Brooks as President and not Chairman.

Treasurer's Report – Stewart Nottingham reported the following for the November bank summaries:

• First Citizens Operating Acct. Balance	\$75,545.24
• First Citizens Payroll Acct.	\$ 5,265.31
• North State Operating Acct.	\$ 9,022.79
• North State Money Market Acct.	\$1,510,401.56
• North State Emergency Acct	<u>\$250,923.28</u>
• Total Balance	\$1,851,158.18

Board of Adjustments – Reported by Delcie Wakefield

- The June report that two fining hearings were referred to the BOA by the BOD. In both cases the BOA voted to impose both an initial and recurring fine. There were no variances or business conducted.
- The July report that two appeals were brought before the BOA. A variance was granted on the first case considered by the Board. The second case was a request for two variances. The Board delayed decision on this case giving it needed more time to make a decision. The reconvened on July 21 for further consideration. The Board voted to deny both of the variance requests. There were not fining hearings brought to the Board at this meeting.
- In the business conducted after the hearings, the Board made the following decisions: The minutes for the May/June meetings were approved; the Board voted to accept the resignation of Blake Clift from the BOA membership; The Board voted to nominate alternate Pat Phillips to fill the regular member position and send the nomination to the BOD for their approval; Pat was also elected to become the Secretary for the BOA business meetings.

Finance Committee Minutes – Mr. Wallace reported the following:

- A motion was approved recommending the BOD to approve the bid of East Coast for \$3,000 for the Recreation Committee event—Viva Las Vegas.
- Robert reported that we are completing two batches of foreclosures; 40 are scheduled for hearings on August 23 for sale in late September or early October.
- T.R. reports the staff is now utilizing TOPS in preparing form letters for the CC&R position. The staff has prepared 1200 late notices and 400 lien notices for mailing.
- There is no change in the Carriage Manor property bankruptcy process. A target date for completion of resolution is set for nine months.
- Robert reported the Capital Improvement projects from last years budget funds have now been completed. The Capital Improvement projects for this year are moving along nicely. The siren is complete. The waterfall at the entrance has been completely renovated with new materials.
- The Beautification Committee will be seeing to the restoration of the landscaping at the front entrance to The River.
- T.R. reported Denise would most likely take over the accounts payable opening created by Brenda's resignation and the search for Denise's replacement will begin immediately.
- The 06-07 dues payment plan was presented, reviewed and approved by the FC.
- Robert reported the School of Landscape Design at NCSU has accepted the redesign project for the front entrance to Lake Royale for the Spring Semester.

Building Committee – The following was reported for Bill Edwards:

- For residential: 3 houses; 1 Boathouse; 1 Shed; 1 Deck; 1 Porch; 1 Garage for a total of \$865.00.
- For camping: 2 shed; 5 decks ; 1 roof-over; 3 room addition; 1 garage; for a total of \$845.00

President's Report - Joe Brooks gave his report as the following: Apologized for any mistakes he has made and any he will make in the future. It was also discussed the pros and cons of making Lake Royale a State-recognized Town. He talked about the landscaping at the front entrance beginning in the Spring. Joe estimates the landscaping of the entrance and moving the post office to be approximately a quarter of a million dollars. Joe wants to work with Robert with creating an up-to-date POA policy and procedures manual. Joe also spoke about the Lake Royale Police Department and in the assistance of the break-ins that were happening. Joe read a letter that the Bunn Police Department sent to the community thanking us for the help.

General Manager's Report –

- Thanked the individuals who help put on special workshops.
- LRPC has been working on a one-page survey that will be mailed out this week to be returned by September 15. They want input on improving the community.
- Entrance of The River has been a topic of discussion of cleaning up the overgrown bushes.
- Congratulates Ryan Walker and Bill Wakefield for completing the Fundamentals of Community Volunteer Leadership. It's an online course on CAI, Community Association Institute.

Property Owners Forum –

- **Ashley Windsor** – Wants to know the rules about barking dogs and nuisance animals. Claims dogs are not supposed to bark between 11:00 p.m. to 6:00 a.m., but they do. His issue is about the rules this community has and not enforced with consequences if you break the rules. Jarrett Umstead responded to the neighbor's dog barking.
- **Bill Wallace** – Spoke about having a nice looking lake but could look better, particularly when you see the signs we have up front and all around the lake. Thinks it takes away from the appearance of the community like the litter on the road.
- **Tom Nichols** – Attended the first workshop of the new regime and after fighting for several years about the postal situation up front, recommendations, suggestions as far as the POA office complex and finally feedback came. Someone is looking at the mail boxes going to the office complex and thinks this is well over do.
- **Robert Dillard** – Talked about soil erosion and the effort to protect the lake. Spoke about the creeks that enter the lake and how they are protected. Creek runs through a camping lot that is way behind on dues and should be

in foreclosure. Asks that the Board look into this because of the damage from this one incident.

- **Joyce Autry** – Spoke on the variance of Mr. Carlisle across the street from her. Does not think he should have to uproot his camper if it's not bothering people and asks the Board to be lenient with Mr. Carlisle.
- **Lee Robinson** – Welcomes the new members of the Board. Hopes this Board will be a non-partisan Board and will work together for the whole community and not just one end of the community. Also spoke about very small children playing on the pool table when parents are not around. Thinks there should be an age limit. Also spoke about garage sale signs being left up and can be fined if not removed by owners after a certain amount of time after the sale ends. Spoke about builders posting a substantial bond before they start working on a lot with a stipulated daily fee for delay in putting up adequate crush and run and silt fences.

Hearings –

- **0607-01** - Requests that property be allowed to have the ditch (Right-of-way) filled in with a culvert pipe and soils. One property owner did not want the pipe left there because he felt it could damage his property. The property owner spoke that he thinks it's an improvement to the community. Judy Strother will have to abstain from voting on this. Richard Wainwright made a motion to deny the request for a variance and Seconded by Stuart Nottingham. **Motion has been denied.**
- **0607-03** – Carlyle property, setback (front property line). The BOA voted 5-0 to decline. Ray Robinson said to table this to check the measurements and Seconded by Stuart Nottingham. **Motion carries.**
- **0607-08** – Trinity Real Estate Property, setback (normal water elevation). This is an Appeal from the property owner. One property owner said he was in favor of the variance. John Smallhorn made motion to approve the appeal and Seconded. 6 approved and 1 abstained. **Motion carries.** Motion made by Ann Marie DellaMorte for them to be allowed to screen in their entire deck and Seconded: 3 yes; 2 no; 2 abstained. **Motion carries.**

Old Business -

- **Board of Adjustment Seats** – There are open seats on the BOA, one alternate and one regular; the BOA has made a recommendation to fill the regular seat. Motion made to approve and Seconded. **Motion carries.**
- **Soil/Erosion and Driveway Permits** – Revisions to the driveway permit application and disclosure, including the Soil & Erosion permit. A motion was made to turn over to the Building Committee and Seconded. **Motion carries.**

New Business –

- BOD Mission Statement & Rights and Responsibilities for a Better Lake Royale. The Mission Statement was read by Stuart Nottingham. The Rights and Responsibilities will not change. Ann Marie DellaMorte read the By-Laws Resolution. Bill Wakefield made a motion to change the first statement and begin Board meetings at 9:00 a.m. instead of 10:00 a.m. and Seconded. **Motion carries.** Mr. Wakefield talked about the fifth article that says, further this action be taken immediately and time is not adequate in which to bedoes not make sense. Stuart Nottingham makes the recommendation that it be that the words, “that this” and replace with the word, “if” so that it reads, further if action must be taken immediately and time is not adequate. Stuart also wants Vice Chairman included in the meetings of the Executive Committee to be kept informed on what is taking place. Bill Wakefield made a motion to accept as corrected and Seconded. **Motion carries.** The Code of Conduct was read by Ann Marie DellaMorte. Stuart had one correction and recommended to make the change and initial it and sign it. Stuart also requested to have another copy to have for their files.
- Robert discussed the ADHOC Committee and the recommendations to change in camping and residential, Motion made to consider ADHOC Committee recommendation and Seconded. **Motion carries.**
- Robert discussed Hearing Process (non-compliance) to be heard once through the BOA and the fines assessed at that time. Staff is also recommending a table that represents how long a PO has to correct a violation, after this time it will be heard by the BOA. A motion was made to accept and Seconded. **Motion carries.**
- Organization to use the POA Facility. A PO wants to have a new organization officially recognized by the BOD to schedule the use of the POA facilities and publicized in the Royale Reporter. Motion made to accept and Seconded. **Motion carries.**
- Staff recommends a regulation to deal with non-conforming situations already reviewed and approved by an official body of the POA. Motion made to accept and Seconded. **Motion carries.**
- Mail Boxes. The LRPC recommended using the rental office space to build a postal facility. It is recommended in improving the location at the Pavilion. Motion made to approve the annex as a postal facility and expanding the Pavilion location with the existing facility at the gate and Seconded. **Motion carries.** Ray Robinson made a motion to change the status of the ADHOC Committee and Waste Water Committee. **Motion carries.**

Meeting adjourned.

HEARINGS

- Hearing BOD 0607-25 and 0607-26, Cauley Property, Nuisance & Gravel needed in driveway. Motion made to delay hearing month and Seconded. **Motion carries.**
- Hearing 0607-28 – Williams property, setback. Motion made to table until the next meeting and Seconded. **Motion carries.**
- Hearing 0607-29 – Smith property, Nuisance. Received information that has been cleaned up but not verified. Was directed to verify and release.
- Hearing 0607-30 and 0607-31, Skinner property, Nuisance, Stone needed on driveway and proper silt fencing needed. Motion made to find owner in non-compliance and Seconded. **Motion carries.** Motion made to find not in good standing and Seconded. **Motion carries.** And sent to BOA for fining and Seconded. **Motion carries.**
- Hearing 0607-32, 0607-33 and 0607-34 – Duke Property, Nuisance, Stone needed on driveway and proper silt fencing needed. Motion made that owner be found in non-compliance and Seconded. **Motion carries.** Motion made to find Not in good standing and Seconded. **Motion carries.** Motion made this case be referred to BOA for fining and Seconded. **Motion carries.**
- Hearing 0607-35, 0607-35 and 0607-36 – Monday property, Nuisance, Setback and Building without a permit. Motion made that owner be found in Non-compliance and Seconded. **Motion carries.** Motion made that owner be found Not in Good Standing and Seconded. **Motion carries.** Motion made that it be referred to BOA for fining and Seconded. **Motion carries.** Motion made that the POA Manager to start foreclosure on this property and Seconded. 5-2. **Motion carries.**
- Hearing 0607-38 – USR Investments, Nuisance. Motion made to table to the next meeting and Seconded. **Motion carries.**
- Hearing 0607-39 – Little, Building without a permit. Motion made to be found in Non-compliance and Seconded. **Motion carries.** Motion made to be found Not in Good Standing and Seconded. **Motion carries.** Motion made to be sent to BOA for fining and Seconded. **Motion carries.**
- Hearing 0607-40 – Astleford property, Nuisance. Motion made to be found in Non-compliance and Seconded. **Motion carries.** Motion made to be found Not in Good Standing and Seconded. **Motion carries.** Motion made to be sent to the BOA for fining and Seconded. **Motion carries.**
- Hearing 0607-42 – White property, Gravel needed on driveway. Motion made to be found in Non-compliance and Seconded. **Motion carries.** Motion made to be found Not in Good Standing and Seconded. **Motion carries.** Motion made to be sent to BOA for fining and Seconded. **Motion carries.**

Hearing adjourned