

**3 CHERRY WAY HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS  
MEETING MINUTES OF JANUARY 14, 2025**

**1. CALL TO ORDER:**

The meeting was called to order by K. Brockman on January 14, 2025, at 9:30 AM in the 3 Cherry Way Community Center.

**2. ROLL CALL:**

A roll call was taken of the Board of Director members by M. Barnes, Recording Secretary. As indicated below, there were three (3) directors in attendance, a quorum.

| <u>OFFICE</u>           | <u>OFFICER</u> | <u>ATTENDANCE</u> |
|-------------------------|----------------|-------------------|
| President               | Tony Smith     | No                |
| Vice President          | Jim Dellinger  | No                |
| Treasurer               | Karry Brockman | Yes               |
| Recording Secretary     | Marge Barnes   | Yes               |
| Corresponding Secretary | Cindy Dubac    | Yes               |

**3. AGENDA APPROVAL:**

A. C. Dubac/M. Barnes: Motion to approve the meeting agenda (with additions or deletions).  
Passed, unanimously .

**4. APPROVE MINUTES:**

A. M. Barnes/C. Dubac: Motion to approve the December 10, 2024, 3CW Standard BOD Meeting Minutes.  
Passed, unanimously.

**5. OLD BUSINESS:**

- A. Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to enter into contractual agreement with B. P. Drainage, Inc., 7804 Commerce Dr., Denver, NC 28037 to repair the drainage at the end of Lambert Ct. for a cost not to exceed \$44,000.00. **Work is complete and the payment was made in December 2024.**
- B. Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to enter into a contractual agreement with AquaTech Pool Management Group, Charlotte, NC to replace two (2) underwater lights and seals, and two (2) underwater light fixtures at a cost not to exceed \$3,200.00. **Not completed. Waiting on warmer weather conditions.**
- C. Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to fix the sloped area between Rynbrandt Dr. and Sylvia Ct. using terraces to hold mulch, with volunteers doing the repair at a cost not to exceed \$500.00. **Schedule pending.**
- D. Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to repair a drainage issue at 2212 Skeena Cherry Ct. using community volunteers at a cost not to exceed \$400.00. **Schedule pending.**
- E. Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to enter into a contractual agreement with Darwood Tree Experts, LLC, 843 Odell School Road, Concord, NC 28034 to remove a tree at 2917 Tieton Ct., and remove 3 downed trees on Surefire Ct. to include stump grinding and removal of debris at a cost not to exceed \$2,700.00. **Completed.**
- F. Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to purchase pea gravel for the perimeter of the pool at a cost not to exceed \$1,000.00. **Schedule pending.**

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- G.** Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to purchase a storage shed to store items from the Clubhouse at a cost not to exceed \$3,000.00. Resolution Without a Meeting amended to authorize 3 Cherry Way HOA to purchase the shed at a cost not to exceed \$6,000.00. **Schedule pending – down payment was and will be done in approximately a month.**
- H.** Receive and file a Resolution Without a Meeting to authorize 3 Cherry Way HOA to enter into a contractual agreement with Mr. Handyman of Mooresville, 121 N. Commercial Dr., Suite C, Mooresville, NC 28115 to put bollards at the end of Vandalay Drive to prevent vehicles from entering the community at a cost not to exceed \$1,700.00. **Completed.**

**6. NEW BUSINESS:**

- A.** C. Dubac/M. Barnes: Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to enter into a General Service Agreement to hire Lincoln Landscape, LLC, 134 Fairland Lane, Lincolnton, NC 28092 for 3 Cherry Way Landscape Management beginning January 1, 2025.  
Passed, unanimously.
- B.** M. Barnes/C. Dubac: Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to purchase a boulder to be placed at the corner of Sonata Ct. and Sunburst Ct. plus two (2) solar lights to shine on the boulder. This boulder will help keep large vehicles from hitting the gutter on the home at that corner. The cost not to exceed \$450.00.  
Passed, unanimously.
- C.** M. Barnes/C. Dubac: Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to approve the Golf Cart Policy.  
Passed, unanimously.
- D.** C. Dubac/M. Barnes: Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to approve the revised Storage Lot Form that was updated to reflect the fee of \$30.00 per month for a space in the Storage Lot.  
Passed, unanimously.
- E.** M. Barnes/C. Dubac: Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to approve revised Violation Compliance and Enforcement Policy and Procedures. Form was revised to be aligned with the updated Bylaws, the Architectural Standards and Guidelines and the Landscaping Standards and Guidelines.  
Passed, unanimously.
- F.** C. Dubac/M. Barnes: Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to approve revised Fees/Fines Schedule. Form was revised to be aligned with the updated Bylaws, the Architectural Standards and Guidelines and the Landscaping Standards and Guidelines.  
Passed, unanimously.

**7. TREASURERS REPORT: (K. Brockman)**

- A.** M. Barnes/C. Dubac: Receive and file Superior Mgt. November 2024 financials documents.  
Passed, unanimously.
- B.** K. Brockman, Treasurer: Reviewed the summary report of the Superior November 2024 financial report, briefly explaining the current status of 3CW's financials.

**8. ACC STATUS REPORT:**

- A.** P. Mercier:

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1. Phase 2 of the Landscaping Project – All of the data is collected, and the map is ready for the planting of new shrubs.
  2. There will be a report produced to present to the BOD for approval shortly.
  3. Another phase for removal of bushes is in the planning stages presently.
- B. *BOD Comment: C. Dubac:*** Melanie Mellenthien has resigned from the ACC. Melanie and Charlie will be moving to The Gates. Melanie did a great job and Charlie helped cut down crepe myrtles in the community. Thank you both.

**9. OFFICERS' STATUS REPORTS:**

**A. T. Smith, President:**

**B. J. Dellinger, Vice-President:**

**C. K. Brockman, Treasurer:**

1. K. Brockman presented a progressive picture report from the drainage project at the end of Lambert. The work was completed by B. P. Drainage who have extensive experience in drainage projects
  - i) There is two (2) more areas that need drainage work and we will be inviting bids from B.P. Drainage and others to address. These other areas do not need the same extensive work as the project at the end of Lambert.
2. K. Brockman presented the financial highlights of 2024 based on the December reports that were received but have not been audited as of yet.
  - i) We had a year where the expenses exceeded the community budget by \$2,415.00, which is a 0.56% over budget.
    - (1) Landscaping was \$26,853.00 over budget.
      - (a) Landscaping overage was due to paying the final payment to FMJ for \$26,100.00 for work performed in 2023.
    - (2) Pool was \$1900.00 over budget.
    - (3) Recreation was also over budget.
    - (4) If we didn't have to pay FMJ the \$26,100.00 payment in 2024, we would have been under budget by \$23,635.00.
    - (5) Investment in CDs was \$151,000.00, which is \$31,000.00 over Budget.
      - (a) Some of this was due to interest earned in 2023 that we didn't get invested until 2024.
    - (6) Interest earned for the year was \$73,063.00, which is taxable at 30%.
    - (7) CD investment account is at \$1,214,490.00.
      - (a) This means an equity of a little over \$6,000.00 for each home.
      - (b) Those funds will be used for roofs, concrete repairs, painting, caulking and everything that the HOA has to pay for in the community in the years to come.

**D. C. Dubac, Corresponding/Record Retention Secretary:**

**E. M. Barnes, Recording Secretary:**

**10. RESIDENTS COMMENTS/Q & A:**

**A. Bruce Lowe, 8721 Vandalay Dr.**

1. *Question:* Is the new landscaping company going to prune the crepe myrtles and also put mulch down once this year?
  - i) *Answer:* The mulch will be done in the early part of the year. As far as the crepe myrtles are concerned, the HOA will have the landscaping company trim the crepe myrtles. If you want to have a crepe myrtle removed, an ACC request form must be submitted to the ACC.
  - ii) *Answer:* We will be asking our contractor, Lincoln Landscaping, or another contractor to do some of the work that has been done by volunteers in the community. We don't need our residents out pulling bushes and other tasks in the cold or the heat of summer.

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- (1) We have put together an issue matrix to keep track of landscaping and other needs throughout the community.
- (2) Any needs should be brought to the ACC's attention via completing the ACC request form. These will be presented to the BOD for approval and put on the issue matrix until the issue has been resolved.

**B. Diane Hendricks, 8507 Van Ct.**

1. *Question:* There is no lighting between the mailboxes and the entrance to the Clubhouse. Could we put some solar lights to light up the area under the portico?  
i) *Answer:* We can look at adding some lighting in that area.
2. *Question:* If someone is not in compliance with the Governing Documents, and has a hearing but is working on getting the issue resolved, will that person be charged \$25 a day while they are trying to resolve the issue?  
i) *Answer:* No, we will not be charging a person \$25.00 a day while they are working on the issue.

**C. Rich Lodge, 2505 Tulare Ct.**

1. *Comment:* I just want to compliment the BOD and the Audit Committee for all the work that they have done this past year. Thank you.

**D. Jim and Pat Mercier, 8231 Rainier Dr.**

1. *Question:* Could a timer be put on the lights under the portico so that people leaving the Clubhouse after an event in the evening could see better to safely leave the Clubhouse?
2. *Question:* Who paid for the damage done to the home that was hit by the Amazon truck, Amazon, or the homeowner?  
i) *Answer:* The homeowner paid for the repair of the gutter downspout, which was minimal. There was no damage to the eave or the brick.

**E. Debbie Dysart, 2333 Sylvia Ct.,**

1. *Question:* What is the cost of the new landscapers compared to Bean Bros.?  
i) *Answer:* Lincoln Landscape will be paid a little under \$15,000.00 per month, which is \$2,000.00 more per month. However, this does not include the mulch, which will be billed separately for what they need to put out.
2. *Question:* Was it included in the contract that they won't be paid unless they do the work?  
i) *Answer:* Yes, there is a provision in there with a time element if they don't finish a particular task by a certain time, there will be a decrease in the amount paid.
3. *Question:* How many days will they be here when they begin mowing?  
i) *Answer:* They will have to learn the property, and that may take a little time. Lincoln Landscape will bring a crew in and complete the community in one day. That is the objective they have set for themselves right now.

**11. ADJOURNMENT:** C. Duback/M. Barnes: Adjourned the 3CW HOA BOD meeting January 14, 2025, at 10:23 am in the 3CW Community Center.