

**3 CHERRY WAY HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS
MEETING MINUTES OF MAY 13, 2025**

1. CALL TO ORDER:

The meeting was called to order by K. Brockman on May 13, 2025, at 9:30 AM in the 3 Cherry Way Community Center.

A. Spoke of the election on Thursday, May 15, 2025, and asked everyone to come and vote.

2. ROLL CALL:

A roll call was taken of the Board of Director members by M. Barnes, Recording Secretary. As indicated below, there were five (5) directors in attendance, a quorum.

<u>OFFICE</u>	<u>OFFICER</u>	<u>ATTENDANCE</u>
President	Karry Brockman	Yes
Vice President	Jim Dellinger	Yes
Treasurer	Curt Hendricks	Yes
Recording Secretary	Marge Barnes	Yes
Corresponding Secretary	Cindy Dubac	Yes

3. AGENDA APPROVAL:

B. J. Dellinger/C. Dubac: Motion to approve the meeting agenda (with additions or deletions).
Passed, unanimously.

4. APPROVE MINUTES:

A. C. Dubac/M. Barnes: Motion to approve the April 8, 2025, 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 a contractual agreement with Lippards Landscaping, LLC of Mooresville, NC 28115 to provide and plant 105 shrubs on selected 3 Cherry Way HOA common areas at a cost not to exceed \$5,500.00. **Finished.**

B. Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to enter into a contractual agreement with B. P. Drainage, Inc., 7804 Commerce Drive, Denver, NC 28037 to repair the drainage issues on Glacier Dr. at a cost not to exceed \$5,100.00. **Finished.**

C. Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to enter into a contractual agreement with B. P. Drainage Works, Inc., 7804 Commerce Drive, Denver, NC 28037 to repair the drainage issues at 8231 Rainier Dr. at a cost not to exceed \$7,500.00. **Finished.**

D. Receive and file Resolution Without a Meeting to approve 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 perform maintenance repair, caulk, paint window trim and lentils and secure soffit and vents as needed for quads along Sunburst Ln, Royal Anne Dr., and Rynbrandt (Phase 2) at a cost not to exceed \$15,000.00. **Finished.**

E. Receive and file Resolution Without a Meeting to approve 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 place eight (8) tall stop signs, three (3) short stop signs and three white strips to be installed on the pavement surface at seven (7) locations in 3 Cherry Way at a cost not to exceed \$8,000.00. **Finished.**

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F. Receive and file Resolution Without a Meeting to approve 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 repair caulking to 8247 Lambert Ct. required by inspection for the sale of the home not to exceed \$450.00. **Finished.**

G. Receive and file Resolution Without a Meeting to approve 3 Cherry Way HOA to purchase (three) 3 chaise lounges for the pool area at a cost not to exceed \$600.00. **Finished – 4 were purchased.**

6. NEW BUSINESS:

A. J. Dellinger/C. Dubac: Receive and file Resolution Without a Meeting to approve the 3 Cherry Way General Membership ballot list for the election of 3 Cherry Way BOD and ACC open positions as listed below for the 3 Cherry Way General Membership Meeting to be held on May 15, 2025. BOD: C. Hendricks, P. LaCourse, and B. Moore. ACC: P. Mercier and J. McClellan. Passed, unanimously.

B. C. Dubac/C. Hendricks: Receive and file Resolution Without a Meeting to approve the General Membership Master Registration List for the General Membership Meeting to be held on May 15, 2025. Passed, unanimously.

C. J. Dellinger/C. Dubac: Receive and file Resolution Without a Meeting to authorize 3 Cherry Way HOA to enter a contractual agreement with B. P. Drainage, Inc., 7804 Commerce Drive, Denver, NC 28037 to repair the drainage issues at 8439 and 8443 Sonata Ct. at a cost not to exceed \$5,000.00. **Finished.** Passed, unanimously.

7. TREASURERS REPORT: (C. Hendricks)

A. J. Dellinger/C. Dubac: Receive and file Superior Mgt. March 2025 financials documents. Passed, unanimously.

1. Total Operating Income March 2025 Year-to-Date was \$164,987.61 compared to the Year-to-Date Budget of \$168,987.51.
 - a) The variance between last month is the way that the CDs are accounted for when they mark to market, which really we are about even.
2. Income interest to date is \$12,876.18.
3. Contracts, Landscape, Building Maintenance, Utilities and Administrative are all under budget.
4. Pool is slightly over budget because we purchased a ring buoy and a test kit for \$150.00.
5. Recreational is slightly over budget, which is on the pool as well.
6. Total Operating Expense: \$82,798.87.
7. Our Year-to-Date Budget Expenses: \$129,787.45.
8. Total Year-to-Date Net Income: \$81,471.02
 - a) Based on those actual expenses vs. our income year-to-date, we have only spent 49.59% of our total income to support all the activities and improvements that the BOD has done for the first three (3) months of this year.
9. Assets at the end of March 2025:
 - a) Operations Account: \$61,827.38.
 - b) Pre-Reserves: \$72,649.74.
 - c) S. A. Stone Account: \$1,263,331.92.
 - d) Total Assets: \$1,397,809.04.
10. Our finances are looking good and next month we should be able to transfer money into the S. A. Stone account to purchase another CD.

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8. ACC STATUS REPORT:

- A. P. Mercier:** C. Dubac spoke on her behalf. Pat asked that everyone vote for her on Thursday and she is looking forward to serving another year on the ACC.
1. The ACC has made some minor changes to the Landscape Standards and Guidelines as well as the Architectural Standards and Guidelines, which will loosen some of the restrictions.
 2. The community is looking beautiful now with all of the flowers blooming.

9. OFFICERS' STATUS REPORTS:

A. K. Brockman, President:

1. An email was sent to the community asking for those residents who did not receive mulch or did not receive a portion of the mulch to please notify K. Brockman.
 - a) Those who respond will be put on a map for Lincoln Landscape.
 - b) Lincoln Landscape wants to complete the mulch this week.
 - c) Problems were encountered with some methods of applying mulch.
2. We would appreciate any input that you have concerning the stop signs.
 - a) The stop sign at the intersection of Royal Anne and Sweet Cherry will be moved closer to the Clubhouse. Mr. Handyman will be here to fix that tomorrow, May 16, 2025.
3. Discussed the yellowing of the junipers on the berm – this may have occurred when Lincoln Landscape sprayed the berm for the weed growth there, which may have slightly stunted the junipers.

B. J. Dellinger, Vice-President:

1. Thanked everyone for their support over the past two (2) years.
2. Stated that he had served on a lot of Boards and had been an attorney for a lot of Boards but never have worked with a Board like this.
3. This Board and the people who are no longer on the Board, Tony Smith and Jim Mercier, have put in hundreds of hours. It has been a pleasure to serve on this Board.
4. Due to circumstances with my wife, I can no longer put in the hours needed to serve on this Board.
5. Discussed insurance tracking and his willingness to continue to do the tracking to help the BOD.
6. Discussed the current landscape contractor and the job they are doing.

C. C. Hendricks, Treasurer:

1. Discussed his pleasure about serving on this BOD.

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

1. Discussed the details of the election on Thursday, May 15, 2025.
2. Reminded everyone of the upcoming EPT Pool Party on May 21, 2025, from 11:30 AM to 1:30 PM. Dan Gibbs, from Mr. Handyman, is furnishing the lunch with the EPT furnishing the dessert. This event is at no cost to the residents.
3. Discussed meeting with Lippards tomorrow, May 16, 2025, to get a quote for cleaning up the berm as well as planting new junipers where needed.

E. M. Barnes, Recording Secretary:

1. Asked for community volunteers to serve on some Standing Committees and Ad hoc Committees.

10. RESIDENTS COMMENTS/Q & A:

- A. Diane Hendricks, 8507 Van Ct.**

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1. *Comment:* If you attend the Pool Party on May 21, if you see one of the Mr. Handyman employees, please say thank you.
2. *Question:* Several people have inquired about battery changes for their smoke detectors in their homes. Is there a way we could negotiate with Mr. Handyman to change the smoke detector batteries for the entire community?
 - a) *Answer:* The individual resident would need to supply the batteries. The resident can decide if they want to install 10-year batteries or regular batteries. This will be put back on our list of things to do for the community.

B. Doug Fasing, 8437 Sonata Ct.

1. *Question:* What kind of feedback are you receiving regarding the stop signs? I remember that the signs were rejected by the Transition Team.
 - a) *Answers:* The only feedback that we have received is that the stop sign and line at Royal Anne and Sweet Cherry needs to be moved forward closer to the Clubhouse. We have not received any rejections to the stop signs. We will try to put some reasonable thought into Phase 2 of the signage.
 - (1) People were not paying attention to the painted signage (yield and stop) on the pavement within the community. The HOA BOD doing their due diligence, believed the stop signs are a more safer approach to getting people's attention.
 - (2) One of the objectives of putting up stop signs is to be alert to reducing the risk associated with the traffic in the community. Such that we don't have to face having to pay legal fees or medical costs if we had not taken the time or the expense of putting up proper signs.

C. Jim Valenti, 2256 Early Robin Dr.

1. *Question:* On behalf of Early Robin Dr., folks have asked me to ask if you could put the cleaning of the white fence at the end of Early Robin in the Budget so that twice a year the fence could be cleaned.
 - a) Also, the trees behind the fence need to be trimmed because their limbs are hanging too difficult to trim and will soon grow over the roofs. Could you please ask the landscapers to trim those?
 - b) There are bushes at the lower end of the fence that haven't had mulch applied around them and weeds grow up. The landscapers have sprayed the weeds, but no mulch has been applied. Could you ask the landscapers to put down mulch in that area?
 - c) *Answers:*
 - (1) Concerning the mulch, K. Brockman will ask the landscapers to look at that and put down mulch this week.
 - (2) The fence and the trimming of the trees back there are already on the list. Thank you for submitting an ACC request. It helps us keep track of issues that need attention.

D. Phyllis Wilson, 8348 Glacier Dr.

1. *Comment:* Having a file for each address will help with keeping up the insurance. Thank you J. Dellinger, for volunteering to continue to track insurance compliance.
2. *Question for C. Dubac:* You stated that you have changes to the Landscape and Architectural Standards and Guidelines, doesn't that require Board of Directors approval? Are they posted on the website yet?
 - a) *Answer:* Yes, the BOD has to approve the changes to both documents. The ASG and the LSG changes will be presented to the BOD next Tuesday, May 20, 2025. The documents will be posted to the website once the BOD has approved the changes.
3. *Questions for K. Brockman:* Have you received tax exemption status? Were our taxes filed without the exemption? Have you thought about contacting Tax CPA firms? Have you contacted the IRS?
 - a) *Answers:*

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- (1) K. Bockman - We filed as a 501C3, and we paid a little over \$30,000.00 in taxes for 2024. We still do not have anything official in hand from the IRS that we were granted the 501C4. To error on the cautious side, we filed as the 501C3 because if we filed as a 501C4 it could have been rejected by the IRS and penalties would have been applied.
 - (a) We have contacted three (3) different CPA firms, and they would not do our taxes nor help us find out the status from the IRS.
 - (b) We used a tax advocacy group within the IRS that did not provide any help. They couldn't tell us how to find out our tax status.
 - (c) We have tried contacting the IRS directly but cannot find out who to talk to there.
 - (d) We talked to our HOA attorney, and he does not handle taxes, nor could he furnish us with any tax attorney information.
 - (e) There is a website where you can look up your application. When I have gone to the website, it shows in the right corner it says 501C4 for 3CW.
- (2) J. Dellinger – When I was a practicing attorney, I needed to use a tax attorney. They are not easy to find, and it may be better to pay the taxes rather than pay the tax attorney.
- (3) C. Hendricks – K. Brockman has tried many times to find out the status of our 501C4. We filed as we did last year because we don't know if the approval will ever come. To get that approval from the IRS, the items they look at to get that approval are very stringent. It is very hard to get that approval.

E. Blaine Moore, 2374 Stardust Ct.

1. *Comment:* I just wanted to say that I appreciated the way that the mulch was blown in the mulch areas. I thought it was much more efficient.
 - a) *BOD Comment:*
 - (1) The things that we had complaints about were: dust and debris on the porches, which made it very difficult to clean up, spillage in the air conditioning unit (K. Brockman looked at several air conditioners and there was no mulch on the inside), and discoloration on the white pillars and downspouts. If we consider blowing the mulch again, these are the type of things that we are concerned about.
 - (2) The cost impact of applying the mulch by hand is quite steep. The whole idea is to do it quicker and at a lower cost.

F. Judy Edler, 2368 Stardust Ct.

1. *Questions:* The stop sign at Sweet Cherry and Royal Anne going towards the pickle ball court has a tree beside it. In a couple of years, that tree is going to cover the stop sign. What can be done about that? The stop sign right here at Royal Anne facing the Clubhouse is a little too high. Can it be lowered?
 - a) *Answers:*
 - (1) We did notice that the tree was there and already have trimmed some of the branches away from the sign. In future years, more trimming of that tree will have to be done.
 - (2) We did consider how other communities installed their stop signs and tried to use the same height and size as others. It would be easy to lower them.
 - (3) We cannot act as police here in 3 Cherry Way to enforce the traffic laws. There are people who do not follow the rules. If you see someone running the stop signs, ask them to read the terms of their \$1M liability policy because they very easily may have to use that policy if an accident should occur as a result.
 - (4) Just as an FYI, during a discussion with Mr. Handyman, an insurance item was brought up. Some insurance companies have required HOAs to repair all concrete cracked sidewalks, streets, curbs, etc. before they will issue an insurance policy for an HOA.

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G. Donna Kelly, 2230 Cashmere Ct.

1. *Question:* With school letting out and the children home for the summer, what is our responsibilities as residents to keep outside people and their children out of our pool?
 - a) *Answer:*
 - (1) It would be up to the HOA to handle that situation in accordance with our governing documents.
 - (2) If that happens, reach out to somebody on the BOD and then we can address it. We don't want any resident to get into any altercation with anybody.
 - (3) Do not call 911, bring it to a BOD member. The people may be visiting a resident here.
 - (4) The Rules and Regulations were updated effective date April 2025. Guests of residents are allowed to use the pool without a resident attending with them. Some of our residents are not capable of going down to the pool with their guests.

H. Libby Wilson, 8724 Vandalay Dr.

1. *Comment:* I noticed when I have been coming to the Clubhouse that people have not been stopping at the new stop sign. If we are not holding anyone to be accountable, then it is doing no good.
 - a) *BOD Comment:* We are just trying to make people more alert to the fact they need to be a little more safer going through the community. One of the situations that has been observed, such as at an intersection where three (3) roads come together, is the delivery trucks coming through where some of the stop and some of them don't.

I. Jenny Toro, 2486 Early Richmond Ct.

1. *Question:* Last year there was some discussion regarding children driving golf carts in the community. Has that concerned been addressed by the BOD?
 - a) *Answer:*
 - (1) The Rules and Regulations were revised to include a section on golf carts in which it states that a resident must be in the vehicle with a child until the child is 18 years of age. If you see a child driving a golf cart without an adult resident, please do not confront the child. Instead, contact a BOD member with the information.
 - (2) Also in the revised Rules and Regulations it states that those who own golf carts must register their vehicles with the HOA BOD.
2. *Comment:* I had just cleaned the exterior of my home when the landscaping people came through and blew the mulch in the mulched beds around my home. When they were done, my home looked like it had brown pollen on it.
 - a) *BOD Comment:* We are sorry that that happened and will try to find better methods for spreading the mulch in the community.

J. Susie Williams, 8891 Sweet Cherry Ln.

1. *Comment:* We had the batteries changed in our home with 10-year warranted batteries. It is such a relief not to have to worry about changing batteries in the smoke detectors every year.

11. ADJOURNMENT: J. Dellinger/C. Dubac: Adjourned the 3CW HOA BOD meeting May 13, 2025, at 10:49 AM in the 3CW Community Center.