

**3 CHERRY WAY HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS
MEETING MINUTES OF MAY 14, 2024**

1. CALL TO ORDER:

The meeting was called to order by T. Smith May 14, 2024, at 9:30 AM in the 3 Cherry Way Community Center. T. Smith informed the group that the meeting was being recorded to ensure quality and accuracy in our minutes.

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 directors in attendance, a quorum.

<u>OFFICE</u>	<u>OFFICER</u>	<u>ATTENDANCE</u>
President	Tony Smith	Yes
Vice President	Jim Dellinger	Yes
Treasurer	Karry Brockman	Yes
Recording Secretary	Marge Barnes	Yes
Corresponding Secretary	Jim Mercier	Yes

3. AGENDA APPROVAL:

A. J. Dellinger/K. Brockman: Motion to approve the meeting agenda (With additions or deletions)
Passed, unanimously.

4. APPROVE MINUTES:

A. K. Brockman/J. Mercier: Motion to approve the April 9, 2024, 3CW Standard BOD Meeting Minutes.
Passed, unanimously.

5. OLD BUSINESS: None.

6. NEW BUSINESS:

A. K. Brockman/J. Dellinger: Review and approve the Official Tabulation Sheet to be used at the General Membership Meeting on May 16, 2024. Passed, unanimously.

B. K. Brockman/J. Mercier: Receive and file the Resolution Without a Meeting and Conflict of Interest to approve 3 Cherry Way HOA to enter into a contract with Lake Norman Electric (LKN) of PO Box 1498, Denver, NC 28037 to run 120vac service from the 3CW Storage Lot to the sump pump located at the west end of Rainier Dr. at a cost not to exceed \$1600.00. Passed, unanimously.

C. M. Barnes/K. Brockman: Review and approve the Residential Rental Contract for 2506 Tulare Ct. Passed, unanimously.

D. K. Brockman/J. Mercier: Review and approve the request for Architectural or Landscaping Change for 8231 Lambert Ct. to screen in their front porch. Passed, unanimously.

E. M. Barnes/J. Mercier: Review and approve the request for Architectural or Landscaping Change for 8313 Glacier Dr. to screen in their front porch. Passed, unanimously.

F. K. Brockman/J. Mercier: Review and approve the request for Architectural or Landscaping Change for 8245 Lambert Ct. to remove one bush between 8245 and 8247 Lambert Ct. Passed, unanimously.

G. J. Dellinger/K. Brockman: Review and approve the request for Architectural or Landscaping Change for 8247 Lambert Ct. to remove one bush between 8245 and 8247 Lambert Ct. Passed, unanimously.

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7. TREASURERS REPORT (K. Brockman)

A. M. Barnes/J. Mercier: Receive and file Superior Mgt. March 2024 financials documents.

Passed unanimously.

1. K. Brockman, Treasurer: Referred to the summary report and the Superior financial report for March 2024, briefly explained the current status of 3CW's financials.
 - a) Operating Budget was \$48,000.00+.
 - b) We had a Pre-Reserve of \$30,613.99
 - c) The S. A. Stone Account had \$1,058,283.05.
 - d) Total assets were \$1,137,666.95.

8. OFFICERS' STATUS REPORTS:

A. T. Smith, President:

1. Expressed gratitude for Lisa Timberlake for being the Architectural Control Committee for the last year all by herself.
2. Expressed gratitude for Jim Mercier. Today is his last official meeting as a BOD member in this capacity.
3. Expressed thanks for Jim McClellan, Chuck George and Karry Brockman who helped repair the drainage at 8471 Bing Cherry Dr.

B. J. Dellinger, Vice-President:

1. Explained the problems and current status with Bean Brothers difficulties with mowing and spreading mulch. Also talked about putting in a fix for the drainage on Lambert Ct.
2. There have been heavy rains recently preventing Bean Bros. from mowing on schedule.
3. Mulch:
 - a) Problems with Bean Bros. supplier (direct manufacturer) both for amount needed and shortage of dye.
 - b) Problems with manpower to spread the mulch.

C. J. Mercier, Corresponding Secretary: Expressed thanks for the support received during his tenure.

PRESIDENT – T. Smith: Discussed details relating to the upcoming General Membership Meeting and, proposed CC&R amendments, and the document in circulation that opposes some of the proposed amendments followed by an open Q&A session.

9. RESIDENTS COMMENTS/Q & A:

A. Q&A discussions included:

1. Phyllis Wilson, 8348 Glacier Dr, regarding landscaping. We are scheduled for Wednesdays and Thursdays for mowing and they have to put out mulch, when are we supposed to have the bushes trimmed? *BOD Comment: J. Dellinger:* I don't have an answer for that at this time. A mulch crew is different from the mowing crew. If we get the mulch put out, it doesn't affect the mowing at all.
2. Karyl McClellan, 8328 North Star Ct., regarding landscaping.

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- a) I spoke to one of the mowers and he said that every time the mulching is scheduled, the crew doesn't show up because it is hard work. *BOD Comment: T. Smith: The owner of the company verified that after three days of putting down mulch, they didn't show up.*
- b) From what I am hearing, the trimming of the bushes is down the road and the mulch comes first. What happens if we hire someone to trim our bushes ourselves and they hurt themselves, who is liable the HOA or the homeowner? *BOD Comment: J. Dellinger: If you hired the contractor, then the homeowner is liable.*
2. Jim Valenti, 2256 Early Robin Dr., regarding landscaping:
 - a) We are paying for three bush cuttings per year, mulch once a year, and mowing weekly, shouldn't we prorate them or discount them if all services are not performed? We have had one bush cutting this year and only cut the grass X times this year, shouldn't they owe us something? *BOD Comment: T. Smith: We are tracking them.*
3. Pat Mercier, 8231 Rainier Dr., regarding the Landscape Management AD hoc committee proposed plan submitted to the BOD.
 - a) Has the BOD looked at this? *BOD Comment: T. Smith: We have looked at the proposed plan. You ladies turned in a great assessment of the community*
4. Karyl McClellan, 8328 North Star Ct., regarding budget preparation and approval process:
 - a) These recommendations that you spoke of; is that put to a community vote, or is it decided by the BOD? *BOD Comment: T. Smith: That is decided by the BOD.*
 - b) I have one question concerning the bushes that were taken out in 2023. Why wasn't the cost of replacement put into the budget for 2024? *BOD Comment: K. Brockman: We did not have the Landscape Management Ad hoc Committee's recommendations prior to setting up the 2024 budget. We had no cost estimates to include in the budget.*
5. Diane Hendricks, 2507 Van Ct., regarding forum meetings to landscape improvements:
 - a) Is the BOD going to have forum meetings to show plans, sketches, etc. to the community prior to replacing or removing any of the bushes? *BOD Comment: T. Smith: I think that is a good idea.*
6. Melanie Mellenthien, 2227 Cashmere Ct., regarding the Maintenance list. There was a 3CW Maintenance List that came out in March, and I had a couple of questions on that:
 - a) It says you are going to paint the doors. Which doors? We have three doors: the garage door, the door to the sunroom and the front door. *BOD Comment: T. Smith: All exterior doors.*
 - b) The next question is that the Maintenance List states that the HOA for siding and trim is to paint and repair for normal life. It does not mention caulking.
 - c) On dormers, during one of the meetings it was stated that any damage from water was the responsibility of the homeowner. *BOD Comment: T. Smith: That is correct. Melanie Mellenthien – What about painting the siding on the dormers? BOD Comment: T. Smith: If your siding is the hardy board siding and not the vinyl siding.*
 - d) On the bottom of the Maintenance List form that was included in the meeting package there was a note at the bottom that refers to the committee that was changed to HOA. You cannot change the CC&R wording.
 - e) If a homeowner wants to paint their own front door, are you going to have the specifications standards available to the homeowners, so they know what kind of paint to use? *BOD Comment: K. Brockman: There is another version of the Maintenance List that the BOD has been revising and it includes the colors to be used.*

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- f) Is this going to be an HOA document or an ACC document? *BOD Comment: J. Mercier:* This is a stand-alone document unless it is changed in the future.
7. Margaret Schultz, 8520 Christalina Ln., regarding dormer repairs.
- a) Why is it that the dormers that we all have that were put on by the contractor require that the homeowners have to pay for their own leaks and not the HOA? *BOD Comment: T. Smith:* It is your house. *BOD Comment: J. Mercier:* Just a clarification on the painting on the dormers. Per the Maintenance List it's under normal use and wear. If there is a leak and you have to get it fixed on the dormer, part of the cost of repairing the dormer is painting the siding that gets replaced. For normal use and wear, the HOA would pay to paint the dormer siding. The HOA cannot be responsible for the building standards that the Declarant had used for building the dormers.
8. Dan Okoniewski, 2228 Cashmere Ct., regarding CC&R amendment voting. When you vote, vote with your mind and know that this is coming.
9. Judy Okoniewski, 2228 Cashmere Ct., regarding landscaping and drainage repairs.
- a) We are all excited about the mulch. Who's going to pull up the weeds, are we doing that ourselves? All of this mulch will be put on top of the weeds.
 - b) Are we paying more or extra for the mulch? *BOD Comment: J. Dellinger:* The mulch was included in the monthly charge no matter what their cost is. We are not paying extra
 - c) How do we keep hiring Bean Bros. for small jobs when they can't even do the normal jobs? *BOD Comment: J. Dellinger:* The repairs on Rainier were done by the previous Board for a cost of \$8,000.00. It didn't work.
 - d) My question is why do we keep hiring them when they did not do the job? *BOD Comment: J. Dellinger:* They were not hired until recently to fix the problem at Rainier. That was another contractor that we did not hire.
10. Cathi Jones, 8204 Chelan Ct., regarding garbage pickup. I just have a request for this community on garbage pickup day. Please don't put your garbage can on the sidewalk so that people don't have to walk in the road or in the grass to get around the garbage can. Please put it in the area at the end of the driveway.
11. Jeannie Gabor, 2375 Stardust Ct., regarding landscaping and incorrect documents emailed to the community.
- a) First, a question on the landscape contractor. Why can't they do our community in one day instead of two. If it rains, they're off the whole day so they could work overtime to get the community done. *BOD Comment: J. Dellinger:* So noted.
 - b) My main issue for the day.
 - (1) There were documents distributed to the community on May 11, 2024: The 3CW HOA BOD Working Minutes for May 7, 2024, and the Action Item List for May 7.
 - (2) They were not marked confidential.
 - c) *BOD Comment: T. Smith:*
 - (1) The BOD made a mistake; it was an accident. The wrong documents got attached to an email that went out. We all make mistakes
12. Melanie Mellenthien, 2227 Cashmere Ct., regarding assessments and equity loan. Speaking of assessments, in the last neighborhood that I lived in, we needed some money. So we took out an

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equity loan against our own money in the community. We didn't have assessments. We paid the equity loan back. It's another option. *BOD Comment: T. Smith:* That's a great idea if we get to that point. Even though assessments is a lot of the conversation, there are none in the plans.

10. BOD COMMENTS: None.

11. ADJOURNMENT: T. Smith /J. Dellinger: Adjourned the 3CW HOA BOD Meeting May 14, 2024, at 11:15 AM in the 3CW Community Center.