

**3 CHERRY WAY HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS
MEETING MINUTES OF JUNE 11, 2024**

1. CALL TO ORDER:

The meeting was called to order by T. Smith June 11, 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	Cindy Dubac	Yes

3. AGENDA APPROVAL:

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

4. APPROVE MINUTES:

- A. K. Brockman/C. Dubac: Motion to approve the May 14, 2024, 3CW Standard BOD Meeting Minutes.
Passed, unanimously.
- B. M. Barnes/K. Brockman: Motion to approve the May 16, 2024, General Membership Meeting Minutes.
Passed, unanimously.
- C. K. Brockman/C. Dubac: Motion to approve the May 16, 2024, Special Meeting Minutes.
Passed, Unanimously.

5. MEET NEW BOARD MEMBER:

- A. Introduced new Corresponding/Record Retention Secretary Cindy Dubac.
- B. Thanked Jim Mercier for his service to the community for two (2) years.

6. OLD BUSINESS: None.

7. NEW BUSINESS:

- A. C. Dubac/K. Brockman: Adopt the 3CW BOD and General Membership Meeting Schedule for 2024-2025.
Passed, Unanimously.
- B. C. Dubac/K. Brockman: Review and approve the request for Architectural or Landscaping Change for 8795 Vandalay Dr., to install handrail outside of screened porch door.
Passed, Unanimously.
- C. C. Dubac/K Brockman: Review and approve the request for Architectural or Landscaping Change for 2776 Sunburst Ln. to install a storm door at front porch.
Passed, Unanimously.
- D. K. Brockman/M. Barnes: Review and approve the request for Architectural or Landscaping Change for 8724 Vandalay Dr. to install shades on screened-in porch.
Passed, Unanimously.

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- E. C. Dubac/K. Brockman: Review and approve the request for Architectural or Landscaping Change for 8220 Rainier Dr., to install vinyl edging to prevent loss of mulch at driveway and flower bed.
Passed, Unanimously.
- F. M. Barnes/C. Dubac: Review and approve revised 3 Cherry Way Townhome Maintenance Responsibility List.
Passed, Unanimously.
- G. J. Dellinger/K. Brockman: Receive and file Resolution Without a Meeting for Mr. Handyman of Mooresville, 121 N. Commercial Dr., Suite C, Mooresville, NC 28115 to perform maintenance repair, caulk, paint window trim and lentil, and secure soffit and vents at Royal Anne and Stardust, Lots 137, 138, 139 and 140, as needed at a cost not to exceed \$5,208.00.
Passed, Unanimously.

8. TREASURERS REPORT (K. Brockman)

- A. M. Barnes/J. Dellinger: Receive and file Superior Mgt. April 2024 financials documents.
Passed unanimously.
1. K. Brockman, Treasurer: Referred to the summary report and the Superior financial report for April 2024, briefly explained the current status of 3CW's financials.
- a) We are a little ahead at the end of April on our income. Most of the income shown is from assessments and interest earned on investment accounts.
 - b) Contracts is ahead of budget.
 - c) Landscape we are over budget mainly due to having to pay the previous contractor in 2024 for work completed in 2023.
 - d) Building Maintenance is a little over.
 - e) Pool is right on track.
 - f) Recreational is under budget as of the end of April.
 - g) Utility expenses are under budget.
 - h) Administrative expenses are under budget.
 - i) Overall, we are under budget so far for the year.
 - j) Net income for the month was \$70,779.55.
 - k) There has been no activity as far as assets.
2. Showed a report that has the expenses shown as a percentage of the monthly income.
- a) The stand-out from this report is that landscaping expense is 45% of the income each month.

9. OFFICERS' STATUS REPORTS:

A. T. Smith, President:

1. I am very pleased with members in the community stepping up to help when it is needed. It has produced savings from not having outside contractors coming in to do the work when we have good people here to help.

B. J. Dellinger, Vice-President:

1. Some of you have not received your mulch. There is still a manpower shortage at Bean Bros.
- a) We have a list of those homes that have not received mulch or have areas of no mulch.
 - b) Crew will be here tomorrow to work on this, and K. Brockman will be helping by directing the crew to the locations.
 - c) Bush trimming will be completed when the mulch is completed.
 - d) The Lambert drainage project was completed.

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C. K. Brockman, Treasurer:

1. There are now twelve (12) smoke detectors and two (2) CO detectors installed in the Clubhouse.
2. Outside just down from the front door there is a Knox Box installed. This has a key inside that the firefighters can have access to in case of a fire.

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

1. I spoke with the pool management company, and they recommended that we float a large inflatable float and place it in the pool to detract the ducks from swimming in the pool. It is a swan and will be put in the pool today.
2. Replacement of bushes in the community. The ACC has been looking at the premier streets of Royal Anne and Sweet Cherry using a phased approach to begin planting in late October.

E. M. Barnes, Recording Secretary:

1. I just want to recognize that we have two (2) new members for the ACC, Pat Mercier and Melanie Mellenthien. I didn't mention them in the Newsletter and want them to know they are welcomed and appreciated.

10. RESIDENTS COMMENTS/Q & A:

A. Q&A discussions included:

1. Phyllis Wilson, 8348 Glacier Dr,
 - a) Noticed that the tea olives planted on Glacier Dr. have grown so tall that the house number is not visible. There are 7 units that have this problem. The emergency vehicles are having trouble locating homes. *BOD Comment: T. Smith:* Those will be part of the regular bush trimming, but we will have a look at them and trim as necessary.
 - b) After the work on Lambert was completed, the straw from that job has been blowing into our garage. Also, there is a lot of mud that they did not clean up. *BOD Comment: T. Smith:* We will take a look at that area.
 - c) The ACC Guidelines – when will they be put on the website? *BOD Comment: C. Dubac:* There is a Architectural Standards Guidelines and one for landscaping. The documents will be reviewed by me and then put it before the BOD.
2. Blaine Moore, 2374 Stardust Ct., There has been concerns raised about the Wine Tasting that we hold in the Clubhouse once a month about serving alcohol at this function.
 - a) There has been a suggestion that we put out a donation box for the money we collect for the next Wine Tasting.
 - b) Another proposal is to set up the Wine Tasting Club as a nonprofit organization, which would disconnect the HOA from any liability. We will continue the donations until a decision is made about the nonprofit group.
 - c) Our group is from the community.
 - d) *BOD Comment: T. Smith:* We will get a legal opinion on this from our attorney.
 - e) *BOD Comment: K. Brockman:* As far as the use of alcohol, we have talked to our insurance agent, the issue is when you start collecting money as far as dues and then you purchase alcohol, that increases the risk. If you are making a donation, then you are not buying and reselling the alcohol. Upon rental or use of the facilities, the BOD always has to look at it as an insurance liability and risk standpoint..

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3. David Kelly, 2230 Cashmere Ct., According to the Reserve Study that came out back in November. It stated that we need to increase the dues by 15% to be able to keep up with maintaining the community. Nothing has been done concerning a dues increase. *BOD Comment: K. Brockman:* The BOD will be looking at setting the budget for next year including what the assessments will be for 2025. The Reserve Study is a guide. The offset is we are earning interest double the percentage used in the study, which was 2% and we are earning 4% to 5%. The BOD is not at the point where we are considering increasing the dues for 2024. *BOD Comment: T. Smith:* That doesn't mean that we won't be looking at increasing the assessments for 2025.
4. Gail Foster, 8726 Vandalay Dr., My question is concerning Mr. Handyman's work in the community regarding caulking. Are they going to remove the old caulking or put new caulking on what is already there? *BOD Comment: T. Smith:* The owner of Mr. Handyman talked to me and told me that some caulking would remain because removing it may cause more issues. However, there are units where it will be necessary to remove the old caulking. We have some leverage by contracting one building or a group of buildings at one time so we can see how their work will be done.
5. Karyl McClellan, 8328 Northstar Ct.,
 - a) The berm has black plastic showing on the top and it doesn't look good. There are holes that do not have junipers. *BOD Comment: J. Dellinger:* There is a whole berm area from Montmorency to the end that has never been planted. We've looked at the berm and anything we do will be very expensive. If we planted more junipers, they would need water and fertilizer to maintain them. *BOD Comment: T. Smith:* We did plant some junipers on the berm, and within a month they all died.
 - b) We cannot use our side porch because it is so hot from the sun. The shades put in are brown, and when you pull them down there is no air circulation. We would like to be able to put up white shades because they would not absorb the heat like brown ones. Standards that came out recently said they have to be brown. *BOD Comment: T. Smith:* We can take a look at it and talk about it. *BOD Comment: C. Dubac:* We are developing standards for the community. Complete an ACC request and put it in the drop box.
6. John Gabor, 2375 Stardust Ct.,
 - a) We had a General Membership Meeting and election on May 16, 2024. You just approved the minutes, but there are no election results in the minutes. You sent out an email, which should have been complete with every item on it and the vote count. *BOD Comment: T. Smith:* We received a legal opinion from our attorney and followed his guidance.
 - b) None of the amendments were passed because of not securing enough votes. You're going to have to have a rental policy for the community. *BOD Comment: T. Smith:* We will be looking at the rental situation.
7. Dan Okoniewski, 2228 Cashmere Ct.,
 - a) I have a question about the first building that Mr. Handyman will be maintaining. This is the building that will cost \$4700.00, and you talked about three (3) more buildings that will be done later with lower prices per building. There must be a list of these buildings; will you be sharing that with us? *BOD Comment: T. Smith:* The Reserve Study shows phases where maintenance is to be performed according to age. We have each phase with estimates for each building, but we do not have quotes at this time. *BOD Comment: K. Brockman:* The Reserve Study looked at all of the buildings and it shows the east side of the community would need the

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maintenance sooner than the western buildings. The Reserve Study was based on the aging spreadsheet that we received. The Reserve Study is on the website. We gave Mr. Handyman the map from the Reserve Study. Mr. Handyman looked at it from their inspection, which is from a condition standpoint. *BOD Comment: T. Smith:* Look at the map in the Reserve Study and everything in red are the oldest buildings.

- b) The BOD is confident about Mr. Handyman's estimates. You need to be cautious in choosing vendors so that we don't have another issue like with landscaping. *BOD Comment: C. Dubac:* All contracts can be stopped if their work does not meet the standards of the community.
- c) We voted down the three-year contract vs. the one-year contract. You have to be sure that the work is performed satisfactorily. *BOD Comment: C. Dubac:* It is not an anomaly to have three-year contracts, but each contract would have a codicil where the contract can be ended for cause. Vendors offer discounts for the longer term contracts, and that is why the BOD looks at that option. ***BOD Note: "We voted down the three-year contract vs. the one-year contract." is incorrect. This was a part of the proposed CC&R amendments in May 2024 which were not voted on due to insufficient votes.***

8. Judy Okoniewski, 2228 Cashmere Ct.,

- a) My first comment is about the mulch. They are doing a terrible job. The weeds continue to grow.
- b) I'd like to know what we are paying for all of that extra mulch that was delivered. Is it in the contract or are we paying extra? *BOD Comment: T. Smith:* The mulch is included in the contract, and we do not pay for extra mulch.
- c) The cost of a bush is miniscule. I hope the cost of having the bushes planted is not crazy when you finally figure it out in the fall. *BOD Comment: C. Dubac:* The ACC will be getting three (3) quotes looking at the price of the plants as well as the planting. The ACC is also looking at watering the new bushes, and that is why they are being planted in the fall so that they will require less watering.
- d) Mailbox area – when is the decision going to be made about that? All you need is dirt, mulch and a chain. There is no need to pull the bushes and put in concrete. *BOD Comment: T. Smith:* We are not looking at putting in concrete. We are looking at what to do about the bushes. We are in the process of getting that area done. We have one quote that needed some changes, so we are looking at that.
- e) We walk around this community at night, and there are multiple streetlights that don't work. *BOD Comment: K. Brockman:* One (1) streetlight that is out has been reported to me, which I reported to Energy United. I need the number off of each streetlight that doesn't work. You can email me the number of the streetlight that is out, and I will report it to Energy United online to get them fixed. It would be better if a BOD member contacted Energy United because it will be tracked. *BOD Comment: T. Smith:* The BOD will do a survey of the community at night and get the numbers of the streetlights that are not working.

9. Jim Valenti, 2256 Early Robin Dr., I want to commend Jim Dellinger for all of the effort he makes with our current landscaping contractor. Each time that the mulch is being distributed, Jim is there.

11. BOD COMMENTS: None.

12. ADJOURNMENT: J. Dellinger/K. Brockman: Adjourned the 3CW HOA BOD Meeting June 11, 2024, at 11:20 AM in the 3CW Community Center.