

**3 CHERRY WAY HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS
MEETING MINUTES OF SEPTEMBER 10, 2024**

1. CALL TO ORDER:

The meeting was called to order by T. Smith September 10, 2024, at 6:30 PM 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. C. Dubac/K. Brockman: Motion to approve the meeting agenda (with additions or deletions)
Passed, unanimously.

4. APPROVE MINUTES:

- A. K. Brockman/C. Dubac: Motion to approve the August 13, 2024, 3CW Standard BOD Meeting Minutes.
Passed, unanimously.

5. OLD BUSINESS:

- A. Receive and file Resolution without a Meeting for the 3 Cherry Way HOA to replace selected bushes in the community beginning with Royal Anne, Sweet Cherry, and Clubhouse areas of the community according to the Landscape Plan furnished to the BOD by the Landscape Ad hoc Committee at a cost not to exceed \$10,000.00. **Approved contract with Lippard's Landscaping LLC not to exceed \$7,000.00.**

6. NEW BUSINESS:

- A. K. Brockman/C. Dubac: Receive and file Resolution without a Meeting and Conflict of Interest to authorize 3 Cherry Way HOA to enter into a contractual agreement with Lippard's Landscaping LLC of Mooresville, NC 28115 to provide and plant 166 shrubs on selected 3 Cherry Way HOA common areas at a cost not to exceed \$7,000.00.
Passed, unanimously.
- B. C. Dubac/M. Barnes: Review and Approve authorizing 3 Cherry Way HOA to enter into a contractual agreement with AquaTech Pool Management, LLC, Charlotte, NC to provide pool services for the 3 Cherry Way Pool in 2025.
Passed, unanimously.
- C. C. Dubac/M. Barnes: Review and Approve authorizing 3 Cherry Way HOA to enter into a contractual agreement with AquaTech Pool Management to service, diagnose and repair the existing Saltwater Chlorination System at a cost not to exceed \$2,000.00.
Passed, unanimously.
- D. C. Dubac/J. Dellinger: Review and Approve the request for Architectural or Landscaping Change for 8228 Lambert Ct., to remove the crepe myrtle.
Passed, unanimously.

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- E. C. Dubac/J. Dellinger: Review and Approve the request for Architectural or Landscaping Change for 8820 Vandalay Dr. to remove crepe myrtle and trim bushes. Passed, unanimously.
- F. C. Dubac/J. Dellinger: Review and Approve the request for Architectural or Landscaping Change for 8348 Ulster Ct., to remove the crepe myrtle. Passed, unanimously.
- G. C. Dubac/J. Dellinger: Review and Approve the request for Architectural or Landscaping Change for 8211 Chelan Ct., to remove the crepe myrtle. Passed, unanimously.
- H. C. Dubac/J. Dellinger: Review and Approve the request for Architectural or Landscaping Change for 2461 Royal Anne Dr., to remove the crepe myrtle. Passed, unanimously.
- I. C. Dubac/J. Dellinger: Review and Approve the request for Architectural or Landscaping Change for 2212 Skeena Cherry Ct., to remove the crepe myrtle. Passed, unanimously.
- J. C. Dubac/M. Barnes: Review and Approve the request for Architectural or Landscaping Change for 2919 Tieton Ct. to install 2-blink wireless mini security cameras. Passed, unanimously.
- K. C. Dubac/K. Brockman: Review and Approve the request for Architectural or Landscaping Change for 2919 Tieton Ct., to have bushes and trees trimmed. Passed, unanimously.
- L. C. Dubac/J. Dellinger: Review and Approve the request for Architectural or Landscaping Change for 8231 Rainier Dr., to remove the crepe myrtle. Passed, unanimously.
- M. C. Dubac/M. Barnes: Review and Approve the request for Architectural or Landscaping Change for 8220 Rainier Dr., to trim bushes around air conditioner. Passed, unanimously.
- N. Review and Approve the request for Architectural or Landscaping Change for 2486 Early Richmond Ct., to install storm doors at both the front door and sunroom entrances to the home. **Withdrawn by owner at meeting.**
- O. C. Dubac/J. Dellinger: Review and Approve the request for Architectural or Landscaping Change for 2486 Early Richmond Ct., to remove the crepe myrtle. Passed, unanimously.

7. TREASURERS REPORT: (K. Brockman)

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

8. ACC STATUS REPORT:

- A. Melanie Mellenthien:
1. Concerning the bushes: all of the bushes that are in here and don't have any leaves on them will grow back. The new bushes that we will be planting will not grow over 5 feet tall.
- B. Pat Mercier:
1. If you fill out an Architectural, Repair or Landscaping change form, please complete a separate form for each change or repair so the ACC can track it as a single change form.

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MEETING MINUTES OF SEPTEMBER 10, 2024**

2. If you are uncertain of the Architectural or Landscaping Standards and Guidelines that we put out, please contact the BOD and they will contact the ACC.

9. OFFICERS' STATUS REPORTS:

A. T. Smith, President: There are a couple of things going on in the community right now; particularly with the BOD:

1. The Budget for 2025 - Karry has already done 5 or 6 budgets so far in working with his ad hoc committee in preparation for the November 14, 2024, General Membership Meeting.
 - a) Yes, the monthly assessment will go up for 2025. We do not know how much the increase will be as of yet.
 - (1) We are trying to make it reasonable.
 - (2) A large part of that is landscaping, which is half of our budget.

C. J. Dellinger, Vice-President:

1. Insurance – I have gone through the insurance and gotten everything straight.
2. Landscaping – Last year we interviewed 4 or 5 companies; 3 were eliminated because they did not have adequate staffing. We are reviewing quotes and will be negotiating contracts for 2025.

D. K. Brockman, Treasurer:

1. Reviewed 11 items that adversely affect the maintenance cost of the landscape at 3CW.
2. The overall impact is to help home resales and the value of your home.

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

1. I want to thank Charlie Mellenthien who is cutting down crepe myrtles.
 - a) There is a contagious bug infestation on the crepe myrtles in the community. Please complete a form to have yours removed.
2. Reminder: There is an Open Forum Meeting on the changes to the Bylaws this coming Thursday, 9/12/2024 at 1:00 PM.
3. We have also updated the Rules and Regulations, which will be sent out soon.
4. If you are one of the 42 people who will be receiving new bushes this fall, there has been 2 emails out and 2 meetings outlining what you need to do in preparation for the shrub planting this fall.

F. M. Barnes, Recording Secretary:

1. Apologized for not putting out a larger newsletter for the month of September.

10. RESIDENTS COMMENTS/Q & A:

A. Cathi Jones, 8204 Chelan Ct., *Question:* Could a handrail be installed in the Clubhouse women's bathroom? *Answer:* We will add it to the maintenance/repair list.

B. Jeannie Gabor: 2375 Stardust Ct.,

1. *Question:* Will the new landscaping contract have a requirement to pay even if the work is not performed on a monthly basis? *Answer:* We have been talking about that for next year.
2. *Question:* You approved items e., k., and m., including bush trimming. Did Bean Bros. trim the bushes or was that an additional cost? *Answer:* It was not an additional cost.
3. *Question:* You had 7 motions for cutting down crepe myrtles that were already done. Why was this work done before the motion was approved? *Answer:* The BOD approves ACC requests received from the ACC during the working meetings.

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- C. Bruce Lowe, 8721 Vandalay Dr.,
1. *Question:* Does the HOA pay to remove crepe myrtles. *Answer:* No, we do not. Work is being provided by resident volunteer help.
 2. *Question:* Do the Bylaws say we can only increase the dues by a certain percentage? *Answer:* That is in the CC&Rs, 10% per year with any percentage less than 10% made available for the next year.
 3. *Question:* Does the Bean Brothers' contract specify when the bushes should be trimmed? *Answer:* Yes.
 4. *Question:* What is the responsibility of the landscaping people in terms of the grass? *Answer:* The contract calls for: 1) periodic weeding, 2) spraying of the grass to eliminate weeds, 3) reseeding and 4) fertilizing. It is recommended that an ACC landscape request be submitted before performing any groundwork in common areas including grassed areas.
- D. John Gabor, 2375 Stardust Ct.,
1. *Question:* What is the status of a 501C4 tax exempt classification for the HOA? *Answer:* We have yet to hear back from the IRS. We have also identified a CPA to assist with moving this forward.
 2. *Question:* Is the HOA aware of the qualifications for the 501C4? *Answer:* Yes. We decided to go ahead and try to get the 501C4 tax exempt status in order to save tax monies being paid out at 30% for the interest we earn on the S. A. Stone investments.
- E. Dan Okoniewski, 2228 Cashmere Ct.,
1. *Question:* Does this year's budget assume that we are going to get the tax exemption status? *Answer:* We don't pay taxes on 2024 until 2025. It shows up on the report as an expense item.
 2. *Question:* When the HOA performs maintenance on a for-sale home, does the HOA pay for that? *Answer:* Yes. We simply do maintenance on the for-sale home out of order.
 3. *Question:* Are the cameras being paid for by the owner? *Answer:* Yes.
- F. Cathi Jones, 8204 Chelan Ct., *Question:* Could we have a volunteer list of people who have volunteered in the past so that we can contact them when we need assistance. *Answer:* Yes. We have good volunteers in the community, and we are putting together a list of these volunteers.
- G. John Gabor, 2375 Stardust Ct.,
1. *Question:* Is the BOD familiar with the U.S. Beneficial Ownership Information Register (BOIR)? *Answer:* We are familiar with the requirements of the BOIR.
- H. Jeannie Gabor, 2375 Stardust Ct., *Question:* What recourse do HOA members have that the BOD has not fulfilled the requirements as set forth in the CC&Rs, Bylaws, R&Rs, Violation Compliance and Enforcement and the Code of Conduct? *Answer:* If anyone in the community has a complaint, it should be directed to us, and we will take it to the attorney and await his response.
- I. Dan Okoniewski, 2228 Cashmere Ct., *Question:* Will the reserve contribution in the Reserve Study in the amount of \$180K to \$185K be part and parcel to the 2025 budget? *Answer:* That dollar amount is already in the 2025 preliminary budget that we are now working on.

**3 CHERRY WAY HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS
MEETING MINUTES OF SEPTEMBER 10, 2024**

J. John Gabor, 2375 Stardust Ct., *Question:* Did this BOD get SDSs (safety data sheets) on all of the chemicals that the contractor would be using with the contract? *Answer:* The BOD did not ask for the SDSs because they are not part of the contract.

11. ADJOURNMENT: K. Brockman/C. Dubac: Adjourned the 3CW HOA BOD Meeting September 10, 2024, at 7:48 PM in the 3CW Community Center.