

Annual Springdale Estates Association Meeting

Minutes

November 14th, 2017

Tabernacle Baptist Church

Attendees:

Board Members: Jim Brennan, Peter Anderson, Paul MacDougal, Jon Ehret, Paul Nani, Andy Fuson, Steve Collins

Home Owners: 34 individuals/ 27 Families represented

Quorum required that 24 families be represented. Quorum was reached and the meeting was called to order at 7:10 PM.

PRESIDENT'S REPORT

Jim Brennan gave a brief summary of what was going to be discussed at this meeting, including two topics of significant importance: the concerns with the lower dam and SEA membership.

SECRETARY'S REPORT

Steve Collins reported on the previous quarterly board meetings and additional special meetings that were held to update the wording the Association By-Laws.

TREASURER'S REPORT

Peter Anderson reviewed the current budget and expenses so far this year. He also presented the proposed 2018 budget which includes additional expenses which may be needed to ensure the lower dam is inspected and in compliance with the NC State Dam Act. Overall, the Association is in sound fiscal condition with over \$66,000 in Savings and Checking. Each year, dues account for approximately \$32,000 of income and the projected amount for 2018 budget is \$32,012. Additional line items for 2018 include possible legal fees.

LAKE COMMITTEE

Monife Balogun was not present, but Jim and other board members reported on a most successful Fishing Derby held on Oct 21st. More than 30 residents attended and prizes were awarded in several categories. The consensus was that this event should be repeated next year.

SOCIAL COMMITTEES

Paul MacDougal reported on the Garden club events and meetings. This past year we also had neighborhood events for Easter, Halloween, and the Fishing Derby.

NEW BUSINESS

1) ELECTIONS:

The Nominating Committee recommended the following candidates:

President: Steve Collins

Vice-President: Due to Candice Blevins' resignation, the board has the responsibility to fill that position – To be decided

Secretary: Trish Collins

Treasurer: John Goodman

After considerable discussion and objections by 2 attendees, a vote was taken and all of the recommended candidates were elected.

Additionally – the Board recommended the following candidates for Area Captains:

Area 1 Jim Brennan

Area 2 Andy Fusion

Area 3 Paul MacDougal

Area 4 Jon Ehret

Area 5 Paul Nani

Each of these candidates were confirmed by the attendees.

2) UPDATED BY LAWS

The updated by-laws were handed out and discussed at length. Several suggestions were made to improve the proposed document. After considerable discussions, most of the changes were implemented. The new by-laws will be posted on the web-site. The most significant changes centered around Voting and Elections, Meeting rules, Actions by the Board without a formal meeting, Board spending authority (increased to 10% of cash revenues on hand), Standing Committees and responsibilities and authority, Electronic voting, and By-law revisions.

The previous by-laws were significantly outdated. The new changes will allow the board to operate more effectively and also allow more member participation.

3) LOWER DAM ISSUES

Considering the significant rains from hurricane Matthew and resulting dam breeches in Fayetteville and other areas, the board took on the responsibility of researching the ownership of the dam, the current condition of the dam and possible legal ramifications.

Steve Collins provided a report that was secured after several meetings/discussions with real estate attorney, Diane Becker. The report indicated that:

- The SEA owns the Dam – the State maintains the road
- Any breach of the dam caused by SEA neglect could result in liability to the Association
- Ms. Becker also researched the validity of SEA as an HOA, and in her opinion, deemed it was “bonafide” as a result of the “Planned Community Act” (Pre-1990) which states that the evidence of expenses shared by more

than 2 homeowners could result in a legal HOA. This was first documented with the addition of Two Courts to Springdale Estates. Expenses were shared by those homeowners and previous SE homeowners.

- This opinion can be confirmed with an approval of 67% of the current homeowners.
- Since the HOA is deemed to be official, the question now moves on to the issue of a “voluntary” versus a mandatory HOA. That concern is currently being researched by Ms. Becker.
- Steve Collins will be following up with the State relative to maintenance of the dam and other requirements of the “DAM Act”.

4) RIGHT OF WAY

Another issue being researched is the right-of-way of the SE roads. The state of NC is responsible for the maintenance of the roads from “shoulder to shoulder”. This land is part of the SEA common areas. Implications for the SEA is being reviewed.

5) LEESVILLE ROAD

As a result of the recent city elections, a bond referendum was passed which includes the widening of Leesville Road. Planning for the widening is underway, with possible construction beginning in 2019/2020. The road will include 4 lanes and a turning lane (approx. 90 feet wide). Homeowners whose property backing up to Leesville road will be impacted. Jim Brennan (whose property is impacted) has been on top of the situation and is meeting with the City of Raleigh to determine the impact to properties and entrance monuments, and expected compensation.

6) BOARD MEETING PROTOCOL

The Board has issued new protocols for member participation at the quarterly meetings. Membership participation is strongly encouraged but the board would like prior notice of any concern so that they can be prepared to address that concern.

“THANKS” FROM JIM BRENNAN

Jim Brennan, the outgoing president, delivered many thank-yous to the current board for being professional and readily available as issues have risen. Jim will continue to be a significant asset to Springdale Estates and will continue to be active as an area captain and as a liaison to the board relative to the Leesville Road widening.

Jim has been an excellent president. His service to our neighborhood has been significant. We all owe him a much-deserved thank-you!

The meeting was adjourned at 9:20.

Respectfully submitted by Steve Collins, Secretary November 23, 2017