

**ANNUAL MEETING MINUTES
THE VIEWS OF ASHEVILLE HOMEOWNERS ASSOCIATION**

DECEMBER 1, 2020

President Bill Uhle called the meeting to order at 7:34 p.m. Because of the Covid threat this meeting was held via ZOOM.

Roll Call: The following homeowners were present on the ZOOM meeting:

77, Joseph Garrett	106, Ed Donnelly and Kathleen Gainey
78, Neil and Diane Altman	108, Diane Summey
84, Toni Meador	110, Mike and Nancy Osborne
86, Gerry and Margaret Stanley	111, Bob and Marilyn Trapnell
91, Richard Green	112/114/116, Eva Steward
93, Jill Sagarin	113, Calvin Bolling
95/97, Bill and Chandra Uhle	115, Cailan and Alicia Curtis
99, Rick Harvey	117, Proxy (Al Patel)
102, Teresa Ohlson	

The new owners of 111, Bob and Marilyn Trapnell and 115, Cailan and Alicia Curtis were introduced.

Opening Statement on Zoom Procedures: Bill Uhle reviewed the Zoom procedures and protocols for the meeting that were sent with the Zoom invite, to include:

- 1) Please keep your Video on and Microphone muted until you want to speak.
- 2) To be recognized by the chair:
 - a) If you have a point of order or a question of immediate importance, unmute and state that you have a point of order or a question. You will then be recognized by the chair to proceed.
 - b) If you have a question or comment that can be answered in due course, then either
 - i) Send a chat to everyone saying you have a question or comment
 - ii) Or if unable to chat, wait for the current speaker to stop, then unmute and say you have a question or comment. The chair will then recognize you to speak in due order.
- 3) Our primary voting method will be by a show of hands as is normally done at our regular meetings.
 - a) The only difference is that we ask that you raise your hand at the appropriate time with the number of fingers raised equal to the number of lots you are voting for. Most owners will be holding up just one finger, but some own more than 1 lot or may have a proxy for another lot. For example, if you own two lots, and have been given a proxy, you would hold up three fingers.
 - i) While voting, please confirm on your video that you can clearly see your fingers.
 - ii) Also, keep your hands raised until Gerry tells us how many votes he counted.
 - b) As always, the chair will first ask for all those in favor to raise their hand, then once that count is announced, he will ask all those opposed to raise their hand.
 - c) The chair will then ask for a Yea or Nay verbal vote from those attending without a video connection.
- 4) Finally, as previously noted in my email, The Board intends to record the meeting to assist in preparing the meeting notes. Unless there are any objections, we will now begin the recording the meeting.
- 5) There were no questions and no objections, so recording started.

Proof of Notice of Meeting: Required notice of the meeting by U.S. Mail was verified.

Approval of 2019 Minutes: The 2019 minutes were accepted as final via email on February 20, 2020 and subsequently posted on the HOA web site.

REPORTS OF COMMITTEES

Architectural: Bill Uhle

- 1) The Board continues to act as the Architectural Committee.
- 2) There were 4 architectural requests received this year from 86, 91, 102, and 111. All 4 requests were approved.
 - a) 111 DVD: Replace the existing lamp post with a solar light and install 2 matching solar exterior lights on each side of the garage door.
 - b) 91 DVD: Repaint exterior (same color) and replace decking with Trex boards in a similar color
 - c) 86 DVD: Rebuild of north side stairs/railings, rebuild the two driveway railings, add a gate to the northside stairs, and add a railing in the front entrance.
 - d) 102 DVD: Install an underdeck ceiling system
- 3) As a reminder, any new construction on a lot (which includes any new structures such as a fence) or any Exterior Modifications (such as changing the exterior color of your house or deck) requires approval by the Committee.

Landscape: Kathleen Gainey

- 1) Landscaper – The Potting Shed (TPS)
 - a) The landscaper continues to do a good job with the weekly maintenance. We have walked the area with them twice this year and they have assigned The Views a dedicated manager.
 - b) Two lawn treatments were completed this year as well as aeration and overseeding. [note that round 6 application is scheduled to be applied in the next week or two]. As a result, the common area lawns are looking much better.
 - c) Mulch was not applied this year, but is planned for next year.
- 2) Arborists
 - a) Appalachian Arborists removed several trees – two Serviceberry trees that the bears attacked near the back of House #102, one dying Black Locust tree near house #84, and one dead Hemlock to the left of house #77.
 - b) For invasive vine control, instead of hiring the Arborist, volunteers worked together on improving the HOA beds at the entrance and removing invasive vines on HOA common land along the road in that area.
- 3) Landscape Requests (all were approved):
 - a) 100 – Plantings near driveway on HOA land and on homeowner land
 - b) 106 – Movement of Dogwood by 10 feet to the left of the Willow tree
 - c) 111 – Planting of shrubs on homeowner land
 - d) 86 – Removal of plants on HOA land that are not being maintained
 - e) 95/97 – Crown reduction and invasive tree removal
 - f) 99 – Crown reduction and invasive tree removal
- 4) Other Actions:
 - a) Volunteers moved two azalea bushes and two rose bushes to the front entry way from other locations on HOA property. These plants were no longer getting sufficient sun to flourish due to the trees in the area maturing.
 - b) Thanks were given to the Trapnells at #111 for donating both the large stones for the rose flower bed and the two rhododendrons that were planted in place of the two serviceberry trees that were removed and to Skip Garrett at #77 for putting the wreaths out on the entrance sign.

REPORTS OF OFFICERS

Secretary/Treasurer: Gerry Stanley

- 1) Income \$18,528, dues and interest
- 2) Expenses: (@11/15) \$13,022 which includes a \$1,500 transfer to fund the Reserve Account
- 3) Total estimated additional expenses thru 12/31 are \$1,992 for total expected expenses for 2020 of \$15,014.
- 4) This leaves a 2020 annual budget surplus of \$3,511 to be retained in the Operating Account as Operating reserves. Total reserves in the Operating Account @12/31 are expected to be \$12,714.
- 5) There were no expenses charged to the Reserve Account. Balance in the Reserve Account is \$1,706.24 after \$1,500 transfer from the Operating Account.

Vice President: Kathleen Gainey

Nothing to report.

President: Bill Uhle

- 1) The Stewards vs. The HOA Lawsuit. There was no activity this year concerning the lawsuit over the ownership of the Water Tank Site Lot and a request to install a gate over the shared driveway at the top of The Views. A trial date had been set for November of this year but was later cancelled by the court. If anyone would like more information on the lawsuit and the HOA's position, please contact Bill and he can fill you in on all the details.
 - a) Eva Steward raised a claim that the HOA cancelled the hearing(s), not the court, and asked why there had been no response to her numerous suggestions for settlement, the last as recently as last week. The board will address this question with the HOA counsel after the meeting and provide any information to the members as well as Eva.
- 2) Stormwater System: For the Stormwater System, the work done in 2019 on the main retention basin and the ditch behind 93/95/97/99 has worked well this year, with no issues seen by the Board. The HOA Landscaper continues to periodically remove leaves and branches from the Ditches and dig out accumulated silts from around the drain boxes.
- 3) Dangerous Skateboarding along Distant View Drive and Park Ave: There is still no resolution on the HOA's request for "Skateboarding is Illegal" signs to be posted along Distant View Drive and Park Ave. The City's initial agreement to support our request that was coordinated by Jill Sagarin back in early March was canceled by the City Street Department when they decided the City's budget could no longer support adding a new sign to the City's inventory due to effects of COVID-19 on this year's budget. A member of the Park Ave Board has some City contacts and is in the process of trying to get the signs back on track. If not, the Board intends to purchase 1 or 2 signs with HOA funds and post them on existing street signposts as was done in the past with the "No Soliciting" sign at the entrance to The Views.

UNFINISHED BUSINESS FROM 2019 MEETING: NONE

NEW BUSINESS

2021 Budget (see Attachment 4: HOA Budget for CY 2021)

- 1) Total budget proposed for 2021 is \$18,525, the same as 2020.
- 2) The Board recommends the annual assessment remain at \$650.
- 3) HOA Operations Account
 - a) The projected 2020 End of Year balance is \$12,714, which is \$3,452 over the minimum desired EOY reserves of \$9,262 (which is 6 months of the annual budget amount). The excess has resulted from the HOA so far having lower than expected legal costs associated with the pending lawsuit. The Board intends to maintain this excess reserve for potential legal expenses if the lawsuit at some point does require a court trial.

- b) Once that lawsuit is resolved, the Board intends to apply any remaining excess funds to revising the Declaration of Conditions, Covenants, and Restrictions, which is expected to cost \$4000-\$5000. The 2 main items that need to be addressed in the Declaration are
- i) Removing the "developer rights" language since those rights were passed to the HOA several years ago.
 - ii) Clarifying that the HOA is responsible for the upkeep and maintenance of the entire stormwater system, which is needed to allow the HOA to expend funds on those parts of the system that are located on private lots outside of the easements specified in the current document. Fixing this would include the need for those owners that have a part of the system within their lot to formally grant the HOA an easement.
- 4) Reserve Account Expenditures. For the Reserve Account, there are no planned expenditures next year, and the Board proposed continuing to fund the reserve account at \$1500 annually.
- 5) The Budget was **APPROVED** as proposed by a unanimous vote.

ELECTION OF OFFICERS

Bill Uhle, Kathy Gainey and Nancy Osborne were nominated for and elected unanimously to the Board for 2021. Richard Green will remain an ex officio advisor to the Board.

OTHER

Meeting adjourned at 8:17 p.m.

Approved on February 15, 2021



Nancy Osborne

Secretary/Treasurer

The Views of Asheville Homeowners Association

Attachments:

1. HOA 2020 Income as of 11/15/2020
2. HOA 2020 Expenses as of 11/15/2020
3. HOA 2020 Financial Summary as of 11/15/2020
4. HOA Budget for CY 2021

Addendum to the minutes

5. HOA 2020 Income as of 12/31/2020
6. HOA 2020 Expenses as of 12/31/2020
7. HOA 2020 Financial Summary as of 12/31/2020

THE VIEWS OF ASHEVILLE HOA
2020 OPERATING ACCOUNT INCOME STATEMENT (as of 11/15/2020)

Dues	
2020 Dues	\$18,525.00
TOTAL DUES	\$18,525.00
Other Income	
First Bank Checking	\$3.49
TOTAL NON-DUES INCOME	\$3.49
TOTAL INCOME	\$18,528.49

2020 RESERVE ACCOUNT INCOME STATEMENT (as of 11/15/2020)

Transfer	
Funds from Operating Account	\$1,500.00
TOTAL TRANSFER	\$1,500.00
Income	
First Bank Checking	\$0.32
TOTAL INCOME	\$0.32
TOTAL INCOME	\$1,500.32

Attachment 2: HOA 2020 Expenses as of 11/15/2020

**The Views of Asheville HOA
HOA 2020 Operating Account Expense Statement (as of 11/15/2020)**

PAYEE	PAID	DATE PD.	COMMENT
LANDSCAPING			
TPS	\$750.06	01/11/20	December invoice
TPS	\$750.06	02/11/20	January invoice
TPS	\$750.06	03/02/20	February invoice
TPS	\$755.35	04/01/20	March Invoice
TPS	\$755.35	08/10/20	Apr invoice - late payment
TPS	\$755.35	06/12/20	May invoice
TPS	\$755.35	07/15/20	June invoice
TPS	\$755.35	08/10/20	July invoice
TPS	\$755.35	09/15/20	August invoice
TPS	\$755.35	10/15/20	September invoice
TPS	\$755.35	11/09/20	October invoice
TPS	\$8,292.98	12/XX/20	November Invoice
Grass maintennce and rejuvenation			
	TPS \$224.10	04/02/20	Grass Treatment #1
	TPS \$730.71	10/15/20	Aeration and Overseeding
	TPS	12/XX/20	Round 6 soil amendment
Landscaping Improvements (TBD)			
Arborist; Tree and Invasive vine removals	\$0.00		
Appalachian Arborists	\$380.00	08/10/20	Removal of four trees
TOTAL LANDSCAPING	\$9,627.79		
LEGAL/ACCOUNTING/BANKING			
Dixon Hughes	\$65.00	02/11/20	Retainer; Tax preparation for 2019
	\$270.00	04/01/20	Balance tax preparation for 2019
Dungan Law Firm	\$0.00		
TOTAL LEGAL/ACCOUNTING	\$335.00		
TAXES/FEES			
City of Asheville	\$1,009.80	06/12/20	Stormwater tax 1/1/19 - 6/30/19
City of Asheville		11/XX/20	7/1/19-12/31/19
TOTAL TAXES/FEES	\$1,009.80		
RESERVE ACCOUNT			
Annual Reserve Acct funding	\$1,500.00	01/11/20	
TOTAL RESERVE ACCOUNT	\$1,500.00		
INSURANCE			
Nationwide	\$550.00	07/15/20	Liability, D&O insurance
TOTAL INSURANCE	\$550.00		
MISC.			
GoDaddy web hosting	\$0.00		
Postage/Supplies	\$0.00		
Annual Meeting	\$0.00		
Sweeten Creek Assoc. Dues	\$0.00		
TOTAL MISC.	\$0.00		
TOTAL OPS ACCT EXP	\$13,022.59		

2020 Reserve Account Expense Statement

STORMWATER SYSTEM	\$0.00	
Service Charge	\$15.00	(January only)
TOTAL RES ACCT EXP	\$15.00	

ATTACHMENT 3: HOA 2020 Financial Summary as of 11/15/2020

**THE VIEWS OF ASHEVILLE HOA
2020 INCOME & EXPENSE (OPERATING ACCOUNT) (as of 11/15/2020)**

Beginning ACCOUNT Balance 1/1/20		<u>\$9,201.24</u>	
	2019	2020	2020
	TOTAL	<u>11/15/20</u>	<u>Annual BUDGET</u>
ANNUAL INCOME			
Dues	\$18,770.75	\$18,525.00	\$18,525.00
Non-dues (Account Interest thru 10/31)	\$2.81	\$2.89	
<u>TOTAL INCOME</u>	<u>\$18,773.56</u>	<u>\$18,527.89</u>	
EXPENSES as of 11/15/2019			
Landscaping	\$11,915.34	\$9,627.79	\$12,363.00
Legal/Acct./Banking	\$505.00	\$335.00	\$1,850.00
Taxes/Fees	\$1,972.08	\$1,009.80	\$2,070.00
Reserve Acct Funding	\$1,000.00	\$1,500.00	\$1,500.00
Insurance	\$550.00	\$550.00	\$600.00
Misc.	\$260.51	\$0.00	\$142.00
<u>TOTAL EXPENSES as of 11/15/20</u>	<u>\$16,202.93</u>	<u>\$13,022.59</u>	<u>\$18,525.00</u>
Operating Account Balance as of <u>11/15/20</u>		<u>\$14,706.54</u>	

Additional Expected Expenses in 2020 (Estimated)	
November TPS mowing	\$755.35
City of Asheville Stormwater #2	\$1,009.80
Round 6 soil amendment	\$226.90
Sub-total	\$1,992.05
Operating Account Balance expected on <u>12/31/2020</u>	<u>\$12,714.49</u>

**THE VIEWS OF ASHEVILLE HOA
2020 INCOME & EXPENSE SHEET (RESERVE ACCOUNT)**

1/1/20 BEGINNING CASH BALANCE		<u>\$220.92</u>
	2019	2020
	<u>TOTAL</u>	
INCOME/TRANSFER		
Interest Income	\$1.14	\$0.32
Annual Funding	\$1,000.00	\$1,500.00
<u>TOTAL INCOME</u>	<u>\$1,001.14</u>	<u>\$1,500.32</u>
<u>Balance Before Expenses</u>	<u>\$6,913.86</u>	<u>\$1,721.24</u>
EXPENSES		
Stormwater System	\$6,677.94	\$0.00
Service Charge	\$15.00	\$15.00
<u>TOTAL EXPENSES</u>	<u>\$6,662.94</u>	<u>\$15.00</u>
Reserve Account Balance on 11/15/2020		<u>\$1,706.24</u>

HOA Budget for CY 2021 (Approved 12/1/2020)

	as of	projected on	
	<u>11/15/20</u>	<u>12/31/20</u>	
<u>HOA ACCOUNTS BALANCE</u>			
Operating Account	\$14,706.54	\$12,714.49	
Reserve Account	\$1,706.24	\$1,706.24	
Total	\$16,412.78	\$14,420.73	
<u>2020 INCOME</u>			
Annual Assessment of \$650 (no increase from 2020)		\$18,525	
<u>2020 OPERATING ACCOUNT EXPENSES</u>			
Landscaping		\$12,596	
TPS Landscaping Contract			\$9,270
Includes Mow, Edge, Blow every 7 days, Bed Maintenance, Pruning along DVD, storm water ditch inspections and upkeep			
Grass maintenance / rejuvenation (3xWeed/Fertilizer, Lime, Aeration/Seed)			\$1,653
Landscaping Improvements to HOA common land (TBD, could be Mulch or entrance improvements)			\$923
Arborist - Tree and invasive vine pruning/removal (storm damage, disease, appearance along DVD)			\$750
Legal, Accounting, Banking		\$1,600	
Tax Prep (Dixon Hughes)			\$350
Legal Advice (Dungan Law)			\$1,250
Taxes / Fees		\$2,120	
Stormwater System			\$2,120
Insurance		\$550	
Nationwide			\$550
Miscellaneous Expenses		\$159	
HOA Website			\$84
Postage/Supplies			\$25
Sweeten Creek Assoc of Neighborhoods Dues			\$50
Reserve Account funding		\$1,500	
Total Operating Account Expenditures		\$18,525	
<u>2020 RESERVE ACCOUNT EXPENSES</u>			
Storm water system			TBD

THE VIEWS OF ASHEVILLE HOA

2020 OPERATING ACCOUNT INCOME STATEMENT (as of 12/31/2020)

Dues	
2020 Dues	\$18,525.00
TOTAL DUES	\$18,525.00
Other Income	
First Bank Checking Interest	\$3.67
TOTAL NON-DUES INCOME	\$3.67
TOTAL INCOME	\$18,528.67

2020 RESERVE ACCOUNT INCOME STATEMENT (as of 12/31/2020)

Transfer	
Funds from Operating Account	\$1,500.00
TOTAL TRANSFER	\$1,500.00
Income	
First Bank Checking Interest	\$0.35
TOTAL INCOME	\$0.35
TOTAL INCOME	\$1,500.35

Attachment 6: HOA 2020 Expenses as of 12/31/2020

The Views of Asheville HOA
HOA 2020 Operating Account Expense Statement (as of 12/31/2020)

PAYEE	PAID	DATE PD.	COMMENT
LANDSCAPING			
TPS	\$750.06	01/11/20	December invoice
TPS	\$750.06	02/11/20	January invoice
TPS	\$750.06	03/02/20	February invoice
TPS	\$755.35	04/01/20	March Invoice
TPS	\$755.35	08/10/20	Apr invoice - late payment
TPS	\$755.35	06/12/20	May invoice
TPS	\$755.35	07/15/20	June invoice
TPS	\$755.35	08/10/20	July invoice
TPS	\$755.35	09/15/20	August invoice
TPS	\$755.35	10/15/20	September invoice
TPS	\$755.35	11/09/20	October invoice
TPS	\$755.35	12/21/20	November Invoice
	\$9,048.33		
Grass maintenence and rejuvenation			
	TPS \$224.10	04/02/20	Grass Treatment #1
	TPS \$730.71	10/15/20	Aeration and Overseeding
	TPS \$229.39	12/21/20	Round 6 soil amendment
Landscaping Improvements (TBD)			
	\$0.00		
Arborist; Tree and Invasive vine removals			
	\$0.00		
	Appalachian Arborists \$380.00	08/10/20	Removal of four trees
TOTAL LANDSCAPING	\$10,612.53		
LEGAL/ACCOUNTING/BANKING			
Dixon Hughes			
	\$65.00	02/11/20	Retainer; Tax preparation for 2019
	\$270.00	04/01/20	Balance tax preparation for 2019
Dungan Law Firm			
	\$0.00		
TOTAL LEGAL/ACCOUNTING	\$335.00		
TAXES/FEES			
City of Asheville			
	\$1,009.80	06/12/20	Stormwater tax 1/1/19 - 6/30/19
	\$1,009.80	12/10/20	7/1/19-12/31/19
TOTAL TAXES/FEES	\$2,019.60		
RESERVE ACCOUNT			
Annual Reserve Acct funding			
	\$1,500.00	01/11/20	
TOTAL RESERVE ACCOUNT	\$1,500.00		
INSURANCE			
Nationwide			
	\$550.00	07/15/20	Liability, D&O insurance
TOTAL INSURANCE	\$550.00		
MISC.			
GoDaddy web hosting			
	\$0.00		
Postage/Supplies			
	\$0.00		
Annual Meeting			
	\$0.00		
Sweeten Creek Assoc. Dues			
	\$0.00		
TOTAL MISC.	\$0.00		
TOTAL OPS ACCT EXP	\$15,017.13		

2020 Reserve Account Expense Statement

STORMWATER SYSTEM			
Service Charge	\$0.00		
	\$15.00		(January only)
TOTAL RES ACCT EXP	\$15.00		

Attachment 7: HOA 2020 Financial Summary as of 12/31/2020

THE VIEWS OF ASHEVILLE HOA

2020 INCOME & EXPENSE (OPERATING ACCOUNT) (as of 12/31/2020)

Beginning ACCOUNT Balance 1/1/20		<u>\$9,201.24</u>	
	2019	2020	2020
	TOTAL	11/15/20	Annual BUDGET
ANNUAL INCOME			
Dues	\$18,770.75	\$18,525.00	\$18,525.00
Non-dues (Account Interest)	\$2.81	\$3.67	
TOTAL INCOME	<u>\$18,773.56</u>	<u>\$18,528.67</u>	
EXPENSES as of 11/15/2019			
Landscaping	\$11,915.34	\$10,612.53	\$12,363.00
Legal/Acct./Banking	\$505.00	\$335.00	\$1,850.00
Taxes/Fees	\$1,972.08	\$2,019.60	\$2,070.00
Reserve Acct Funding	\$1,000.00	\$1,500.00	\$1,500.00
Insurance	\$550.00	\$550.00	\$600.00
Misc.	\$260.51	\$0.00	\$142.00
TOTAL EXPENSES as of 12/31/20	<u>\$16,202.93</u>	<u>\$15,017.13</u>	<u>\$18,525.00</u>
Operating Account Balance as of 12/31/2020		<u>\$12,712.78</u>	

THE VIEWS OF ASHEVILLE HOA

2020 INCOME & EXPENSE SHEET (RESERVE ACCOUNT)

1/1/20 BEGINNING CASH BALANCE		<u>\$220.92</u>
	2019	2020
	TOTAL	
INCOME/TRANSFER		
Interest Income	\$1.14	\$0.35
Annual Funding	\$1,000.00	\$1,500.00
TOTAL INCOME	<u>\$1,001.14</u>	<u>\$1,500.35</u>
Balance Before Expenses	\$6,913.86	\$1,721.27
EXPENSES		
Stormwater System	\$6,677.94	\$0.00
Service Charge	\$15.00	\$15.00
TOTAL EXPENSES	<u>\$6,662.94</u>	<u>\$15.00</u>
Reserve Account Balance on 12/31/2020		\$1,706.27