

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

**DECEMBER 1, 2021**

President Bill Uhle called the meeting to order at 7:30 pm. Because Skyland Fire Department was still closed to outside meetings due to Covid, this meeting was held via ZOOM.

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

77, Skip Garrett	99, Diane and Rick Harvey
78, Neil and Diane Altman	102, Teresa Ohlson
84, Dr. Toni Meador	106, Kathy Gainey and Ed Donnelly
88/90, Brad and Heather LaBarbera	108, Diane Summey
91, Richard and Judy Green	110, Mike and Nancy Osborne
93, Jill Sagarin	(Osborne had proxy for 111, Trapnell)
95/97, Bill and Chandra Uhle	115, Cailan and Alicia Curtis
(Uhle had proxy for 76, Jorgensen)	116/114, Jean-Pierre and Dana Dubreuil

**Opening Statement on Zoom Procedures:**

After welcoming everyone to the second virtual Annual Meeting using Zoom, Bill briefly reviewed some of the Zoom procedures and protocols for the meeting:

- 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.
  - b) If you have a question or comment that can be answered in due course, then either send a chat to "everyone" saying you have a question or comment, or if unable to chat, wait for the current speaker to stop, then unmute and say you have a question or comment. Bill will then recognize you to speak in due order.
- 3) Primary Voting Method: will be a show of hands as is normally done at our meetings.
  - a) The only difference is that the Board asks 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 2 lots, and have been given a proxy, you would hold up 3 fingers.  
Please keep your hands raised until Nancy tells us how many votes she counted.
  - b) As always, Bill will first ask for all those in favor of the motion to raise their hand, then once that count is announced, he will ask all those opposed to raise their hand.
  - c) Bill will then ask for verbal votes of Yea or Nay from those attending without a video connection.
- 4) Finally, as previously noted in the email, the Board intends to record the meeting to assist in preparing the meeting notes. There were no objections, so recording started.

**First Order of Business:**

Determination of whether we had the required Quorum (51% - at least 16 votes) for the meeting. Nancy reported that there were 19 votes represented.

**Introduction of new owners:**

88/90 Distant View Drive, Brad and Heather LaBarbera

116/114 Distant View Drive, Jean-Pierre and Dana Dubreuil

**Proof of Notice of Meeting:** Nancy confirmed that email notice was sent on 9/28/21 and the required notice of the meeting by U.S. Mail was sent to all on 11/10/21.

**Approval of 2020 Minutes:** The minutes of the last annual meeting on December 1, 2020 were distributed via email on January 13, 2021, and after comments were incorporated, the minutes were accepted as final via email on February 20, 2021 and posted on the HOA web site.

**REPORTS OF COMMITTEES**

**Architectural:** Bill Uhle

- 1) The Board continues to act as the Architectural Committee.
- 2) Architectural requests were approved this year from the owners of 86, 95, 102, 115, and 119. The requests included the following:
  - a) 119 DVD: Installed outside stairs to access the backyard.
  - b) 102 DVD: Installed an underdeck roofing to keep the lower deck dry when it rains. Painted the exterior of the house in the same colors.
  - c) 115 DVD: Installed a roof-mounted solar panel system.
  - d) 86 DVD: Changed the color of the garage door to the same color as the stucco.
  - e) 95 DVD: Installed a gas-powered backup generator. Upgraded the outside stairs with additional support beams, replaced the wood decking with Trex, and replaced the wood railing with black aluminum railing on the staircase and on top of the retaining wall.
- 3) There is one open request from 86 DVD to install a 20' flagpole near the front corner of the house. That request will be reconsidered next month in the dead of winter when all the leaves are gone.
- 4) 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.
- 5) Richard Green volunteered to serve on the Architectural Committee.

**Landscape:** Kathy Gainey

- 1) Landscaper – TPS (The Potting Shed)
  - a) The Landscape Committee continues to be pleased with TPS's performance. Overall, everything continues to improve in both standard lawn care and periodic maintenance tasks. They alerted us in July when they were having staffing challenges and had to scale back support from once a week to every 10 days for

lawn care. Kathy Gainey has walked the area with their crews which have changed due to the staffing shortages. They have assigned a dedicated manager with whom Kathy keeps in contact.

- b) On-demand services: Three lawn treatments and mulch applications to the common areas were completed this year. The committee decided not to perform any aeration/overseeding or lime this year since the grass is in good condition.

2) Arborists

- a) Appalachian Arborists treated ten hemlocks for the parasite called Woolly Adelgid.
- b) To keep costs down, volunteers worked to improve some of the common-area beds and take down some of the invasive vines most visible from the street.

3) Landscape Requests (all were approved by the HOA Board and HOA Members):

- a) 77 – Crown reduced several trees (two pines and one willow tree).
- b) 78 – Crown reduced several trees on HOA property obstructing their view.
- c) 86 – Remove corkscrew willow tree. Currently, we are still awaiting approval from the City of Asheville for this work. (Removed after meeting.)
- d) 88 – Crown reduced oak tree, removed invasive vines, removed 2 small tulip poplar trees on HOA land behind their house.
- e) 91 – Additional crown reduction of trees that were trimmed 2 years ago.
- f) 93 – Removed vines, removed 1 wild cherry tree and 2 locust trees, and created a window in a tulip poplar.
- g) 95 – Transplanted 5 new-growth pine trees allowing sufficient spacing for maturation.
- h) 99 – Planted 3 cherry laurel shrubs to screen manhole drop, replaced invasive grass, planted some holly bushes in front of the house on HOA land.
- i) 100 – Address drainpipe that runs along driveway, plant ornamental grass to hide pipes, and add ground juniper along the hillside by the garage. (Work will be done sometime in 2021-2022).
- j) 108 – Crown reduced 1 tulip poplar, removed 1 locust on HOA land behind house.
- k) 110 – Crown reduced 1 tulip poplar tree, removed 3 tulip poplar and 2 locust trees, removed invasive vines growing on those and several other smaller trees, on HOA land.
- l) 110 – Removed a diseased blue spruce that is on HOA land next to their mailbox and replaced it with a dogwood.
- m) 111 – Thinned out several small trees to allow native trees to flourish, removed invasive vines and crown reduced several trees.
- n) 113 – Crown reduced 1 maple, 5 white pines, 2 cherry, and 2 tulip poplars. Removed 2 smaller tulip poplars and invasive vines.
- o) 117 – Removed some small trees and brush that were obstructing maples and other native trees from flourishing.

4) Other Actions:

- a) On 26 October 2021, The HOA Board of Directors walked the entire HOA areas starting at the Water Tank Site and ending at the Views entrance. Both short- and long-term maintenance needs were noted.

- b) Replaced Rock Wall: Replaced the rock wall that crumbled across from 78. As well, we moved the wall back about a foot to prevent trucks from hitting it. Two of the bushes were transplanted to other parts of the HOA common areas and new perennial flowers were planted.
- c) Common Area improvements: Removed a dead tree and had BB Barnes plant a small juniper in the common area behind 102 to replace it. Thank you to the Trapnells again for donating stones for the edging of another HOA common area across from 102.

**REPORTS OF BOARD OF DIRECTORS OFFICERS:**

**Secretary/Treasurer:** Nancy Osborne

- 1) Income \$18,528.30, dues and interest as of 11/15/21.
- 2) Expenses of \$15,419, including a transfer of \$1500 to the Reserve Account as of 11/15/21.
- 3) Total estimated additional expenses thru 12/31 are \$2,098.80, for total estimated expenses for 2021 of \$17,542.80 (a budget surplus of \$982.20).
- 4) This leaves an estimated \$13,698.28 in the Operating Account at year-end.
- 5) There were no expenses charged to the Reserve Account. The balance in the Reserve Account is \$3,206.76 as of 11/15/21.
- 6) The total estimated year-end balance in both the Operating Account and the Reserve Account is \$16,905.04.

**Vice-President:** Kathy Gainey

Water across the street from Cul-de-sac: The Board worked with Park Avenue HOA to jointly petition the city to address the steady stream of water running across the road from 64 to 74 Park Avenue. The City of Asheville dug up the area and found the problem. It was caused by water leaking from the floor drain of the Pumphouse to where it came out and joined in with the French drainpipe from the rock cliff area. At the junction, however, the pipe separated from the main pipe and a little water leaked out. About three feet into the road, the running water caused a sinkhole under the 5" drainage pipe that is under the blacktop that leads to the Stormwater drain on the other side. The junction of the two 5" drainage pipes broke at the sinkhole thus prohibiting the water from continuing through the drainage pipe under the road. They replaced the drainage pipe and rejoined the two connections covering the pipe with crushed rock and paved over it. This appears to have resolved the issue, but we will continue to monitor this past problem.

**President:** Bill Uhle

Dangerous Skateboarding along Distant View Drive and Park Avenue. This year, the HOA purchased 3 "Skateboarding is Illegal" signs and they were installed on trees along

Distant View Drive on 13 May. Prior to the signs being installed, there had already been 1 report of skateboarders on the road. Soon after, there was another report of skateboarders. There were no other reports to the Board of skateboarders until late fall, when there were 2 more reports in late October and early November. Owners are encouraged to report any skateboarding activity first to the Asheville Police Desk (828-252-1110), with the date and time of the activity and any info you were able to obtain about the chase car (color, make, model, or license plate number), and then also report it to the Board via email so we can also continue to track how often it is occurring.

## **UNFINISHED BUSINESS FROM THE LAST MEETING**

LAWSUIT: The only unfinished business is the open lawsuit filed against the HOA by the Stewards back in August of 2018.

- 1) Activity this year included several settlement offers and counteroffers between the parties. However, none of the Board's settlement offers were accepted by the Stewards, and none of the Stewards' offers were acceptable to the Board. The main area of disagreement has been over how much of the Water Tank Site Lot that the HOA is willing to transfer to the Stewards. It was only HOA Lot 5 that was approved by the membership to be transferred to the Stewards per their 2009 Petition. The transfer of any additional land will require the approval of 16 or more owners.
- 2) The Stewards desire to have transferred to them all of the land from 1-foot inside the fence (surrounding the Water Tank) and outward. The HOA maintains that the HOA must, as a minimum, continue to own the land bounded by the fence and inward, including the fence.
- 3) The Stewards' last offer was the first offer that did not ask for the transfer of any of the existing Water Tank Site Lot, but instead proposed that a portion of the chain link fence on HOA common land be removed and replaced by the Stewards with a high wood privacy fence (to partially hide the Water Tank). The Board rejected that offer but suggested that it would consider approving a wood privacy fence if it was located within their Lot 126 (which is about 6-8 feet distance from the existing chain link fence), instead of on HOA property, so it will be clear whose responsibility it is to maintain.
- 4) Additionally, the Stewards wanted approval to construct a shared driveway to access Lots 124 and 126, that would begin near the end of the last DVD curve (across from 111).
- 5) Jean-Pierre asked how all of this affected his purchase of Lots 122 and 124. Bill responded that the Water Tower is located next to Lot 126, which the Stewards still own. The original plan was that the driveway to his home was to be shared by all three lots: 122, 124, and 126. Bill advised that Jean-Pierre call him (as well as any other Views homeowner who would like more information on the lawsuit and the HOA's position).

**NEW BUSINESS:**

**Review and Approval of 2022 Annual Budget:**

- 1) Everyone was emailed a copy of the proposed 2022 Budget. The total budget proposed is \$21,375, an increase of \$100/year from the 2021 assessment to \$750/year.
- 2) Highlights:
  - a. Increase the Reserve Account annual funding to \$3500 to provide for non-routine maintenance, repair, or replacement of HOA common elements.
  - b. The Board continues to maintain an end-of-year minimum reserve in the operating account of an amount equal to 6 months of the annual budget to provide adequate funds until 2022 dues are collected in March and for unexpected costs.
- 3) Bill made a motion to approve the 2022 budget. Richard seconded. The 2022 Budget was approved by unanimous vote.

**Election of the 2022 Board of Directors:**

- 1) Bill Uhle, Kathy Gainey and Nancy Osborne volunteered to serve for another year.
- 2) Bill nominated the three for the 2022 Board of Directors. Jill seconded the motion. After two calls for any other nominations, the nominations were closed.
- 3) Bill Uhle, Kathy Gainey and Nancy Osborne were elected unanimously to the 2022 Board of Directors.

**OTHER**

Meeting adjourned at 8:00.

*Nancy Osborne*

Nancy Osborne  
Secretary/Treasurer  
The Views of Asheville Homeowners Association

**Attachments:**

1. HOA 2021 Income as of 12/31/2021
2. HOA 2021 Expenses as of 12/31/2021
3. HOA 2021 Financial Summary as of 12/31/2021
4. HOA 2022 Budget (as approved)

**Attachment 1: HOA 2021 Income as of 12/31/2021**

**THE VIEWS OF ASHEVILLE HOA  
2021 OPERATING ACCOUNT INCOME STATEMENT (on 12/31/21)**

<b>Dues</b>	
2021 Dues	\$18,525.00
<b>TOTAL DUES</b>	<b>\$18,525.00</b>
<b>Other Income</b>	
First Bank Checking Interest	\$3.80
<b>TOTAL NON-DUES INCOME</b>	<b>\$3.80</b>
<b>TOTAL INCOME</b>	<b>\$18,528.80</b>

**2021 RESERVE ACCOUNT INCOME STATEMENT (on 12/31/21)**

<b>Transfer</b>	
Funds from Operating Account	\$1,500.00 (1/19/2021)
Funds from Operating Account	
<b>TOTAL TRANSFER</b>	<b>\$1,500.00</b>
<b>Other Income</b>	
First Bank Checking Interest	\$0.59
<b>TOTAL NON-DUES INCOME</b>	<b>\$0.59</b>
<b>TOTAL INCOME</b>	<b>\$1,500.59</b>

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## Attachment 2: HOA 2021 Expenses as of 12/31/2021

### The Views of Asheville HOA HOA 2021 Operating Account Expense Statement (on 12/31/21)

PAYEE	PAID	DATE PD/CHECK #	COMMENT
<b>LANDSCAPING</b>			
TPS	\$755.37	2/06/21 #1052	December 2020 invoice
TPS	\$755.37	2/06/21 #1053	January 2021 invoice
TPS	\$755.37	2/06/21 #1054	February invoice
TPS	\$755.37	3/05/21 #1056	March Invoice
TPS	\$755.37	4/01/21 #1059	April Invoice
TPS	\$755.37	6/03/21 #1064	May invoice
TPS	\$755.37	7/11/21 #1066	June invoice
TPS	\$755.37	8/04/21 #1068	July invoice
TPS	\$755.37	9/03/21 #1069	August invoice
TPS	\$755.37	10/01/21 #1070	September invoice
TPS	\$755.37	11/03/21 #1071	October invoice
TPS	\$755.37	12/03/21 #1075	November Invoice
TPS	\$229.39	4/15/21 #1059	Round 1 fertilizer
TPS	\$992.86	3/31/21 #1058	Mulching
TPS	\$229.39	5/01/21 #1062	Round 2 fertilizer
TPS	\$229.39	12/03/21 #1075	Round 6 fertilizer
TPS Total	<u>\$10,745.47</u>		
Alberto Almaraz	\$1,450.00	1/29/21 #1051	Retaining Wall Repair
B.B.Barnes	\$104.24	11/19/21 #1072	New Juniper in common area
Appalachian Arborists	\$160.00	5/13/21 #1063	Hemlock treatment
<b>TOTAL LANDSCAPING</b>	<u><b>\$12,459.71</b></u>		
<b>LEGAL/ACCOUNTING/BANKING</b>			
Dixon Hughes	\$335.00	3/05/21 #1057	Tax preparation for 2020
Allen, Stahl, Kilbourne	\$354.00	1/07/21 #1048	Review settlement proposal
<b>TOTAL LEGAL/ACCOUNTING</b>	<u><b>\$689.00</b></u>		
<b>TAXES/FEES</b>			
City of Asheville	\$1,009.80	6/23/21 #1065	Stormwater tax 1/1/21 - 6/30/21
City of Asheville	\$1,009.80	12/02/21 #1073	Stormwater tax 7/1/21-12/31/21
<b>TOTAL TAXES/FEES</b>	<u><b>\$2,019.60</b></u>		
<b>RESERVE ACCOUNT</b>			
Annual Reserve Acct funding	<u>\$1,500.00</u>	1/18/21 #1049	
<b>TOTAL RESERVE ACCOUNT</b>	<u><b>\$1,500.00</b></u>		
<b>INSURANCE</b>			
Nationwide	<u>\$550.00</u>	7/14/21 #1067	Liability, D&O insurance
<b>TOTAL INSURANCE</b>	<u><b>\$550.00</b></u>		
<b>MISC.</b>			
SmartSign (skateboarding)	\$299.49	4/23/21 #1061	
Annual Meeting 2019 @ Skyland FD	\$25.00		
<b>TOTAL MISC.</b>	<u><b>\$324.49</b></u>		
<b>TOTAL OPS ACCT EXP</b>	<u><b>\$17,542.80</b></u>		

### 2021 Reserve Account Expense Statement

TOTAL RES ACCT EXP	\$0.00
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**Attachment 3: HOA 2021 Financial Summary as of 12/31/2021**

**THE VIEWS OF ASHEVILLE HOA  
2021 INCOME & EXPENSES (OPERATING ACCOUNT) (on 12/31/21)**

Beginning ACCOUNT Balance 1/1/21		<b>\$12,712.78</b>	
	<b>2020</b>	<b>2021 Actual</b>	<b>2021</b>
		<b>Actual</b>	<b>Annual BUDGET</b>
<b>ANNUAL INCOME</b>			
Dues	\$18,525.00	\$ 18,525.00	\$18,525.00
Non-dues (Account Interest)	\$3.67	3.80	
<b><u>TOTAL INCOME</u></b>	<b><u>\$18,528.67</u></b>	<b><u>\$18,528.80</u></b>	
<b>EXPENSES</b>			
Landscaping	\$10,612.53	\$12,459.71	\$12,596.00
Legal/Acct./Banking	\$335.00	\$689.00	\$1,600.00
Taxes/Fees	\$2,019.60	\$2,019.60	\$2,120.00
Reserve Acct Funding	\$1,500.00	\$1,500.00	\$1,500.00
Insurance	\$550.00	\$550.00	\$550.00
Total Misc.		\$324.49	\$159.00
<b><u>TOTAL EXPENSES as of 12/31/21</u></b>	<b><u>\$15,017.13</u></b>	<b><u>\$17,542.80</u></b>	<b><u>\$18,525.00</u></b>
<b><u>OPERATING ACCOUNT BALANCE AS OF 12/31/21</u></b>	<b>-</b>	<b><u>\$13,698.78</u></b>	

**THE VIEWS OF ASHEVILLE HOA  
2021 INCOME & EXPENSES (RESERVE ACCOUNT)**

1/1/21 BEGINNING CASH BALANCE		<b>\$1,706.27</b>
	<b>2020</b>	<b>2021</b>
	<b>TOTAL</b>	<b>Actual</b>
<b>INCOME/TRANSFER</b>		
Interest Income	\$0.35	\$0.59
Annual Funding	\$1,500.00	\$1,500.00
<b><u>TOTAL INCOME</u></b>	<b><u>\$1,500.35</u></b>	<b><u>\$1,500.59</u></b>
<b><u>Balance Before Expenses</u></b>	<b><u>\$1,721.27</u></b>	<b><u>\$3,206.86</u></b>
<b>EXPENSES</b>		
Service Charge	\$15.00	
<b><u>TOTAL EXPENSES</u></b>	<b><u>\$15.00</u></b>	<b><u>\$0.00</u></b>
<b>Reserve Account Balance on 12/31/21</b>		<b><u>\$3,206.86</u></b>

## Attachment 4: HOA Budget for 2022

### **HOA 2022 Budget (Accepted as proposed)**

<u>HOA ACCOUNTS BALANCE</u>	<u>as of 12/31/2021</u>	
Operating Account		\$13,698.78
Reserve Account		<u>\$3,206.86</u>
<b>Total</b>		<b>\$16,905.64</b>
<u>2022 INCOME</u>		
Annual Assessment of \$750 (\$100 increase)		\$21,375
<u>2022 OPERATING ACCOUNT EXPENSES</u>		
<b>Landscaping</b>	<b>\$13,238</b>	
TPS Landscaping Contract		\$9,642
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)		\$1,646
Landscaping Improvements to HOA common land (TBD, could be Mulch or entrance improvements)		\$1,000
Arborist - Tree and invasive vine pruning/remov (storm damage, disease, appearance along DVD)		\$750
<b>Legal, Accounting, Banking</b>	<b>\$1,600</b>	
Tax Prep (Dixon Hughes)		\$350
Legal Advice (Dungan Law)		\$1,250
<b>Taxes / Fees</b>	<b>\$2,278</b>	
Stormwater System		\$2,278
<b>Insurance</b>	<b>\$600</b>	
Nationwide		\$600
<b>Miscellaneous Expenses</b>	<b>\$159</b>	
HOA Website		\$84
Postage/Supplies		\$50
Annual Meeting		\$25
<b>Reserve Account funding</b>	<b>\$3,500</b>	
<b>Total Operating Account Expenditures</b>	<b>\$21,375</b>	
<u>2022 RESERVE ACCOUNT EXPENSES</u>		
Storm water system		TBD