

Line Runner Maintenance Corporation Annual Meeting 2019 Minutes  
6/1/2019 Common Area at Lake

Board members in attendance:

David Cronin, President

Nancy Loupe, Secretary/Treasurer

Garry Field, Board member

Bill Huffman, Board member

Paul Kennedy, Board Member

Membership in attendance: 36. Quorum is met.

The meeting was called to order at 10:10 AM by President David Cronin.

Fourteen (14) motions were made and passed during the meeting.

1. A MOTION WAS MADE TO ACCEPT THE MINUTES FROM 2018. THE MOTION PASSED.
2. A MOTION WAS MADE AND SECONDED TO ACCEPT THE NOMINATION OF DAVID CRONIN FOR PRESIDENT. THE MOTION PASSED.
3. A MOTION WAS MADE AND SECONDED TO ACCEPT THE NOMINATION OF GARRY FIELD AS VICE-PRESIDENT. THE MOTION PASSED.
4. A MOTION WAS MADE AND SECONDED TO ACCPT THE NOMINATION OF BILL HUFFMAN TO THE BOARD. THE MOTION PASSED.
5. A MOTION WAS MADE AND SECONDED TO ACCEPT THE TREASURER'S REPORT. THE MOTION PASSED.
6. A MOTION WAS MADE AND SECONDED TO KEEP THE ANNUAL ASSESSMENT AT \$600 FOR THE COMING YEAR AND TO TRY TO ENFORCE THE LIENS. THE MOTION PASSED.
7. A MOTION WAS MADE AND SECONDED TO ASSESS A \$1000 CONSTRUCTION FEE, WITH \$500 REFUNDABLE IF MINIMAL DAMAGE IS DONE TO THE ROADS. THE FEE WILL APPLY TO NEW CONSTRUCTION OR TO RENOVATIONS IF A PERMIT IS PULLED AND/OR THE FOOTPRINT OF THE BUILDING IS CHANGED. THE MOTION PASSED.
8. A MOTION WAS MADE TO VOTE ON THE CHANGES RECOMMENDED TO BRING THE JUNE 1, 2002 BYLAWS UP TO DATE WITH CURRENT LRMC BUSINESS ACTIONS. THE MOTION PASSED.

9. MOTION WAS MADE TO VOTE ON THE CHANGES RECOMMENDED TO CLARIFY WORDING IN THE JUNE 1, 2002 BYLAWS. THE MOTION PASSED.
10. A MOTION WAS MADE TO VOTE ON CHANGES TO ARTICLE II, ASSOCIATION MEMBERSHIP, SECTION 2 IN THE BYLAWS. THE MOTION PASSED.
11. A MOTION WAS MADE TO VOTE ON CHANGES TO ARTICLE IV, THE DIRECTORS, SECTION 14, YEAR-END AUDIT IN THE BYLAWS. THE MOTION PASSED.
12. A MOTION WAS MADE TO VOTE ON CHANGES TO ARTICLE V, THE OFFICERS, SECTION 1, OFFICERS IN THE BYLAWS. THE MOTION PASSED.
13. A MOTION WAS MADE TO ALLOW THE BOARD TWO (2) WEEKS TO RESEARCH THE TOPIC OF REMOVING PROPERTY FROM LINE RUNNER RIDGE SUBDIVISION IF SOLD TO THE STATE AND TO GET INFORMATION TO LRMC MEMBERS BY EMAIL AND/OR US MAIL, WITH THE LRMC MEMBERS VOTING BY MAIL ON THE POSSIBLE SALE. THE MOTION PASSED.
14. A MOTION WAS MADE AND SECONDED THAT THE MEETING BE ADJOURNED. THE MOTION PASSED.

David thanked everyone for coming. A MOTION WAS MADE AND SECONDED TO ACCEPT THE MINUTES FROM 2018. THE MOTION PASSED.

#### **Election of Board Members:**

The previous Vice-president, Scott Piper, notified the Board of his resignation effective 6/1/19. David Cronin stated that the Board should return to five (5) members consisting of three (3) officers and two (2) at-large members, as is stated in our Bylaws. There was no objection from the members at the meeting. Terms were up for President David Cronin, Vice-president, and Board member Bill Huffman. David Cronin was nominated for President, Garry Field was nominated for Vice-president, and Bill Huffman was nominated for his at-large Board position. MOTIONS WERE MADE AND SECONDED TO ACCEPT THE NOMINATIONS OF D. CRONIN, G. FIELD, AND W. HUFFMAN. THE MOTIONS PASSED. All three were elected without opposition.

#### **Treasurer's Report:**

Nancy Loupe gave the treasurer's report for 1/1/18-12/31/18. Nancy presented a spreadsheet of income and expenses for 2012-2018. That spreadsheet is currently posted on the community website and will be updated at least annually. Nancy explained why there have been many inconsistencies in our accounting since we began using outside accounting firms to do our bookkeeping in 2012. She also explained what efforts she will make to eliminate some of those inconsistencies during 2019. Expenses for 2018 were again greater than assessments (dues) for the year. Nancy said the average/year for road

and overhead was approximately \$41,000 over the past six (6) years. In 2018, we had revenue of approximately \$46,000, with approximately \$2000 allocated to the dam and the remainder to roads and overhead. If income and expenses hold at those average levels, the annual assessment may be at an acceptable level. However, at \$2000/year, the dam is badly underfunded. We need approximately \$5500/year to put in the dam fund in order to pay for a repair in 15 years as the average earthen dam needs repair every 20 years; ours was last repaired in 2013.

A MOTION WAS MADE AND SECONDED TO ACCEPT THE TREASURER'S REPORT. THE MOTION PASSED.

No new liens were filed in 2018; there are currently six (6) active liens. Three (3) additional property owners are in arrears but Nancy is working with them to collect their dues. Nancy has contacted all owners, where possible, that are in arrears. The top two debtors (owners in arrears) owe greater than \$5000 each. Approximately \$19,000 is due on the properties on which liens were filed. It was mentioned that if an owner in arrears has multiple properties in Line Runner Ridge subdivision, a lien should be placed on all properties so owned. Jonathan Galpin asked if LRMC has considered foreclosing on the properties in arrears. There followed a discussion regarding foreclosing and what strategy to take. Nancy will gather information regarding the process of LRMC pursuing foreclosure on properties in arrears; David Cronin stated that foreclosure had been looked into in the past but not started as foreclosing is tremendously expensive. It was voted in the past to allocate some money each year toward legal expense. If foreclosures are pursued, it was recommended that the strategy be to initiate action against the property owner that owes the most money. We also need to see if there is a mortgage on the property in order to determine beginning price that must be asked on a foreclosed property. It may take up to 6 months to complete foreclosure action to force the sale of the property in question. Ultimately, all property owners in arrears will be considered for foreclosures but not simultaneously. Nancy will investigate further into foreclosures, see if we can find an attorney that will handle the foreclosures more cheaply than we were quoted in the past.

There was praise for Nancy's successful efforts to collect back dues.

There was a segue to an informal discussion of our roads with lots of complaints about the lower portion of the main road and a section of Willow Lane. We have some culverts that need to be cleaned out and some that need to be replaced. If we replace them all at the same time, they will age at the same time, and will need to be replaced at the same time in the future. We authorized enough grading in May/June to get the worst of the roads in better shape but are waiting until we get the bill for those services before authorizing more work. We got a big grader for the first grading of the season; beyond that, we'll see what work to authorize and who to use. Several people mentioned damage to their vehicles from the condition of the lower road in the past month. There was lots of rain in 2018 that ruined some of the roads with run-off.

There was praise for Dan Ristau regarding prompt snow removal.

A MOTION WAS MADE AND SECONDED TO KEEP THE ANNUAL ASSESSMENT AT \$600 FOR THE COMING YEAR AND TO TRY TO ENFORCE THE LIENS. THE MOTION PASSED.

**Old Business:**

- a. GATE: In 2017-2018 we spent about \$12,500 on the gate and cameras at Highway 178 and Line Runner Ridge Road. The gate and cameras are now functional. There was a brief discussion of the sensors, cleaning the sensors, and the liability/danger should the sensors be disabled. Several people stressed that the first step, should the gate fail to open, is to clean the sensors at the gate (both sides of the road) and up the hill at the orange post. It was also stressed that people running through the gate before it has fully opened totally stops the gate until another command is received via the keypad or a remote. Dan offered to teach anyone interested how to manually open the gate when all other methods fail.
- b. ROAD SIGNS: The county will replace missing road signs at no cost to the community. Nancy called the county last year after the Association meeting regarding several missing signs in our subdivision. No action was taken as a result of that call; Nancy called back to the county office this spring and was told that new signs should be in place within the next couple of weeks. There was a brief discussion regarding confusion at the confluence of Park Road, the Vietors' driveway, and Ridge Road. No official action was decided on that. There currently is a wooden sign on the Briolas' property calling the road "Line Runner Lake Road". That sign will be removed.
- c. LOCK AT LAKE. At the 2018 annual meeting, there was a discussion about emergency vehicles accessing the Blacks' residence and the common area behind the lake gate. It was decided then to put two (2) locks on the gate chain: 1) one for property owners to open with a Lake Key; and 2) one for emergency vehicles to open via a combination lock. The combination would be shared with Rosman EMS/Fire and the Sheriff's office. Cindy Black had put a small lock on the chain as someone had cut the chain and left the gate permanently unlocked. David Cronin bought a new combination lock to put on the chain; Cindy's small lock was returned to her. Nancy will share the combination with emergency authorities.
- d. CONSTRUCTION FEES: At some annual meeting in the past, members discussed the assessment of a construction fee when there was new construction, renovation, or other activities that might damage the roads. That discussion and possible vote was not captured in meeting minutes. Within the last 3 years, that construction fee was assessed to two (2) property owners.

A MOTION WAS MADE AND SECONDED TO ASSESS A \$1000 CONSTRUCTION FEE, WITH \$500 REFUNDABLE IF MINIMAL DAMAGE IS DONE TO THE ROADS. THE FEE WILL APPLY TO NEW CONSTRUCTION OR TO RENOVATIONS IF A PERMIT IS PULLED AND/OR THE FOOTPRINT OF THE BUILDING IS CHANGED. THE MOTION PASSED.

Since the vote was taken 6/1/19, those fees previously assessed will be refunded to the two property owners. Elmer Zebley proposed that a committee be established to develop guidelines regarding determining whether the roads were damaged, but no action was taken on that proposal.

- e. **DAM MOWING AND LAKE UPDATE:** Bill Huffman gave a brief history of the lake and dam and LRMC's interaction with the state regarding repair of the dam. Bill and his firm did the necessary engineering and filing of documents for routine monitoring of the lake and dam. Bill continues to file annual reports as needed and to maintain a current Emergency Action Plan (EAP) as mandated by the state. Bill also has manually adjusted the overflow system so the lake and dam function mostly automatically and is maintenance free regarding lake level. Bill asked that folks not move the rocks on the spillway as their position helps maintain the lake level automatically. He also asked that folks not call the state Emergency Management office if the lake level appears to be high. He is monitoring the level routinely. If members are concerned, they should contact someone on the Board, and Bill will be contacted. We try to keep the lake level as high as is safe to maintain a level during dry spells, as the lake loses 1-2 inches/day to evaporation in warm weather.

Part of the state requirement is that the dam be mowed at least once each month to prevent damage to the dam from roots and so that the dam can be inspected. Our former mowing company declined to accept another contract for this year. The board is talking to various contractors and will decide on one to mow the dam.

- f. **GATE:** Dan Ristau reported that the gate is working just fine now; he had to replace three (3) gear boxes since the gate was installed at a cost of \$250 each (with Dan providing the labor at no cost). The gear box is broken when the gate is forced open. Dan found that the camera, previously installed to monitor the gate, had a defective monitor. It was under warranty, so Dan returned it and got a replacement monitor. He also found that the camera shut down when there was a power failure and had to be manually restarted. He purchased and installed a battery back-up to fix that issue. He is checking the camera card routinely. Dan said the biggest problem he has observed with the gate is that people rush through the gate before it is fully open, stated that happens at least 30% of the time the gate is opened. That stops the gate in a partially open/closed position until the gate receives another signal from the keypad or a remote. The biggest operational issue with the gate is that the reflectors or sensors get wet or dirty and won't allow the gate to open. It is a law that the sensors must be present, and the gate operator will not function without the sensors. The sensors function to prevent damage to people or vehicles. Dan offered to teach anyone interested how to manually open the gate without harming the mechanism.

Don Briola reminded folks to stay to the right side of the road, near the orange post, to trip the sensor in the post to open the gate. If you get too far to the middle or left, the sensor will not open the gate. Jonathan Orr suggested that if we replace this gate, we should get a swing-arm

gate that lifts. Someone else suggested that we should get a stock gate as it's lighter. Both of those options were examined early in the process of purchasing a gate. Due to the number of times the gate is opened in a day (approximately 200 times), a very heavy-duty opener was required. A stock gate was discouraged by the vendors as not being durable enough.

The gate was initially approved in 2016 and put into place in 2018 due, in part, to people trespassing at the lake. There was a discussion of what actions should be taken if people trespass at the lake, including having the trespasser's car towed, and members locking the gate behind them if they find it unlocked when they arrive at the lake gate. The discussion of the entrance gate included criticism of having to clean the reflectors and sensors routinely, comments that gates for other communities work well without that. Garry Field stated that he is working on shields for the sensors, to prevent many of the malfunctions. Jessica Mansfield asked if we could communicate to the community if the gate is to be left open for a prolonged period, said notification might go a long way to prevent dissatisfaction by the members. This led to a discussion of message boards that would not be available to the general public (like our website) but could be viewed by Line Runner Ridge property owners. Nancy Loupe and Jessica will work on a Facebook system or some other system that would be available to our community for this purpose.

Henry Temple asked if our insurance will drop since we installed a gate, said we would have to ask as the provider likely will not offer that. Nancy Loupe agreed to call our agent and ask that.

- g. FISH COMMITTEE: Elmer Zebley reported that he sent an email update to all the Association addresses he had. He said the population of lake organisms needs to be as diverse as possible for the best health of the lake and fish. The fish committee put in fish shelters for the small fish and aquatic insects; they bound pine branches to blocks and put them in the lake. They intend to put more shelters in the deep part of the lake, will get permission from lake property owners before installing shelters in front of someone's property. A discussion followed that the shelters near the dock need to be moved, are dangerous to swimmers. David Brown said he will get with Elmer regarding moving the shelters, said it's worse on the left side of the dock. Concern was also expressed about fishing lures getting tangled in the pine branches of the shelters, that the shelters aren't far enough away from the dock. Donna Huffman said there are almost too many fish in the lake, that the fish nibble on people swimming. The shelters will draw fish away from the dock, but the dock itself is a shelter. Fish are attracted to the dock for that shelter effect and also because people feed the fish from the dock. If we move shelters to the deep end of the lake, we must be sure to not hit the dam or block the intake pipe. Elmer will try to move some of the shelters. The lake is hotter and clearer than last year at this time. The committee recommends staying with taking catfish and brim (greater than 7 inches long, maximum of 6 brim per day). All else should remain catch and release. David Brown and David Cronin offered to join the fish committee. We still need a way to prevent silt and dirt from getting into the lake, need a rip-rap dam or catch basin at the end of the lake opposite the dam.

- h. DUES ASSESSMENTS: Sally Radovich briefly reviewed the idea of changing our method of assessing annual dues, had posted a spreadsheet of options on the community website. Meloni Aiken and Kristi Brown voiced that it is the law that dues assessment must be equal to all property owners in the subdivision, that there is a NC law to that effect. Kristi provided Nancy Loupe with a copy of that statute. Bill Huffman expressed that LRMC is a road maintenance organization, and that all who live here should contribute to the upkeep of the roads. There was a comment (not a motion) that we should table this topic. There was no opposition.
- i. BYLAWS: BJ Achord gave a report on the suggestions the Bylaws committee had regarding changes to the current Bylaws and suggested there be a standing Bylaws committee, perhaps with different members than at present. The committee recommendations were posted to the community website in July 2018; there were three (3) categories of changes recommended: 1) those needed to bring the 2002 Bylaws into agreement with the manner in which LRMC is currently doing business; 2) recommendations intended to clarify wording in the 2002 Bylaws and to make voting methods consistent for all situations; and 3) recommendations to change the implied intention of the 2002 Bylaws in a few specific situations.

A MOTION WAS MADE TO VOTE ON THE CHANGES RECOMMENDED TO BRING THE JUNE 1, 2002 BYLAWS UP TO DATE WITH CURRENT LRMC BUSINESS ACTIONS. THE MOTION PASSED.

All changes recommended to bring the Bylaws up to date were approved by the membership.

A MOTION WAS MADE TO VOTE ON THE CHANGES RECOMMENDED TO CLARIFY WORDING IN THE JUNE 1, 2002 BYLAWS. THE MOTION PASSED.

All changes recommended to clarify our existing Bylaws were approved by the membership.

Proposed changes to the intent of the 2002 Bylaws:

- 1) Article II, Association Membership, Section 2, Assessment of Maintenance Fees: the exception of a non-rental guesthouse was stricken. The definition of "occupiable structure" was added. The detailed structure of a payment plan (for those who cannot pay dues in one payment) was stricken. Added was that current dues will be posted on the community webpage and be available through the Secretary-Treasurer. A MOTION WAS MADE TO VOTE ON CHANGES TO ARTICLE II, ASSOCIATION MEMBERSHIP, SECTION 2 IN THE BYLAWS. THE MOTION PASSED. The change was approved.
- 2) Article IV, The Directors, Section 14, Year-end Audit: It was recommended that an audit be optional, not mandatory, when a new Secretary-Treasurer takes office. It was further recommended that the current provision to have two (2) Association members review the Association's financial records if no audit is performed be amended to exclude any Board member participating in the review. A MOTION WAS

MADE TO VOTE ON CHANGES TO ARTICLE IV, THE DIRECTORS, SECTION 14, YEAR-END AUDIT IN THE BYLAWS. THE MOTION PASSED. Those changes were approved.

- 3) Article V, The Officers, Section 1, Officers: It was recommended that the Secretary-Treasurer be exempt from paying one annual assessment per year instead of "the annual assessment". A MOTION WAS MADE TO VOTE ON CHANGES TO ARTICLE V, THE OFFICERS, SECTION 1, OFFICERS IN THE BYLAWS. THE MOTION PASSED. The change was approved.

The Bylaws committee will work further on Article IV, Section 14 regarding an audit being forceable by the members of the Association not just the Board. The proposals regarding Temporary Camping on one's own property will be posted, as presented at the meeting, on the community website and will be reviewed at the next annual meeting. A detailed list of the actual changes to the Bylaws is attached as an addendum to these minutes.

- j. ROADS: David Cronin reported on the roads. We had a motor grader in this spring, just prior to this meeting; the roads also need chemicals to keep the dust down. It is best to grade the roads after a rain, but the Board was informed that might put us on a two (2) month wait list for grading. David, Garry Field, and Bill Huffman are an informal road committee. David would like to have Jerry Henderson back on as our road crew. Nancy Loupe suggested that we contract with Luke Whitmire to do one grading/year, that it might be more cost effective with a contract. David said that Luke's equipment is too big to do all our roads, that we still need smaller equipment. It was stated that Luke has smaller equipment but didn't bring it this time.

Garry commented that Luke's grading brought a lot of our gravel out of the ditches and back onto the roads. Shirley Cox asked whether the Board could decide on the vendor for tending to the roads, and it was agreed that they could.

There followed a discussion of the condition of a portion of Willow Lane where a new driveway was cut in by William Hamilton in February of 2019. No erosion control was put in when the driveway was cut in, resulting in rains washing dirt onto the road and filling an adjacent culvert. Property owners in that area stated that the road is still a muddy mess when it rains. David Cronin said the Board will try to get Will to fix it at his cost. Bill Elferdink said we should call code compliance with the county due to the erosion. They will send someone out to examine the situation. If they find violations, the county will then get involved with enforcement of corrections. In any case, the road needs to be fixed.

- k. INTERNET: Scott Piper had been representing the subdivision with Comporium regarding their providing better/faster internet in our subdivision. There are people interested in this possibility. Nick Mansfield offered to be the new point person with Comporium, will contact that vendor and notify Nancy Loupe of what he finds out.

- I. COMMUNITY WEBSITE: Scott Piper had been administrator for the community website (linerunnerridgecommunity.com) but informed the Board that he would no longer perform that service for the subdivision. Jonathan Galpin volunteered to take over that duty. He stated that we still have rights to the older website domain name (linerunnerridge.com). He recommended keeping that older domain name at a cost of \$15/year for a 5-year commitment. Some items that appear to be on the newer site are actually still on the old site and retrieved from the old site when clicked on at the new website. It will take some time to migrate items to the newer website, and Jonathan doesn't have time to do that at present. That plan was agreed to by acclamation.

**New Business:**

- a. HENRY TEMPLE PROPERTY: The state of North Carolina is interested in purchasing property from Henry Temple, III. Henry reported that the property in which the state is interested is approximately 12 acres off Willow Lane. Henry said the state/Forestry Service will add this land to Headwaters State Park and make it available to the public for hiking and other activities. Per Henry, the right of way for the lot extends all the way to Willow Lane, but the park itself will stop short of Willow Lane. Henry also stated that the state is contacting property owners with land adjacent to the park in an effort to gain control of more properties with streams on them, possibly including other property owners within Line Runner Ridge subdivision. The state would like access through Line Runner Ridge roads, at least for a pickup truck with Rangers. The state has told Henry that it does not want to be in the subdivision, wants us to release the property from the subdivision. Several Board members voiced opposition to releasing acreage out of the subdivision, as that could lower the income base to maintain our roads. Concern was also expressed regarding whether the state would bear the costs involved with actions required by LRMC to investigate or further the sale. There followed a long discussion.

Henry said the state would put up "no trespass" signs along the perimeter of the property if he sold it to them. Elmer Zebley stated that he has hiked in the current Headwaters State Park, and that, at present, there is not a lot of public use of the property. He suggested having it written in that members of LRMC have walk-on access to the park if Henry ends up selling to the state. David Brown commented that he has experience with the Forest Service owning adjacent property and that the Forest Service makes a good neighbor. Members of the Board stated the Board and LRMC members were not given enough notice of this situation to be able to research it properly and to meet with a real estate attorney. A MOTION WAS MADE TO ALLOW THE BOARD TWO (2) WEEKS TO RESEARCH THE TOPIC OF REMOVING PROPERTY FROM LINE RUNNER RIDGE SUBDIVISION IF SOLD TO THE STATE AND TO GET INFORMATION TO LRMC MEMBERS BY EMAIL AND/OR US MAIL, WITH THE LRMC MEMBERS VOTING BY MAIL ON THE POSSIBLE SALE. THE MOTION PASSED.

There being no further business, the president called for a motion to adjourn. A MOTION WAS MADE AND SECONDED THAT THE MEETING BE ADJOURNED. THE MOTION PASSED. The meeting was adjourned at 2:40 PM.