

Line Runner Maintenance Corporation Annual Meeting 2023 Minutes
6/3/2023 Common Area at Lake

Board members in attendance:

David Cronin, President

Garry Fields, Vice President

Nancy Loupe, Secretary-Treasurer

Bill Huffman, Board member

Sally Radovich, Board member

Membership in attendance: 40 (representing 29 eligible votes). Proxies in hand: 6. Eligible votes present: 35. Quorum is met.

The meeting was called to order at 10:12 AM by President David Cronin.

Five (5) motions were made and passed during the meeting.

1. A MOTION WAS MADE AND SECONDED TO ACCEPT THE MINUTES FROM THE 2022 MEETING. THE MOTION PASSED.
2. A MOTION WAS MADE AND SECONDED TO ACCEPT THE SUGGESTED RULES FOR NEW DOCKS TO BE BUILT OR CURRENT DOCKS TO BE CHANGED AT THE LINE RUNNER LAKE. THE MOTION PASSED.
3. A MOTION WAS MADE AND SECONDED TO ACCEPT LEE BURTON FOR THE BOARD POSITION PREVIOUSLY HELD BY BILL HUFFMAN. THE MOTION PASSED.
4. A MOTION WAS MADE AND SECONDED TO ACCEPT DAVID CRONIN FOR THE POSITION OF LRMC PRESIDENT FOR ANOTHER TERM. THE MOTION PASSED.
5. A MOTION WAS MADE AND SECONDED THAT THE MEETING BE ADJOURNED. THE MOTION PASSED.

David Cronin called the meeting to order at 10:12 AM. He welcomed everyone and thanked all for coming to the meeting. The members present then introduced themselves.

David asked for a motion to accept the minutes from the 2022 meeting.

A MOTION WAS MADE AND SECONDED TO ACCEPT THE MINUTES FROM THE 2022 MEETING. THE MOTION PASSED.

Treasurer's Report:

Nancy Loupe gave the treasurer's report for 1/1/22-12/31/22. Nancy presented a spreadsheet of income and expenses for 2018-2022 and 2023 YTD. That spreadsheet will be posted on the community website and is up to date through May 2023. Nancy listed several big expenses that LRMC had in 2022 that are not annually recurring, including cutting the sides/banks of the roads, taking out dead trees by the roadsides and cleaning up same, and removal of a fallen tree (over the main road) at Christmas time. LRMC was approximately \$9,000 in the red for 2022 expenses relative to 2022 income, but overall had a small surplus going into 2023. So far in 2023, LRMC has spent approximately \$13,000 for the lake and common area, \$3,000 for a dam breach analysis from 2012, and money for grading and gravel for the common area for fire truck access.

The Board created a budget for 2023. It is the intention of the Board to meet toward the end of 2023 and decide on projects for 2024. The 2024 budget will reflect those projects as well as routine expenses to maintain the roads, lake, and dam. The 2023 budget will be posted on the community website, as will the 2024 budget once created.

By 12/31/22, all delinquent dues for Line Runner Ridge (LRR) property owners were caught up. As of May 1, 2023, there were no LRR property owners in arrears. There is only one property owner (on Joshua Summit) in arrears and not on a payment plan. There is an active lien on his property but prospects to collect are low pending his selling the property. Sally Radovich said the past-due funds that Nancy has collected have allowed the community to take on several project, such as the clearing of the road banks, tree trimming, and building a new dock. In general, dues income essentially balances expenses. The community gave Nancy a round of applause for her efforts to catch up delinquent accounts.

Old Business:

- a. LAKE AND SPILLWAY: Bill Huffman reported that someone is still tampering with the rocks in the spillway, raising the water level in the lake. Bill talked about the lake being a treasure for the community, helping our property values and being a great recreational asset. He explained that the spillway rocks are arranged (by him) to keep the lake at the proper level. The dam falls under the regulation of NC DEQ (North Carolina Department of Environmental Quality – Division of Energy, Mineral, and Land Resources). Regulations specify that we must have enough freeboard (the difference between the water level and the top of the dam) to handle a storm event without overtopping our dam. If we change the lake level, we could be fined or could lose the privilege of having a lake in the community. Periodic inspections are made by the NC DEQ to ensure that the water level is being properly monitored and managed and that the dam is well maintained.

The Board is having a sign made regarding not moving rocks in the spillway. This is a serious matter, and, if anyone notices someone moving rocks at the spillway, please notify a Board member. The possible purchase of a game camera to monitor the spillway was mentioned. The Board will further consider that option and take appropriate action.

Nancy Loupe praised Bill Huffman's efforts with NC DEQ on behalf of lake affairs and for planning the new dock. The membership gave Bill a round of applause.

- b. ENTRY GATE: Dan Ristau reported the entry gate is currently out of service due to a faulty sensor. He has ordered a new sensor and will try to get it installed in the next few days. A new email address has been created, lrmcgatekeeper@sekur.com, to be used to report problems with the gate. Emails will be checked daily, early in the morning. The new email address is ONLY for reporting problems with the gate. Other items or complaints will NOT be dealt with on that forum.

Dan reported that he had a friend in Pennsylvania that rebuilt LRMC gate motors for a good price. He sent the last motor there, then learned his friend had passed away. Dan is currently trying to track down the motor he just sent and get it back, but he cautioned that the motor may be lost in the confusion following his friend's death.

Dan also stated that the gate will need a paint job soon. No action was taken regarding the paint suggestion.

- c. LAKE COMMITTEE/LAKE IMPROVEMENTS: Elmer Zebley made a few brief comments about the lake and fish; he stated that the lake is in good condition overall but that some of our anglers report that the numbers of larger fish (bass, catfish, and grass carp) seem to be reduced from last year. It is not known if catfish and grass carp are being fished out; there are some of each, but possibly not as many as we should have. There was a brief discussion regarding rentals in the subdivision, that landlords should include lake/fishing rules in their rental information. The information should include catch and release by species, general lake rules, and how guests can access the LRMC website to get detailed information. Elmer said he had personally chatted with some renters that claimed to not be aware that our lake has different/stricter regulations than the state. The Lake Committee is trying to balance different goals for the lake like aesthetics, fishing, swimming, and/or boating. Any member with specific ideas should contact a member of the Lake Committee directly. The Lake Committee is Elmer Zebley, Garry Fields, Bruce Martin, Andy Boyd, and David Cronin.

After further discussion, it was decided that the Board will draft a note to all owners of rental property in Line Runner Ridge asking them to inform their renters of the aforementioned information. The Board will post new signs at the lake regarding current fishing rules, which are that it's okay to keep bream > 5 inches (max of 6/day) and to release all other fish.

The Lake Committee met after the annual meeting concerning the loss of large fish from the lake. The committee recommended that the policy be changed regarding catfish. The new policy is that catfish can be kept with a limit of two (2) per day per family or group. The fishing policy will be updated on the website and on signs posted at the lake.

- d. **NEW DOCK:** Bill Huffman recapped that in 2022 Garry Fields realized that access to the community dock was actually located on property owned by Glenn and Cindy Black, not on LRMC property; the Blacks leased that area to LRMC until August 31, 2023. As a dock for the entire community, the LRMC dock must meet or exceed the structural requirements for a commercial dock. Bill Huffman designed a dock to meet commercial standards. To meet those requirements, we have plans with an engineering stamp, a building permit and mandatory Transylvania County Building Department inspections, and are building with a higher grade of lumber, bigger posts, and more substantial hardware than is needed for a private dock. The new dock will be T-shaped, 16x30 ft, with a 12x12 ft. covered gazebo on the dock. Work has begun on the new community dock, and it appears that it will be completed by or before the end of the Black lease.

Dave Cronin asked that rental landlords remove pictures of the current dock from their advertising. Glenn Black commented that his lawyer stated that all rentals should have in their information that use of the lake/dock is at the risk of the renter, not the landlord or LRMC. The Board stated that it and the Association appreciate the Blacks leasing the land to LRMC until the new dock could be built on LRMC property.

- e. **FIRE TRUCK ACCESSIBILITY TO THE DRY HYDRANT:** As discussed at the 2022 annual meeting, Garry Fields reviewed that the Rosman fire department contacted the Board and said they could not turn their fire trucks around in the common area in order to refill their water tanks. Accordingly, changes were made to the area near the dry hydrant to accommodate fire trucks. Two boat racks, a couple of small trees, and a few stumps were removed from the common area and more gravel was put down. Fire trucks now have ample room to turn and resupply with water so long as no one parks near the dam in the graveled area. Dan Ristau asked if signs are needed asking people to not park near the dam (on graveled area). Garry said that signs are being discussed regarding parking, use of the new dock, fish and lake rules. The Board will decide on what signs are needed and will buy and post those.

There was a discussion of gate access for emergency response vehicles, not just the fire department. The Rosman fire department wants to put its own combination lock on the lake gate chain to eliminate the need for a key to gain access to the dry hydrant. A Rosman fire truck recently came to the lake to test the dry hydrant and could not get past the lake gate. LRMC had provided a key to the Rosman fire department, but the key was not on the fire truck that came. The Board gave permission for the Rosman fire department to put its own combination lock on that lake gate chain in a manner that will not impact use of the LRMC lock.

There followed a discussion of how to admit emergency vehicles through the main entry gate at highway 178. Dan said there is already a code for emergency vehicles for that gate, and that fire, sheriff, and EMS have been notified of that special code. Justin Gonzales informed the group about a “yelp” device that opens the gate in response to a siren. The gate will then stay open until a code is entered via the control panel. The device costs about \$300, plus installation cost, and Justin is qualified to do the installation. The current emergency code also keeps the gate open but must be manually entered. Dan and Justin will get together to talk about the yelp device and will make a recommendation to the Board.

- f. **ROADS:** Bill Huffman gave an update on the roads and pending work. The roads are currently being taken care of by Cantrell Construction, often by Austin McCall, an owner in Line Runner Ridge and Cantrell employee. The roads are on a schedule for grading and gravelling two (2) times per year. LPMC tries to replace two (2) older culverts each year as needed. Drivers observing speed limits in LRR will help keep the roads in better condition. Garry Fields said three (3) culverts are scheduled to be replaced in 2023: one (1) is silted totally shut, one (1) is old, and one (1) on Willow Lane is too small to handle the water in that area. Emails will be sent and/or a notice posted on the subdivision Facebook page before culvert work begins as roads will be closed for replacement of culverts.

Dan Ristau said UPS and FedEx approached him about putting a package drop box outside the subdivision so their trucks didn't have to come on our roads. No one present at the meeting was in favor of that idea.

Garry said the Board authorized the clean-out of several silt traps in an effort to keep silt out of the lake. The traps look like muddy holes, and it was stressed that children must not be allowed to play in the silt traps due to significant danger to the child.

The Board thanked Dan Ristau for his vigilance with snow removal when needed.

- g. **INTERNET UPGRADE:** Garry Fields reported that Comporium has completed phase 1 of the upgrade to fiber optic cable in the community. Most members were in the area of Comporiums's grant and have been connected to fiber optic cable if they wanted it; they now have higher-speed internet than with DSL. Those few property owners that were outside the grant area (too close to Highway 178) or owners that did not have Comporium service before can now be connected if they call Comporium directly.
- h. **FISH PICTURE COPYRIGHT INFRINGEMENT:** Nancy Loupe recapped that in 2021 LPMC was served notice that we had violated copyright by using certain drawings of fish on our website. The artist, via a law firm outside of North Carolina, was threatening a lawsuit unless we paid the artist \$120,000. Dave Cronin negotiated with the lawyer and got a verbal settlement offer of \$8000. Before action could actually be taken, the lawyer stopped responding. LPMC found that its insurance company would represent the Association in this matter and turned it over to its

insurance company. The insurance company opened a claim but were unable to reach the attorney of record for the copyright issue despite repeated attempts. Accordingly, at the end of 2022, they closed the claim. In early 2023, LRMC received a second letter demanding \$120,000; the insurance company reopened the claim and is negotiating with the law firm. At this point, no action is required from LRMC, only its insurer.

New Business:

- a. **WORK ON ROADS:** The Board stated that no member may take action such as grading or scraping of the roads without prior approval by the Board due to liability issues.
- b. **LINE RUNNER RIDGE FACEBOOK PAGE:** The Line Runner Ridge (LRR) Facebook group and page was created to inform members of the community about LRR items. Dan Ristau commented that people are using the Facebook page as a complaint forum and are posting inappropriate comments. Nancy commented that the page administrators do review items on the page but not several times each day. The Board said that anyone with a complaint should contact a Board member directly, not post that complaint on Facebook. They also asked that the Board be contacted regarding inappropriate comments posted on the page. In the following brief discussion, it was stated that individuals can be kicked out of Facebook groups if they persist with actions contrary to the set/stated rules of the group, such as by posting inappropriate comments. The administrators do not want to cut property owners out of the group and will try other options first. Kaylyn Gruber said she has some Facebook skills; Sally Radovich will talk with Kaylyn about suggestions to administer the Facebook page.
- c. **COVENANTS/RESTRICTIONS/BY-LAWS/RULES AND REGS (PCA):** Sally Radovich stated that, in obtaining a legal opinion on an unrelated topic, the LRMC Board was told that LRR subdivision documents do not include all statutorily required provisions. Our Covenants were revised once since they were created, and that revision was prior to the passing of NC Chapter 47F, the Planned Community Act. Chapter 47F has provisions that apply to all subdivisions, including Line Runner Ridge, even though the law was passed after the subdivision was formed. Those required provisions are not reflected in our current Covenants. In order to have a comprehensive understanding of the requirements without having to refer to multiple sources, an attorney has been engaged to restate the LRR Covenants to comply with Chapter 47F. The restatement of the Covenants will not require a vote of the members as only existing covenants and mandatory provisions of Chapter 47F will initially be included. After the Covenants are updated with mandatory provisions, LRMC may consider making further changes to that document; those changes would require the approval of 67% of the eligible votes for LRMC. The initial draft of the restated covenants from the attorney (with only mandatory provisions added) most likely won't be presented to the Board until July at the earliest, with optional amendments (not required by law) recommended by the attorney not expected before fall of 2023.

- d. LAKE PROPERTY AND DOCKS: All property under the lake water belongs to LRMC as does the lake itself. Accordingly, all current docks are on LRMC property. The LRMC attorney has written an easement for all private docks around the lake. LRMC is willing to grant an easement to each lakeside property owner allowing them to have a dock on LRMC property if the property owners will assume all liability related to said docks. The easement and waiver of liability will be in perpetuity, following the land.

Several new or prospective owners have contacted board members wanting to put items on the lake other than a simple dock. Accordingly, the Board developed restrictions for docks and attachments to docks for considerations by the owners. Suggested restrictions are 1) owners must submit plans for any dock for approval by the Board; 2) owner must sign an easement from the Board with a waiver of liability from the owner; 3) new docks must be a maximum size of 200 square feet, excluding a walkway to the dock proper; maximum width of walkway allowed is 4 feet; 4) docks may not extend more than 30 feet from the shore irrespective of shape; 5) the dock must be affixed to the shoreline; 6) any change to existing dock configuration must be approved by the Board. Floating docks are permitted if they are permanently affixed to the shore or the walkway (not by only a rope or cable). The 200-square-foot maximum is similar most of the current docks at the lake. NO dock can be attached to the dam at any point. All current docks are grandfathered in as they are; Board approval will be needed for changes to configuration but not for repairs.

A MOTION WAS MADE AND SECONDED TO ACCEPT THE SUGGESTED RULES FOR NEW DOCKS TO BE BUILT OR CURRENT DOCKS TO BE CHANGED AT THE LINE RUNNER LAKE. THE MOTION PASSED.

Dan Ristau mentioned a sluice pipe running underground to remove water from Line Runner Ridge Road new Wallace Mountain. The sluice pipe runs from the road into the lake. It carried quite a bit of silt into the lake when work was done on Wallace Mountain. The lake end of the pipe isn't currently plugged with silt, but there is a fair amount of silt at the end. Dan asked if the crew working on the new dock was capable of clearing out the silt. The answer was that the apparatus being used by the dock crew is small and probably not capable of clearing the silt away from the sluice pipe.

- e. VACANT BOARD POSITIONS: Terms were up for President and one Board position (held by Bill Huffman).

Nominations were taken for the position of Board member. Mac Mitchell, Austin McCall, and Lee Burton were nominated for the position. Austin McCall withdrew due to possible conflict of interest due to his working for the Board on the roads and silt traps. Mac Mitchell also withdrew.

Lee Burton was elected as a Board member without opposition.

A MOTION WAS MADE AND SECONDED TO ACCEPT LEE BURTON FOR THE BOARD POSITION PREVIOUSLY HELD BY BILL HUFFMAN. THE MOTION PASSED.

Prior to the vote on Lee's election, Bill Huffman stated that he was taking a break from serving due to work and family obligations. David thanked Bill for his work on the Board and on lake/dam issues. Bill said he would continue to help with the lake and dam, just stepping away from the Board. The community thanked Bill for his service.

Nominations were taken for the position of president. David Cronin and Deirdre Johnson were nominated for the President position.

David Cronin was re-elected as president.

A MOTION WAS MADE AND SECONDED TO ACCEPT DAVID CRONIN FOR THE POSITION OF LRMC PRESIDENT FOR ANOTHER TERM. THE MOTION PASSED.

- f. BOAT RACK SPACE RENTAL: A few questions were asked regarding rental of spaces on the one (1) remaining boat rack at the lake. Nancy Loupe stated there would again be a lottery for rack space and specific slots on the racks. Interested property owners must notify any Board member no later than 6/15/23, even if you currently have a spot on the rack. No slots are guaranteed year to year. If less than six (6) Line Runner Ridge property owners want a slot, the remaining spaces will be opened to Joshua property owners who purchase lake privileges annually. Following the lottery drawing, winners will be notified, and boat space rental invoices will be sent. The annual fee for boat space rental is \$300.

All boats on the rack must be locked to the rack when not in use. Garry Fields offered that he has the equipment to fasten a steel ring in each boat to provide a very secure connection to the rack. Interested parties should contact Garry directly.

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 11.37 AM.