

**HOA Meeting for Mountainview Estate Held at Hensley Hall
West Jefferson United Methodist Church 6-1-2019**

Attendees were as follows:

*Dale Parker, Walter Parsons, Mark and Mary Hammonds
Richard Lane, Gary Sharpe, Christopher Gulya, Anne Davis, William Burgess,
Stephan Dragisic, Stephen and Kathy Burrows, John and Pam Cope,
Merle Robinson, Tommy Wahpeconich, Gerald Sisk, Sheila and Allen Driver,
Jeff Forman, Mike and Susan Smith, Kyle and Susan Hall, Bill Humelsine,
Susan and Marshall Boyer.*

Each property owner was signed in and proxy votes were counted and recorded. Each member was given a paper plate with a number on it designating the number of lots or votes they will represent in the meeting, pursuant to Section 2 of the deeded Covenants and Restrictions for Mountainview Estates.

Proxy Member votes were tallied for a total of 27 votes = 10% of all available votes.

Present Member votes were tallied for a total of 38 votes = 14% of all available votes.

Total Votes present for the meeting is 65 which is 24% of all available votes

The meeting started at 10:05 AM. Mark Hammond began the meeting with a prayer. Everyone then stood, introduced themselves and stated where their property was located, and told a little about themselves.

Mark then read the minutes from the last neighborhood meeting in 2014. He talked about the condition of the roads and the grass that needed mowing on the roadside. He stated there are approximately 278 lots in development with about 160 property owners. He was also stated that property owners are seeing damage to the roads occurring from equipment used during new home construction and suggested that damage to the roads resulting from that construction should be the responsibility of the new owners and their contractors to repair.

Walt Parsons then took over meeting and read the meeting notice letter sent out to all property owners. The letter stated that the meeting was called in order to elect officers and board members and to vote on the adoption of Bylaws. Walt explained the plates that was given out to all lot owners with the number of lots they own which means the number of votes they have. When they vote, they are to hold up their plate for the count.

The floor was then opened to volunteers or nominees for the officers. Walt Parsons was nominated for the office of President, and there was a second to that nomination. The vote was taken and it was unanimously approved.

The floor was then opened for the office of Vice-President. John Cope was nominated and the nomination was seconded. The vote was taken and it was unanimously approved.

It was presented to the owners whether they would like the offices of Secretary and Treasurer to be two (2) separate officers or combine the offices into one (1). There was a motion to combine the two (2) offices into one (1) and there was a second. The vote was unanimously approved.

The floor was opened for nomination for the office of Secretary-Treasurer. Marshall Boyer was nominated and the nomination was seconded. The vote was unanimously approved.

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A motion was made to have a Board Member at Large. The motion was seconded and unanimously approved.

A motion was made to nominate Jeff Forman for Board Member at Large. There was a second. The vote was unanimously approved.

A suggestion was made that it would be good if different phases of the development be represented on the board and committees to address road maintenance throughout the neighborhood fairly and equitably. Since, there are many phases to the development and only four (4) board members, including the member at large, Walt Parsons proposed that a Road Maintenance Committee be formed in order to include more people from various phases of the development in order to make recommendations to the board for road maintenance priorities. A motion was made to form a Road Maintenance Committee. The motion was seconded. The vote was unanimously approved.

A motion was made to nominate Tony Pennell for Chairman of the Road Maintenance Committee. The motion was seconded and the vote was unanimously approved.

The presentation of the proposed Bylaws was introduced. It was discussed that the term limits of the officers will be two (2) years per the proposed language of the Bylaws. There was a suggestion of a staggered term so there would not be all new board and committee members at the same time. That was tabled until next meeting.

There was a verbiage change brought up to Article 1 Section 3 of the By-laws. That section reads "The primary function of the association shall be to provide for the maintenance of the roadways through the subdivision and the upkeep and maintenance of any community property, structures and appurtenant facilities." The addition would follow stating "and for the enforcement of the deeded covenants and restrictions of the Mountainview Estates Subdivision. A motion to approve the proposed amendment to the draft of Article 1 Section 3 of the Bylaws was introduced and seconded. The vote was unanimously approved.

Also Article 3 Section 5 will change verbiages. This section states "The presence at meetings of the members entitled to cast, or of proxies to cast 1/2 of the vote appurtenant to the lots shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, The Declaration, or these Bylaws". The change proposed will change the one-half (50%) to one-quarter (25%) to form a quorum. A motion to approve Article 3 Section 5 was introduced and seconded. The vote was unanimously accepted.

A motion to adopt the proposed Bylaws with the proposed changes was introduced and seconded. The motion was unanimously approved to adopt the Bylaws for Mountainview Estates.

The floor was opened for general discussion. The question was raised if an owner violated the covenant; what would happen. It was discussed that the first thing would be to go to the owner and talked to them about it. Walt Parsons stated that the goal is to communicate and resolve concerns as neighbors in a forbearing manner remembering that we want to be good neighbors and legal enforcement should be considered the last resort. Richard Lenz stated that one can also go to the county and to receive notices when permits are issued to properties within the subdivision in order to have advance notice of potential violations to the covenants concerning the section on building structures.

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There was a question about whether shared wells are considered to be individually owned or community owned property. It was decided that shared wells were the responsibilities of the property owners unless one goes under a road. Then it becomes the concern for the POA to ensure the proper care of the roads.

Except for Phase 1 all other phases of the development appear to have identical verbiage in the Covenants and Restrictions.

Walt Parsons stated that in order to ensure that all matters of these proceedings thus far concerning the POA, and future steps and actions of the board would be under legal advisement in order to ensure that everything is above bar. The attorney who has been advising us has been Mr. Robert Angle of Boone, North Carolina.

Marshall Boyer gave a treasurer's report stated will have collected \$600 in dues so far and have had \$179.91 in expenses giving us \$420.09 in treasury.

Walt Parsons suggested that the neighborhood create a website for the benefit of the property owners in order to communicate efficiently with all members, share and exchange information about the neighborhood, create a secure member page for secure online payment of POA dues and also to be able to have a central place for contact information for all neighbors to access. Mike Smith stated that he has experience in web creation and design and voluntarily purchased a web domain which he offered for use by the POA. He purchased the web domain: "mountainviewestateswjnc.com". When it is up and running the property owners will be able to pay dues on-line. There was a motion made to form a web development committee to address these matters. The motion was seconded. It was unanimously approved. A motion was made to nominate Mike Smith as Web Development Committee Chairman. The motion was seconded. The vote was unanimously approved.

The floor was opened to discussion. One question was if snow removal and maintenance of vegetation on the side of the road included in road maintenance. Currently snow removal is being handled by several property owners throughout the neighborhood. Some rental properties are also removing snow through the real estate firm handling the property management. Snow removal and roadside vegetation fall under the category of road maintenance. Therefore, coordination, concerns and priorities of roadside vegetation and snow removal can be addressed by the road maintenance committee.

Mark Hammond suggested that everyone carry a plastic bag when going out into the neighborhood and to pick up any trash on the side of the road when you see it. Mark also added that there were individuals now who voluntarily mow the grass on roadway and remove snow for others in the neighborhood.

The question was raised if there would be any back dues assessed for prior years. It was stated that dues should start as of the present with no back dues required.

There was a suggestion to get liability insurance for the officers while they hold office. It was agreed for the board to look into this.

The next meeting of property owners will be in 1 year. The time and place will be communicated to the owners.

A motion was made to adjourn the meeting. The motion was seconded and unanimously approved.

Respectfully submitted by Marshall Boyer