

**Annual Meeting Agenda  
July 21, 2001**

- 1. Call to Order**
- 2. Determination of Quorum**
- 3. Invocation - Ervin Shaw**
- 4. Old Business:**
  - a. Secretary/Treasurer's report  
and directory corrections – Lynn**
  - b. Audit report - Dick Erdlitz**
  - c. Water report – Lynn Doolittle**
- 5. New Business:**
  - a. Neighborhood watch update**
  - b. Security issues – winter break-ins**
  - c. Open to floor for members' concerns**
    - 1.**
    - 2.**
    - 3.**
  - d. Election of Officers and Directors**

July 21, 2001

After determination of a quorum was made by Secretary Lynn Doolittle, President Roger Scovil called the meeting to order at 10:02. Owners present included Scovil, Kenney, Greiser, Shaw, Faber, Rogers, Doolittle, Maloney, Erdlitz, Larson, Self, Bruce, Rilott, Small, Merrihew, Adams, Cook and Ray. The following were represented by Proxy: Smith by Scovil, Kovas by Rilott, Hannan by Doolittle, Bowdoin by Small. A limited Proxy was received by Rilott from Bubernak. This made a total of 22 voting members on all topics and 1 member on limited topics (\*note: no votes were taken regarding those limited topics).

The invocation was given by Ervin Shaw. Roger Scovil then asked there were any new members attending for the first time. Mudd Merrihew, who purchased the Houston property and Phil Rogers, who purchased the Poirier lot responded and introduced themselves.

Lynn Doolittle then gave the Secretary/Treasurer's report and noted that all accounts were in balance to date and that the \$6200 for last year had been deposited into our Emergency Fund CD. She said that we still had a little left over until dues begin coming in but mentioned that she thought we should consider changing the due date for annual dues and moving it up to August 1, closer to the end of our fiscal year which is June 30. *don*

Dick Erdlitz then gave the Auditor's report and stated that he and Lee reviewed all receipts and expenditures, as well as all checking balances, and that the book were in order and balanced.

Lynn Doolittle then gave a report on the recent water problems. She stated that our annual water testing, done by the Jackson County Public Health Service, showed "B" well to be negative for bacteria but that "A" well came up positive for 'total coliform'. Although coliform itself is a naturally occurring bacterium in humans, its presence in water can indicate a contamination of the well. They recommended that people on "A" well drink bottled water until the problem was fixed. (Everyone on "A" side had been notified at the time). An examination of the system showed a broken chlorinator pump on the system and a new one has been ordered and installed. The health department will be back next week to retest the water and if all is well, everyone on that side will be notified.

Amy Faber then moved, seconded by Mary Earle Scovil, that we test our water twice a year from now on, in March and September. Motion was unanimously passed.

Neil Greiser reported on the activities on the Friends of Lake Glenville and emphasized the importance of our participation. He said that the "Friends" are the only voice we have with the power company and Jackson County and there is activity going on which could seriously negatively affect our interests in the lake. He turned the floor over to Carol Adams who has been an active member of a "Stakeholders" group monitoring the relicensing program taking place on the Lake.

Carol explained that the relicensing is a 5 year program to determine the future use of the lake. Such groups as the National Order of Rafters, the Flyfishermen's group, Kayakers and assorted other special interest and environmentally oriented groups are actively attempting to get the dam opened to increase the water flow downstream. She emphasized that this is not something to ignore - that these people have taken on other lakes in this country and have forced lakes in other areas to go so far as to tear down the dams and drain the lake! She attended a trial opening of the gate at our dam to allow a test of rafting downstream. Just a handful of rafters, who had to be high into the expert category to handle the resulting water

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flow, appeared for the trial. But it is small groups like this with a loud political voice who are causing things to be done, contrary to the best interests of the majority of lake dwellers who, unfortunately, remain silent and uninvolved and let it happen.

She reported that on **Thursday, August 9** at approximately 2 p.m., observers will be on the lake to assess just how many people appear to be using the lake and would be affected by allowing the water releases and lowering of the lake levels. She encouraged anyone with a boat to get out there and take a boat ride that afternoon - your presence is needed....and your involvement in this project is needed.

She then passed our membership forms for the "Friends of Lake Glenville". At that point, Roger Scovil echoed her sentiments and strongly recommended joining. He has also been active in the group and reiterated that it is your **ONLY** voice with regard to the interests of the lake.

Roger then went over the items on the proposed budget. Kevin Kenney asked about the \$6200 which is going into the CD each year and if it has been a one-time item or continuing. Lynn explained that at an earlier annual meeting the dues had been raised and a motion had followed specifically earmarking those funds for contribution to CD. It was passed bringing the total CD contribution to 6200, made a line-item on the budget and is still in effect. Roger Scovil then mentioned that he thought it would be a good idea to continue replenishing that emergency fund since some day the roads will have to be done again and that there is a good possibility that major work on the water system could occur at any time. Lynn then also noted that in 99-2000 we spent approximately \$3000 on the water system and that we are over \$5000 already for 200-2001 with more bills coming in.

Carol Adams then asked a question concerning the \$3600 for "Security". Roger explained that this was for Carroll Broom to come around every Friday throughout the winter and walk around each house checking for break-ins, water leaks or damage from tree branches, etc. He also comes and checks after storms. Kevin Kenney noted that he had seen Carroll in the winter and that he was indeed checking the homes.

At this point, the order of presentation was changed because Jim Faber had a presentation to make which could cause a change in the budget and wanted membership to hear it before voting to approve the budget.

He then made an **important** presentation concerning the Covenants and Restrictions on Tater Knob. Recently Lynn Doolittle & Jim Bruce met with our attorney, Kimberly Coward, and gathered information about a new statute in North Carolina called the "Planned Communities Act". This act governs the creation and operation of organized communities in North Carolina created since 1999. There is also a provision for communities created prior to 1999 such as Tater Knob. By a resolution approved by membership, we can apply for recognition under this Act. ([www.ncga.state.nc.us](http://www.ncga.state.nc.us) Search for statute # 47F)

The major advantage to this act is that it provides statutory recognition for the subdivision and the ability of the Covenants to protect the interests of the property owners is strengthened. Prior to this act, it was necessary to take legal action to enforce the Covenants under the old common law in North Carolina. The new legislation makes it much easier for the homeowners to create and preserve the subdivision they want by drawing Covenants with the backing of a North Carolina statute.

With regard to Tater Knob specifically, Kim also advised that it is past time for us to update our documents. Our Covenants, written 25 years ago, prohibit hog pens, bee keeping and assorted other unlikely activities. In the absence of zoning in this area, there are more current issues to be handled by the Covenants. We also have a few major flaws in our documents which affect



everyone. One problem is the setbacks of 35 feet. At the time they were written, no one took into consideration the topography of the mountain. It is impossible to put houses 35 feet from the street on some of TK's lots - they would be suspended in mid-air. However, it created a marketability problem for several properties that fall into this category.

An even bigger problem concerning **every** homeowner is the fact that the old Covenants and Restrictions do not mention the Association, do not provide for the creation of an Association nor do they state that homeowners will be members of the Association. As it stands right now, our community beachfront property is owned by an entity called the "Tater Knob Property Owners Association", an association which has NO members. This creates a marketability problem for all of us.

Kim estimated the cost of the legal work to accomplish the writing of new Covenants would cost approximately \$3500 and Jim F. noted that we have that in our Emergency Fund and could accomplish this project without any special assessments to members. Neil Greiser then moved, seconded by Mary Earle Scovil, that the Board be empowered to move forward with the project, using the \$3500 from the Emergency Fund, and to report back to the membership with the proposed new Covenants for membership approval. Motion passed unanimously.

Phil Rogers then asked to bring up another question which might affect the budget. He voiced concern about the appearance of the well at the entrance (belonging to Mountain Harbor) and asked if anything could be done to improve it.

Jim Bruce noted that the property needing to be improved does indeed belong to Mountain Harbor but that there are new people up there who say they are planning improvements. He suggested we wait a bit and see what happens. At this point, several other people also voiced concern about the danger of a collision where Mountain Harbor's concrete road joins ours. Others noted that they had narrowly avoided collisions with people racing in and out of Buck Knob Landing. Jim Bruce volunteered to discuss the problems with the Mountain Harbor people and with Tom Turner of Buck Knob.

At this point, Roger opened the floor to members' concerns in case any of them should also affect budget considerations. Melba Rilott read a proxy from Donna Bubernak stating that she would like the topics of opening the docks to all owners, proceeding with canoe racks and sending copies of dockowners meetings to all members. Since none of these items appeared to impact the budget, it was decided to proceed with budget and address these items later in the meeting.

Jim Doolittle, seconded by Jim Larson, moved that the Budget be approved. Vote was unanimously approved.

Bill Adams then gave a short talk on security issues on the mountain. Bill's business is in the area of commercial and industrial security and he had several suggestions for us. He noted that we have minimal available response from the Sheriff since few cars patrol a large area and that we need to take precautions to protect ourselves. His suggestions included the following:

1. If you buy a home security system, every opening must be protected. The basic systems they advertise, including a couple of doors and two or three windows, are insufficient.
2. If you sign up with a security service, your average fee should be approximately \$20/month. He advised against signing any long-term contracts - try them out and see if they provide what they promise.
3. An excellent deterrent is an outside siren with a flashing light. The combination of noise and light may chase someone away.
4. For about \$15, you can get a sign, post and decal saying "This home protected by..."



without actually signing up for a service. Just the signs may be enough to deter an amateur.

5. And for your own protection, install automatic smoke detectors in your house. This just may save both you and your home from a smoldering fire.

In a perfect follow-up to this, Mudd Merrihew then gave an update on the progress of the Neighborhood Watch program which he spearheaded last summer. He passed out documents containing a list of safety precautions you should take with your homes. He advised that you fill in the information requested and return to Lynn (TKPOA, PO BOX 354, GLENVILLE, NC 28736) and he will get the information to the sheriff. *No*

He encouraged people to question strangers and know who is on the mountain. At this point, Jim Doolittle presented the idea of purchasing parking decals for residents' cars and corresponding hangars for auto mirrors (similar to handicapped hangars) for use by renters and guests' cars parked on Tater Knob property (Jim Faber asked Jim D. do leave the catalog of these decals with him to look over). Mudd responded favorably to this idea and added that we should organize in 'cluster groups' of 4-5 neighbors who will keep an eye on each other's property. He went on to say that he keeps a clipboard and asks anyone who does work on his house to sign in with his name, license number and phone number. This could be a deterrent for someone seeing your home and thinking about coming back when you are not there. If someone knows he is on record, he may think twice.

Melba Rilott's topics from Donna Bubernak's proxy were the next items discussed. Jim Faber said the only thing holding up the canoe racks was an agreement in writing among the canoe people covering their assumption of costs, liability and maintenance and a plan for disposition of space as it becomes available. Once that is in place and approved by the Board (as per the vote at last year's meeting), completion of the racks is encouraged. Mudd asked if the hillside behind the Pavilion was available as a site for the racks and was told that it was. He suggested getting a few people together to clear a place and situate the racks up there. This would give unlimited space to build as many as were necessary to accommodate everyone wanting a space.

The questions was raised about the Association purchasing one boat slip for open use of the members. The problems with this seemed to be two-fold: (1) Who would administrate who could use it and for how long? and (2) There is a written and signed agreement in place between the Association and the Dockowners recognizing a waiting list of persons wanting dock space....it would not be fair to cut in front of people on that list.

As far as the dockowners' meetings, Jim Faber said that the dockowners were meeting after our meeting and anyone interested could stay and attend.

No further discussion followed and Melba asked to speak to the group to warn them of a problem which had occurred with her. She said that she had contracted with Bingham Construction to do some painting. She noted that a problem occurred and Roy Bingham, the proprietor of Bingham Construction, threatened her. She was so frightened by the threat that she has asked neighbors to leave lights on at night and has contacted an attorney.

She also said that she had some good news for the group. She has recently had tree work done and highly recommended R + B Tree Service. She said that she received excellent service from them. Their number is 743-6388 (Jake Rider) or 743-5360 (Jeremy Blank).

Election of officers was next. Mudd Merrihew had removed his name from consideration and no other nominations were forthcoming from the floor. Bill Adams, seconded by Mudd, moved to close nominations. Neil Greiser moved, seconded by Mudd to approve the slate as presented. Unanimously approved.

Your officers for 2000-2001 are:           President: Ralph Small  
  Vice-President: Jim Faber  
  Secretary/Treasurer: Lynn Doolittle  
  Directors: Jim Bruce - Mike Ray

At this point, Roger Scovil thanked everyone for their support during his term as President and introduced Ralph Small. Ralph took the opportunity to introduce Mike Ray, our newest Director. Mike is an attorney with Wachovia Bank and his expertise could not come at a better time with our foray into writing new Covenants.

Ralph then introduced his wife, Bonnie Jean, who encouraged everyone to meet back at the Pavilion at 5:00 p.m. for the hot-dog cookout.

Ralph then reminded everyone to keep Henry Knaust in their prayers. At this point, Henry was believed to have had 5 or 6 heart bypasses performed in Asheville and was still in serious condition although it was hoped that he would progress to being able to be moved out of Intensive Care in a matter of days.

The subject Lynn had brought up earlier about moving the due date for annual dues up to August 1 was re-introduced, this time for a vote. Unfortunately, there were only 22 votes present including proxies and since this was a change in the By-Laws, it would require a 2/3 majority of 24 votes. It was decided that this would be included in the rewriting of the Covenants and By-Laws to be voted upon by membership at a later date and that we would simply ask everyone to pay their dues in August if at all possible this year. OK

Dick Erdlitz asked if Lynn could make up a map of Tate Knob showing the names of the property owners on the plat. She agreed to do this and mail it out with copies of this meeting's minutes. done

Mudd Merrihew, seconded by Roger Scovil, moved to adjourn. Unanimously carried at 12:15 p.m.

Respectfully submitted,  
Lynn Doolittle, Sec/Treas.

## PROPOSED BUDGET 2001-2002

1. Beach Maintenance	1000.00
2. Beautification	2000.00
3. Donation	400.00
4. Insurance	500.00
5. Legal & Professional	200.00
6. Office expenses	200.00
7. Road Maintenance	2000.00
8. Security	3600.00
9. Taxes	400.00
10. Water system	5000.00
11. CD contribution	6200.00
<b>TOTALS:</b>	<b>21,500.00</b>

\*Note: Budget will be discussed in detail at meeting. Copies of income and expenditures for the year will be passed out (our fiscal year ends on June 30 so I am finishing up these figures now).