



May 2017
Minutes of Board of Directors Meeting
Taberna Master Homeowner Association, Inc.
May 23, 2017

Board Members Attending

Bart Rovins	President
John Scirica	Vice President
Joseph Frangipane	Treasurer
Maryann Faulkner	Secretary
Dick Stern	Assistant Treasurer
Bill Durante	Member at Large

Jessica Vest, CAS

Call to Order

The meeting was called to order at 3:00 p.m. by Bart Rovins, President.

Establish Quorum

Maryann Faulkner determined that a quorum was present.

Committee Reports

Architectural Control: Dick Turner stated that there have been seven change requests this past month. Three are for tree removal, one natural fence to be used for privacy screening, two enclosures for existing screen porches and one to add a small fire pit in the rear of the home. Dick stated we are back to square one with four infractions regarding the fence issue on Uster Court. We allowed them a small variance where they came out and around near the cedar trees. Their issue is with how deep can it go on the lot. He said it could go back 45 feet from the rear of the home; they wanted something greater than that but had no dimensions. They agreed to go back and provide the dimensions to the Adjudicatory Committee. The Adjudicatory Committee meeting was adjourned without a date and without any dimension.

Building and Grounds: Bill Durante stated that the RFQs went out for bush hogging at Taberna Townes to Jim Young and Charlie Webb including the 15 undeveloped lots and the berms. Also, the RFQs for the renewal of landscape contracts are being prepared and will be sent out shortly. Bill read the OTW landscaping words for the RFQ and he feels we need to add verbiage regarding weed spraying in the mulched areas. There have been some complaints from the homeowners. We have mentioned that they should not be spraying near the mulched areas.

Another issue is the berm between Biel Court and Valais Court. Bill got a few calls regarding this issue. A homeowner on Biel Court stated that it has not been done yet, and would like to have it trimmed. Bill asked if all neighbors are in agreement, and everyone but one homeowner wants it done. Bill made a motion that we go ahead and ask Reed Landscaping their professional opinion regarding the maintenance of the elaeagnus. Maryann seconded it. Motion passed unanimously.

Another complaint was made by a homeowner who resides on Valais Court. They have called Bill twice and complained that when Kut Rite cuts his yard, they sometimes hit his flowers. They want to opt out of the landscaping. He has the right to do this, but he bought into the association where this service was provided to all the residents. However, the dues will remain the same. According to Jessica, we are shopping for bids for landscaping. Kut Rite will be informed of these complaints.

A homeowner on Reinach Lane has complained about the fence that separates Sellhorn Heights from Taberna. Some of the bushes that hide that fence have perished. If they are replaced, it will be with 15 gallon sized bushes, not full grown bushes. Bart has indicated that if we replace the bushes, they need to be planted during the right time of year. Bill will write an email stating that the Board has approved replacement of the dead bushes; however, due to the timing we will review the issue in the fall.

There was a pre-inspection of a home that is for sale in One Taberna Way. A home inspector came up with a host of issues. The homeowner believes these issues are all the responsibility of the HOA. The inspector said some of the footings have settled and are causing structural cracks. When Bill walked through the buildings with the painters, he saw some mortar cracks and when he spoke with the painters, part of the process was going to be to power wash the buildings and then caulk all the mortar cracks. After that was done, the painters will do the painting of the building. Bart cited the covenants "exterior maintenance of the home to include painting, repair of roofs, gutters, maintenance of all exterior architectural features, exterior driveways and walkways". If an engineer is to be hired, this is the responsibility of the homeowner. Structural work is the responsibility of the homeowner. Bill will get in touch with the homeowner and will cite the covenants. Bill will also advise the homeowner to forward all pictures to Jessica at CAS for her further review. The Board will not move forward until this is done.

EXECUTIVE SESSION

Taberna Townes

Bart went to Little Washington and met with the Division of Water Quality. No one holds the permit today. The former owner went bankrupt and the storm water permit is in limbo. It is good until 2020. The Legislature extended this during the economic downturn. There are two people who inspect seven thousand permits per year. It is unlikely that they will come to Taberna, but they will come as a courtesy if we ask them. Bart did not do that as we believe the permit is the bank's responsibility today. The engineer at Water Quality said we should

get the bank to get on the permit. The bank has acknowledged that they owe the Master Dues for the vacant home and remaining platted lots (15 lots). They think they have something coming to them in exchange for the \$290.00 annual dues. The only benefit is the overall maintenance of the community that flows back to the residents of Taberna Townes or any other sub community in exchange for the annual dues. Bonnie Braudway, our attorney, is adamant that under the wording of the covenants (which clearly were never intended to cover this situation of a non-active developer) we are responsible for the entire area to include to storm water system as of thirty months after recordation of the plat (which should put this in 2010). Following that through to a logical conclusion with Bonnie, once we know from the reserve study (which will take place on Friday May 26th) we will have to determine supplemental dues for the existing building. The bank will be treated no differently on that fourth unit than the other three. We then have to figure out for the undeveloped area (15 homes in front and back if we are going to maintain it), a "supplemental dues number". Once we have this, Bart and Bonnie thought there should be a meeting with the bank. Bart wants this resolved and get an agreement from the bank as to what their responsibilities are going forward and what they are going to pay. Bonnie feels that it would be in the best interest of any future developer to renegotiate these covenants.

Joe stated that according to the plat, Battlefield Trail seems to belong to the railroad. Bart will be meeting with our Alderman regarding the ownership of the road. Dick said according to the blue prints, it says "private right of way". We will get the numbers from the reserve study.

One Taberna Way

A homeowner wrote an appropriate email regarding the painting of her building. She is concerned because her unit is not one of the two being painted this year. Bart spoke to the former HOA Board President to discuss this. If what the former Board did in 2012 was interpreted as a commitment, how do we factor that in with our current schedule? Painting will be done on an as needed basis, not on a timeline. Bart will advise the homeowner that based on the conditions of the reserves, we are financially constrained to painting two buildings a year. She will also be advised that her building will be done next year, as her unit is in better condition than Buildings 1 and 8. This was determined during the painting inspection. Her painting is slated for 2018. Katie felt this may be worth a personal visit to the homeowner. Bart will schedule an appointment to visit this homeowner in the future.

Vice President's Report

Nothing to report.

Treasurer's Report

Joe has put out financial notes for month ending April. These are submitted with the minutes. In the notes, he has reviewed each of the communities, and indicated what income we approved and the budget that was established. Abbington Woods has the biggest expense of landscaping. We are under budget. Boleyn Creek is basically the same with landscaping. One Taberna Way is about \$600.00 in the red, and we will watch it. Same holds true for Taberna Landings. The Master net income is \$4200.00. Expenses are under, but we are getting hit with

administrative costs. Most of the money spent is from CAS. Jessica said that would be any mailings they have done, copies, postage and anything which is not part of the management. The other big issue is for legal fees. We are okay at this point, but this could be a problem at the end of the year.

Joe also stated we did wind up with a draft audit report. The only issues in this report are that they don't do an analysis of the reserves they are still working with the 2010 study. The Board is still reviewing this.

Joe would like to take the June actuals and start projecting the 2018 budget, so that sometime in August he can put together a straw man of the 2018 budget. The new contracts for the landscaping may be resolved by August and that can be put in for each of the communities. Bart asked if it would be appropriate to create a budgetary item for legal contingencies. Right now it is legal only. Annual budget is \$3000.00. Bart will ask Craig Baader if there is other money for legal expenses.

Bart asked Joe if we had money in the One Taberna Way budget to paint three buildings. Joe stated if we painted three buildings this year, we would skip a building next year. At year end 2016 we had \$107,000. If we paint two buildings, what we accrue is \$102,000. It will cost another \$9,500 to paint another building. By the end of next year, with the 5% increase we will be okay with the budget. Bart will meet with Donna Clayton and will come back to us with the results.

Manager's Report

Delinquent accounts: The report is submitted with the minutes. Jessica stated we had a few accounts sent to the attorney in May as they are missing 2017 dues. There is a 15-day demand for bush hogging. Bush hog charges and mail box charges are on page one. Page two has charges outstanding listed as well. Taberna Townes accounts are listed also. These have been billed to First South Bank. Check should be forthcoming and Jessica will advise Bart when the money has been received. On page 3, there are four accounts listed which have all been sent to the attorney. These are all for Association dues, late fees, and legal fees. There is \$17,500.00 outstanding at this time not including Taberna Townes.

Breakdown on the [REDACTED] account has \$3,000.00 worth of violation fees that the bank will not pay us. As it is a foreclosure, we could not acquire this money. Assessments are a little over \$1,100.00, late fees are \$640.00, legal fees \$621.00, violations, \$3,005.00. Joe asked Jessica if she could bring this to Lou Duffer at CAS and have him look and see if violations have to be carried as accrued income. Joe will also speak with Wayne Maruna and get his opinion on this. Joe made a motion that the bad debt identified at \$4,200.00 against [REDACTED] be written off. This includes legal fees, late fees and the violation fees. Dick seconded this. Motion passed unanimously.

Jessica has been in touch with Reed about the berm between Valais Court and Biel Court. She will forward her email to Bill regarding the stump on Taberna Way that we had voted on to replace with the Leland cypress.

There was also discussion with Jessica regarding the problems with Kut Rite and the Boleyn Loop properties.

President's Comments

Old Business

Taberna Country Club Update

Katie informed us that there are fans in the maintenance shed that are waiting to be installed. Rich Woessner is working on this for us. From a golf course perspective, the greens are in great condition. There are short weeds in the rough. The fans should help this during the hot months of June and July. Ken Costanzo drives around the golf course twice a week and monitors the progress. The relaunch is being planned for the near future. Membership plan will be launched as soon as infrastructure changes are made. Painter is scheduled to start within the week and the carpet is scheduled to be replaced. Touchstone will release the money and these renovations can be made. Another problem is that the server is down and Katie and Ken feel that there are revenues that cannot be recovered. Touchstone had no contingency plan for this. Things are moving forward slowly. Katie has had fifty inquiries for membership. At this point, there is no consideration in making the club semi-private.

One Taberna Way Update

Donna Clayton has sent an email to E.T. Mitchell about the poor remediation by the City of New Bern on the ground adjacent to the sidewalk repairs. The City replaced a lot of the concrete walkway. In doing so, they had to take out about three feet from either side so that they could frame it to pour the concrete. She stated that all the heavy equipment caused ruts in the area. She would like the City to come out and fill with dirt. Bill has suggested that she call E.T. Mitchell, our Alderman or Matt Montaine, City Engineer and discuss her frustrations with them. Bart will be meeting with E.T. Mitchell tomorrow and they will discuss this.

John and Dick met with Bob Lande and presented him with their report. Bob distributed them to the homeowners and everything was positive at the time.

Action Items

- **Bart** will meet with Donna Clayton to discuss the painting of her unit.
- **Katie** will send the Cloud storage proposal to the Board.
- **Jessica** will speak with Lou Duffer at CAS and get his opinion as to whether violations have to be carried as accrued income.

The next meeting is June 27, 2017 at 3 p.m.

Adjournment

Meeting was adjourned at 4:46 pm

Approved by the Board of Directors:

Submitted by: _____
Maryann Faulkner, Secretary

Approved by: _____
Bart Rovins, President

Date: _____

Date: _____