

Taberna Master Homeowners Association
President's Letter - April 2019
by: Bart Rovins - President

Your HOA Board has been busy. Hurricane Florence response continues, new roofs were installed on two of the homes in One Taberna Way, plans are in progress for new plantings to replace those damaged by Florence, preventative maintenance plans are in the works, we've begun the work to confirm or revise the statement of work for landscaping bids for the 2020-2022 period, and we've even had preliminary discussions about our plans to identify candidates for this year's HOA Board elections since there will be four (4) openings. Last month I provided information on the HOA's collection policy and the status of our delinquent accounts. I'm pleased to report that as of the end of February our delinquency rate is trending down.

Hurricane Florence Final Report (I hope)

To date we have spent approximately \$56,000 in response to the damage Hurricane Florence inflicted on Taberna. Left to be done are the repair of the canoe/kayak launch (we are waiting on EZ Dock), replacement of damaged plantings, and stump removal.

We have received \$28,000 from our insurance and will file a claim for the canoe/kayak launch once we have the necessary estimates. Our current net estimate of our hurricane response, after insurance and the above expenses, will be between \$30,000 - \$35,000.

We all need to express our appreciation to Gordy Barnes and Mark Eckert for the work they did and continue to do in response to Hurricane Florence. They tirelessly worked with all the contractors to restore our community. Additionally, Karen Mattingly diligently pursued our insurance claims and Joseph Frangipane kept us all straight on our contracts and expenses. Overall a great team effort and job well done!

Protective Covenant Enforcement

My least favorite topic to discuss is Covenant enforcement. I believe I have written about Covenant enforcement half a dozen times over the past 2 years and have provided multiple summaries of the key provisions. While most of our owners and residents voluntarily comply with these standards, we have a small number of residents who disregard the Covenants. All of us who own property in Taberna purchased with actual or constructive knowledge of the Master Protective Covenants and the separate covenants for Abington Woods, One Taberna Way, Boleyn Creek, Taberna Landing and Taberna Townes. These documents can be located on the HOA and CAMS websites and are on-line through the Craven County Clerk's office. If you are a recent purchaser and are not aware of the relevant covenants, then you need to have a serious conversation with your relator as they had a fiduciary duty to make you aware of these documents.

In March the Adjudicatory Panel will hear three (3) cases pertaining to boats, trailers or utility vehicles parked on streets or lots overnight. These cases all involve either repeat violators or an owners' failure to respond to CAMS's courtesy letters.

Keep in mind that while the New Bern Police Department will not enforce our Covenants, the HOA, through CAMS, can use its enforcement processes as they pertain to boats, trailers or utility vehicles parked on streets within Taberna.

Taberna Master Homeowners Association
President's Letter - April 2019
by: Bart Rovins - President

What you may not realize is that the Master Protective Covenants specifically provide that the Covenants may be enforced by any individual Lot owner or by the HOA Board and that appropriate remedies include “specific performance.” “Specific performance” is a contractual remedy in which a court orders a party to perform its promise as closely as possible, because monetary damages are somehow inadequate. When an owner purchases in Taberna, that purchase is tantamount to a promise to comply with the Covenants. Failure to comply with a court's order to comply can lead to more serious issues for a non-complying owner than the Adjudicatory Panel's remedy of \$100 per day per violation of the Covenants. The specific performance remedy has not yet been used in Taberna, but it is designed to be applied against repeat violators where monetary penalties aren't working.

The HOA Board has no choice but to seek compliance with the Covenants as the Board cannot unilaterally amend, revise or ignore them.

Mailboxes

CAMS has completed several audits of Taberna and has reported on the deplorable state of many of our mailboxes. They observed boxes in desperate need of painting, number replacement, excessive foliage around the boxes, broken or missing red flags, and broken doors,

Mailboxes need periodic maintenance and homeowners will receive courtesy notices for problematic mailboxes. Correcting problems with your mailbox is easy, call Joe Kelly at (252) 636-6535 or e-mail him at jvkelly@suddenlink.net. Joe has access to an inventory of new boxes, posts and can provide new numbers (numbers are at no cost). If you need help with physical repairs or painting, you can call Jim Young at (252) 571-4550

US 70

I hope that you were able to attend one of the February NCDOT public meetings on this impactful project. I am communicating with NCDOT's Construction Engineer about the planned traffic control measures where the new service roads cross Williams Road, Airport Road, Grantham Road, Taberna Way, and Thurman Road. During construction all traffic will be routed from US 70 onto the service roads so you can see the importance of traffic control measures. As of this writing, I do not have a response from NCDOT. More information is available at, <https://www.ncdot.gov/projects/us-70-james-city>.

Thank you and see you around the neighborhood.