

**TABERNA MASTER HOMEOWNERS ASSOCIATION  
MEETING MINUTES February 14<sup>th</sup>, 2006**

Kurt Weinheimer,    President  
Larry Alderson,    Vice President  
Suzanne Forsythe,    Treasurer  
Bernadette McNulty,    Secretary  
Representatives:

Bob Costanzo  
Glen Killian  
Terry Smith

Board members present: Kurt Weinheimer, Larry Alderson, Suzanne Forsythe, Glen Killian, Terry Smith, Bob Costanzo, and Bernadette McNulty

Meeting called to order at 3:30PM by President Kurt Weinheimer.

**Minutes**

Jan 24<sup>th</sup> Minutes, motion to approve by Glen Killian, seconded by Suzanne Forsythe.

**Treasurer's Report**

Treasurer updated the Board as to the outstanding accounts receivable as of 2/13/06. The combined Master and Sub-Assn accts. receivable are \$28,194 representing approx. 15% of the total amount invoiced in January. First reminder letters will be mailed to these property owners within the next week.

Of the two liens authorized by the Board in January, one has paid and has been released.

Financial reports for the year 2005 will be ready for presentation to the Board at the March meeting.

The Treasurer informed the Board of the results of a suit brought against the Abbington Woods HOA by TMC Landscaping in January 2006. The TMC landscaping maintenance contract with Abbington Woods was terminated early for cause in Oct. 2005. At that time, the Taberna HOA Board authorized Abbington Woods to pay four homeowners directly for damages caused by TMC to their properties. These payments totaling \$589 were deducted from TMC's final invoice. TMC was notified and provided with a letter of explanation backed by copies of repair receipts and pictures of damages. In January 2006 TMC brought suit for non-payment. The court found against Abbington Woods stating that the contract did not specifically permit deductions for damages. The total cost to Abbington Woods was \$670 which included court costs and interest. Although the judge said Abbington Woods could try to bring suit against TMC for damages in order to recoup this money, it was decided not to pursue the matter at this time. Upon consideration, it was believed that there was no guarantee that Abbington would prevail in such a suit, and that the court could very well find that the individual homeowners should be the ones to bring suit.

**Beautification**

Bill Rounds addressed the Board regarding beautification projects that will fall to Buildings and Grounds. He asked group to bring work ideas to their Feb. meeting. Kurt asked if the committee would work on long range plans, 3 to 5 yrs. Many areas like

Taberna Circle & Emens berm will be considered. The Beautification Committee will identify areas. Bill asked how budget for '06 was put together. He was referred to Ron McCausland who has the breakdown.

Glen Killian said the front of Taberna would be restored to the original status including irrigation. Plants in the middle island @ Taberna Way need attention. Some of this area needs to be replaced. After replacements are made we may still have money in the budget, check with Ron McCausland. New townhouse entrance will need work at the entrance.

In Denson Park the Board needs to look at the concrete on the gazebo and make sure holes in the field are filled.

#### **Drainage Easements**

The HOA has no responsibility for the drainage problems on Nyon. Home owners will share the expenses.

#### **ACC Appeal**

Ken Wertz requested the removal of 6 trees from his property; he was previously refused by the ACC. He claims the trees are damaged and present a hazard. He will replace with new trees. The guidelines state that trees must be dead or dying for permission to be removed. President said the Board will look at the situation at 106 Geneva Rd. Larry Alderson & Terry Smith were appointed to represent the Board, and assess the situation with Dick Turner of the ACC. The Board will act on this within 10 days.

#### **Info Items**

Weyerhaeuser gave Schepper, a contractor, immunity from putting a dumpster on each construction site if he picked up the debris by truck. He has not complied. The ACC requires all work sites to have dumpsters. The guidelines support the motion that ALL contractors put a dumpster on their work sites.

#### **Covenant Violations**

Owner of lot #560 wants to appeal the issue of playground equipment. He claims he was given a waiver from ACC. There is nothing on file. He will appeal at the March meeting.

Lot #306 on Mellon has a parked trailer. No trailers may be kept on the property. Glen will inform the home owner.

Brent Brewer, 221 Ticino Ct., refused to accept a registered letter citing violations of boat and basketball court on property. Board will send new letter with no return address. No resident of Taberna may enhance mailboxes.

#### **Adjudication Board**

Glen Killian made a motion to appoint John Reichenbach to the Adjudication Board, seconded by Suzanne Forsythe. Passed unanimously.

#### **Traffic Issues Traffic Issues**

At the last meeting with the town they mentioned that exercising extraterritorial jurisdiction over the county property along Old Airport Road between Taberna and

Carolina Colours would be to our benefit. If the City of New Bern were to do this they could change the zoning to lower the density of building and thus reduce future traffic impact from new construction. We should consider approaching the Board of Alderman and making a request to do this.

As a Board we need to support Evans Mill. A new road must be operational before Wilcox Rd. is closed. Appeal to aldermen!

Carolina Colours will be impacted by a great deal of traffic on Waterscape Way, Thuman Rd and route 70. Engineer's recommendations must be put in place. Carolina Colours gave \$400,000 to improve railroad crossing at Thurman Rd. Taberna Way & Taberna Circle both have limited access to allow flow of traffic. The Board proposed ways to slow traffic.

- a. road painting
- b. speed bumps – on Old Airport Rd. East
- c. City of New Bern take over Old Airport Rd to Thuman Rd.
- d. hold our position until we see what aldermen and engineer's report proposes.

#### **Covenant Amendments**

Acceptance of B1 amendment (enclosed) recommended by Bob Costanzo. Seconded by Suzanne Forsythe. Passed unanimously.

Acceptance of B2 amendment (enclosed) recommended by Glen Killian. Seconded by Bob Costanzo. Passed unanimously.

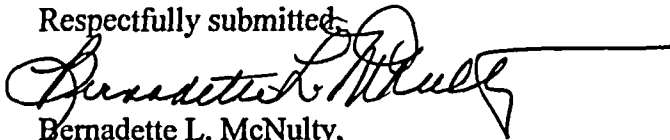
#### **Denson Park**

Bo Wernersbach, soccer coach and resident of Taberna, has insurance certificate under the statewide soccer association for \$9,000,000. The association can not use the park until the Board sees the certificate, the contract, and has a copy of the policy, including any changes in the policy. The soccer field may be used for practice only. The soccer assoc. owns all equipment and must provide supervision of play. Mail must be redirected to president of THOA. A member of Building & Grounds will become gatekeeper.

Motion to adjourn by Kurt Weinheimer, seconded by Larry Alderson, passed unanimously

Next meeting Mar 14<sup>th</sup> @ 3:30 PM  
Meeting adjourned at 5:40 PM.

Respectfully submitted,



Bernadette L. McNulty,  
Secretary

## THOA FORM B-1 Garage Sale Rules

1. Taberna residents may conduct a one-day sale no more than once a calendar year.
2. The sale must be conducted between the hours of 8:00 a.m. and 3:00 p.m.
3. All sale items must be stored and out of sight immediately following the sale's termination.
4. The resident must obtain a permit to conduct the sale from the Taberna Home Owners Association representative no less than two weeks prior to its commencement and provide the following:
  - a. Name
  - b. Address
  - c. Phone number
  - d. Date of sale
5. Upon approval, the resident will checkout a "Garage Sale Packet" from a representative appointed by the board which will include:
  - a. Two authorized garage sale signs.
  - b. Instruction sheet for the sign postings
  - c. \$15 refundable sign deposit
6. The resident will return the signs to the board representative within two working days of the garage sale.

THOA Form B-2 Limited Social Event Product Sales Rules

1. Residents may engage in the sale of products bought at such home events which include primarily kitchen and housewares, cosmetics and accessories.
2. Such sales may be held once a calendar year in any given home. The sales events will last no longer than six hours in duration
3. A homeowner cannot maintain a product distributorship in Taberna; therefore, one is prohibited from contracting with and supplying goods to other Taberna residents who will hold these sales events.
4. The resident hosting the event will fill out this form and obtain permission from the HOA appointed board representative at least two weeks prior to the scheduled event.

5. Please answer the following questions:

- a. Name of the host(ess) \_\_\_\_\_
- b. Date of the event \_\_\_\_\_
- c. Address \_\_\_\_\_
- d. Telephone number \_\_\_\_\_
- e. Hours of the event \_\_\_\_\_
- f. Product name/ type \_\_\_\_\_
- g. Name of the distributor \_\_\_\_\_
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