

**Minutes of Board of Directors Meeting**  
**Taberna Homeowners' Association**  
**May 5, 2010**

**Board Members Attending:**

Rick Layton	President
Linda Pickens	Secretary
James Dugan	Treasurer
Willis Vincent	Member at Large
Russell Packard	Member at Large
John Serumgard	Member at Large

**Absent:** George McNulty, Vice President

**Also Present:** Tere Otere, resident; Dick Turner, Architectural Control Chairman

Rick Layton called the meeting to order at 5:30pm, there being a quorum present.

**Fence on Biel Road.**

Complaints from residents were received by the Board and the ACC regarding a fence built on Biel Rd. The fence, which extends beyond the allowable fence envelope, was approved by the ACC. Dick Turner presented the Board with the background and reasoning which was the basis for granting an exception to the fence guidelines. Tere Otere stated her opposition to the exception granted by the ACC and its impact on neighboring properties. Dick Turner agreed to measure the fence to determine whether it was built as approved by the ACC.

**Sellhorn Fence Issue:**

Rick Layton received a complaint from the Sellhorn HOA regarding trees and vegetation growing through and over the fence on properties in the Sellhorn community. The homes experiencing the growth through the fence have a common property line with lots on Kriens Ct. The Board determined that the HOA cannot compel property owners to trim trees and vegetation based on complaints from a neighboring community. As the fence is located on the lots in Sellhorn, the Taberna HOA is not responsible for damage to the fence. Jim Dugan made a Motion to send letters to three properties on Kriens asking that they trim back the vegetation along the fence line, which was seconded by Russ Packard. The Motion passed; Willis Vincent abstained. Rick Layton will prepare and send the letters to the residents and will also let the Sellhorn HOA know what action has been taken.

**Minutes:**

Willis Vincent made a Motion to approve the Minutes of the April 7, 2010 Meeting, which was seconded by Russ Packard. The Minutes were unanimously approved and accepted.

**Treasurer's Report:**

The Treasurer provided his report which is attached.

Russ Packard made a Motion to accept the letter as drafted (and attached to these Minutes) notifying residents who are delinquent in payment of their Dues that a lien will be placed on their property if their account is not paid. Rick Layton seconded the Motion, and it was passed unanimously.

Jim Dugan made a Motion that the Invoice for the Annual Dues shall state that payment is due upon receipt of the Invoice and that late fees will be assessed if not paid by January 31, which was seconded by Russ Packard. The Motion was unanimously passed. The due date for payment of Annual Dues will be highlighted at the annual meeting.

The Treasurer reported that because of problems with the Quarterly Reconciliation Report provided by the HOA accountant, only a draft was available for review. It was noted that the cost for water was significantly over budget in the first quarter, and the concern was that the cost will continue to increase significantly over Budget during the summer months.

John Serumgard made a Motion to approve the Treasurer's Report, which was seconded by Willis Vincent. The Motion was unanimously passed.

**Taberna Landings Maintenance Contract:**

Kut-Rite has agreed to perform the maintenance for Taberna Landings at the same contract price as the prior service provider.

**HOA Website:**

Linda Pickens reported on making upgrades to the HOA website. John Serumgard, Willis Vincent and Linda Pickens met with Alva Windham and Gene Peele to consider upgrades on the HOA website. Gene and Alva had prepared content to be added to the existing website. John, Willis and Linda will review the additional content. We will also look at the cost of using a professional HOA website, which will add more functionality to the HOA website.

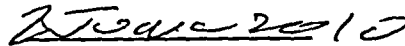
**Covenant Violations:**

Willis Vincent reported there were 17 Covenant violations cited in April, including 2 for boat violations, 2 for playground equipment, 4 for property maintenance, 1 for a home business, 5 for trailers and 3 for trash receptacles.

There being no further business before the Board, Linda Pickens made a Motion to adjourn, which was seconded by Russ Packard. The Motion passed and the meeting was adjourned at 8:08 pm. The next meeting of the Board of Directors will be **June 2, 2010**.

**Approved by the Board of Directors:**

  
By: Rick Layton, President

  
Date:

Treasurer's Report  
James Dugan, Treasurer  
Wednesday, May 5, 2010

**The status of 2009 aged receivables is as follows:**

**Taberna Master HOA had three court cases in the fall of 2009:**

1. The first payment plan is with an owner who agreed to the plan before the court date. The owner is paying in accordance with the plan.
2. The second payment plan is for one of the two judgments. The owner is paying in accordance with the plan.
3. The other judgment is probably not collectable until the house sells and the judgment gets paid at closing. If it goes to bank foreclosure, we will probably not receive anything.

Note: Late fees "accrue" during the payment plans in the event of a default, but are "forgiven" if the payment plan is completed.

The remaining 2009 Taberna Master and Sub-Association dues assessments have been paid or otherwise resolved.

**The 2010 Taberna Master HOA dues are 97.4% collected as of May 1<sup>st</sup>.**

18 accounts are to be assessed late fees on accounts not paid by April 30<sup>th</sup>.

2 others are on payment plans (refer to 2009 payment plans above).

**First Quarter Sub-Association dues status:**

**Abbingdon Woods Assn:**

Lot XXX was foreclosed in February. We invoiced the foreclosing bank for their prorated share of the 2010 master dues of \$183.33 (10/12 x \$220) and sub-association first quarter dues of \$62.50 (1/3 x \$187.50). The first bank transferred the account to the Secretary of Veterans Affairs and they in turn transferred it to a real estate agent. I have faxed copies of the invoices to the real estate agent for payment. Collection is still in progress.

**Boleyn Creek Sub-Assn:** 1 account is to be assessed late fees on 1<sup>st</sup> quarter dues not paid by April 30<sup>th</sup>.

**One Taberna Way Sub-Assn:** 1 account is to be assessed late fees on 1<sup>st</sup> quarter dues not paid by April 30<sup>th</sup>.

**Taberna Landing Sub-Assn:** all of the first quarter sub-assn dues have been paid.

**Placing Liens:** The 20 accounts to be assessed late fees should be sent the HOA form letter for intent to lien either with late fee invoices either this month or next month so that we may initiate the placing of liens. This mailing depends on when the board approves the proposed form letter.

**Sub-Association Second Quarter Invoices:** Mailed April 1<sup>st</sup>; due April 30<sup>th</sup>; subject to late fees May 31<sup>st</sup>.

The April 30<sup>th</sup> Aged Receivable list shows:  
 Abbington Woods: 18 not paid by due date  
 Boleyn Creek Villas: 3 not paid by due date  
 One Taberna Way: 3 not paid by due date  
 Taberna Landing: 1 not paid by due date

**HOA Invoices:** All invoices received by April 30<sup>th</sup> except Accountant's Invoice and Taberna Landing Contract have been paid or otherwise resolved. Accountant's invoice is to be revised. Neither B&G, Treasurer, nor Accountant has a copy of the contract or contractor's certificate of insurance, so invoice has not been approved for payment.

<b>Branch Banking and Trust Accounts:</b>	<b>Beginning of Year End of Year</b>	<b>March 31st End of Quarter</b>	<b>May 3<sup>rd</sup> (Online)</b>
Taberna Master Deposit Account (IDA)	\$15,805.08	\$134,478.49	\$132,980.62
Taberna Master Operating Account	15,540.49	20,880.38	17,076.31
Abbington Woods Operating Account	1,990.14	8,040.58	11,191.05
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Taberna Landings CD	5,034.67	5,034.67	5,034.67

<b>Scott &amp; Stringfellow:</b>	<b>Beginning of Year End of Year</b>	<b>March 31st End of Quarter</b>	<b>May 3<sup>rd</sup> (Online)</b>
Taberna Master Reserve	\$96,453.69	\$97,452.27	98,273.49
Taberna Emergency Reserve	50,693.54	50,990.86	51,289.29
Abbington Woods	12,529.11	12,662.01	12,701.46
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"Online" bank balances do not reflect checks and deposits that have not cleared the bank.

"Online" S&S balances include unrealized gain/loss amounts.

All of Taberna's investments with Scott & Stringfellow are in FDIC insured CDs or money market accounts. As CDs mature and as cash accounts reach over \$1,000, they are being reinvested in new CDs in \$1000 increments except in the case of Taberna Landing. Taberna Landing has cash-on-hand of \$4599 to cover the projected 2009 expenditure for roadwork that has not yet taken place.

**First Quarter Financial Reports:**

Attached is the second draft of the First Quarter Financial Reports.

Two items are being reconciled. The HOA bank balance was \$36.96 off dating from a check voided in 2007. The One Taberna Way and HOA amounts due varied by \$500.00 from accounting for an owner's payment that was returned for insufficient funds. (It was replaced in the second quarter.) Other than those two items, the rest of the reconciliation is in revising the general ledger transaction descriptions.

**Finance Committee requests:** Finance recommended splitting the bookkeeping general journal account for "Beautification" of \$10,000 into two line items with \$4,000 for Beautification-B&G and \$6,000 for Beautification - Todd Denson Park.

**Motions:**

I make a motion that the form letter for "Intent to Lien", (see below), be approved.

I make a motion that the revised wording for the due date and late fees on the invoices, as follows, be approved:

"Invoice is due upon receipt. Any invoice not paid within 30 days will be assessed a late fee of \$20 per month until the account is paid in full. In addition, accounts may also be subject to interest of 18% per annum dating from the due date until account is paid in full."

Taberna Home Owners Association  
1005 Taberna Circle  
New Bern, NC 28562

[date]

*owner(s)*  
*mailing address*  
*city, state, zip*

Re: Taberna Lot # 000, property address year (Master/Sub-Association) Dues Assessments

Dear (owner),

We are writing to advise you that as of the date of this letter, our records indicate that you are past due in the payment of dues for the account listed above. Late fees have accrued on the past due balance as permitted under state law and additional late fees will continue to accrue until your account is paid in full.

Enclosed is the invoice for the late fee on your overdue open account with the Taberna (Master HOA/Sub-Association). As of this date we still have not received any communication from you regarding this overdue account. Please be advised that, although we do not like to do so, the Taberna Home Owners Association will place liens upon properties that have overdue accounts six months after the date of the original invoice. **The HOA intends to place a lien on your property, as authorized in the Taberna Covenants and North Carolina Statute Chapter 47F, North Carolina Planned Community Act.** The HOA intends to lien your account if if your account is not paid by the end of this month (date).

Currently, with the addition of the enclosed invoice, your account shows:

Item, invoice date, due date \$000.00  
late fee invoiced date 20.00  
late fee invoiced date 20.00  
late fee invoiced date 20.00  
Total account balance due \$000.00

Please send your check for this amount made payable to the Taberna Master HOA in-care-of Mona Kay Sadler, CPA; PO Box 87; Alliance, NC 28509. Please mail it in time to be delivered before the end of this month.

If you have any questions regarding your account, please forward them to me at the above address, email me at jimdugan@embarqmail.com, or contact me by phone 252-637-5314; fax 252-637-5319.

Sincerely,  
*James Dugan*  
James Dugan, Treasurer  
Taberna HOA  
enc: as stated

**FAIR DEBT COLLECTION PRACTICES ACT DISCLOSURE**

Pursuant to 15 U.S.C. § 1692e (11), you are hereby notified that this communication is made in an attempt to collect a debt and any information obtained will be used for that purpose.



## Taberna Home Owners Association

### Agenda

#### Board of Directors

May 5, 2010

President's Remarks	Rick Layton
Adoption of Minutes	Linda Pickens
Treasurer's Report	Jim Dugan
<u>Old Business</u>	
Business Statement (for vote)	Willis Vincent
Website changes (for vote)	Linda Pickens
<u>New Business</u>	
Covenant Violations	Willis Vincent
Real Estate	Steve Little
Biel Lane	Tere Otero/ Dick Turner
<u>Good of the Order</u>	
Confirm Next Meeting	<u>June 2<sup>nd</sup></u>
<u>Adjournment</u>	



**BACKGROUND  
MATERIAL  
FOR  
MATTERS  
DISCUSSED  
AT  
BOARD  
MEETING**

## Linda Pickens

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**From:** Rick Layton [ricklayton@msn.com]  
**Sent:** Monday, April 12, 2010 10:47 PM  
**To:** George McN; Linda P; Jim Dugan; Willis; John Serumgard; Russ Packard  
**Subject:** FW: Fences and Seating Walls

BOD:

For your consideration. Then we will wrap it up. Rick

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**From:** jpeacock1@suddenlink.net  
**To:** ricklayton@msn.com  
**CC:** tbrhin1@embarqmail.com  
**Subject:** Fences and Seating Walls  
**Date:** Mon, 12 Apr 2010 17:47:54 -0400

Rick,

I appreciate all the input from the e-mails. I think we have the issues far too involved at this point. While this may be too simplified let me try it.

1. Fence issue. A request for the fence from the owner David Harris was submitted to the ACC on March 17 and approved by the ACC at its meeting on March 24. The request from Harris clearly indicates his desire for an exception to the Guidelines permitting his fence to exceed 1/2 the mean distance from back of his home to the rear lot line. The committee approved the request however, in my opinion it may not have been clear to the committee members what the exception entailed.

When the construction of the fence began, a neighbor complained about the size of the fence. I went over to the lot and personally measured it. Not having the details, I stopped construction and contacted Dick. Dick reminded me about the ACC approval so I called the contractor and the homeowner to permit completion of construction.

The fence as constructed complies with the request of the owner. It meets all Guidelines with exception of the depth which should have been limited to 35' and extends to 55' per the approved exception.

In my opinion, the fence is a done deal. In retrospect, in my opinion, we should have been more careful in our review and the need for the exception to the Guidelines.

2. Seating Wall. Again I appreciate the comments from the BOD. This is not a covenants issue. It is a Guidelines issue. The Guidelines are supplemented by the "Standards" so that additional information can be included without making the Guidelines too lengthy and complex. I would like to point out that both the Guidelines and Standards have served the HOA well for the past nine years with very few –emphasis few–changes.

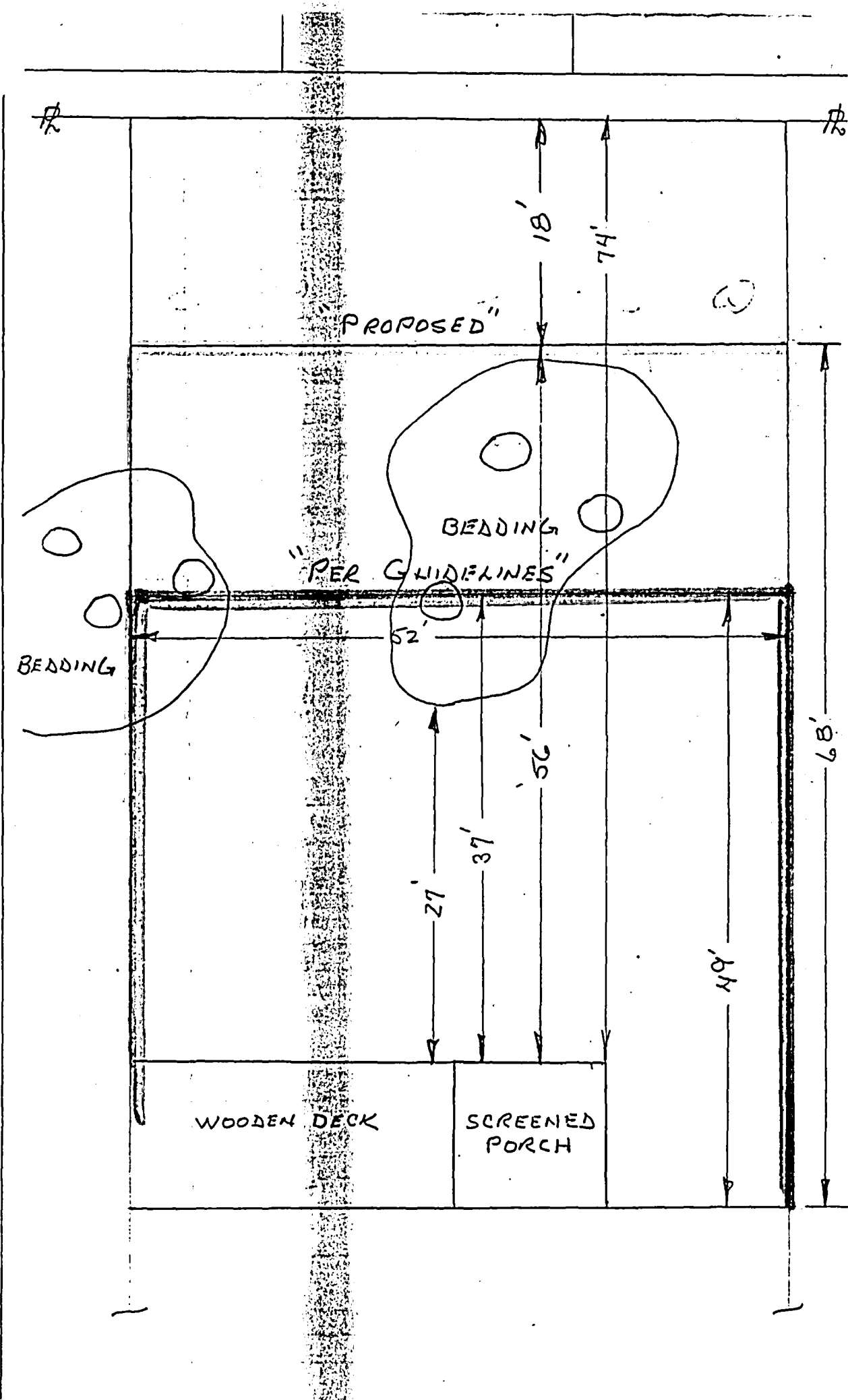
The Guidelines should remain as written with the seating wall specifications and 18-24". The Standards should be amended by the HOA as an administrative change and taken to the Homeowners meeting in December if deemed necessary.

As far as the homeowner, Charles Deigert, 501 Neuchatel Rd., the HOA can determine that the Guidelines prevail or grant Mr. Deigert an exception and allow his "seating wall" to be 30" in height. The ACC will need to act on Mr. Deigert's request one way or the other.

I'm not sure if all this helps but I thought I would try. Please ship this e-mail around to the Board members if you so desire.

Jim Peacock

42-381 30 SHEETS 3 SQUARE  
42-382 300 SHEETS 3 SQUARE  
NATIONAL



## Linda Pickens

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**From:** Rick Layton [ricklayton@msn.com]  
**Sent:** Wednesday, April 28, 2010 5:28 PM  
**To:** Dick Turner; Jim Peacock  
**Cc:** George McN; Linda P; Jim Dugan; Willis; John Serumgard; Russ Packard  
**Subject:** FW: Approval of fence at 109 Biel Ln

Dick and Jim,

Tere Otero, from Neuchatel Rd. will be at the BOD meeting on 5 May, 5:30 PM to discuss this also. Please attend. Thanks, Rick

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**From:** GMAGIC911@aol.com  
**Date:** Wed, 28 Apr 2010 12:01:07 -0400  
**Subject:** Approval of fence at 109 Biel Ln  
**To:** tbrhin1@embarqmail.com  
**CC:** ricklayton@msn.com

Linda Elsass  
105 Biel Ln

April 28, 2010

I am writing to inform you of my displeasure with the decision of the Architectural Committee in the approval of extending the fence beyond the length given in the covenants at 109 Biel Ln.

I am having trouble understanding why a resident would ask for the entire back yard to be fenced in when the covenants give the exact distance that would be approved. One of our reasons for buying property in Taberna was the covenants. We purchased our home at 105 Biel Ln as a retirement home and plan to live the rest of our active years here. I have a strong feeling that the family at 109 Biel Ln., being military, will be moving on in a short period of time. But we will have to sit on our back porch and look at their fence (a fence without a lot of class, I might add) for the rest of our lives.

Another issue with the approval of this fence is that it has set a precedent. I wonder how much time will pass before there are more fenced in yards. Prior to the fence being built, we many times commented on how beautiful all of the yards were and that it looked like a glorious park.

In closing, I would like to offer this suggestion to the members of the committee giving approval for a change in the covenants. Please ask yourself if you would like the proposed change to be in your neighborhood and have to look at that change each and every day. I would like for you to also give considerable thought as to whether the change will add or take away from the charm of the development.

I would appreciate your comments regarding my concerns.

Linda Elsass

Tere Otero  
119 Neuchatel Road  
New Bern, NC 28562

April 26, 2010

Board of Directors & Architectural Review Committee Members  
Taberna HOA  
1005 Taberna Circle  
New Bern, NC, 28562

RE: Biel Lane fence

Good Morning:

On April 11, 2010, I emailed a (sarcastic) grievance regarding a fence which does not comply with the Architectural Guidelines to Dick Turner, Jim Peacock, Willis Vincent and Rick Layton. It has been two weeks, I have not received a reply, explanation or acknowledgement, and there have been no changes to the fence.

I submit the following facts:

- The fence extends from the unroofed patio to within a few feet of the property line, which clearly exceeds "50% of the mean distance from envelope of home to rear property line. Envelope of home is any roofed over (i.e. living areas, garage, covered porch) portion of the house."
- The fence seems to be unpainted, treated wood. The Guidelines state "Natural wood painted or stained to blend with the dwelling".
- The Guidelines also state the fence must not "negatively impact adjacent lots." In its present location and state this fence only detracts from the value of adjacent lots and the neighborhood.
- The Architectural Change Request states "If the request is in agreement with the Guidelines, it will be approved. If not in agreement, it will be rejected." Obviously, as built this fence is not in agreement with the Guidelines and the request should have been denied.

If approval was granted through unintentional error, THOA should pay for moving the fence to the appropriate location in conformance with the Guidelines. This would preserve enforceability of the Covenants and remove the precedent.

If a variance was granted, the extenuating circumstances that precipitated such action should be communicated, at the very least, to the Biel and Neuchatel Owners. The variance should also be amended so it does not convey upon sale of the property.

Board of Directors & Architectural Review Committee Members

April 26, 2010

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If approval was granted because the ARC does not consider the Biel/Neuchatel neighborhood worthy of the same protection they offer the rest of Taberna Owners it would indicate discrimination. THOA should pay for bringing the fence into conformance with the Guidelines and avoid such an issue.

Ignoring and allowing the fence to remain makes the Covenants and Guidelines harder and costlier to enforce, as it sets a precedent a court might not choose to ignore.

Personally I feel slighted and let down anytime I sit on my back porch, or go out in my back yard as I wonder how long it will be before another out of compliance fence crops up into my line of sight. "Consistent application of the Covenants and Guidelines is designed to assure compatibility with the planned character of the community and protection of real estate values" which is why most of us chose Taberna.

Thank you for your help and attention to this matter.

Sincerely,



Tere Otero

CC: Dick Turner  
Jim Peacock  
Willis Vincent  
Rick Layton  
John Reichenbach

## POSITION STATEMENT—Home Businesses

Increasingly, because of lengthy commutes and technological improvements, "telecommuting" or working from home has become a viable and acceptable means for earning a living. So it's not unusual to find people working at home, and it's not unlawful, in general, to be working from home or even conducting a business from home. If you are operating a business from home or plan on running a home-based business that will have no employees and no walk-up trade, a question may never arise about the use of your residence. Problems with "residential only" covenants commonly occur with home-based businesses that deal with the public or that have non-family-member employees who work out of a home.

However, there are generally some limitations that will vary as to what can and can't be done with regard to business activity in a residential neighborhood. Many courts have ruled that "residential only" restrictions do not preclude all home businesses. For the most part, the external impact of a business will be considered when evaluating whether a business violates a residential only covenant. To gauge the external impact of a business, the following questions are often posed: Does the business disturb the regular noise levels or peace and quiet in the community? Does the home business involve the storage, use or sale of goods, equipment or materials not customarily found within a home or on a lot? Does a resident distribute flyers or other marketing promotions that promote the sale of products?

Through the years, the Taberna Homeowners Association has received inquiries about what constitutes acceptable and unacceptable home business activity. Therefore, to aid residents and the Board in assessing situations involving business activity within Taberna, the Board of Directors on \_\_\_\_\_ approved the following declaration.

*Whereas Article IV of the By-Laws of the Taberna Homeowners Association grants the Board of Directors the powers necessary and proper for the governance of the affairs of the Association, let it be declared that the following factors have been identified for the purpose of establishing consistency in the review of matters related to home business activity. Therefore, business activity is not allowed in Taberna that results in one or more of the following self-evident conditions:*

- *The visible storage on any Lot of equipment or supplies used in a business.*
- *The conspicuous display on any Lot of merchandise or goods for sale.*
- *The distribution of flyers or other marketing promotions solely for the purpose of selling a product or service from a Taberna residence.*
- *Traffic that disturbs the peace and quiet of the neighborhood or contributes to additional traffic or parking on the streets of our community in connection with a home business.*
- *Other nuisance factors, including but not limited to, employees who come to work at the home, and customers or clients who have a pattern of coming and going from the property at various times for the purpose of purchasing products.*

**Treasurer's Report**  
**James Dugan, Treasurer**  
**Wednesday, May 5, 2010**

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Taberna Home Owners Association  
1005 Taberna Circle  
New Bern, NC 28562

*date*

*owner(s)*  
*mailing address*  
*city, state, zip*

Re: Taberna Lot # 000, *property address*  
*year (Master/Sub-Association) Dues Assessments*

Dear *owner*,

We are writing to advise you that as of the date of this letter, our records indicate that you are past due in the payment of dues for the account listed above. Late fees have accrued on the past due balance as permitted under state law and additional late fees will continue to accrue until your account is paid in full.

Enclosed is the invoice for the late fee on your overdue open account with the Taberna (Master HOA/Sub-Association). As of this date we still have not received any communication from you regarding this overdue account. Please be advised that, although we do not like to do so, the Taberna Home Owners Association intends to place a lien on your property, as authorized in the Taberna Covenants and North Carolina Statute Chapter 47F, North Carolina Planned Community Act, if your account is not paid by the end of this month (*date*).

Currently, with the addition of the enclosed invoice, your account shows:

item, invoice date, due date	\$000.00
late fee invoiced date	20.00
late fee invoiced date	20.00
<u>late fee invoiced date</u>	<u>20.00</u>
Total account balance due	\$000.00

Please send your check for this amount made payable to the Taberna Master HOA in-care-of Mona Kay Sadler, CPA; PO Box 87; Alliance, NC 28509. Please mail it in time to be delivered before the end of this month.

If you have any questions regarding your account, please forward them to me in-care-of Taberna Home Owners Association, 1005 Taberna Circle, New Bern, NC 28562, email me at [jimdugan@embarqmail.com](mailto:jimdugan@embarqmail.com), or contact me by phone 252-637-5314; fax 252-637-5319.

Sincerely,

*James Dugan*

James Dugan, Treasurer  
Taberna HOA

enc: as stated

**FAIR DEBT COLLECTION PRACTICES ACT DISCLOSURE**  
Pursuant to 15 U.S.C. § 1692e (11), you are hereby notified that this communication is made in an attempt to collect a debt and any information obtained will be used for that purpose.

## Linda Pickens

---

**From:** Jim Dugan [jimdugan@embarqmail.com]  
**Sent:** Monday, April 12, 2010 10:05 AM  
**To:** j.serumgard@suddenlink.net; 'Linda P'; 'Rick Layton'; 'Russ Packard'; 'George McN'; 'Willis'  
**Cc:** jpeacock1@suddenlink.net; 'Richard Turner'  
**Subject:** RE: FW: Building Guidelines for Seating Walls

BOD,

From the covenants and guidelines, the ACC has thirty days to respond to an Architectural Committee Request (ACR). Since we don't know when the request was made, it is imperative that we respond promptly to Jim Peacock's clarification request.

John Serumgard and I have reached about the same conclusion, although through an entirely different thinking process.

1st: I agree that 18 to 24 inches complies closest to the definition of a "seating wall" and the intent of the Architectural Guidelines. In general, for architectural guideline purposes, a "border" is up to 14 inches high, a "seat" from 14 to 24 inches high, and a "wall" 24 to 30 inches high, and a "fence" anything above 30 inches high. (30 inches is the height of a dining or picnic table.)

2nd: The covenants are fairly general, apply to all of our Taberna properties, and should not be changed. (We probably would never get the percentage votes to change them anyway.)

3rd: The Architectural Guidelines as originally written are fairly clear in their intent and definition.

4th: The "Amendments" are the major problem. Most specifically in that they are not written with the same standard of care as the original guidelines and that they fail to incorporate wording to the effect that they "rescind and replace" specific sections of the guidelines. This points out the importance of compiling a comprehensive set of Architectural Guidelines that resolves the various amendments and interpretations.

At this point in time, I move that we make an "interpretation of the guidelines" that a "seating wall" be defined in accordance with the original guidelines as approximately 18 to 24 inches high. Further that the interpretation be intended to continue until such time as the Architectural Guidelines are rewritten and approved.

Jim Dugan

-----Original Message-----

**From:** j.serumgard@suddenlink.net [mailto:j.serumgard@suddenlink.net]  
**Sent:** Sunday, April 11, 2010 11:07 PM  
**To:** Linda P; Jim Dugan; Rick Layton; Russ Packard; George McN; Willis  
**Subject:** Re: FW: Building Guidelines for Seating Walls

To BOD

It appears to me from reading the respective documents. that the "Guidelines" document was last revised on 10-1-04, while the "Attachment III" document carries a last revision date of 10-20-03. (I also have a version of this document with a 10-1-03 date.) As the "Guidelines" document carries a more recent date, I think it would prevail, and that the "Attachment III" document does not apply to the extent that they are inconsistent.

My thoughts.

John Serumgard

--

John Serumgard  
[j.serumgard@suddenlink.net](mailto:j.serumgard@suddenlink.net)

Check this out!

<http://www.tabernacares.org>

----- Rick Layton <[ricklayton@msn.com](mailto:ricklayton@msn.com)> wrote:

> BOD:

> I agree with Jim that guidelines should overrule attachments. This  
> will have to be in the Annual meeting. Give your thoughts on fixing  
> this problem for now. Rick

> From: [jpeacock1@suddenlink.net](mailto:jpeacock1@suddenlink.net)  
> To: [ricklayton@msn.com](mailto:ricklayton@msn.com)  
> CC: [tbrhin1@embarqmail.com](mailto:tbrhin1@embarqmail.com)  
> Subject: Building Guidelines for Seating Walls  
> Date: Sun, 11 Apr 2010 14:04:14 -0400

> Rick,

> The ACC needs guidance from the HOA board concerning the accepted height for seating walls.

> A homeowner who wishes to construct a "seating wall" on one side of  
> his patio is contesting a discrepancy that exists between the approved Taberna Building,  
Architectural and Appearance Guidelines and Attachment III to the Guidelines - Standards for  
Ground Level Patios and Patio Enclosures.

> The Guidelines in Part B3 - Patios, Terraces and Decks states that enclosures should be no  
more than "seating wall" in height approximately 18"-24". The Standards in Attachment III  
state that the seating wall should be no more than 24"-30".

> In our opinion, the Guidelines should prevail over the Attachment. However, because the  
discrepancy exists, we could grant the homeowner an exception and allow the seating wall to  
be 30" since he is adamant that the difference of 6" will greatly improve the usefulness of  
his seating wall.

> For the future, we believe Attachment III should be amended to agree with the Guidelines.  
Since this change will probably not formally be adopted until the next Homeowners Meeting, we  
should have some consistency concerning the maximum height allowed for seating walls should  
this issue occur again sometime before December.

> Could the HOA Board issue a temporary amendment to Attachment III in advance of a formal  
change to the amendment?

> I am copying Dick Turner on this e-mail although he will be out of town for a couple of  
weeks and I should get back to the homeowner as soon as possible.

> Jim Peacock  
> [jpeacock1@suddenlink.net](mailto:jpeacock1@suddenlink.net)  
> 633-9288

## Linda Pickens

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**From:** Bob & Arlene Costanzo [abcostanzo@suddenlink.net]  
**Sent:** Wednesday, April 21, 2010 3:27 PM  
**To:** Linda Pickens; 'Rick Layton'  
**Subject:** Amended 2010 Budget

Rick:

This same item came up in one of the Committee Meetings and I believe that the committee members would agree that as changes become necessary that the original budget be amended to support the changes that the BOD have approved. The use of the website to post the original budget and any of the approved changes seems to continue your effort of transparency.

Bob

----- Original Message -----

**From:** Linda Pickens  
**To:** 'Jim Dugan'  
**Cc:** 'Rick Layton'; abcostanzo@suddenlink.net  
**Sent:** Wednesday, April 21, 2010 2:37 PM  
**Subject:** RE: Amended 2010 Budget

Jim,

Perhaps you misunderstood the purpose of my email. If you recall, the Board had requested that reallocations within the 2010 Budget be reflected in an amended Budget to ensure transparency in the Board's action. Doing so would eliminate the skewed numbers that were encountered this year when some line items in the year-end 2009 reconciliation came in over budget and some under budget due to undocumented reallocation of funds. How you reconcile the accounting for the shifting numbers in the General Ledger is not the concern. The Board has asked that when money is moved from one line item to another, that it be reflected in an amended Budget. For your convenience, attached is a spreadsheet which reflects how the money has been reallocated from one line item to another. The reallocation is reflected in red. As you can see, the Revenues and Expense Totals remain identical. I've also included the 2009 Board's allocation of fund in the "Improvements/Beautification" line item so that it is clear how much money is available for each of the two separate categories. (See Addendum to Sept. 2009 Minutes which clearly specifies how the money was allocated.)

Your assumption that a portion of the "Improvements/Beautification" has been allocated to the Canoe Dock is incorrect. (Again, see the 9/09 Minutes.) There has been zero dollars allocated to the Canoe Dock in 2010.

One last thing: The 2010 Budget needs to be posted on the HOA Website. I suggest posting the original Budget and the amended Budget so that all residents are informed of the reallocation.

Thanks,  
Linda

---

**From:** Jim Dugan [mailto:jimdugan@embarqmail.com]  
**Sent:** Wednesday, April 21, 2010 9:49 AM  
**To:** 'Linda Pickens'  
**Cc:** 'Rick Layton'; abcostanzo@suddenlink.net  
**Subject:** RE: Amended 2010 Budget

Linda,

The 2010 Budget, as presented to the owners and approved at the Annual Meeting, does not need to be amended to account for these items.

The first two items will be properly addressed by assigning the "Emmon Road Amendment" (the second Canoe Dock Maintenance agreement) to General Ledger 401, Landscape-Miscellaneous (or, as in the budget, Bldg/Grounds Mtnc-Misc and/or Mtnc/Misc. Ldscpg). This is proper as it was an added miscellaneous landscaping item.

The third item will be properly addressed as an internal proration of General Ledger 407, Community Beautification Projects (in the budget as Projects/Beautification and/or Landscaping-contracts).

That way, the 2010 Budget stands and the three items are properly addressed.

One more question needs to be resolved before we can prorate the Comm. Beautification line item into three parts: What is the rest of the formula (your numbers don't reflect the Canoe Dock portion)? I am assuming Canoe Dock - \$2,000, Denson Park-\$4000, and General-\$4000.

Once that is determined, I can have the accountant divide GL 407 into GL 407C, 407D, & 407G (or 407, 408, & 409 if required by the accounting software). The three items will still make up the Community Beautification line item and be combined for budget reporting.

This way, for budget reporting, the line item totals will remain the same.

Jim Dugan

---

**From:** Linda Pickens [mailto:lindapickens676@suddenlink.net]

**Sent:** Tuesday, April 20, 2010 4:47 PM

**To:** Jim Dugan

**Cc:** Rick Layton; abcostanzo@suddenlink.net

**Subject:** Amended 2010 Budget

Jim,

Per the last Board meeting, there have been some reallocation of funds in the 2010 Budget. You may have already done this, but so that we can be sure that the Board and Finance Committee are working with an accurate budget, could you please amend the Budget, to include:

1. Amend the annual funds in the Landscaping Maintenance line item to reflect a reduction of \$950
2. Add a new line item for Canoe Dock Maintenance in the amount of \$950 (reallocated from Landscaping Maintenance). This will reflect the funding for the Canoe Dock Maintenance contract with Kut-Rite (entered into in 2009), which was overlooked in the 2010 Budget.
3. Break the Projects/Beautification line item of \$10,000 into two separate line items as approved by the 2009 Board:  
Todd Denson Park Improvements \$6,000  
Beautification \$4,000

I think that's all of the amendments to date. It would be helpful if you would email the amended 2010 Budget to Board members prior to our next meeting, and to members of the Finance Committee prior to their next meeting.

Thanks much!

Linda

## Linda Pickens

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**From:** Jim Dugan [jimdugan@embarqmail.com]  
**Sent:** Tuesday, May 04, 2010 2:09 PM  
**To:** George McNulty; John Serumgard; Linda Pickens; Rick Layton; Russ Packard; Willis Vincent  
**Subject:** Taberna - Invoice Due Dates and Pre-Lien Form Letter  
**Attachments:** dues pre lien letter 05042010.pdf

Following are Treasurer items for the BOD meeting:

In reference to the invoice due dates approved at the last BOD meeting, I propose the following wording replace the current wording on the invoices:

**"Invoice is due upon receipt. Any invoice not paid within 30 days will be assessed a late fee of \$20 per month until the account is paid in full. In addition, accounts may also be subject to interest of 18% per annum dating from the due date until account is paid in full."**

I will also be seeking approval to begin the process of placing liens, the first step being to send the letter of intent. The proposed form letter (without all the strikethroughs and highlights) is attached.

We currently have 18 HOA, 1 Abbington, 1 Boleyn, and 1 OTW = 21 accounts over 90 days due on which to place liens. All are for year 2010 dues.

Jim Dugan, Treasurer



# TABERNA

Taberna Home Owners Association  
1005 Taberna Circle  
New Bern, NC 28562

*date*

*owner(s)*  
*mailing address*  
*city, state, zip*

Re: Taberna Lot # 000, *property address*  
year (*Master/Sub-Association*) Dues Assessments

Dear *owner*,

We are writing to advise you that as of the date of this letter, our records indicate that you are past due in the payment of dues for the account listed above. Late fees have accrued on the past due balance as permitted under state law and additional late fees will continue to accrue until your account is paid in full.

Enclosed is the invoice for the late fee on your overdue open account with the Taberna (Master HOA/Sub-Association). As of this date we still have not received any communication from you regarding this overdue account. Please be advised that, although we do not like to do so, the Taberna Home Owners Association intends to place a lien on your property, as authorized in the Taberna Covenants and North Carolina Statute Chapter 47F, North Carolina Planned Community Act, if your account is not paid by the end of this month (*date*).

Currently, with the addition of the enclosed invoice, your account shows:

item, invoice date, due date	\$000.00
late fee invoiced date	20.00
late fee invoiced date	20.00
late fee invoiced date	20.00
<u>Total account balance due</u>	<u>\$000.00</u>

Please send your check for this amount made payable to the Taberna Master HOA in-care-of Mona Kay Sadler, CPA; PO Box 87; Alliance, NC 28509. Please mail it in time to be delivered before the end of this month.

If you have any questions regarding your account, please forward them to me in-care-of Taberna Home Owners Association, 1005 Taberna Circle, New Bern, NC 28562, email me at jimdugan@embarqmail.com, or contact me by phone 252-637-5314; fax 252-637-5319.

Sincerely,

*James Dugan*

James Dugan, Treasurer  
Taberna HOA

enc: as stated

**FAIR DEBT COLLECTION PRACTICES ACT DISCLOSURE**  
Pursuant to 15 U.S.C. § 1692e (11), you are hereby notified that this communication is made in an attempt to collect a debt and any information obtained will be used for that purpose.



Tere Otero  
119 Neuchatel Road  
New Bern, NC 28562

April 26, 2010

Board of Directors & Architectural Review Committee Members  
Taberna HOA  
1005 Taberna Circle  
New Bern, NC, 28562

RE: Biel Lane fence

Good Morning:

On April 11, 2010, I emailed a (sarcastic) grievance regarding a fence which does not comply with the Architectural Guidelines to Dick Turner, Jim Peacock, Willis Vincent and Rick Layton. It has been two weeks, I have not received a reply, explanation or acknowledgement, and there have been no changes to the fence.

I submit the following facts:

- The fence extends from the unroofed patio to within a few feet of the property line, which clearly exceeds "50% of the mean distance from envelope of home to rear property line. Envelope of home is any roofed over (i.e. living areas, garage, covered porch) portion of the house."
- The fence seems to be unpainted, treated wood. The Guidelines state "Natural wood painted or stained to blend with the dwelling".
- The Guidelines also state the fence must not "negatively impact adjacent lots." In its present location and state this fence only detracts from the value of adjacent lots and the neighborhood.
- The Architectural Change Request states "If the request is in agreement with the Guidelines, it will be approved. If not in agreement, it will be rejected." Obviously, as built this fence is not in agreement with the Guidelines and the request should have been denied.

If approval was granted through unintentional error, THOA should pay for moving the fence to the appropriate location in conformance with the Guidelines. This would preserve enforceability of the Covenants and remove the precedent.

If a variance was granted, the extenuating circumstances that precipitated such action should be communicated, at the very least, to the Biel and Neuchatel Owners. The variance should also be amended so it does not convey upon sale of the property.

If approval was granted because the ARC does not consider the Biel/Neuchatel neighborhood worthy of the same protection they offer the rest of Taberna Owners it would indicate discrimination. THOA should pay for bringing the fence into conformance with the Guidelines and avoid such an issue.

Ignoring and allowing the fence to remain makes the Covenants and Guidelines harder and costlier to enforce, as it sets a precedent a court might not choose to ignore.

Personally I feel slighted and let down anytime I sit on my back porch, or go out in my back yard as I wonder how long it will be before another out of compliance fence crops up into my line of sight. "Consistent application of the Covenants and Guidelines is designed to assure ~~compatibility with the planned character of the community and protection of real estate values~~" which is why most of us chose Taberna.

Thank you for your help and attention to this matter.

Sincerely,



Tere Otero

CC: Dick Turner  
Jim Peacock  
Willis Vincent  
Rick Layton  
John Reichenbach

## Linda Pickens

---

**From:** WsVincent@aol.com  
**Sent:** Monday, April 26, 2010 5:36 PM  
**To:** ricklayton@msn.com  
**Cc:** lindapickens676@suddenlink.net; jimdugan@embarqmail.com  
**Subject:** Re: Taberna Tree Growth along fence

Rick: I think our Association attorney with his/her *legal expertise* and *knowledge of property rights* should draft the letters, and you should sign them. This matter is a "prickly pear" that could haunt us for a long period of time if not handled properly. John with his strong legal background might want to act as a consultant. Right now, I more responsibilities than I can reasonably handle with the current volume of violations. Willis

In a message dated 4/26/2010 3:09:38 P.M. Eastern Daylight Time, ricklayton@msn.com writes:

i think the right way to proceed on this one is all follows, but with your input.

Have Willis draw up letters to the owners on Kriens those couple of home involved asking for their cooperation in trimming the areas along the fence line. If the fence is damaged they should notify us and we will proceed with Sellhorn POA to fix the fence. If they do not want to cooperate then we will bring in the bushhogging and charge them the rate for cleaning out the material.

Linda and John will review the letters. I guess I should sign them. A copy of the generic letter should be emailed to Sellhorn so they know what we are doing, and stating that we will be will to pay half of the fence damage upon getting their estimate and invoice. Does that answer the mail? Rick

---

**From:** lindapickens676@suddenlink.net  
**To:** jimdugan@embarqmail.com  
**Subject:** RE: Taberna Tree Growth along fence  
**Date:** Fri, 23 Apr 2010 18:44:50 -0400

Jim,

I agree that if an HOA owned fence is in jeopardy and is on common property, the HOA has a duty to remediate the damage. The question is: Who has the duty to maintain the fence between two private residences? This is not a question of all property owners having to pay "because a few owners were derelict in take care of their property." Rather, it is a question of who has the legal responsibility to maintain the fence and repair any damage. It seems per the 6/04 Minutes, the fence is the responsibility of Sellhorn to maintain. Rick has asked me to investigate further and I will do so.

As to owners in Sellhorn also owning property in Taberna, it does not involve or relate to the properties in question and, therefore, has no bearing on the issue at hand. This is an issue between 105 Kriens and 116 Inge, who are in separate communities, but have adjoining property lines.

There is a common developer of the property at issue in Sellhorn and the property at issue in Taberna. Ultimately, that will resolve the question of maintaining the fence, if that fence is outside the agreement that Sellhorn maintain the fence along Emmen Rd. As to the issue of "intruding landscaping," there is NC case law that states that the property owner experiencing intruding landscaping has the right to cut back the intruding landscaping and that is the remedy available by law.

If, upon further investigation, the fence straddles multiple properties on Kriens and in the Sellhorn community and is not subject to the duty of Sellhorn to maintain, that would be an issue for the respective property owners to resolve either amicably or through legal action. It does not require Board intervention. It is simply a property rights issue between the respective land owners.

Linda

---

**From:** Jim Dugan [mailto:jimdugan@embarqmail.com]  
**Sent:** Friday, April 23, 2010 5:14 PM  
**To:** 'Linda Pickens'  
**Subject:** RE: Taberna Tree Growth along fence

Linda,

When a Taberna HOA owned fence is in jeopardy, it is our duty to protect the HOA property regardless of who brings it to our attention.

Why should all the HOA owners have to pay to repair an HOA fence because a few owners were derelict in taking care of their property?

FYI: Until the first of this month, Owners on the Sellhorn side of the fence were also owners in Taberna. Tai Duc Ho and Ba Ngoc Thi Phan own Taberna Lot 148, 711 Taberna Circle (Bk 2541/Pg 524), and owned Sellhorn Lot 22, 110 Inge Court (Bk 2671/Pg385). On April 1, 2010, they transferred the Sellhorn property to Ky Ngoc Phan – probably a relative (Bk2901/Pg48).

Do we know which Taberna property or properties are involved?

Jim

---

**From:** Linda Pickens [mailto:lindapickens676@suddenlink.net]  
**Sent:** Friday, April 23, 2010 4:39 PM  
**To:** Jim Dugan  
**Subject:** RE: Taberna Tree Growth along fence

Yes we have maintenance guidelines ... but can these standards can be invoked when the complaining party does not reside in Taberna? I don't believe any adjacent lot owners in Taberna have complained.

It says: "Trimming bushes and trees, on your lot, that become unsightly or cause obstructions *to your neighbors.*" Are lot owners who reside in a different community considered "neighbors?" I think an argument can be made for and against that hypothesis.

---

**From:** Jim Dugan [mailto:jimdugan@embarqmail.com]  
**Sent:** Friday, April 23, 2010 3:33 PM  
**To:** 'Linda Pickens'; 'Russ Packard'; 'Rick Layton'; 'George McN'; 'Willis'; 'John Serumgard'  
**Subject:** Taberna Tree Growth along fence

BOD,

Architectural Guidelines, 5. Property Maintenance, covers trimming bushes and trees. It also gives guidelines for handling non-compliance.

In this particular case, the adjacent lot owner is not in compliance (there may be more than one).

Jim

---

**From:** Linda Pickens [mailto:lindapickens676@suddenlink.net]  
**Sent:** Friday, April 23, 2010 2:58 PM  
**To:** 'Jim Dugan'; 'Russ Packard'; 'Rick Layton'; 'George McN'; 'Willis'; 'John Serumgard'  
**Subject:** RE: Invitation to view Donald's Picasa Web Album - Taberna Tree Growth

I checked the Minutes at the HOA office today. From the June 1, 2004 Minutes, it appears that Sellhorn installed the fence, and Taberna installed the landscaping. The Minutes reflect, in pertinent part, the following:

"John Galvanek gave the Board an update on the Emmon (sic) berm. The berm has been established and will be seeded or sodded. A shadow box fence about six feet high and about 1000 feet in length will be erected and maintained by Sellhorn."

There are many lot owners in Taberna who have chosen to landscape only a portion of their lot, with the remaining lot left in its original, natural vegetation. I don't think the Association has the authority to require a homeowner to clear out natural vegetation they have chosen to retain as doing so may diminish their property value. The Association only has the authority to maintain unimproved lots, not improved lots, which is why the City cuts the grass on improved lots not maintained by the owner.

Linda

---

**From:** Jim Dugan [mailto:jimdugan@embarqmail.com]  
**Sent:** Friday, April 23, 2010 1:31 PM  
**To:** 'Russ Packard'; 'Linda Pickens'; 'Rick Layton'; 'George McN'; 'Willis'; 'John Serumgard'  
**Subject:** RE: Invitation to view Donald's Picasa Web Album - Taberna Tree Growth

Since the fence runs along most of the property line between Taberna and Sellhorn, Russ is probably correct in that the HOA(s) put it there. In that case, the HOA(s) are responsible for the maintenance and upkeep of the fence itself. There should be an agreement between Taberna and Sellhorn HOAs – it is just a matter of finding it!

As to the maintenance of the vegetation, the Taberna Covenants state that there is a five foot utility easement on the sides and rear property line of each lot and outlines standards for property maintenance. Typically, the lot owner would maintain the vegetation on his own property. However, if the lot owner doesn't, the HOA should be able to maintain it and back-bill the lot owner, much like "front lot mowing" and "bushhogging".

Once the fence agreement is located and reviewed, the matter appears to be something that can be reviewed with and delegated to the Building and Grounds Committee.

Jim Dugan

---

**From:** Russ Packard [mailto:RPackard@caro-san.com]  
**Sent:** Friday, April 23, 2010 10:55 AM  
**To:** Linda Pickens; Rick Layton; George McN; Jim Dugan; Willis; John Serumgard  
**Subject:** RE: Invitation to view Donald's Picasa Web Album - Taberna Tree Growth

I agree with Linda, this sounds like a property owner issue. Who owns the fence? My memory is that the HOA had it installed some time ago.

Russell Packard, VP

CaroSan Industries, Inc.

PO Box 12808, New Bern, NC 28562

Phone: (252) 633-3700 Fax: (252) 633-6319

---

**From:** Linda Pickens [mailto:lindapickens676@suddenlink.net]  
**Sent:** Friday, April 23, 2010 10:01 AM  
**To:** 'Rick Layton'; 'George McN'; 'Jim Dugan'; 'Willis'; 'John Serumgard'; Russ Packard  
**Subject:** RE: Invitation to view Donald's Picasa Web Album - Taberna Tree Growth

BOD,

I'm not sure this is a Board issue. According to the Craven County GIS maps, the property lot line of 105 Kriens Ct. joins the property lot line of 116 Inge. The trees up against the fence appear to be on private property. If this is the case, I don't think the Board has the authority to compel the property owner to clear the brush and trim the trees so that they don't hang over or grow through the fence. If the fence runs along the lot lines of these two properties and has been damaged, the two Associations should split the cost to repair. If the fence is on Sellhorn property, then it is up to that Association to repair.

Linda

---

**From:** Rick Layton [mailto:ricklayton@msn.com]  
**Sent:** Thursday, April 22, 2010 11:49 PM  
**To:** George McN; Linda P; Jim Dugan; Willis; John Serumgard; Russ Packard  
**Subject:** FW: Invitation to view Donald's Picasa Web Album - Taberna Tree Growth

BOD:

We will have to address this issue. I will respond, I will not deal with individual homeowners only through the association. Rick

---

**Date:** Thu, 22 Apr 2010 21:31:02 +0000  
**Subject:** Invitation to view Donald's Picasa Web Album - Taberna Tree Growth  
**From:** metalgiant2003@gmail.com  
**To:** ricklayton@msn.com

**You are invited to view Donald's photo album: Taberna Tree Growth**

**Taberna Tree Growth**

Apr 22, 2010  
by Donald

[View Album](#)  
[Play slideshow](#)  
[Contribute photos to this album](#)

**Message from Donald:**

**Taberna tree growth against Sellhorn Heights fence.**

If you are having problems viewing this email, copy and paste the following into your browser:

<http://picasaweb.google.com/lh/sredir?uname=metalgiant2003&target=ALBUM&id=5463052141569138801&authkey=GvIsRgCPCL-M7O8ZnGpwE&feat=email>

To share your photos or receive notification when your friends share photos, get your own free Picasa Web Albums account.





**ECAP of RESERVE ANALYSIS RESULTS for TABERNA MASTER**

Year	<u>MASTER RESERVES</u>			
	Funding	Interest	Usage	Fund Bal
2006				\$ 50,791
2007	\$ 14,000	\$ 1,524		\$ 66,315
2008	\$ 14,424	\$ 1,989		\$ 82,728
2009	\$ 10,000	\$ 2,482		\$ 95,210
2010	\$ 10,425	\$ 2,856		\$ 108,491
2011	\$ 10,868	\$ 3,255		\$ 122,614
2012	\$ 11,330	\$ 3,678		\$ 137,622
2013	\$ 11,812	\$ 4,062	\$ (4,428)	\$ 149,068
2014	\$ 12,314	\$ 4,371	\$ (6,721)	\$ 159,032
2015	\$ 12,837	\$ 4,771		\$ 176,640
2016	\$ 13,383	\$ 4,025	\$ (84,945)	\$ 109,103
2017	\$ 13,952	\$ 3,273		\$ 126,328
2018	\$ 14,545	\$ 2,629	\$ (77,414)	\$ 66,088
2019	\$ 15,163	\$ 1,983	\$ (48,297)	\$ 83,234
2020	\$ 15,807	\$ 2,497		\$ 101,538
2021	\$ 16,479	\$ 3,046		\$ 121,063
2022	\$ 17,179	\$ 3,437	\$ (12,977)	\$ 128,702
2023	\$ 17,909	\$ 3,300	\$ (37,404)	\$ 112,507
2024	\$ 18,670	\$ 3,240	\$ (9,033)	\$ 125,384
2025	\$ 19,463	\$ 3,542	\$ (14,605)	\$ 133,784

*Current  
analyse*

**BINGTON NOTES / PREMISES**

Specific assets are reserved for replacement

Presume inflation rate of 3%

Presume 3% interest earned on fund balance per year

Funding escalators: 4.25%

## RECAP of RESERVE ANALYSIS RESULTS for SUB-ASSNS\*

Year	<u>ABBINGTON WOODS</u>				<u>BOLEYN CREEK</u>			
	Funding	Interest	Usage	Fund Bal	Funding	Interest	Usage	Fund Bal
2006				\$ 4,113				\$ 4,122
2007	\$ 3,100	\$ 123		\$ 7,336	\$ 250	\$ 124		\$ 4,496
2008	\$ 3,100	\$ 220		\$ 10,656	\$ 805	\$ 102	\$ 2,212	\$ 3,191
2009	\$ 3,100	\$ 320		\$ 14,076	\$ 828	\$ 96		\$ 4,115
2010	\$ 3,100	\$ 422		\$ 17,598	\$ 851	\$ 123		\$ 5,089
2011	\$ 3,100	\$ 528		\$ 21,226	\$ 874	\$ 153		\$ 6,116
2012	\$ 3,100	\$ 637		\$ 24,963	\$ 897	\$ 146	\$ (2,488)	\$ 4,671
2013	\$ 3,100	\$ 749		\$ 28,812	\$ 920	\$ 140		\$ 5,731
2014	\$ 3,100	\$ 864		\$ 32,776	\$ 956	\$ 172		\$ 6,869
2015	\$ 3,100	\$ 983		\$ 36,859	\$ 1,012	\$ 206		\$ 8,087
2016	\$ 3,100	\$ 1,106		\$ 41,065	\$ 1,058	\$ 201	\$ (2,801)	\$ 6,545
2017	\$ 3,100	\$ 1,232		\$ 45,397	\$ 1,104	\$ 196		\$ 7,845
2018	\$ 3,100	\$ 1,362		\$ 49,859	\$ 1,150	\$ 235		\$ 9,230
2019	\$ 3,100	\$ 771	\$ (48,297)	\$ 5,433	\$ 1,196	\$ 277		\$ 10,703
2020	\$ 3,224	\$ 163		\$ 8,820	\$ 1,242	\$ 274	\$ (3,153)	\$ 9,066
2021	\$ 3,348	\$ 265		\$ 12,433	\$ 1,288	\$ 272		\$ 10,626
2022	\$ 3,472	\$ 373		\$ 16,278	\$ 1,334	\$ 319		\$ 12,279
2023	\$ 3,596	\$ 488		\$ 20,362	\$ 1,380	\$ 368		\$ 14,027
2024	\$ 3,720	\$ 611		\$ 24,693	\$ 1,426	\$ 189	\$ (15,464)	\$ 178
2025	\$ 2,844	\$ 741		\$ 29,278	\$ 1,472	\$ 5		\$ 1,655

### ABBINGTON NOTES / PREMISES

62 properties

- 1) Reserve for fence replacement every 15 years
- 2) Presume inflation rate of 3% over current cost of \$31,000 (\$500/unit)
- 3) Presume 3% interest earned on fund balance per year
- 4) Funding escalators: 0.0% thru 2019, 3.0% from 2020 forward

### BOLEYN CREEK NOTES / PREMISES

23 properties

- 1) Reserve for alleyway
- 2) Presume 'slurry' every 4 years, 'repaving' every 25 years
- 3) Presume inflation rate of 3% over current costs of \$2,148 and \$9,356
- 4) Presume 3% interest earned on fund balance per year
- 5) Funding escalators: 3.75% thru 2027, 3.0% from 2028

**RECAP of RESERVE ANALYSIS RESULTS for SUB-ASSNS\***

Year	ONE TABERNA WAY				TABERNA LANDING			
	Funding	Interest	Usage	Fund Bal	Funding	Interest	USAGE	Fund Bal
2006				\$ 29,955				\$ 6,181
2007	\$ 5,760	\$ 899		\$ 36,614	\$ 2,190	\$ 191		\$ 8,562
2008	\$ 5,760	\$ 1,041	\$ (3,800)	\$ 39,615	\$ 4,320	\$ 268		\$ 13,150
2009	\$ 6,320	\$ 1,188		\$ 47,123	\$ 4,320	\$ 142	\$ (17,505)	\$ 107
2010	\$ 6,656	\$ 1,414		\$ 55,193	\$ 1,620	\$ 7		\$ 1,734
2011	\$ 7,008	\$ 1,656		\$ 63,857	\$ 1,668	\$ 56		\$ 3,458
2012	\$ 7,376	\$ 1,787	\$ (8,554)	\$ 64,466	\$ 1,716	\$ 108		\$ 5,282
2013	\$ 7,760	\$ 1,934		\$ 74,160	\$ 1,770	\$ 92	\$ (4,733)	\$ 2,411
2014	\$ 8,160	\$ 2,089	\$ (9,074)	\$ 75,335	\$ 1,824	\$ 77		\$ 4,312
2015	\$ 8,592	\$ 2,190	\$ (4,673)	\$ 81,444	\$ 1,878	\$ 134		\$ 6,324
2016	\$ 9,040	\$ 2,371	\$ (4,813)	\$ 88,042	\$ 1,932	\$ 195		\$ 8,451
2017	\$ 9,520	\$ 2,567	\$ (4,957)	\$ 95,172	\$ 1,992	\$ 179	\$ (5,327)	\$ 5,295
2018	\$ 10,016	\$ 2,855	\$ -	\$ 108,043	\$ 2,052	\$ 164		\$ 7,511
2019	\$ 10,544	\$ 2,921	\$ (21,386)	\$ 100,122	\$ 2,112	\$ 231		\$ 9,854
2020	\$ 11,104	\$ 2,262	\$ (49,473)	\$ 64,015	\$ 2,178	\$ 301		\$ 12,333
2021	\$ 11,680	\$ 1,920		\$ 77,615	\$ 2,244	\$ 286	\$ (5,997)	\$ 8,866
2022	\$ 12,288	\$ 1,627	\$ (46,740)	\$ 44,790	\$ 2,310	\$ 272		\$ 11,448
2023	\$ 12,928	\$ 983	\$ (24,071)	\$ 34,630	\$ 2,382	\$ 349		\$ 14,179
2024	\$ 13,600	\$ 484	\$ (36,987)	\$ 11,727	\$ 2,454	\$ 432		\$ 17,065
2025	\$ 14,320	\$ (31)	\$ (25,537)	\$ 479	\$ 2,526	\$ 417	\$ (6,750)	\$ 13,258

**ONE TABERNA WAY NOTES / PREMISES:**

16 properties

- 1) Reserve for roof replacement every 20 years and building painting every 15 years
- 2) Buildings were erected in various years so the expenditures will be staggered
- 3) Presume 3% inflation rate over current costs of \$15,000 per roof and \$3,800 painting per bldg
- 4) Presume 3% interest earned on fund balances per year
- 5) Keep fund amount at \$5,760 for 2008, increase to \$6,256 in 2009, & then use 4.25% funding escalator forward

**TABERNA LANDING NOTES / PREMISES:**

6 properties

- 1) Reserve for private road
- 2) Presume 'slurry' work every 4 years, 'repaved' every 25 years

- 3) Presume 3% inflation rate over current cost of \$3,964 slurry and \$16,500 repaving
- 4) Presume 3% interest earned on fund balances per year
- 5) Major repair/repaving to be done in 2009, then slurry & repaving as scheduled
- 6) Presume substantial increase in funding for 2008 and 2009 in order to bring fund to appropriate balance for major work needed. Then drop to \$1,620 in 2010 and use a fund escalator of 3.0% thereafter.

\*Analysis detail prepared by Finance Committee/Treas.in summer of 2007

Taberna 2010 Landscape Contracts

Payments posted through April 26 bank online statement reconciliation.

Contract	First Quarter		Second Quarter				Third Quarter			Fourth Quarter			Total
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
<b>Front Entrance and other designated areas:</b>													
	<b>Reed Landscape and Irrigation</b>												
items a&b	4,780.00	4,780.00	4,780.00	4,780.00	4,780.00	4,780.00	4,780.00	4,780.00	4,780.00	4,780.00	4,780.00	4,780.00	57,360.00
pine straw a&b		13,400.00											13,400.00
annuals & fertilize					1,600.00						1,600.00		3,200.00
mulch path			800.00										800.00
mulch common OTW			1,200.00										1,200.00
chemical treat							108.00				108.00		216.00
weed control berms					86.50		86.50		86.50		86.50		346.00
<b>totals</b>	<b>4,780.00</b>	<b>18,180.00</b>	<b>6,780.00</b>	<b>4,866.50</b>	<b>6,380.00</b>	<b>4,974.50</b>	<b>4,780.00</b>	<b>4,866.50</b>	<b>4,780.00</b>	<b>4,974.50</b>	<b>6,380.00</b>	<b>4,780.00</b>	<b>76,522.00</b>
paid	4,644.00	18,044.00	4,644.00	4,644.00									31,976.00
balance	136.00	136.00	2,136.00	222.50	6,380.00	4,974.50	4,780.00	4,866.50	4,780.00	4,974.50	6,380.00	4,780.00	44,546.00
<b>Taberna Park and Arbon Green Grounds</b>													
	<b>Reed Landscape and Irrigation</b>												
basic	768.33	768.33	768.34	768.33	768.33	768.34	768.33	768.33	768.34	768.33	768.33	768.34	9,220.00
pine straw beds		600.00											600.00
mulch paths			600.00										600.00
plant annuals				200.00									200.00
<b>totals</b>	<b>768.33</b>	<b>1,368.33</b>	<b>1,368.34</b>	<b>968.33</b>	<b>768.33</b>	<b>768.34</b>	<b>768.33</b>	<b>768.33</b>	<b>768.34</b>	<b>768.33</b>	<b>768.33</b>	<b>768.34</b>	<b>10,620.00</b>
paid	735.00	1,335.00	735.00	735.00									3,540.00
balance	33.33	33.33	633.34	233.33	768.33	768.34	768.33	768.33	768.34	768.33	768.33	768.34	7,080.00
<b>Common Area Maintenance</b>													
	<b>Young's Bushhogging</b>												
basic				880.00	1,320.00	1,320.00	1,320.00	1,320.00	880.00				7,040.00
boleyn					110.00	110.00	110.00	110.00					440.00
<b>totals</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>880.00</b>	<b>1,430.00</b>	<b>1,430.00</b>	<b>1,430.00</b>	<b>1,430.00</b>	<b>880.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>7,480.00</b>
paid	0.00	0.00	0.00	440.00									440.00
balance	0.00	0.00	0.00	440.00	1,430.00	1,430.00	1,430.00	1,430.00	880.00	0.00	0.00	0.00	7,040.00

**Emmen Road**

**Kut Rite Lawn and Landscape**

basic	725.00	725.00	725.00	725.00	725.00	725.00	725.00	725.00	725.00	725.00	725.00	725.00	725.00	8,700.00
<b>totals</b>	<b>725.00</b>	<b>725.00</b>	<b>725.00</b>	<b>725.00</b>	<b>725.00</b>	<b>725.00</b>	<b>725.00</b>	<b>725.00</b>	<b>725.00</b>	<b>725.00</b>	<b>725.00</b>	<b>725.00</b>	<b>725.00</b>	<b>8,700.00</b>
paid	725.00	725.00	0.00	725.00										2,175.00
balance	0.00	0.00	725.00	0.00	725.00	725.00	725.00	725.00	725.00	725.00	725.00	725.00	725.00	6,525.00

**Abbingon Woods**

**Kut Rite Lawn and Landscape**

basic	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	38,880.00
<b>totals</b>	<b>3,240.00</b>	<b>3,240.00</b>	<b>3,240.00</b>	<b>3,240.00</b>	<b>3,240.00</b>	<b>3,240.00</b>	<b>3,240.00</b>	<b>3,240.00</b>	<b>3,240.00</b>	<b>3,240.00</b>	<b>3,240.00</b>	<b>3,240.00</b>	<b>3,240.00</b>	<b>38,880.00</b>
paid	3,240.00	3,240.00	0											6,480.00
balance	0.00	0.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	3,240.00	32,400.00

**Boleyn Creek Villas**

**Kut Rite Lawn and Landscape**

basic	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	14,400.00
<b>totals</b>	<b>1,200.00</b>	<b>1,200.00</b>	<b>1,200.00</b>	<b>1,200.00</b>	<b>1,200.00</b>	<b>1,200.00</b>	<b>1,200.00</b>	<b>1,200.00</b>	<b>1,200.00</b>	<b>1,200.00</b>	<b>1,200.00</b>	<b>1,200.00</b>	<b>1,200.00</b>	<b>14,400.00</b>
paid	1,200.00	1,200.00	1,200.00											3,600.00
balance	0.00	0.00	0.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	10,800.00

		1st qtr	2nd qtr	3rd qtr	4th qtr	to date		
Recap:	HOA Contracts	1. Front Entrance...	27,332	4,644	0	0	31,976	76,522.00
		2. Taberna Park...	2,805	735	0	0	3,540	10,620.00
		3. Common Area...	0	440	0	0	440	7,480.00
		4. Emmen Road	1,450	725	0	0	2,175	8,700.00
		<b>Totals</b>	<b>31,587</b>	<b>6,544</b>	<b>0</b>	<b>0</b>	<b>38,131</b>	<b>103,322.00</b>

**Canoe Docks & Path Extra Maintenance**

**Kut Rite Lawn and Landscape**

basic	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	950.00	0.00	0.00	0.00	0.00	950.00
<b>totals</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>950.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>950.00</b>
paid	0	0	0											0.00
balance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	950.00	0.00	0.00	0.00	0.00	950.00

**Taberna Landing**

**MES Services (contract terminated by MES)**

basic	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	3,000.00
pine straw			250.00											250.00
<b>totals</b>	<b>250.00</b>	<b>250.00</b>	<b>500.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>3,250.00</b>
paid	250.00	0	0	0	0	0	0	0	0	0	0	0	0	250.00
balance	0.00	250.00	500.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	3,000.00

**Taberna Landing**

**Young's Bush Hog Service**

basic	0.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	2,750.00
pine straw														0.00
<b>totals</b>	<b>0.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>2,750.00</b>
paid	0.00													0.00
balance	0.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	2,750.00

**One Taberna Way**

**Fred Leonard for Lawn Maintenance**

basic	1,083.33	1,083.33	1,083.34	1,083.33	1,083.33	1,083.34	1,083.33	1,083.33	1,083.34	1,083.33	1,083.33	1,083.34	13,000.00
prune and trim		600.00								600.00			1,200.00
fertilize			775			775							1,550.00
seasonal flowers											450		450.00
<b>totals</b>	<b>1,083.33</b>	<b>1,683.33</b>	<b>1,858.34</b>	<b>1,083.33</b>	<b>1,083.33</b>	<b>1,858.34</b>	<b>1,083.33</b>	<b>1,083.33</b>	<b>1,083.34</b>	<b>1,683.33</b>	<b>1,533.33</b>	<b>1,083.34</b>	<b>16,200.00</b>
paid	1350.00	1350.00	1350.00										4,050.00
balance	-266.67	333.33	508.34	1,083.33	1,083.33	1,858.34	1,083.33	1,083.33	1,083.34	1,683.33	1,533.33	1,083.34	12,150.00