

GREENBRIER PROPERTY OWNERS ASSOCIATION BOARD MEETING
The Emerald
May 24, 2021

Present: Colleen Iacch, President
Mandy Chew, Vice President
Terry West, Treasurer
Paul DeVenuto, Assistant Treasurer
Gerry Fleckenstein, Secretary
Geoffrey Smith, Assistant Secretary
Rhona Beadle, Immediate Past President, Member at Large

Others: George Kramer, Chair ACC
June Dowd, Directory Chair

The regular monthly meeting of the GPOA Board was held outdoors at The Emerald. After determining that there was a quorum the meeting was called to order by President Colleen Iacch at 5:12 PM.

April 21, 2021 GPOA Board Minutes:

Gerry sent the April minutes to all Board members prior to the meeting. Suggested corrections were made and Rhona made a motion to approve the minutes; it was seconded and passed.

Community Comment:

Cal Hansen of 1320 Pine Valley Drive expressed concern about the wetlands near his property and flooding issues that might arise if additions are made to Bear Park that might compromise drainage as the wetlands are already higher than the storm sewer. He has spoken to Lou Costello and with people in the City of New Bern and has written to David Chew to express his concerns. He was assured that there are no plans to add anything new to Bear Park. Mandy offered to follow up with Mr. Hansen's concerns.

Rieko Evans of 605 Winged Foot Court attended the meeting to become aware of what is happening in the community. She said she did not receive a directory and wanted to check on her membership status. Membership Chair, Rhona Beadle, gave her a directory and will follow up on her GPOA membership.

June Dowd of 128 Southern Hills Drive has volunteered to be the chair of our directory. June wanted to introduce herself to the Board and asked for a liaison from the Board to help to coordinate the work for this 2022 directory. Rhona Beadle will act as the liaison.

ACC Report:

George Kramer presented the review of the May ACC applications at the ACC meeting On 5/13. The ACC endorsed all applications except for Ms. Anthon's fence application which was non-compliant. The Bischoff applications were received by Mr. Kramer after the ACC meeting and were endorsed by the ACC by survey vote.

Applications Received for May review:

Installations:

1. Matthew Gola, 3104 Coriander Drive (2021-028)-Section I. Patio with brick wall enclosure matching residence. Reviewed by L. Costello and G. Kramer. The Board tabled the application until more information was received with regard to drainage. Mandy will follow up with a letter.

2. Mike Matthews, 7005 Clubhouse Drive (2021-029)-Section IV-1. Above ground goldfish/ koi pond and patio behind residence. Reviewed by D. Babb and G. Kramer. This application was tabled until the Board receives information concerning installation and foundation base. Mandy will follow up with a letter requesting the information.

3. John Kerr, 105 Oak Hill Lane (2021-031)-Section V. Walkway connecting driveway to rear patio. Reviewed by T. D'Arco and G. Kramer. Rhona made the motion to approve; seconded; passed.

4. Rebecca Anthon, 900 Basil Drive (2021-032)-Section II. Three-foot metal fence enclosure with landscape plantings. Reviewed by L. Costello and G. Kramer. The fence is not in line with the sides of the house and is visible from the street and, therefore, non-compliant. Geoffrey made a motion to deny the application and the motion to deny was seconded and passed.

5. Stacy Rhinehart, 109 Southern Hills Road (2021-033)-Section V. Storm doors on double entrance door. Reviewed by T. D'Arco, G. Kramer and J. Imbriaco. Rhona made a motion to approve, and it was seconded and it passed. Colleen recused herself because Stacy is a business partner.

Tree Removals:

1. Ruth Powers, 103 Inverness Court (2021-025)-Section V. Four damaged Pine trees located in wooded area behind residence. Reviewed by G. Kramer and T. D'Arco. This application was accepted as info only as the work had been done.

2. Eugene Hunter, 102 St. Andrews Circle (2021-026)-Section VI-1.
CANCELLED.

3. Lynn Peck Collins, 1331 Pine Valley Drive (2021-027)-Section VI-2. Three Gum Ball trees located in front and behind residence; 12+ remain. Reviewed by L. Costello, J. Imbriaco, G. Kramer and P. Schaefer. Application was tabled until George can get further information with regards to landscape plantings.

4. Steven Dunker, 1342 Pine Valley Drive (202-030)-Section VI-2. Twenty-four trees from front and rear yards in preparation for grading and landscaping. Reviewed by W. D'Arco, J. Imbriaco, G. Kramer and P. Schaefer. The application was tabled until a clearer definition was made with regard to tree replacement and landscaping.

Additional applications:

1. Greg Pearson, 6000 Clubhouse Drive (2021-034)-Section IV-B. Rhona made a motion to receive as information only as the work was done.. It was passed and a letter will be written by Mandy expressing the need for prior approval before work can be done.

2. John Bischoff of 6005 Clubhouse Drive had a tree application, but the work was done without a permit. Mandy made a motion to accept as information only; seconded; passed. Mandy will also write a letter informing him of the correct procedure. Mr.

Bischoff also submitted an application for deck replacement which was tabled until George contacted the owner for more information. including a site plan, showing setbacks and roof lines.

Board Members' Reports:

President's Report:

Colleen reported that she received a Letter from Earl & Dana Parent of 1254 Pine Valley Dr., neighbors of Patrick Feury, expressing their concern over the maintenance and upkeep of Mr. Feury's property. Because the board has placed a lien on the Feury property Rhona made a motion to mow just the front yard of the property and the expense will accrue on the lien. The motion was seconded and passed. Terry will ask the Little Guys to mow just the front yard. We will ask Jerry Briele to contact Mr. Feury regarding the back yard as it faces the golf course.

Colleen sent copies of the info provided by HOA Leader's webinar on the ACC to all board members. Rhona, Colleen and Gerry participated in the webinar. In summary consistency & fairness was emphasized; complete applications and record keeping must be done; ACC member training is extremely important ; document review to avoid ambiguity and compliance with covenants should happen regularly; A Reset Date (If there was a mistake made, admit it, and publicize that from this date forward it will not be allowed in the future) is allowed but must be made public.

Thanks to David Chew we have a Cease and Desist letter that can be adapted when work is being done without approval or is non-compliant.

Colleen talked with Mr. Remington, a lawyer from Ward and Smith regarding covenants. A complete review of the covenants and establishing an Adjudicatory Panel at over \$400/Hr. might be financially prohibitive.

Colleen made a motion to appoint Jim Fleckenstein to the ACC as a consultant. It was seconded and passed. Gerry Fleckenstein recused herself.

A Board work session will be held June 15 @ 5:00PM to discuss the ACC.

Vice President's Report:

Mandy reported on the work at Bear Park. The Garden Club Committee has done some cleanup and planting of the donated bulbs; the Boardwalk Committee has been clearing the area and tearing out rotten wood and prepping the walkway for repair. It was decided to repair the walkway at this time rather than build new so that we could still work under the 1992 building code. The committee members are enthusiastic and hope that the residents will visit Bear Park as the walkways are open. There is still work to be done and a complete report will be made to the Board in August.

The lien for the Feury property is ready to be filed at Superior Court in New Bern. David Chew will accompany Gerry to the court to sign the necessary papers and pay the filing fee. The GPOA will add the cost of the filing fee to the lien amount.

Treasurer's Report:

Terry reported that YTD we are still on track with the budget and we remain financially sound. Gerry made a motion to accept the budget report as information. It was seconded and passed. To date our

checking account has \$31,056.54 and the money market has \$14,072.07. Terry will keep all of the accounting information for the Bear Park project completely separate from the regular budget process including donations received and expenses paid.

Secretary's Report:

Gerry reported on her research, with the help David Chew, into **Chapter 47F - North Carolina Planned Community Act**. This act allows provisions for planned communities established before January 1, 1999 to establish an adjudicatory panel and fine lot owners for non-compliance issues under subsection 47F-3-107.1. Gerry made a motion that the board move forward to form an Ad Hoc committee to research and establish an adjudicatory panel to hear all matters under NC General Statute 47F-3 for alleged violations of the Greenbrier Protective Covenants and Policies and Guidelines of the GPOA. The motion was seconded and passed. A three member committee of Jim Fleckenstein, David Chew, and Geoffrey Smith will work to develop a charter for the adjudicatory panel. After the charter is written we can have it reviewed by a registered NC lawyer (John King, a local expert in HOA & POA issues was suggested).

Work is continuing on the review of the ACC forms and documents. Gerry will set up a meeting with George Kramer, ACC chair, to review the forms so that after the joint ACC/GPOA joint meeting the ACC can start using the updated applications ASAP.

Past President and Member at Large Report:

Rhona reported that Habitat For Humanity will have a truck available near The Emerald on June 12, to collect items for their store. Rhona will write a response to the deplorable anonymous letter sent to Ms. Blaise and put it on GB Mail. The GPOA has no connection with GB Mail, but the board feels that we should respond and state that this kind of anonymous communication has no place in the Greenbrier community.

Standing Committee Reports:

ACC Report:

George presented the ACC report earlier in the meeting. See preceding section of minutes for ACC report

Membership Committee:

Rhona reported that to date we have 488 GPOA members (72% of the residents).

Safety Committee:

Paul reported that some residents feed wild animals and that this is unsafe for both humans and wild animals. AARP has a podcast on scams and fraudulent calls, etc., and Paul will provide this information to the community in a GPOA mail update and Gazette articles. Paul also talked about the mediation process to resolve disputes. Mediation requires mutual cooperation between the parties and is quite expensive and so we will not take further action on this issue at this time.

Beautification and Maintenance: No Report

Social Activities:

The GPOA will sponsor the July 4th Burger Night. Since we have not spent money allocated for social events this year due to Covid the Board decided to increase the budgeted \$300 for the July 4th event with up to \$300 which had been budgeted for a Valentine's Day event which was not held. This will help provide money for entertainment for the event and Rhona has contacted Bill Stafford for suggestions.

Ad Hoc Committees:

Noise Abatement:

A Noise Abatement Committee meeting was held 5/24 and Peggy Rollins stepped forward to lead the research into the past, present and future of noise issues in the community.

Bear Park Project:

Please see the report under the Vice-President's report.

New Business: None

Next Scheduled Meeting:

The next GPOA Board meeting will be on Wednesday, June 16, at 5:00PM at the Emerald.

A motion to adjourn the meeting was made by Gerry; it was seconded; passed. The meeting adjourned at 8:12.

Submitted by Gerry Fleckenstein, Secretary