

Mount Shaddai Homeowner's Association, Inc.

Bob Liniger, Secretary
64 Top Lane
Aquone, NC 28703
704/321-5939

MINUTES -- 1996 ANNUAL MEETING

Call to Order

The meeting, held at the home of Roger and Gloria Mays, 15401 Woodcastle Place, Tampa FL 33612, was called to order by President Jim Rhodes on Saturday, June 29, 1996 at 2:30 PM.

Attendance/Proxies

Voting members representing 14 lots were present and proxies representing an additional 24 lots were received. The combined total of 38 lots constituted a quorum.

Reports by Officers

The minutes for the 1995 meeting were approved, as presented.

The Treasurer's report for 1995 was approved, as presented.

Road System

The roads were reported to be in generally good condition, however, the asphalt section at the entrance has some serious cracks and potholes due to age, heavy use and a hard winter. It was moved, seconded and approved that we get estimates on repaving and proceed with the job, if feasible. Bob Liniger agreed to accept this assignment.

The Whispering Springs Homeowners Association declined our invitation to share road maintenance on our common roads. We discussed possible options.

Our attorney, Rudy Bata, has informally stated that other similar associations with common roads share maintenance based on an equitable standard -- frequently the number of members in each association using the roads. He stated that this type of sharing has been court ordered, when the groups could not agree on their own. He also said that he believed that the Whispering Springs By-Laws stated that they would have free access to the roads but that free maintenance was not promised. He offered to research this question if we requested the study.

The members did not want to have any dispute with our neighbors, but they did want to arrange for the maintenance expenses on the common roads to be shared. Bob Liniger was appointed to determine if we can reach a fair, legal arrangement between the two associations.

The use of ATV type vehicles was discussed. It was moved that Four Wheel ATVs be allowed to use the roads between 10:00AM and Sunset. Three Wheel ATVs are not to be used because of legal and safety requirements. The vehicles are to stay on the roads, obey the 10 mile per hour speed limit, and not to trespass on any lots without the owner's permission.

Some El-Shaddai and neighboring houses were broken into earlier this year. Property security options were discussed, and a barrier gate at the main entrance was the most popular option. It was moved that we determine if an electric security gate would be feasible. Bob Liniger agreed to see what could be done within our existing budget.

Water System

- 1996 - 5,000 gal TANK
15 homes

Cherokee Well Drilling will not continue to maintain our water system under contract due to increasing costs and NC state regulations. We plan to continue to use this contractor on a time and material basis. We had a major water leak last winter which required over \$2,000 in repairs. The fees are covering all routine maintenance, including this emergency work, but will probably not be adequate for any major upgrades.

We have been in contact with the NC state engineers and are following their recommendations for obtaining the long delayed state approval of our water system. We have selected a state licensed well operator who is now doing all necessary water testing. (The test results have all been good to date.) We plan to engage a state licensed engineer to specify the needed improvements and to help us to schedule these improvements in a manner that the state will accept. We have been told unofficially that the state will give us time to phase in the upgrades, if we are making a good faith effort to comply with all state regulations. Since we now have 15 houses, we must meet all of the community water system standards.

We are slowly building a fund for future enhancements. It has not been necessary to assess the authorized \$40.00 one-time fee, but we will need to as we work toward NC State approval of the system as a community system. Finances will be discussed in detail at next year's meeting, after we have an engineering plan.

Attorney Status

We have selected Rudy Bata as our attorney. Rudy has helped us in the past and has done most of the legal work for the developers, too, so he is quite familiar with our association.

Delinquent Accounts

We have only one seriously delinquent account and three others that are very past due. It was moved that we plan to take formal legal action on the most serious account and ask our attorney to help us with collection efforts on the other three.

911/Emergency Services

The Macon County 911 survey is complete and addresses have been assigned to all houses. They also plan to install street signs in the near future. The one for Rhododendron at the main gate is already up. The members with houses will receive information on 911 soon from the Secretary.

Liability Insurance

Based upon the advice of our attorney, we plan to obtain insurance for the association. He feels that officers liability will not be required.

Possible Modification of By-laws to Review Sales

At present, we do not always know when property is sold and have no way to contact the new owners. It was moved and approved that we ask our attorney if we can modify the by-laws to provide for mandatory review of all sales so that we can determine that fees are current and can obtain name and address data on the new owners. We would also like to collect a fee for the review, perhaps \$100. Bob Liniger is to follow up on this with the attorney.

Payment For Services to the Association

Joe Wilson has served us well for many years maintaining the roads and performing a large variety of small jobs. He has been paid by the hour for the larger jobs, but has never charged us for many smaller ones. Bob Liniger moved that we pay Joe a flat fee of \$25 per month to cover up to two hours per month of miscellaneous "odd jobs" and to be the primary person to be called for special or emergency help. Any time over two hours per month would be billed at the regular rates (normally \$10.00 per hour, if no equipment is needed). The motion was passed, as presented. Joe will work as Property Manager.

Bob Liniger has accepted many special assignments that are not part of the Secretary's job and will be supervising the road and water system improvements. Torrey Johnson moved that Bob be given the same fee as Joe Wilson. The motion passed as presented. Bob accepted with the qualifier that it must be approved as proper by our attorney. Officers receive no pay for their duties as officers of the association. Bob will work as Property Director.

Fees for 1997

It was moved and approved that the fees for 1997 remain the same as in 1996, with the addition of the previously approved \$6.00/year to the Administrative Fee to cover insurance premiums.

A one-time \$40 water assessment, and a one-time \$20.00 road assessment are still authorized. These assessments will probably be needed to help fund the improvements we are making.

The regular fees will be due January 1, 1997.

Election of New Directors

The following were elected as Directors:

Torrey Johnson
David Harvey
Bob Liniger
Roger Mays
Elmo Neff
Jim Rhodes
Amanda Shaw
Jim Godsey

Election of Officers

All current officers stated that they would continue to serve, but President Jim Rhodes said that he would really rather step down. The following were elected for 1996-7:

Torrey Johnson, President
Elmo Neff, Vice President
Roger Mays, Treasurer
Bob Liniger, Secretary

1997 Meeting

The 1997 meeting is planned for Saturday, April 19, 1997. It is to be held at the home of Roger and Gloria Mays. The Officers meeting is to be at 1:00. All members are welcome.

General Discussion

There was considerable discussion about the long term problems with the water system and the lack of state approval. We need to take prompt action to avoid future water supply problems. It is possible that the state would ban future building permits and/or shut down the system if we do not comply with regulations. We have been assured that this will NOT happen if we take the proper steps promptly. Bob Liniger has been asked to be sure that we do. He plans to do so!

Adjournment

The meeting was adjourned at 5:30 PM and refreshments were served, once again, by Roger Mays.

Thanks!

Once again we met at the Mays home and were graciously treated. Thanks again, Roger and Gloria!

Thanks also, to Jim Rhodes for the years of fine leadership.


Bob Liniger, Secretary
August 15, 1996

Mount Shaddai Homeowner's Association, Inc.

Robert G. Liniger, Secretary
64 Top Lane
Aquone, NC 28703

June 4, 1996

NOTICE OF 1996 ANNUAL MEETING

Dear Member(s):

Notice is hereby given, pursuant to the Association By-Laws, that the annual meeting of the members shall be held on Saturday, June 29, 1996 at 2:30 PM. The meeting shall be held at the home of Mr. & Mrs. Roger Mays, 15401 Woodcastle Place, Tampa, FL 33612 (Tel 813/961-4820).

The following items are enclosed for your review:

1996 Proxy Statement
Return Envelope for Proxy
Address/Ownership Change Form
1996 Meeting Agenda
1996 Membership Roster
1995 Financial Report
1995 Annual Meeting Minutes
Directions to the Mays Home

*****PLEASE***IMPORTANT***PLEASE*****

I hope that you will be able to attend for it is required that we have a quorum present in order to conduct business. We have important matters to discuss, and you should know of our plans. Road and water system improvements are being planned, and you should know the details. Please be sure to complete the enclosed attendance/proxy form and return it to me by June 15, 1996.

Note: If you are not sure that you can attend, please complete a proxy form naming the person of your choice who will attend! You may change your mind, and proxy, at any time up to the meeting; however, if you are not present and we have no proxy, you have lost your vote. If we don't have a quorum, we can't conduct the meeting!

I have enclosed a self-addressed envelope for your convenience.

Sincerely,


Bob Liniger, Secretary

Jim Rhodes
President
107 Floral Drive
Tampa, FL 33612

Elmo Neff
Vice President
688 Paradi Lane
Orlando, FL 32817

Roger Mays
Treasurer
15401 Woodcastle Pl
Tampa, FL 33612

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AGENDA - 1996 ANNUAL MEETING

June 29, 1996 -- 2:30 pm

Call to Order

Roll Call

Proof of Notice of Meeting

Approval of Minutes of 1995 Meeting

Officers' Reports

Business

Report on Road Maintenance

Report on Water System

Report on Delinquent Accounts

Selection of Attorney

Liability Insurance

911 Emergency Service Status/Plans

Possible Merger with other Associations

General Discussion by Members

Set Fees for 1997

Election of Board of Directors

Adjournment of meeting

Jim Rhodes
President
107 Floral Drive
Tampa, FL 33612

Elmo Neff
Vice President
688 Paradi Lane
Orlando, FL 32817

Roger Mays
Treasurer
15401 Woodcastle P1
Tampa, FL 33612