



Lake Hondah Property Owners Association
200 Hondah Blvd.
Brevard, North Carolina 28712

2010 Fall Newsletter

Annual Meeting Highlights:

Below are some of the highlights of the 2010 annual meeting held on June 12:

The two vacancies on the board were filled with the election of Angie Holladay and Beth Stoneburner to 3-year terms that will expire in June 2013. With officer elections at the subsequent board meetings during the summer, the directors and officers of the LHPOA for July 2010-June 2011 are:

Mack Tobias, President and Director (term expires June 2012)(tel: 828-884-7658)
Angie Holladay, Vice President and Director (term expires June 2013)(tel: 828-877-2679)
Beth Stoneburner, Secretary and Director (term expires June 2013) (tel: 828-877-5434)
Raymond Jacques, Director (term expires June 2011)(tel: 828-553-4807)
Kay Tiddy, Director (term expires June 2011)(tel: 828-883-3288)
Penny Mann, Treasurer (tel: 828-883-4378)

By-Law Change:

The proposed change to the By-laws adding a "purpose and power" of the Association to provide for general liability insurance for the Association and indemnification from liability for its officers, directors, employees or agent was unanimously approved. The board has received quotes from several insurance agents for liability coverage and will discuss the final details of a policy in the coming months. A copy of the revised By-laws is included with this newsletter.

Right-of-Way:

As discussed in the "official business on the agenda" that was circulated with the annual meeting notice, the 45' right-of-way (or 22.5' from the center of the roadway) is the legal right-of-way of Lake Hondah roads, although there are exceptions. However, since the Association has no full plat of the subdivision, nor does it have surveys of all the individual lots, property owners should be aware of their particular rights-of-way that will be noted on their surveys. Permanent structures that are currently within the 22.5' right-of-way can certainly remain, but the Covenants should be revised to create building setback restrictions for future development.

Roadway Maintenance:

After discussion at the meeting, the Board has passed a resolution for the area of roadway maintenance that was also mentioned in the "official business on the agenda" document, with one change. Basically, *and with funds permitting*, the Association will be responsible for

maintaining a shoulder width of 3' on either side of the road and a height of 14' within that 3' shoulder. In some instances along undeveloped lots, it may be necessary to clear up to perhaps 6' on either side where the native vegetation will require heavier clearing. However, the 14' height clearance will apply only to the 3' shoulder measurement.

Please note the "funds permitting" in the resolution. Property owners are encouraged to maintain the area along their property, and to be responsible for removing any debris from the roadside.

A copy of the board resolution is also included with this mailing, and in the future will be attached to the copies of covenants and by-laws given to new property owners.

The Lake:

The upper (small) lake has been drained, unintentionally at first, because of a leaking and/or failing valve that regulates the flow of water from the upper to the lower lake. It has continued to draw down intentionally so that the valve can be replaced or repaired and also to let the weeds die over the winter. The head of the upper lake and the silt ponds need digging out and the weirs repaired as well.

Prior to the initial draining, the discussion at the annual meeting in June about the work needed at the lake resulted in the formation of a Lake Committee that Ellis Norton agreed to chair. He has since talked to pond specialists and is now talking to a company familiar with lake construction, maintenance and repair, and will report to the Board on the estimated costs and staging of the work.

In the meantime, the mud in the upper pond is dangerously "slurpy," and everyone – people and pets – should refrain and be restrained from going into the drained area.

Revisions to the Association's Restrictive Covenants and By-Laws:

Penny Mann has agreed to begin the process of revising the Association's covenants and by-laws. It was noted at the annual meeting that the current by-laws were written by Association members, and after discussion, it was decided that new documents should be drafted by members and then sent to the attorneys for their review, especially for including those provisions of the Planned Community Act that apply to Lake Hondah. More information will be forthcoming from Penny about this process.

This and That:

You may have noticed spray-painted potholes and other roadway problem areas. The board is obtaining estimates to have the worst of the potholes and other repairs made before the winter sets in. Roadway signs and directional arrows are back on the front burner, so look for some improvements there.

Volunteers Always Needed:

Much of the work that is done at Lake Hondah depends upon property owners-volunteers, from trimming the roadside to maintaining the common areas to burning the brush pile and to doing whatever is seen that needs doing. A few volunteers cannot do all that needs doing – it takes everyone pitching in to maintain the subdivision in order to maintain property values. The rise in assessment income has certainly given the board some breathing room to budget reserve funds, but volunteer help is still vital and holds at bay the necessity of raising assessments. Please do what you can.

Annual Accounting:

The by-laws also require that an annual accounting be given the membership within 120 days following the end of the Association's fiscal year (June 30). And so:

**Annual Financial Report
7/1/2009 – 6/30/2010**

Beginning balance 7/1/09		\$7,267.09
Income:		
Assessments, 2009-2010	+10,656.00	
Assessments, 2010-2011	+8,337.00	
Reimbursement of ice storm cleanup expenses	<u>+300.00</u>	
Total Income:		+19,293.00
Expenses:		
General & Administrative (Postage, copies, supplies, filing fees)	-150.61	
Paving & Roadwork (Pothole repair)	-154.99	
Snow Removal	-2,300.00	
Roadway & Park Maintenance		
Ice storm cleanup	1,582.14	
Tree/brush removal	175.00	
Mowing/trimming	1,650.00	
Equipment repairs	<u>42.65</u>	
	-3,449.79	
Miscellaneous (Legal fees)	-346.50	
Total Expenses:		<u>-6,401.89</u>
Ending Balance 6/30/10		<u>\$20,158.20</u>
Paving Reserve Fund		\$8,000.00
Lake & Dam Reserve Fund		\$641.00

Snow removal during the past year was the big expense, but because of the change to Cantrell Construction for plowing, there was actually money remaining in the snow removal budget at the end of the season. The ice storm clean-up expenses were certainly not budgeted, but we managed to absorb that surprise. Surely this winter will be kinder. Surely.

And that's the news for now from Lake Hondah. As always, please feel free to contact any of your board members with questions, ideas and suggestions, or concerns.

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Enclosures:
Lake Hondah Phone List, Sept. 2010
Revised By-laws
Board Resolution regarding roadway maintenance

**BOARD RESOLUTION CONCERNING
ROADWAY MAINTENANCE**

At the meeting of the Board of Directors of the Lake Hondah Property Owners Association, Inc. (the "Association") on September 14, 2010, the following resolution was proposed and approved by the board:

WHEREAS, it is a responsibility of the Association to "regulate, maintain, rebuild, repair, beautify and otherwise care for all streets within the development not subject to regulation or maintenance by governmental authority" (By-laws of the Association, Art. II-2-E), and

WHEREAS, the Board of Directors of the Association wishes to define the area and extent of roadway maintenance, it is hereby

RESOLVED, that:

The area of roadway maintenance that shall be the Association's responsibility under the By-laws shall be a shoulder width of 3' on either side of the road, and a height of 14' within that 3' shoulder. In some instances along undeveloped lots, it may be necessary to clear up to perhaps 6' on either shoulder where the native vegetation will require heavier clearing. However, the 14' height clearance will apply only to the 3' shoulder measurement. The Association's maintenance will include the removal of obstructive vegetation and overhanging branches so as to allow emergency vehicles clear access to travel the subdivision roads. Property owners shall refrain from planting any landscaping or placing fencing or other structures in this area. Funds permitting, the Association will maintain this area, but will also rely upon property owners to help maintain the area along their property, augmented by occasional Association work days. Anyone doing any clearing within this area is responsible for removal of the debris from the roadside. This Resolution is subject to modification or amendment by the Board in its sole discretion in the future.

Signed:



Mack Tobias
President, Lake Hondah Property Owners Association, Inc.