



Cedarfield II HOA Meeting Minutes

May 16, 2023

Call to Order: 7:01 p.m.

April Meeting minutes: Approved

<p>Attending: Bob Creighton, President Catherine Smith, Secretary Jason Bacon, Member-at-Large Perry Brittain, Treasurer</p> <p>Katie Murphy (Welcome Chair) Chance White Eve Smith Leslie Kepler (Rental Chair) Jerry Goedert Amanda Goedert Teena Raymond Craig Raymond Candice Long (Hawthorne community manager) Sam Edwards Darius Wolmak Jason Scott Anthony Howard Shanniska Howard</p>	<p>Absent: John Carothers, Vice President (out-of-town)</p>
--	---

OFFICER REPORTS

President's Report:

- In April Bob drove with Candice (our new community manager since January 2023) for the neighborhood inspection. Discussed and applied the new Guidelines and worked from a Checklist for violations. Our goal is to focus on more significant items.
- **Meeting for concerns with pool memberships is Sunday, 5/21 at 3pm.**
- The board met in a separate session to discuss the lawsuit filed by Phillips Environmental regarding a dispute about the invoice for trimming various trees. Because this is a pending legal action we are not able to provide more detail at this time.
- Windknob Court sinkhole, met with the homeowner there and contacted Charlotte Mecklenburg Storm Water and Town of Huntersville Public Works. One of them has plugged the hole with concrete. The asphalt still needs to be repaired. *[Street has been repaired as of 5/22].*

Treasurer's Report:

- Net income of \$25,969 for April.
- Year to date: expense line is fairly even to what we had budgeted. Seeing a lot of inflation, especially in office supplies, mailings (late fees, etc. which we are required to



mail out), pool contract is much higher because of lifeguard/labor costs and chemicals costs. Had to budget \$20,000 more than last year for the pool.

- Late assessments from 2022- we've collected some, not a large amount.
- We have received payments on outstanding assessments and delinquent fees for 2022 (\$120 and \$90, respectively), and also payments on 2023 assessments. The 2023 realized reduction is expected, however the reduction in outstanding fees from 2022 is positive.
- We have \$40,080 in Pre-paid assessments vs. \$ 50,070 in March.
- Key Call-outs:
 - Our Pool Contract is budgeted at \$59,500 for 2023 compared to the 2022 year end of \$39,729. This is a major increase in expense for 2023.
 - Electricity \$4,645 ytd compared to \$3,350 last year to date.

Homeowner Aging Report	
Cedarfield II Homeowners' Association, Inc.	Date: 5/5/2023
End Date: 04/30/2023	Time: 7:22 am
	Page: 23

Filters: Minimum Balance - .01 ACH Only - No

	Current	Over 30	Over 60	Over 90	Balance
Description					Total
Assessment (Delinquent Fee)2007					\$10.00
Assessment (Delinquent Fee)2022					\$375.00
Assessment (Delinquent Fee)2023					\$1,200.00
Assessment 2007					\$140.00
Assessment 2021					\$96.00
Assessment 2022					\$1,267.20
Assessment 2023					\$7,394.00
Legal Fees 2022					\$394.64
Legal Fees 2023					\$55.00
PrePaid					(\$40,080.10)
Violation Fine 2022					\$2,750.00
Violation Fine 2023					\$2,000.00
					AR Total: \$15,681.84

Note that the PrePaid balance of \$40,080 is not included in the total.



	4/30/23	#	YTD 2023	Change From Prior Year	Change From Prior Month	YTD Prior Year	YTD Current Year	YTD Budget	YTD Actual minus Full year Budget	2023 Annual Budget
General Assessments	\$ 36,772		\$ 182,568	\$ 5,007	\$ (8,088)	\$157,100	\$182,568	\$167,855	\$ (52,332)	\$234,900
Legal fee reimbursement			\$ -	\$ (3,140)	\$ -	\$ 10,022	\$ -	\$ -	\$ -	\$ -
Late fee income	\$ 1,570		\$ 4,795	\$ 1,015	\$ 235	\$ 3,660	\$ 4,795	\$ 1,783	\$ 1,795	\$ 3,000
Interest income - operating			\$ -	\$ -	\$ -	\$ 2	\$ -	\$ -	\$ -	\$ -
Interest income - reserves	\$ 170		\$ 456	\$ 170	\$ 17	\$ -	\$ 456	\$ -	\$ -	\$ -
other income			\$ -	\$ 3,140	\$ -	\$ 14,842	\$ -	\$ -	\$ -	\$ -
Fines			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pool Guest Fees			\$ -	\$ (60)	\$ -	\$ 60	\$ -	\$ 1,050	\$ (3,000)	\$ 3,000
Newsletter Ad income			\$ -	\$ (150)	\$ -	\$ 685	\$ -	\$ -	\$ -	\$ -
Website Income			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total income	\$ 38,512		\$ 187,819	\$ 5,982	\$ (7,835)	\$186,370	\$187,819	\$170,688	\$ (53,537)	\$240,900
Less: transfer to reserves	\$ (3,333)		\$ (13,333)	\$ 0	\$ -	\$ (13,333)	\$ (13,333)	\$ (13,333)	\$ 26,667	\$ (40,000)
Total Operations Income	\$ 35,178		\$ 174,486	\$ 5,982	\$ (7,835)	\$173,036	\$174,486	\$157,355	\$ (26,871)	\$200,900

Cash balances are \$190,583 for the checking account and \$85,855 for reserves. Checking is up \$12,426 compared to the prior year and reserves have increased \$40,595 from the prior year.

COMMITTEE REPORTS

Landscaping: (Vacant- NEED NEW CHAIR. Please contact Bob if interested).

- Quotes from Superior (current landscaper) for work that needs to be completed:
 - \$3800 for new mulch on the playground.
 - Crepe myrtle trimming (\$125 per crepe myrtle/ for about 90 crepe myrtles in the Duke right-of-way).
 - \$525 to put larger rock down to avoid erosion at the corner of the parking lot.
- Plantings at the Monuments at 4 different corners- smaller plants taken out in April and replanted with new plants. Discovered the irrigation system was not running properly at Moonshadow. Superior has looked at that and will repair a few items.

Pool: (Naomi Bourque)

- **Swim Team:** Swim team started their dry land practice this week. Next week they will be in the water.
- **Pool clean-up for season:** Naomi and Bob are working to clean up the bathrooms and guard room. There are weeds in between cracks which will be sprayed and we asked Hawthorne to call in an exterminator for ants. Naomi has been putting the furniture out. Naomi will come and wipe everything down next week, and we can use volunteers to help with the final cleanup before we open on the 26th. Jason has cleaned up the BBQ and installed new metal plates to cover the holes rusted through the bottom of each side of the grill.
- **Pool Memberships:** Our plan to sell memberships to cover the potential budget shortfall was a suggestion from a resident. The Board discussed this over several months, voted and approved the idea of accepting outside pool memberships in January or February 2023. Membership is \$300 per family, with a cap of 30 families. After discussing with Naomi we have reduced the target number to 15-20 families for the first year and see



how that goes. Since then, we've run into a few issues, which we will be addressing prior to any membership sales.

- Our commercial insurance for the HOA is with State Farm. We found out several weeks ago that the State Farm policy does not cover any accidents involving outside parties who purchase pool memberships. We have been shopping for other insurance with carriers that do cover this risk. We do not yet have any quotes but expect them shortly. [Update after the meeting - Quotes for insurance have been received and as of May 24 the new policy is in place.]
- If we sell outside memberships we would then be a public accommodation, which would require ADA compliance. Pool has been in place since 1993- it predates some of the requirements for ADA restrictions. We will gather additional information from Cynthia at Sellers, Ayers, Dortsch and Jason's contact who is a construction attorney.
- 8 people in C1 are currently members in C2 pool, and 5-6 of the interested parties are from Cedarfield Plantation or Torrence Crossing.
- Concerns from residents [*Comments from the board made either at the meeting or added later after opportunity to research questions are in brackets*]:
 - Concerns regarding pool memberships and outside members not treating the pool with the same care as resident homeowners. [*The board acknowledges the concern and reminds people that outside users will have paid to use the pool and can lose that access with bad behavior. Lifeguards are there to monitor behavior of all users at the pool.*]
 - Some homeowners never received the letter regarding the change in pool contract costs. [*Letters were sent to all homes similar to letters for the annual budget and fees, the annual meeting, and other mailings, and we received many comments and suggestions that indicate the letters were delivered.*]
 - One homeowner would like a "community-wide vote" regarding pool memberships rather than only the Board voting on an issue. [*The board believes that, based on our experience having people respond to the many requests to vote for the amendment last year, it would be very challenging and time consuming to get a meaningful number of votes. We also note that within Article VIII, Section 1, paragraph (i) of the C2 Bylaws the Board is granted the authority to "establish special temporary annual pool memberships for persons residing outside Cedarfield II Subdivision" and has done this for many years with sales of pool memberships to residents of C1.*]
 - Concern that funds are "misallocated" regarding the pool budget. When asked for more information about this the person mentioned something about the baby pool needing repairs that were not completed. [*The Board is unclear about this concern. The baby pool has been in use since last year, and the county has inspected and approved the pool to open both years.*]



- Preference shared by residents to have HOA Board meetings at the pool year round. *[Our meetings are held at several locations due to weather and anticipated attendance. We meet at the pool when weather allows, and use the conference room at Swim Club Management during winter months and hot, humid weather. Our annual meeting was at Lake Forest Church in January to accommodate a larger group during cold weather.]*
- Concern that the insurance company does not insure outside memberships. *[We agree and are shopping for new coverage and moving away from the policy we have had for 10+ years. Update as of May 24 that new coverage is in place.]*
- Former HOA Board President (current resident) said we were warned in the past that if we did any renovations on the kiddie pool, we'd have to upgrade our whole pool to get in line with the ADA. *[The Board understands and agrees. Work done previously to reline or fix water pipes is not a renovation but is considered a repair which does not cause the need for compliance with the ADA. The Board will discuss ADA compliance with Swim Club Management and look at ways to improve access for users.]*
- Suggestions from homeowners on how to raise the neighborhood's revenue:
 - Increase swim team membership/fees. - Bob explained that funds that the swim team charges its members do not come back to the HOA but are used for swim team costs. The C2 HOA supports the swim team with \$2500/year of our annual budget and has been doing this for years. A number of families participate in the swim team and the HOA supports this as one of the amenities.
 - Have swim team members or coaches older than 16 provide service as lifeguards for free as a way to reduce our expenses and compensate the HOA for the use of the pool. - Bob explained that we contract with Swim Club Management to maintain the pool and provide lifeguards. Something like this may not fit with fair labor laws or with the SCM contract.
- Pool fob use analysis- Board looked at pool use per family for last year and noted that about half the members used the pool. Busiest times are weekends, middle of the day.
 - Concern that fob use doesn't accurately depict the number of family members who are visiting the pool. *[This is correct, we have not had a way to know how many people are at the pool at any point in time. We will reinstitute a sign-in sheet this year that had been discontinued during Covid restrictions.]*
- It was noted that for 2023, in response to the increased pool contract and other expense increases we raised our dues the full 10% fees we are allowed to without a full neighborhood vote. Selling pool memberships to non-residents was determined to be the best alternative to making significant reductions in pool availability, and we have heard positive comments from many members about this choice. Without these outside memberships we will have to eat into our cash reserves to fund operations this year, which is not ideal.



Welcome: (Katie Murphy) Gets a quarterly list of new neighbors who move into the neighborhood, spends ~\$10 per household to provide a welcome gift of a card and plant and formally welcome them to the neighborhood.

Social: (Kara Dame) No report. Kick-off to Summer Event coming up- check billboards in the pool parking lot and on Stratton Farm Rd. at Bradford Hill Rd. for more info.

Architectural Control: (Bob Creighton) 3 requests in April, 1 for exterior painting, 1 for a pool, and 1 for a backyard playhouse. All 3 were approved.

- One homeowner (who is a prior Board president) expressed concern with the Restrictions regarding campers being parked for “limited time” and must be approved by the HOA Board. He believed that the “limited time” the camper can be parked was going to be defined by the Declaration of Restrictions as a definitive time (24 hours, 3 days, 5 days, etc.). *[This issue was researched after the meeting and it is noted that the language in the Amended Declaration of Restrictions was prepared in 2021 and republished in March 2022 prior to that year’s annual meeting. That sentence in paragraph 10.(c) states: “Recreational vehicles . . . shall not be parked on the street, on the driveway, or within the front or side street setback lines, except for limited times as approved in advance by the Board”. In the recently published Architectural Control Guidelines the Board added a statement that requests should be submitted 5 days in advance, but do not define how long is a “limited time”. During the Board Only portion of the meeting we discussed providing an automatic approval for a set time period as a matter of policy. This discussion will be continued by the Board and communicated when a decision is reached.]*

Rental Oversight: (Leslie Kepler) Other members of the Rental Oversight Committee are Richard Jackson (Tatebrook Ln.), Kevin Chelko (Flannagan Ct.), Eve Smith (Stratton Farm Rd.).

- Systems and management need to be in place to enforce the new rental restrictions.
- Committee drafted a welcome letter for rental folks, different than homeowners.
- Discussion in the committee has included: how are we tracking rentals, when are we going to know when a new house becomes a rental?
- Rental restriction is 15% of the homes (67 homes); currently, we have 42 homes which we know are rentals.
- Committee is working on drafting a separate web page for rental folks on the C2 website.
- Language to emphasize renter (along with the landlord) is responsible for the outside appearance.
- Lease copy must be put on file and reviewed by Hawthorne. Not all rental homes sent the leases. Rental committee followed up. Must track when a lease renews, need to see another lease when that renews. Even when the maximum is hit, it’s possible that someone who owns a rental house decides to sell it and then it opens up capacity for an additional rental home.
- Flow chart drafted by the committee– “Is my property eligible to be a rental?”



- Communication with all homeowners regarding rental restrictions has begun.
- As part of due diligence, it is the committee's understanding that investors will look at the website and do a county search and find the information that is a restriction.
- Our wording says that the landlord is obligated to notify the renter that they must adhere to our CCRs and Guidelines. When we receive a copy of the lease we log that into a spreadsheet and can then track when it expires so we know when they need to send us the next lease. If they don't send us a lease, we can call them to a hearing, if they don't appear at the hearing, we can fine them up to \$100/day. Leases have private information on them, so they are secured in online storage, and will not be public information.

OLD BUSINESS

- Violations:
 - House on Cedar Hollow Lane has begun to clean up.
 - House (rental) on Henderson Hill (that has been an issue for ~15+ years). After 1 year in court the renter has been evicted. Owner has a dumpster on site and will start cleaning up the house.
 - House (rental) on Hawks Ridge- complaints from neighbors of yard waste and 5 dogs in the garage, breeding dogs, and barking/noise that was disturbing people. Some issues with exterior maintenance have been addressed and we are watching to see if the dog issue is resolved.
 - House (rental) on Hope Springs Court has had HPD out numerous times. These tenants have now moved out. Bob stopped and spoke to the landlord and told her she is responsible for bringing the house's exterior/yard into compliance with restrictions/guidelines and to have tenants that do not create a nuisance.

NEW BUSINESS

Several items were brought up as new business and will be considered by the Board

- Can we do a Zoom link for HOA Board Meetings? Maybe 1 phone as the microphone?
- Marketing the HOA Board Meeting differently? Suggestion was neighborhood happy hour with a meeting to follow.
- Request to upload Agenda monthly to FB group/ website.

Meeting adjourned at 8:50