

**Deerlake Village Community Association  
Board of Directors  
Second Quarterly Meeting Minutes  
June 24, 2020 1:00 p.m. on line via Zoom**

**Residents attending: Jill Anderson, Karla Atkinson, Jack Baldrige, Ginny Boettcher, Miles Coady, Patrick Crosby, Nancy & Phil Davis, Lelia Graham, Jim Grecni, Roy Hardman, Don Herman, Sue Hyde, Sue & Bill Jones, Kathy & Luke Kitahata, Robert & Jolene Overbeck, Jenny Pritchett, Betsy & Tim Robinson, Jim & Judy Pierce, Lee Rush, Rich & Mary Schram, Linda Sierra, Robin Sorensen, Susan Toscani, Dan & Agnes Tyna, Twighla Voglesong, Sandy Westney, Margo Williamson, Susan Zelle** (These are residents we could identify by phone #s or who spoke during the meeting. There were others signed in.)

**Board Members Present: Bob Agnew, Jim Boettcher, John Brown, Max Decklever, Kris Fulmer, Deb Le**

**Absent: Brenda Bryan,**

President John Brown called the virtual online (due to COVID19 distancing guidelines for NC) meeting to order at 1:06. Since the Zoom meeting format was new to some residents, he quickly reviewed the guidelines for participating in the meeting. He reported that as our meeting convened the pool is being cleaned and three contractors are working diligently to see that the pool committee can meet its target date of July 15 to open the pool. He also noted that clubhouse renovations are complete and the repair to the gazebo is complete. He added that he is thrilled that the lake is being used more this summer than ever before by many residents fishing, kayaking, and canoeing.

He the welcomed any new residents participating in this Zoom meeting and lamented that he much preferred to welcome them personally, but, unfortunately, such a face to face quarterly meeting is not safe during this COVID! threat. He closed by thanking all committee chairs and members who work so hard to keep Deerlake the wonderful community that it is. He encouraged interested residents to volunteer for one of our committees.

As treasurer Brenda Bryan was unable to be with us due to her work on the 2020 census, John read her report into the Minutes.

DVCA has a balance of \$ 317,639.35 as of May 31,2020 in various bank accounts. The total operating expenses to date are \$33,081.36 which is 30.99% of our yearly operating budget. \$17,541.50 has been expensed from our Capital Reserve account since our 1<sup>st</sup> Quarterly meeting. Dates from 2/3/2020 through 5/31/2020. These expenses included Clubhouse Redecorate Kitchen in the amount of \$7,005.07, Clubhouse Redecorate Interior in the amount of \$5,136.63, and from the Pool Interior resurface account for the replacement of the tiles damaged in the pool deck demolition, \$5,400 to William Frady Inc.

The Q2 Agenda and Committee Reports are available on our website by hard copy in the clubhouse.

Sue Hyde, Emergency Preparedness chair, said her committee is working on updating its information on the Deerlake website. Her committee focuses on the state Emergency Action Plan, which mainly addresses dam safety for homes downstream of the lake. The committee is also looking into preparedness for forest fires, mudslides and earthquakes, and is seeking additional members.

Speaking for the Lake Management Committee, Khoi Le, chair, and John Brown, DVCA president, added that dredging plans are posted on the website and were in the last Deerlake Diary newsletter. Khoi noted one update: the committee has decided to forego building a sedimentation pond at the boat livery, an operating expense. Instead they hope to upgrade the Lambo Creek sedimentation pond site

Landscape Review chair, Ginny Boettcher, had nothing to add, but John complimented the committee on the many “work arounds” they have implemented during this busy time of year to keep both committee members and residents seeking approval for landscaping projects safe by avoiding face to face contact.

John also thanked all the residents who have pruned branches overhanging sidewalks and complimented the Maintenance Committee for the Meadows Park sidewalk repair work that has been done to make strolling in the park a safe, enjoyable experience.

Rich Schram, *Diary* editor, thanked the many residents who monthly send snacks to the UPS staff who print our newsletter free of charge.

Pool Chair Sandy Westney reported that they have a target date of July 15 for opening the pool and urged residents to read carefully the new pool rules that strictly enforce state mandates for pools during the COVID19 pandemic. If state laws change, Pool Rules will be revised accordingly.

Bob Agnew, liaison to and member of the Welcome Committee, made a plea for another member to help out. Once meeting restrictions are revised, the committee will resume Welcome Orientations.

**(By email received by President John Brown — we have just learned that the Governor has extended state restrictions through July 17, 2020.)**

John reported extensively on the Borhaug Development. There is a Planning Board Meeting scheduled for June 15 at 5:30 p.m.. Because of social distancing restrictions half of the seats have been removed from Council chambers so there will probably be only about 30 seats for available for audience members.

Since the last Planning Board Meeting five months ago there have been no changes in the Borhaug plan. This plan is expected to be the only topic of the meeting. It is expected that the Board will approve or recommend approval to the City Council. John has met with our attorney and walked the Borhaug property with him. John reported that Borhaug currently has tenants in houses on the property he owns and there have been ongoing problems with trash being spilled along Deerlake Road on Trash Collection Day. Deerlake residents have been helping to clean it up and John did so yesterday. He has notified the city and City Council members of this ongoing problem.

John and Attorney Davis will speak on behalf of the community and address the following Deerlake Village Concerns

- \*Construction traffic on Deerlake Rd for 5 years
- \*Increased traffic on Deerlake's only emergency entrance
- \*Stormwater runoff into the Meadow's neighborhood
- \*Buffer tree removal behind Deer Run and Fox Cross homes
- \*High density rezoning

They will ask that the Planning Board approve the project

- \*\*With R8 zoning
- \*\*With UDO required 25 foot rear yard setbacks
- \*\*With UDO required buffers
- \*\*With UDO required off street parking spaces
- \*\*With construction entry/exit off Asheville Hwy before start of Phase 2 and

that the Borhaug request be sent to the newly reinstated Technical Review Board for review.

John thanked all residents who have sent letters to the *Transylvania Times* and spoken with or written to City Council members. The next City Council meeting is set for August 17, but this is subject to change.

Jolene Overbeck asked why the DVCA is recommending approval of the Borhaug plan with changes. as the new car wash will open onto Deerlake Road as well and create even more traffic issues.

John replied that he and our attorney feel that Deerlake does not want to appear to be taking a "not in my backyard" stand. We want to be seen as recognizing the need for housing for workers and the elderly, but advocating that such plans be done correctly in keeping with existing zoning and buffer requirements. Margo Williamson asked how much construction will be done during Phase 1 of the Borhaug plan. John replied that Phase 1 is all infrastructure — water, sewage, utilities, etc., involving the portion of the property from Deerlake Road back toward the Catholic Church.

Karla Atkinson asked about traffic concerns with large vehicles blocking the road and perhaps emergency vehicles from quickly entering and leaving. John replied that this is being addressed as well as the question of whether Deerlake Road can safely support heavy construction vehicles.

Roy Hardman asked for a list of questions John and the Attorney will be asking. John replied that he has sent a list of issues/concerns they will raise and he will be happy to send it again. John stressed that residents continue to make personal contact with Council members. Roy also asked if the current plan shows no connection to AVL highway and John replied that is so. He added that the planned traffic circles could be a decade away.

Moving to the next agenda item, John updated residents on the 2020 Geese Control Plan. He reported that demonstration project was, at no time, designed to eliminate geese from Deerlake, but, for safety and aesthetic reasons, to minimize the amount of goose droppings that collect on

our grass, sidewalks and docks during the molting season. By identifying our resident geese and consistently encouraging groups that fly in to leave, the goose population can be kept to a comfortable minimum. This year our resident population is now holding steady at seventeen. Groups ranging from two to thirteen have flown in and humanely been encouraged to leave by shouting, hand-clapping, red and green laser lights, and circling those in the water with canoe or kayak. At no time has a goose been harmed, or even touched, by any of the volunteers working on this project. John said that it is suspected that the lake's Muscovy Duck has damaged/eaten some eggs and, perhaps, killed a gosling. Other predators such as fox and coyote may also kill goslings. At this time, none of our geese can fly. As soon as we are sure that others are not flying in, the project will be ended and an after action report will be published in the *Diary*.

There was no New Business from Board members

**At 2:16, Max Decklever moved and Jim Boettcher seconded to adjourn the Q2 Board Meeting.. Approved.**

### **Open Discussion with the community:**

John reported that recently there have been incidents of residents telling guests that they may fish here anytime they wish and/or that they can launch watercraft from lot 2. This is, as most residents know, not permitted. Our Rules and Regulations require that all local guests be accompanied by the resident displaying an ID tag and no watercraft can be placed in our lake without registration with LMC. John strongly suggested that if a resident sees someone trespassing they immediately call the police, take a picture of the license tag for the police and/or send the picture to him. John also offered that he can be notified and, if available, will come to the site. Jim Grecni opined that sometimes it is hard to know if approaching the violator would be safe or not and that sometime in the future, Deerlake might need to look to hiring security personnel. Margo Williamson showed a neon green plastic bracelet, suggesting that the DVCA purchase these (300 for \$130) to replace our ID tags. She added that it is durable, can be imprinted with a Deerlake logo, and is easily recognizable on the trails or in the pool.

A resident complained that, while walking, an unleashed dog ran off its property toward her. John agreed that this has been a problem and that the resident has been warned.

Rich Schram asked about putting more signage re: fishing along Deerlake Road. John replied that rethinking and updating all signage in Deerlake is a goal that the LRC has been tasked with. Our attorney has noted that our current entry "no soliciting" sign has to be rewritten to meet legal standards as well as many of the other signs. The already very busy committee will begin work on this task once the landscaping/gardening requests begin to slow. The board will begin planning and budgeting for this in the 2022 budget.

John thanked all residents who participated in the meeting and gave an especially hearty thanks to Jim Boettcher for all of his planning, hard work, and training to bring us into the Zoom era. The Open Discussion adjourned at 2:30.

**FIRST QUARTER ADDENDUM (meeting postponed due to COVID19)**  
**BOARD MOTIONS PASSED**  
**January, 9, 2020–March 12, 2020**

**Q1 2020 DVCA BOARD VOTES BY EMAIL**

**By email vote on January 6-7, 2020 John Brown moved and Bob Agnew seconded that the board approve DVCA retaining Mr. Cargile to investigate DVCA objections to the Planned Development District proposed by Tore Borhaug adjacent to Deerlake Village and advise us regarding issues; if requested represent DVCA at the Planning Board and / or City Council hearings. The initial retainer will be \$3000 (10 hours at \$300 per hour) to be funded from the 2020 legal expense operations budget and the remainder from the contingency reserve. Approved.**

**By email vote on January 11, 2020, Deb Le moved and Bob Agnew seconded that minutes of the 2019 Annual Meeting with Addendum be approved. Approved.**

**By email vote on January 11, 2020, Deb Le moved and Bob Agnew seconded that to approve the December 16, 2019 officer installation meeting minutes as revised. Approved.**

**By email vote on January 13-15, Brenda Bryan moved and John Brown seconded to move the 2019 Operating Budget Surplus in the amount of \$7,537.72 to the 2020 Contingency Reserve. This will be added to the 2020 approved amount of \$ 24,000 contingency which the total contingency will be \$31,537.72. Approved.**

**By email vote on January 27, Max Decklever moved and Bob Agnew seconded to approve an expenditure of up to \$300 for Cathey's Creek Electric to move the wiring in the two bathrooms. Approved.**

**By email vote on January 30, 2020, Max Decklever moved and Brenda Bryan seconded to approve move to approve expenditures up to \$8,300 for new kitchen and bathroom cabinets and countertops. Approved.**

**By email vote on February 19, 2020, Max Decklever moved and John Brown seconded to approve the purchase of a dishwasher from Lowes in an amount including installation (which includes plumbing) not to exceed \$550 to be charged to the Clubhouse Kitchen Redecorate Reserve. This purchase will replace the existing 30 year old dishwasher in the kitchen. Approved.**

## **Q1 2020 DVCA BOARD WORK SESSION VOTES**

### **January 9, 2020 Work Session**

**Deb Le moved and Brenda Bryan seconded to appoint Don Washington to the Community Activities Committee. Approved.**

**James Boettcher moved and Brenda Bryan seconded to re-appoint Bob Cole and Don Herman to the Maintenance Committee. Approved.**

**Brenda Bryan moved and John Brown seconded that the DVCA reimburse her \$74.71 for the annual fee for the Microsoft Software that she uses as Treasurer. Approved**

**Brenda Bryan moved and Bob Agnew seconded to pay a 50% deposit of \$900 (Clubhouse redecorate interior) to Quality Flooring for refinishing clubhouse floors. Approved.**

**Brenda Bryan moved and Bob Agnew seconded that a check for \$75 (Clubhouse redecorate interior) be issued to Lowe's to measure for new clubhouse kitchen cabinets. Approved.**

**Brenda Bryan moved and Deb Le seconded to approve a check issued to Lowe's in the amount of \$727.53 for the purchase of a new microwave and stove (Clubhouse redecorate interior).**

**Jim Boettcher moved and Brenda Bryan seconded to approve payment of \$5400 (clubhouse exterior) to Jackson Painting for painting of the gazebo and pergola. Approved.**

**James Boettcher moved and Kris Fulmer seconded to approve the Conservation Easement expenditure of \$3,215.98 to replace a culvert in the Conservation Easement. Approved.**

**John Brown moved and Deb Le seconded to resume our membership in the Community Associations Institute. Approved.**

**John Brown moved and Brenda Bryan seconded to rescind the email vote of January 6-7 which stated "that the board approve DVCA retaining Mr. Cargile to investigate DVCA objections to the Planned Development District proposed by Tore Borhaug adjacent to Deerlake Village and advise us regarding issues; if requested represent DVCA at the Planning Board and / or City Council hearings. The initial retainer will be \$3000 (10 hours at \$300 per hour) to be funded from the 2020 legal expense operations budget and the remainder from the contingency reserve." Approved.**

**John M. Brown III moved and Bob Agnew seconded that the board approve DVCA retaining Mr. Whitfield Cargile to investigate DVCA objections to the Planned Development District proposed by Tore Borhaug adjacent to Deerlake Village and advise us regarding issues; if requested represent DVCA at the Planning Board and / or City Council hearings. The initial retainer will be \$3000 (10 hours at \$300 per hour) to be funded from the 2020 legal expense operations budget. Approved.**

### **February 13, 2020 Work Session**

**Kris moved and Deb seconded to approve January 14 Work Session Notes. Approved.**

**Max Decklever moved and Jim Boettcher seconded to approve an expenditure of \$579 to be charged to the clubhouse kitchen redecorate reserve for plumbing work, electrical work and cabinet hardware to install cabinets in the kitchen. Approved.**

**Max Decklever moved and Bob Agnew seconded to approve an expenditure of \$611.50 to be charged to the clubhouse redecorate reserve for plumbing and cabinet hardware to install cabinets in the bathrooms. Approved.**

### **March 12, 2020 Work Session**

**Kris Fulmer moved and Deb Le seconded to approve the notes of the February 13 Work Session. Approved.**

**Brenda Bryan moved and Max Decklever seconded to approve the Finance Committee Charter revision as submitted by the Treasurer with the change noted above. Approved.**

**Brenda Bryan moved and Max Decklever seconded to approve the AMP revision as submitted by the Treasurer. Approved.**

**Bob Agnew moved and Jim Boettcher seconded to award the 2020 Landscaping contract to TPS Landscaping. Approved.**

**Bob Agnew moved and Jim Boettcher seconded that the DVCA give a fifty dollar gift certificate to Deb Good for her long years of service. Approved.**

**Bob Agnew moved and Deb Le seconded that the Community Activities be authorized to spend \$150 from the Social Activities Account. Approved.**

**Deb Le moved and Brenda Bryan seconded to award the pool tile replacement contract in the amount of \$5,400 to William Frady Inc. Required insurance documents were attached. Approved.**

**ADDENDUM TO SECOND QUARTER MINUTES  
BOARD MOTIONS PASSED  
March 13, 2020 - June 12, 2020**

**OII 2020 DVCA BOARD VOTES BY EMAIL**

**By email vote on March 20-21, 2020, John Brown moved and Bob Agnew seconded to approve a temporary limit of 10 people in meetings and gatherings in the Deerlake Clubhouse based on concern for resident health. Approved**

**By email vote on March 29, 2020, John Brown moved and Jim Boettcher seconded that in order to comply with Governor Cooper's Stay At Home Order, the board approve closing the clubhouse to all meetings, gatherings, club activities and DVCA activities, effective Monday, March 30, 2020, at 5:00 p.m. and remaining in effect until April 29, 2020. Approved.**

**By email vote on April 17, 2020, Jim Boettcher moved and John Brown seconded to approve the Geese Management Plan for Deerlake Village Community Association. Approved.**

**By email vote on April 21-22, 2020, Jim Boettcher moved and Kris Fulmer seconded to approve the service contract for Mark Pagano for wood replacement of railing and post cladding at the Clubhouse in the amount of \$485.00. Approved.**

**By email vote on May 6-7, 2020, John Brown moved and Kris Fulmer seconded to approve that the DVCA Board establishes the following guidance for the Deerlake Village Clubhouse in response to the Governor of North Carolina's executive order #138 dated May 5, 2020:**

- 1. The clubhouse will be available for DVCA board, committee and club meetings with attendance of no more than 10 people.**
- 2. All meetings will be scheduled with the Clubhouse Committee.**
- 3. Social distancing of at least 6 feet will be maintained and use of masks is strongly encouraged.**
- 4. No social activities or parties will be scheduled and the clubhouse will not be available for private rental.**
- 5. No activities or classes requiring physical contact between attendees will be permitted.**
- 6. Groups using the clubhouse must wipe down all surfaces touched during their gathering and are strongly encouraged to wash hands before and after meetings.**
- 7. Attendees are encouraged to bring and use hand sanitizer.**
- 8. No one should attend a meeting if they feel sick.**

**These measures take effect at 5:00 PM, Friday, May 8, 2020 and remain in effect until further notice. Approved.**

**By email vote on May 6-7, 2020, Bob Agnew moved and Deb Le seconded to approve sending the following letter to the City of Brevard from the DVCA Board of Directors. Not approved.**

May 6, 2020

We would like to express our enthusiastic support for the 2020 BUILD grant application from Brevard, North Carolina. The projects outlined in the application will create much needed jobs and provide a major boost to the local economy. They will also significantly improve the health and quality of life of both local residents and our many out-of-town visitors. Among other things, these projects will encourage both pedestrian and bicycle traffic by extending the multi-use trail in Brevard, dramatically improving the safety of this trail by creating a tunnel under a major highway, and making the downtown area safer and more attractive to both pedestrians and bicyclists. They will also increase access to the many natural and recreational sites in the area. Deerlake Village is a community of 232 homes, most of which are occupied by retirees. We are adjacent to that section of the multi-use trail that crosses Highway 64. And we believe that the projects in the grant would be especially appreciated by our residents, increasing their use of the trail and their safety as well. We urge you to support this grant application.

Sincerely,

The Deerlake Village Board of Directors

**By email vote on May 29 - 30, 2020, John Brown moved and Bob Agnew seconded that the board approve up to \$200 dollars to support a digital Q2 meeting to be conducted on Wednesday 25 June 2020, with the host and board positioned in the clubhouse. Approved.**

**By email vote on June 14, 2020, John Brown moved and Jim Boettcher seconded to approve a second revision of the Capital Reserve Policy. Approved.**

**By email vote on June 17-18, 2020, Deb Le moved and Brenda Bryan seconded to approve the 2020 Pool Rules. Approved.**

**By email vote on June 18-19, John Brown moved and Kris Fulmer seconded to approve for Bevacqua, 72 Canterbury Trace, a one time Estate Sale. Approved.**

## **OII 2020 DVCA BOARD WORK SESSION VOTES**

### **April 9, 2020 Work Session**

**Kris Fulmer moved and Deb Le seconded to approve the notes of the March 12 Work Session as edited. Approved**

**Deb Le moved and Brenda Bryan seconded that the Pool Service Contract for 2020-2022 be approved. Approved.**

**John Brown moved and Kris Fulmer seconded to approved a DVCA warning letter to Anne Stoutamire pursuant to neighbors' complaints for failure to maintain and keep up lot, dwelling, and garage. Approved**

**John Brown moved and Kris Fulmer seconded to approve a DVCA warning letter to Ray Vidor for failure to control pet and clean up after. Approved.**

### **May 14, 2020 Work Session**

**Kris Fulmer moved and Bob Agnew seconded to approve the 4/9/2020 Work Session Notes. Approved.**

**Max Decklever moved and Jim Boettcher seconded to appoint Rainer Hoeke to LMC and Walter Striedieck to Conservation Easement. Approved.**

### **June 11, 2020 Work Session**

**Kris Fulmer moved and Jim Boettcher seconded to the Notes of the May 14 work session. Approved.**

**Bob Agnew moved and Kris Fulmer seconded to appoint Diane Toulson to chair the Welcome Committee. Approved.**

**Bob Agnew moved and Max Decklever seconded to appoint Jim Grecni to chair the Community Activities Committee. Approved.**

**Max Decklever moved and John Brown seconded to appoint Mike Thompson to the Lake Management Committee. Approved.**

**Brenda Bryan moved and John Brown seconded to approve the revised and amended Capital Reserve Policy. Approved.**

**John Brown moved and Deb Le seconded to appoint Max Decklever to chair the 2020 Nominating Committee. Approved.**

**Max Decklever moved and Brenda Bryan seconded that the \$1,000 expense for repair of water damage currently charged to the Clubhouse Redecorate Interior Reserve account be transferred to the Clubhouse Repair & Maintenance Operating account. Approved.**

**Bob Agnew moved and Brenda Bryan seconded that the board fine Robin Sorensen \$100 for taking down a tree without LRC permission. Approved.**