

**Deerlake Village Community Association
Annual Meeting
Thursday, December 10, 2020, 3:30 p.m.
Virtually Via Zoom**

President John Brown called the meeting to order at 3:30 p.m. and explained the DVCA annual meeting quorum requirements. A roll call ensued to ensure enough voting members were present at the Zoom meeting. Vice President Bob Agnew recorded 46 voting members and a total of 58 members present on Zoom. Adding proxies and attendees present at the Clubhouse, the total attendees were 120.

Brown welcomed residents and new members to the association. He also thanked volunteer committee members and chairs for finding creative ways to keep DVCA active and running during the Covid-19 pandemic.

Treasurer Brenda Bryan presented the financials for 2020 and the 2021 proposed budget. DVCA finances remain sound. The financials as of the November 30, 2020, are as follows: DVCA has \$230,974.96 in various bank accounts. \$93,492.15 of our 2020 budget has been expensed, which is 87.58%. No funds were expensed from our Capital Contingency or Reserve accounts for the month of November.

A correction should be noted regarding the WSL budget which says 2020 WSI Budget. Should be 2021 budget.

We will have a surplus from our 2020 budget at the end of the year.

Also, the total cost of attorney legal fees to Whitfield Cargil Law firm was in the amount of \$5,000 for the Borhaug services.

Bryan asked if there were any questions about the 2021 Operating and Reserve Budgets, which members received in the mail. None were asked. She said assessments for 2021 will be sent out “hopefully” by a document management provider specializing in electronic based services. Multiple lot owners will receive individual invoices for each lot again. They will be in the form of a letter with a coupon to mail in with the assessment collection policy on the back. The Condo Association will receive coupon books for their quarterly payments. DVCA Assessment mailing list will include the name of the deed holder only. It will also include the deed holders legal name as recorded.

The assessment invoices for 2021 will be mailed the last week of December 2020. Please remember that assessment payments are delinquent if not postmarked by January 31, 2021. Do not mail postdated checks. If a check is not received at the post office box by January 29th, you will get a “courtesy call” from myself or another board member. If you send a bank generated check, please be aware that although there may be a charge to your account, the request is sent to a processing company or division and may not be received at our PO Box until 7 to 10 days later.

They contain no postmark and if the check is ordered for payment and not received at the post office by Jan 31, they will be delinquent. If you have not received your assessment letter by January 5th please call the Treasurer.

The 2021 Assessment will be in the amount of \$550.00.

Brown thanked the treasurer and Finance Committee for their diligent work to keep DVCA fiscally on track. He laid out the process for budget ratification in the Bylaws, Article 9, Section 9.3, Preparations of Budget and Levying Assessments. Notices were sent in the annual mailing, as per the bylaws, and the budget is ratified unless at the annual meeting a majority of voting members rejects the budget. Brown asked if anyone wished to present a motion to not ratify the budget, and no motion was presented. Therefore, the 2021 budget was ratified and the treasurer will begin the process of issuing assessment letters.

Committee Reports were mailed to the membership, and Brown asked chairmen and committee members if they had new information to add:

A. Architectural Review – Phil Davis

Four more requests to modify were approved since the mailing. Davis thanked his committee for heroic efforts to consider modification requests efficiently, working electronically during the pandemic.

B. Clubhouse – Maggie DiRocco

DiRocco commented that she hopes the association can resume using the Clubhouse soon. Brown thanked the committee for its great work completing renovations this year.

C. Community Activities Committee – Jim Grecni

Grecni reported it was a difficult year due to the pandemic. The committee lost some members to other committees and would welcome any new members. He thanked the community for contributions to Sharing House and Bread of Life. Over 1100 pounds of food were delivered to Sharing House in August, and 700-800 additional pounds went to Bread of Life. He reminded residents of a drop-in gathering at the Clubhouse gazebo Saturday, Dec. 19, Noon – 2 p.m. Cider, coffee and baked goods will be served. It's a chance for residents to spread some Christmas cheer while socially distancing. Please wear a mask. If you would like to contribute individually wrapped baked goods, you can deliver them to a committee member or bring them to the event.

D. Community Relations – Brent Dormann

Dormann explained that this committee works with the DVCA president to help resolve issues involving residents. Formerly, Lelia Graham served in this capacity. Dormann said he is looking forward to a smooth and congenial year of serving the community.

E. Conservation Easement – Don Herman

Nothing to add to the published report.

F. Emergency Preparedness – Sue Hyde

The chairman thanked her committee and board liaison for their great support this year. She said the committee needs more people to be representative of the entire community.

G. Finance – Brenda Bryan

See report in the previous section.

H. Lake Management – Khoi Le

Le reported that the lake was stocked with trout in late November. He encouraged residents to come out and wet their lines while observing lake regulations posted on the website and bulletin boards. He also encouraged residents to have fun observing the flock of buffleheads, members of the goldeneye family, who recently have taken up residence in the lake.

I. Landscape Review – Gil Garner

Gil Garner had nothing to add to his published report. He recently volunteered to take over as chairman from Ginny Boettcher, who moved from Deerlake.

J. Maintenance – Bob Cole

Bob Cole recently stepped up to become chair of the Maintenance Committee after a long tenure by Tim Robinson. He said the committee is in the process of creating an inventory of all roads and sidewalks in Deerlake with flooding problems. Some issues already noted are Cambridge Drive at Meadows Park and Canterbury Trace, Deerlake Road at the gazebo and the big lot across the street. He asked residents to contact him at bobcole@comporium.net to inform the committee of additional flooding issues.

Resident Ken Kolb commented that some of the sidewalks belong to the city and should be coordinated with Public Works. Bob said the committee is aware and will attempt to enlist public help. Resident Sue Hyde noted that a street lamp in the Meadows Park walking circle is not working. Max Decklever said he has called Duke Energy and is working on getting that repaired. Chris Williamson also contacted Duke, and they came out but did not have the right parts. John Brown said any resident can report outages on the Duke website. Most light poles have a number on them to use when reporting. He said most of the lights in the neighborhood are the responsibility of Duke, except for the one in front of the Clubhouse.

K. Membership Directory - Robert Overbeck

Nothing to add to the published report. Brown said the directory will be published in two updates in 2021.

L. Newsletter – Rich Schram

Schram thanked residents for supporting the Diary with articles. He urged the community, when patronizing UPS, to thank them for their support of Deerlake Village. They donate \$1200 - \$1500 in services annually by printing the Diary free of charge every month. As always, the UPS staff welcomes treats and desserts.

M. Pool – Sandy Westney

Committee member Margo Williamson reported Deerlake was one of the few associations to open its pool this year largely due to dedicated volunteers who cleaned surfaces and bathrooms twice a day every day. New pool furniture has been ordered, but because of the pandemic production is delayed.

N. Welcome – Bob Agnew

Agnew thanked the committee for working through Covid restrictions to continue a modified welcome process. He hopes to get back to in-person orientations as soon as possible. Persons who went through online or small group orientations, are welcome to come back when full-fledged orientations resume.

O. White Squirrel Lane – Marcia Schneider

Nothing to add to published report.

Infrastructure Review Findings

Brown said that due to the impending Borhaug development, DVCA is investigating projects to implement to maintain privacy, security and quality of life. Several committee members reported on their preliminary findings:

Bob Cole said the Maintenance Committee is looking at drainage issues. Some are ongoing long-running issues which might be made worse by the Borhaug development. When possible, the committee will try to enlist city and county funding.

The Landscape Committee investigated buffers, signage, and fencing. Susan Toscani said barriers and fencing could create a deterrent along Deerlake Road at Meadows Park. Placement of fencing would have to be on DVCA property, unless variances could be obtained from the city. The committee suggested a metal 48-inch-high fence running 250 feet from upper Cambridge with

landscaping along the fence. TPS Landscaping roughly estimated \$10,000 for a 250', 48" high fence, not including a gate. Landscaping along the gate would be an additional \$5,000.

Another suggestion is a 250-foot row of hedges, but the downside is constant maintenance and less of a barrier. She said additionally, removal of the cypress trees along Deerlake Road could be replaced with arborvitae (such as on the path of the first trail). That option is estimated to cost around \$35,000, and DVCA would have secure encroachment agreements with public entities. The committee also suggested an armed fence on the road to the pool parking lot, where residents could obtain entry by swiping a card or a car decal to enter.

Cindy Bland investigated new signs incorporating the existing logo for consistency and hopefully lower cost. Signs would have to be in compliance with Brevard ordinances and legal requirements. Some areas looked at were at the Deerlake Road entrance, Meadows Park, pool and lake areas, and trails, to name a few.

Margo Williamson said that trespassers often are unaware of signs and asked if they could be made more visible. Bland said originally DVCA signs were designed to be unobtrusive, but new signs could possibly be bordered in bright red or made more luminescent and brighter.

Resident Ken Kolb said a consideration with signs restricting access is that many of our streets and sidewalks are city property. Cindy and Susan stated that city easements and property would have to be carefully delineated and variances sought if necessary.

Resident Judy Pierce liked the idea of the fence. She suggested signs say "residents only" instead of "residents and guests." She also expressed concern about DVCA liability at the lake and pool if someone trespasses. John said Borhaug would bear no responsibility. It would fall on the association, which is a big part of the reason to make sure signs clearly state private property and swimming not allowed. He said verbiage of signs should be reviewed by a lawyer to make sure they are up to date legally and inclusive legally. Our signs must support the law, so that what we're telling the trespasser can be enforced by officers of the law on our behalf. The pool may need locking gates, security updates, signs and an insurance assessment.

Resident Brent Dorman asked about the rationale for 48" high fencing. Susan said the fence could go higher, although there are ordinances concerning height. Four feet was a standard recommended by TPS that balanced aesthetics and security needs.

Resident Mary Mortenson wondered about the recommendation of arborvitae to replace the Leland Cypress. Susan said a couple of landscape companies recommended it and thought it would receive ample sun exposure.

The Lake Management Committee investigated security and lighting along the same lines. Khoi Le stated that several options, including motion sensor lighting and surveillance cameras pointed towards the lake and pool were suggested. Another suggestion is a privacy gate at the lower parking lot and strong warning signs.

Brown thanked the committees for their work. He said there are three elements of the ongoing assessment: 1) Continue to prioritize needs using the Capital Reserve System to pay for future projects, hopefully to have less impact on assessments; 2) Plan for cultural changes in the community as kids move in and look for places to play. The mayor and city council have been approached about building a playground on the back side of the development to give them a place to play other than our amenities and the Asheville Hwy., but of course they are strapped for money; 3) This is an initial assessment. We want input from everyone. We've heard two recommendations to look into a more robust community watch program so when we do get trespassers they get reported quickly.

Borhaug still has not submitted architectural drawings to City Planning, a necessary step before permitting. The board will continue to monitor progress to see when Borhaug goes in for permits and to make sure he is complying with the PDD.

Board Elections

Max Decklever, Chair of the Nominating Committee, thanked Don Hermann, Chris Williamson, Maggie DiRocco and Nancy Davis for their help in securing three qualified candidates for the 2021 Board of Directors. A total of 121 ballots were cast.

President John Brown reported that Jack Christfield, Mike Thompson and Donna Raspa are elected to the 2021 Board of Directors. He said a fourth position, vacated by Jim Boettcher, has been filled by board appointee Richard Hardy.

Other Business

John Brown reminded everyone that on Dec. 12 the clubhouse door code will transition from the old entry code to the new code, which was published in the Diary. He asked that residents keep the code inhouse and not share it with nonresidents of Deerlake, such as contractors, realtors, etc.

Adjournment

There being no other business, a motion to adjourn the meeting was made by Deboarh Le and seconded by Richard Hardy. Approved.

The formal portion of the meeting adjourned at 5:21 p.m.

I) Open Discussion

President John Brown reopened the meeting for open discussion.

Ken Kolb acknowledged Jill Anderson's tribute to Kris Fulmer, former DVCA director, for all of her community service. She has been a bedrock of the volunteer core in Deerlake and has recently moved to Carolina Village. He also said the neighborhood is still aggravated by roaming cats and urged residents to respect guidelines prohibiting roaming pets, which can be a nuisance to the songbird population.

Pamela Rowe, Fox Cross, asked about interest in a DVCA Facebook Community group. She said this could enhance communication and foster community. Brown encouraged her to present the idea to the board and perhaps a committee of interested parties could be formed.

Rich Schram asked about the intention behind the suggested 4' fence along Deerlake Road. Susan Toscani said it won't stop trespassers intent on climbing over but would serve as a deterrent that is still aesthetically pleasing.

Brown said he appreciated Jill Anderson acknowledging the work of volunteers. He thanked Kris Fulmer and three other outgoing board members, Jim Boettcher, Max Decklever, and Deborah Le, for their work on behalf of the community.

Brown closed the meeting thanking residents for participating. He said he hopes this is the last Zoom meeting, but we could have another one for the First Quarterly meeting, depending on restrictions imposed by the pandemic. He is looking forward to a great 2021 in Deerlake Village.

The meeting concluded at 5:30 p.m.

Respectfully submitted,

Deborah D. Le
Secretary

NOTE: A Board work session will convene after the adjournment of the Annual Meeting to elect officers, set 2021 Quarterly and Annual Meeting dates, and to schedule monthly work sessions for 2021.

ADDENDUM
December 10, 2020, Fourth Quarterly Meeting Minutes

12/20/2020 Work Session:

Deborah Le motioned to approve the minutes of the previous board meeting of November 12, 2020. Bob Agnew seconded the motion. Approved.

Max Decklever motioned to approve the expenditure of \$74.71 to renew the treasurer's yearly Microsoft accounting software subscription. The motion was seconded by Bob Agnew. Approved.

11/12/2020 Work Session:

Deb Le motioned and Brenda Bryan seconded to approve the minutes of the October 8, 2020. Approved.

John Brown motioned and Max Decklever seconded to approve Bob Cole as chair of the Maintenance Committee to replace Tim Robinson. Approved.

Bob Agnew motioned and Jim Boettcher seconded to approve Gil Garner as chair of the Landscape Review Committee to replace Ginny Boettcher. Approved.

John Brown motioned and Bob Agnew seconded to approve Brent Dormann as chair of the Community Relations Committee. Approved.

Bob Agnew motioned to nominate Richard Hardy with Bill Jones as a second option. Jim Boettcher seconded the motion. The appointment would take effect Dec. 10, 2020. Approved. Brenda Bryan opposed, her reason being that Bill Jones garnered more votes than Richard Hardy in last year's election.

Bob Agnew motioned and Deb Le seconded to appoint Bob Williams to the Emergency Preparedness Committee, and Jody Risacher, Christine Schmidt, and Twighla Voglasong to the Landscape Review Committee. Approved.

Brenda Bryan motioned to approve the 2021 budget with a \$550 assessment and a 10.49 % contingency – \$23,000 – and Max Decklever seconded. Approved.

Jim Boettcher motioned that the Board set a policy that attendance of the 2020 Annual Meeting on Zoom qualifies as physical attendance. Brenda Bryan seconded the motion. Approved.

Max Decklever motioned to launch a new clubhouse entry code. The DVCA residents of Deerlake to be notified by a separate colored paper enclosed in the December Diary. Then a reminder in the Deerlake Village email and at the annual meeting. The old code to be removed

on Dec. 12. A new lock with this new code to be placed on the equipment box on Dec. 1. Seconded by Brenda. Approved.

Max Decklever motioned to add the following to the RULES & REGULATIONS - PART 1 - GENERAL USE RESTRICTIONS. Bob Seconded. Entry code: An entry code is provided to DVCA residents for their enjoyment of the clubhouse and the games in the equipment box. This code is not to be given to guests, workmen or anyone else. Safeguarding this code will avoid intruder entry into our Clubhouse and possible litter, looting or damage. Approved.

By email vote on November 15, 2020, John Brown moved and Brenda Bryan seconded **that** John McKowen, 73 Woodsong Way, be appointed as a member of the Maintenance Committee.

10/08/2020 Work Session:

Deborah Le motioned and Bob Agnew seconded to approve the minutes from the September work session. Approved.

Bob Agnew motioned and Jim Boettcher seconded that Diane Tolson be removed from the Welcome Committee roster and that Miles and Teresa Cody be added. Approved.

John Brown motioned and Brenda Bryan seconded to approve the 2021 budget with a \$550 assessment and an 11% contingency. Approved. The final budget will be presented at the November work session.

John Brown motioned and Jim Boettcher seconded to send a warning letter to remove the truck from a driveway on Cambridge Drive. Approved.

By email vote on October 9, 2020, Deb Le moved and Brenda Bryan seconded to approve the minutes of the September 22, 2020, special budget meeting to discuss lake projects. Approved.

By email vote on September 30, 2020, Deb Le moved and Brenda Bryan seconded that \$1626.20 from the Pool Furniture Reserve Account be authorized for the purchase of pool furniture. Approved.

09/22/2020 Special Work Session:

Max Decklever motioned and Brenda Bryan seconded to combine the 2022 reserve projects – \$10,000 for Lambo Creek forebay dredging and \$40,000 for boat livery forebay dredging – into one project funded at \$50,000. The motion carried.

Max Decklever motioned and Deb Le seconded to increase the 2030 lake dredging reserve account to \$122,500. After some discussion the motion failed.

09/10/2020 Work Session:

Kris Fulmer motioned and Jim Boettcher seconded to approve the notes of the August 13 work session. Approved.

Bob Agnew motioned and Brenda Bryan seconded to appoint Lou Shelley to the Community Activities Committee. Approved.

Max Decklever motioned and Jim Boettcher seconded to approve the Lake Committee's Application for Small Watercraft Permit which includes new language recommended by our insurers. Approved.

Bob Agnew motioned and Jim Boettcher seconded to purchase new Bocce balls (cost \$134.99) for the popular Community Activities Committee amenity. Approved.

08/13/2020 Work Session:

Kris Fulmer motioned and Jim Boettcher seconded to approve minutes of the July 9, 2020 Work Session. Approved.

Bob Agnew motioned and Jim Boettcher seconded that Gary Satkamp, Geoff Southworth, and Don Herman be appointed to serve another three year term on the Conservation Easement Committee. Approved.

Bob Agnew motioned and Jim Boettcher seconded that Agnes Tyna be appointed to the Landscape Review Committee. Approved.

John Brown motioned and Deb Le seconded that the board approve funds (approximately \$120) for wifi in the clubhouse to provide for a Q3 meeting by Zoom. Approved.

Bob Agnew motioned and Jim Boettcher seconded to approve the revised Resident ID Policy. Approved.

John Brown motioned and Deb Le seconded to approve Price fining letter as previously submitted to the board. Approved.

John Brown motioned and Deb Le seconded to approve the Stoutamire fining letter as previously submitted to the board. Approved.

Email Votes:

By email vote on November 17, 2020, John Brown motioned and Max Decklever seconded that Richard Hardy, 789 Deerlake Rd, be appointed to fill the board of directors position vacated by Jim Boettcher, effective December 10, 2020, and ending following the DVCA Annual Meeting in December 2021.

By email vote on October 9, 2020, Deb Le moved and Brenda Bryan seconded to approve the minutes of the September 22, 2020, special budget meeting to discuss lake projects.

By email vote on September 30, 2020, Deb Le moved and Brenda Bryan seconded that \$1626.20 from the Pool Furniture Reserve Account be authorized for the purchase of pool furniture.