

PFFPOA Board Meeting – 04/14/13 – 2 PM

Board Members Present

Joyce Ryan
Jim Phillips
Harvey Adler
Ed Hauschild
Clark Murray

The reading of the minutes from the last meeting in January was waived since the board members already read and approved the minutes prior to distribution to the property owners. There were favorable comments about the distribution of the minutes from about ten property owners. We have been encouraged to continue the communication efforts.

Treasurer's report

- State and federal income tax returns have been filed. We owed \$2.00 to the state and nothing on the federal return.
- Annual assessments were due April 1st. About 85% have been paid. The majority of payments in arrears are for empty lots, not homes. It's time to start making some phone calls.
- The total cost to date for the Forest Park wall is \$5,192. This includes the engineer's report, sealing cracks and a trench for water relief. We still need to control lime leaching and water seal the brick cap.
- As of March, Chan's plow blade loan was paid in full. His monthly fee now increases from \$850 to \$950.
- The Forest Park wall and the Falcon Road dam issues (covered in greater detail below) emphasize the need to maintain a sufficient reserve fund. But, how much is sufficient and do we need to put a stated limit on future optional projects? We have to seriously consider increasing the assessment to cover these problems and maintain an adequate contingency fund.
- Is the recent increase of the impact fee to \$2500 plus \$2 per square foot for areas above 2500 square feet too high? Will it discourage new construction? We will ask realtors for an opinion.
- Note that the current impact fee is correctly given on the architectural control page of our web site as a minimum of \$2500. It is incorrectly given in the minutes of the last annual meeting as \$1000.

Roads Report

Completed

- This winter, there was one application of salt and no snow removal
- Removal of dead trees on McDonald Court has been completed by Wally Booth

Planned

- We haven't added gravel to roads in several years. Gravel is gradually lost to wear and erosion. If the gravel is lost to the base, repairs are more expensive. We should develop a schedule for regular maintenance of gravel roads. Butterfly and the loop portion of Pisgah Forest Drive are high priorities.
- Pisgah Forest Drive needs patching
- Periwinkle (the previously unnamed road below Taylor's Curve) needs a culvert collar and leveling
- We need general ditch and culvert clean-out. This should be done before a road and ditch

inspection so that the condition can be better evaluated. Residents are asked not to rake leaves into the ditches. This leads to increased maintenance.

- A new ditch is needed along the road from Hauschild's and across Henning's lot for better drainage
- Construct a parking barrier at the Hart Road flower beds
- Construct a gravel parking pad on the north side of Pisgah Forest Drive near the entrance. This will require an additional easement.
- Remove trees growing too close to the road on Forest Park Court
- We will need commercial striping. Simple options are not cost effective. All existing striping should be redone. The stripe should be extended a short distance over the hill onto Forest Park Court. This will improve safety in a blind spot . Striping may cost about \$2000.
- We should develop a schedule with Chan to make sure that all work under his contract is done in a timely manner.
- Given the unexpected expenditures covered below, we may prioritize these projects and delay some of them.

Forest Park Wall

Completed

- Seeking expert advice on the condition of the wall, we obtained a report from a professional engineer. He found that the wall was poorly constructed and is deteriorating. The foundation is poor to nonexistent, and the wall was built using hollow block, without reinforcement. The numerous cracks in the back surface are due primarily to water, especially that which has been leaking through the brick cap. However, he believes the wall has stabilized over time and will last a number of years more, with some minor repairs. The recently completed ditch along the wall is designed to keep water flowing down the road from reaching the wall. The cracks in the cap have been repaired. The cap will be sealed soon, and lime-leach spots on the wall front will be treated.
- There were several objections to the appearance of the original drainage ditch filled with rip-rap. The rip-rap was replaced with river rock.

Under Consideration

- How long will the wall last and what do we do when it fails? According to the engineer, replacing it would cost approximately \$80,000. We obtained another rough estimate of \$35-40,000 to remove the damaged portion of the wall, reduce its footprint, regrade the bank and add a guard rail.
- There are legal issues. The wall is on private property. Are we legally responsible for keeping or maintaining it? What is our liability for damages or injuries if the wall falls?
- The board has opted for a watchful waiting approach. The wall may, and hopefully will, last another 10 or more years. In the meantime, we will seek answers to the legal questions, consider making some structural reinforcements, and reexamine how big our reserve fund needs to be in light of this potential future road related expenditure.

Falcon Road Dam

- On February 8th, the Association, along with two private property owners (Wallace Booth and William Halbert), received a Notice of Deficiency from the State Environmental Office. It requests that repairs to the earthen dam under Falcon Road be made by April 30th. The state maintains that erosion is threatened on the backside of the dam by water from overflow pipes that exit too high. Also, brush on the lake side of the dam must be removed and the bank should be planted with grass. One of the enforcement options is a \$500 per day fine.

- On February 13th, the Association responded to the State, claiming that since it does not actually own any of the property on which the pond or dam are located, it should not be a party to this action. On April 1st, the state responded with the opinion that because we have an easement over the property for road maintenance purposes, we are none the less a responsible party.
- The board met last week briefly to discuss options. We decided to gather information on various repair options in case of a worst-case scenario – removal of the dam which eliminates access to two of our residences. We also initiated contact with Mr. Halbert to try to determine his position. Mr. Booth has not responded to any recent attempts at communication.
- One estimate several years ago was about \$75,000 to extend the overflow pipes to the base of the dam. More recent suggestions are to dig an overflow trench in the backside of the dam and fill it with rip-rap to prevent erosion, or to add pipe to direct the overflow off to the side in the woods where any erosion would not affect the dam. Either of these options would be less than \$14,000.
- After extended discussion, the board decided to seek legal advice with the goal of removing the Association from any legal or financial responsibility. Mr. Halbert has used an attorney in Brevard to handle his response to previous similar actions by the state. We will explore piggybacking on that attorney's previous research and knowledge of the issue. [Note added 4/19 – The original attorney is not available. Joyce and Harvey will meet with David Neuman.]

Spring Cleanup – Chipping

- Our original Fire-wise grant covered costs for only the first year. The association now pays for clean-up. We will pay for up to 30 minutes of chipping per property owner.
- Chipping will take place during the first week in May. Jim Phillips and Chan will inspect brush piles a couple of days before clean-up. If it appears that extra charges will be incurred, people will be contacted.
- We will send a separate “Spring Events” memo with more details.

Other Issues

- We should have better communication. There were questions about the Forest Park wall. Residents are entitled to know.
- A resident has expressed concern about safety issues related to the amount of shooting that is going on. There are no county laws preventing people from shooting on their own property. The board did not consider this to be an actionable item.
- For large maintenance jobs not covered under Chan's contract, we should have written, detailed, firm estimates and competitive bidding. Chan's contract already charges him with this responsibility, but in some instances, the board should manage the competitive process.
- Ed Hauschild was charged with preparing an information package for new residents including such items as by-laws, covenants, escape routes, fire-wise considerations, use of the recycling center, etc. Ed is passing the job on to his wife who originally suggested the idea.

The next scheduled board meeting will be held on July 14th, 2013.

Adjourned at 4:33 pm.