

## POA Board Motions and Vote via Email

June 6, 2024 - Alton sent out a request and consensus about buying signs that he could use to make the POA Board Meeting signs for the POA. All Board members were in favor of Alton choice for signs.

Red Fox Run POA  
Board Meeting Minutes  
July 13, 2024  
Polk County Library  
1:00pm 1289 W. Mills Street, Columbus, NC 28722

**Board Members:**

Present: Andrew Drumheller, Pete Crandall, Justin Pastor, Jeff Haake, Brian Kivin, Boyd Wampler

Absent: Alton Kelley

Quorum present: Yes

Other present: 24 Community members

Meeting Called to order at 1:00pm

Motion to approve agenda:

- Motion – Andrew
- Seconded – Boyd
- Motion Passed 6-0

Treasurer Report: Pete

- The Board closed the road maintenance account and combined it into the general account.
- On Alton's treasurer report it should read 7/1/24 instead of 4/19/24
- Pete went over the budget expenditures.
- Pete mentioned that we currently have five outstanding assessments.

Motion to accept the treasurer's report – Boyd.

Seconded – Andrew

Motion Passed 6-0

Secretaries Report: Jeff

- Copies of the minutes from our last meeting along with email motions and vote handed out to the board.
- These are the same minutes the board accepted on June 12, 2024.

- The online minutes are missing the email motions and vote, and I will resend to Alton and ask him to repost.

Motion to accept the Secretaries report – Boyd.

Seconded – Andrew

Motion Passed 6-0

Landscape Committee Report: Justin

- A landscape contract has been entered into with Eric on 7/8/24.
- Eric will be paid in arrears.
- Justin mentioned that we may have another unofficial cleanup day in the near future.
- Some of the land we maintain is owned by Una, front entrance, and back gate. We maintain these areas to keep the overall appearance of the community.
- Question: was asked about the fence on Hoopers Creek Road.
  - Pete – The board voted and approved (October 2023) for the fence to be stained black. No budget has been given to the project yet.
  - Getting quotes on this project has been difficult and, on the quotes, we received, they have been extremely expensive (\$5,000)
  - We may have a community workday for staining the fence.
- Question: is this the same person who use to do the landscape for our POA
  - Yes. This is Eric Jackson who use to do our landscaping.
- Question: Can Alton send out a Constant Contact about the landscape committee openings?
  - The board mentioned that Alton should send this out along with any other openings we have on any committee.

ACR Committee Report: Brian

- No new home starting currently.
- He does expect to see some new homes start building in the near future.
- The ARC committee is quiet at this time, just basic home repairs.
- Members should check with the ARC before removing trees.
- Dead trees should be dropped and removed. ARC approval is not needed for dead or dangerous trees.
- Bernard's should be finished by the end of the year.
- Jeremy Miller is updating the ARC guidelines.
- Question: What is the process for updating the ARC guidelines?
  - Pete: The ARC committee updates the ARC guidelines and then the Board has to approve the guidelines before they go into effect.
- Question: When the board approves the new ARC guidelines, does this have to pass unanimously or by majority?

- Pete: The Board requires would only require a majority vote to pass the new Arc Guidelines
- Question: was asked about the by-laws and covenants.
  - Pete: By-laws and Covenants require a two-thirds majority of lot owners. The ARC guidelines are from a committee and only require the Board majority.

Welcome / Roster Committee Report: Andrew

- The Shaws are our new neighbors at 464 Hoopers Creek Road
- Contact Andrew with any new member's contact information.
- Question: How often does the Board send out a POA List
  - Andrew – A POA membership list is sent out once a year.
    - If you would like an updated list, please contact Andrew.

Road Committee Report: Boyd

- Paving has been completed for the year.
- Road signs:
  - Many are in bad shape.
  - The committee is looking at aluminum posts and metal street signs.

Comment: A POA member said that they had a good sign maker who uses blown fiberglass which are power coated. These signs look better and last longer.

Question: How long do the wooden posts last?

- Pete: These were put in in the 70's. There is also the expense of wood, boring bees, and painting.

Question: Are we going to redo all of the road signs at the same time?

- Boyd: We have roads that are currently missing signs.

Question: How many signs?

- Boyd: about 30
- Pete: The committee has just started looking into this and it most probably will need to be completed over a number of years due to the cost.

Andrew asked about speeding on Hoopers Creek Road. Could we stencil "STOP" on the road? He talked to a driver who ran the stop sign at Hoopers Creek and Red Fox Circle, the driver said he did not see the stop sign.

Question: Can we add additional signage on the road to ask people to slow down? Can we add speed signs, stop signs, caution signs?

- How to protect kids, walkers, etc.
- One of the most effective ways would be to add additional speed bumps.

Membership Input:

- Karen Norman: How to handle when your RV or Boat needs work that will be completed at your house over 48 hours?
  - Various conversations about trailers and can they be viewed from the road?
  - This is covered under Article X Section 14
  - The Board said that if the maintenance takes more than 48 hours then contact the board with an expected timetable.
  - Question: Should we put a sign on our camper to let our neighbors know we have spoken with the board as this will cut down on call to the board?
  - Karen asked about changing the wording in the by-laws.
    - Pete said that would take 67% of the POA to make this change.

#### Old Business: Pete

- Vehicles on homeowner lot brief homeowner lot
- Social Update
  - Will be held on December 7<sup>th</sup> @ FENSE.
  - This year it will be BYOB.
  - We will again split the alphabet between desserts and appetizers.
  - Make sure you take your platters and serving utensils when you leave.

#### New Business: Pete

- Road Signs – We are looking into this.
- Paving has been completed for the year.
  - Pete's opinion is to stay with paving Hoopers Creek Road for next year. It will take a couple of years to finish Hoopers Creek Road.
- Annual Meeting: 11/16/24 voting procedures
  - Will be held on November 16 at Steps of Hope.
  - If you are interested in running for the Board, please notify the Board by October 1<sup>st</sup>.
    - We will be electing 4 Board members this year.
- Budget Meeting – October 5th
- Next Board meeting – October 12<sup>th</sup> or 19th
- Jeff – Being in favor of having as many members participate as possible, I am in favor of having mail-in voting. But since the By-Laws Article III Section 02 states that voting for Board members is by Proxy or in-person.
  - Motion: Having a true proxy ballot where a member who is unable to be present at the annual meeting gives another POA member the power to cast their vote. All seven POA Board members along with a "other" option would be listed on the proxy ballot. Any member who wished to vote via a proxy ballot would just need to email the POA and we would send them one. We would also have an in-person ballot that would be used on the day of our annual meeting.

- This would eliminate confusion by not having the proxy and in person ballot on the same piece of paper. Then we would have another ballot
- There was much discussion about voting, what a proxy vote actually is and how it is used.
- Motion: Andrew – We have sufficient time to make a change to the By-Laws and add mail in voting. He recommended that we start the process of making this change to our By-Laws.
- Pete said that we should contact our attorney and get his input on By-Laws Article III Section 02.
- Jeff and Andrew table their motion until we hear back from the attorney.
- Jeff - Social Events
  - Being for social events and in favor of having more social events. We should have processes in place to make sure we do not spend more than we take in on social events. For the summer social we spent \$383.00 more than we took in. We need to find ways (potluck, people bringing appetizers or deserts) to ensure we stay very close to revenue neutral for our social events.
  - One person stated that going over \$383.00 was not a big deal to them.
  - Jeff –I was only concerned because since joining the Board, I was told that we could not spend more than we take in. I just want to make sure we are not putting the POA at risk. Hoping to stay to a budget and remain revenue neutral.
  - Pete – The Board looks at the social events and tries to break even for the year not one event. We always make more money at the December social and that will bring us close to breaking even.
  - Pete asks if Jeff had seen the lawsuit. Jeff said no, He was going off of what he had heard at the Board meeting over the past year and a half.
  - Pete said that the attorney had looked over the lawsuit and said we have a lot of wiggle room. Only one Board member said we could spend money on roads and maintenance.
  - More discussion was had. People said they would have paid the \$12 and brought a side dish, potlucks will bring down the cost of the social events, Foxy Ladies runs without a budget, and they have a great time.
  - A member suggested that we have a social committee and let them handle the socials.

The open session of the POA meeting was concluded and the Board went into an executive session.

- Various discussion and votes were had about ongoing issues.
- Motion
  - Boyd - Establish a Social Committee
  - Second – Andrew
  - Motion Passed 6-0

Adjourn - Meeting adjourned at 1:00 pm

## Follow up on meeting discussions:

- Annual Meeting: 11/16/24 voting procedures
  - The following is an email the Board received from Mark Wilson (Board Attorney) on July 17, 2024

Pete: Following up on our call, I took a look back at your Bylaws as well the Nonprofit Corporation Act (N.C.G.S. Sec. 55A) with respect to the use of written ballots. Although Sec. 3.02 of your bylaws provide that the manner of casting votes is in person or by proxy, you are also subject to the North Carolina Nonprofit Corporation Act. The Act provides that written ballots should be allowed unless specifically prohibited by the Bylaws or Articles of Incorporation.

I do not read section 3.02 as a prohibition on written ballots, therefore under the Nonprofit Corporation Act written ballots are allowed. I will note also that section 3.12 specifically allows electronic voting, which would point towards an intent in the Bylaws to open up voting options as well.

■ Mark Wilson

- Road signs and slowing down vehicle traffic.
  - The following is an email from Boud Wampler (Roads Committee Liaison - Red Fox POA Board) on July 17, 2024

I wanted to respond to the concern you had in regard to our neighborhood traffic. Here is some information collected by the Roads Committee. In addition to the existing physical Speed Bumps, this is a list of the existing signage:

Qty 12 - "Speed Limit 20" signs

Qty 6 - "Slow Down. This is our neighborhood" signs.

Qty 2 - "Drive Slowly. Children at Play" signs

Qty 5 - "Caution. Speed Bumps ahead" signs.

As mentioned in the meeting, we are reviewing adding a "Stop" stencil and a line at the intersection of Hooper Creek and Red Fox Circle.

At this time, the Roads Committee and the POA Board think the signage and the speed bumps are sufficient warnings for the amount of daily traffic in our community. We appreciate your input.