



Lowe's Ferry Property Owners Association Annual Meeting
Saturday, February 25, 2017, 9:15–11 am
Louisville Town Hall, 3623 Louisville Road, Louisville, TN 37777

Welcome / Introduction of The Board

Lowe's Ferry Annual POA Meeting was called to order by Julian Smiley.

Patricia Mayhugh confirmed there was a quorum, with sufficient proxies and attendees present to enable official business to be conducted.

Board Members were introduced:

- Julian Smiley, President
- Steve Jennings, Treasurer
- Patricia Mayhugh, Secretary
- Steve Dekanich & Al Stephens, Members at Large

Special thanks were extended to Ron & Cathy Kudich for arranging the meeting venue, and to the Town Of Louisville for their hospitality.

Lot 146

Julian reported that the Board has been following legal guidance for the past year in effort to resolve the hazardous and unsightly condition on Lot 146. A lien was filed in 2016 against the property for violations of the covenants and funds owed the POA. In the absence of resolution, and the increasing funds owed the POA, a complaint has been filed with Blount County Court. The POA's objective is to foreclose on & sell the lot, and recover the POA costs. The Court's ruling is expected this spring.

Owners raised several questions:

Q: Can the POA go after the builder, who has other constructions projects in the area?

A: The builder is the Lot Owner.

Q: Will the foreclosure of Lot 146 cover the POA's costs?

A: The complaint filed with the Court seeks recovery of all POA costs & legal fees.

Q: Can the POA control that a new owner will remediate the site?

A: A provision of the sale will be the obligation to clean up the lot.

Proposed Amendments to the Bylaws

Patricia reviewed the proposed Amendments to the By Laws and explained the Board's reasons for each of the recommended changes.

With respect to:

Article II Section 2 – Terms, Vacancies and Removal.

Now Reads in part: “Directors shall be elected at the annual meeting of the members of the Association. *The terms for which all Directors serve will expire concurrently. . . .*”

Proposed Change: Replace the above with the following:

Directors shall be elected at the annual meeting of the members of the Association. *The regular Term for which all Directors serve will be three (3) years. In order to create staggered terms, in the election for the 2017 Directors, two Directors shall have a term of three years, two Directors shall have a term of two years and one Director shall have a term of one year. The Directors elected at each subsequent election shall have a regular Term of three years.*

The Board’s reasons for recommendation:

- based on 1 yr concurrent Terms, entire Board could effectively be replaced every year
- if all change at same time, there is lack of continuity & history of Board activities
- staggered terms will provide for smooth transition as new Directors are elected

With respect to:

Article III, Section 2. Election

Now Reads: “*The officers of the Association shall be elected annually by the Lot Owners at the annual meeting of members of the Association.*”

Proposed Change: Amend the current language with the following:

“The officers of the Association shall be appointed annually by an affirmative vote of the majority of the Board of Directors.”

The Board’s reasons for recommendation:

- *The Board wants to optimize the skill sets of the elected Board members (ex: Steve Jennings’ financial background makes him an obvious choice for Treasurer)*

Election of Officers

Patricia confirmed no Owners submitted resumes or nominations to the Board, and asked whether there were any nominations from the floor. There were none.

Owners were informed the current Board is willing to continue to serve. If Article II, Section 2 of the Bylaws is approved, Julian & Steve Jennings are willing to serve 3 years, Patricia and Al are willing to serve 2 years, and Steve Dekanich is willing to serve 1 year. If Article II, Section 2 of the Bylaws is not approved, the current Board will each serve 1 year.

The Board entertained questions from the floor before voting.

Q: If there is a Board of Directors, why are there Officers?

A: TN Law requires the organization to have “Officers”.

Al provided Owners with a brief history of the prior Boards.

A request was made from the floor to announce the appointment of Officers within 30 days of the election of the Board. The Board agreed.

Attending Owners were invited to vote and Lisa Lambert was asked to count the ballot results.

2016 Financial Statement / 2017 POA & Marina Budget

Steve Jennings summarized the details of the 2016 Financial Statement submitted to Owners in the mailing of the Annual Meeting Notice. Highlights included:

- Expenses were 2% higher than the 2016 Budget.
- The increase was mainly due to legal fees incurred relative to Lot 146.
- There were no major repair items in 2016.
- At end of year, there was a small surplus.
- Owners were informed that because the POA was barely meeting expenses in 2016, the decision was made to raise Annual POA Dues effective January 2017.
- The Board felt the \$500 annual increase was necessary to begin to build surplus reserves for future major maintenance, and to avoid a separate assessment. These funds will be held in an account designated for future major maintenance.

Steve informed attendees that Owners who purchased the 24 slips in the Lowe's Ferry Marina pay annual dues to cover its' maintenance.

- Dues collected are currently sufficient to cover expenses, and maintain a small reserve.
- There is no intent to change Marina Dues at this time.
- Marina's funds are kept in a separate account.

Steve introduced Lisa Lambert, POA Bookkeeper, whose responsibilities include processing all disbursements & receipts into Quick Book. All transactions are reviewed by Steve.

Financial/budget related questions from the floor were addressed, including:

Q: Does the Board go out to bid for contracted services?

A: Yes. As existing contracts expire, the Board searches for alternative sources and puts the requirement out to bid. Example: Lowe's Ferry was historically contracted with David Neil for mowing. The Board was not happy with Neil's services, and when the contract expired, multiple parties were invited to quote. Based on the outcome of the quote, mowing services were changed to Garber Grounds under a multiple year contract.

Q: Will funds received in the sale of Lot 146 be put in the reserve account?

A: No, any funds received in the sale of the property would go to the general fund to cover expenses related to Lot 146.

Marina Update

Julian updated the POA on the Marina.

Highlighted included:

- LF Marina currently has 24 slips.
- Owners are deeded the boat slip over water.
- Slip Owners are part of a Marina Association who pay annual dues to cover the

infrastructure maintenance.

- All slips are currently owned with 1 sold last year & another removed from the market.
- Thru TVA, LF has the right & permit to extend the marina up to 36 slips.
- Based on construction economics, 4 must be built at a time.
- Currently 1 Owner has expressed interest in buying a slip.
- The further the Marina is extended into the channel, the more expensive to build.
- Most recent slip cost was \$16K for standard slip / \$17.5K for the 2 larger end slips.

Steve Jennings mentioned that although Lowe's Ferry currently has a permit to extend the slips, TVA could retract the permit as some future date. Owners interested in a Marina slip should consider investing sooner than later.

Owners were informed TVA rules require Owners to maintain the shoreline. TVA uses aerial photography to monitor shoreline condition and to insure maintenance is done. Repairs must be done while the water is low. Due to erosion, riprap is currently being installed along the shoreline at the Marina by the POA and by several Lot Owners on the waterfront.

Summary of # Homes / Under Construction / Lots

Steve Dekanich shared the details of the growth at Lowe's Ferry.

- Total Lots: 137
- Currently: 37 Homes Built
 - 6 Approved/Under Construction
 - 2 In ARC process

With the current homes underway and in the approval process, Lowes Ferry is 32% built out.

LF POA Website

Patricia reported that as promised at the 2016 meeting and to reduce the amount of time the Board spends distributing information and copies of Lowe's Ferry documents to perspective owners, the webmaster, SlamDot, was contracted to create an official Lowe's Ferry POA site. Information regarding Lowe's Ferry can be found at www.lowesferrypoa.com.

Contents include:

- Home: Location, Directions
- About Us: POA / Marina & Docks / ARC
- Links to Legal Docs (Covenants, Plats, Rules & Regs)
- ARC Guidelines, etc.
- Annual POA Meeting Minutes
- News & Info
- General Info regarding Gates, Clubhouse/Pool Hours
- Newsletters
- Contact Page
- Mailing addresses
- New e-mail address for anyone to contact The Board

Owners have the ability to send questions and comments to the Board via email directly from the web site.

It was mentioned the following documents will be uploaded soon:

- Clubhouse & Pool Area Conditions for Rental Use
- Rules Pertaining to Construction Site
- Permission to Trespass Form
- Minutes of 2017 Annual POA Meeting

The new Web Site is a means to insure current information is available to Owners and perspective owners. Attendees were assured the web site will NOT replace the current regular e-mail communications and newsletters from the Board.

Operation of Gates & Clubhouse

AI provided the following update.

Gates

- Fortunately few issues with gates this year.
- Biggest operating expense is the telephone lines that control the gates
- At mercy of AT&T U-verse.
- Problems can arise with lightning strikes and with static.
- Ground fault separators are installed for protection.
- POA is contracted with Door King, and their server interacts with the gates.
- Distribution of FOBs is restricted to Owners.
- Remote controls for the gate are available at \$25, which covers the \$7 cost and maintenance fees for services of Door King's server. (These are intended for Owners residing at LF.)

Clubhouse

- The FOBs enable the Board to track who has been in/out of the clubhouse.
- There have been situations where individuals have abused the privilege.
- When situations arise, the Board is able to use the FOB records to determine the party at fault, to address and correct the issue(s).

Julian reported:

- The Board is considering the addition of motion sensors on the clubhouse entrance lights in order to keep Owners safe when using the facility at night.
- AI is looking into the possibility of setting up FOB access to the pool gate. Currently the pool access key code is posted in the clubhouse. Installation of FOB access at the pool is to control strangers from accessing the pool area & trespassing. The intent is not to prevent Owners & their families from using the facilities.
- Streetlights in the development have been checked and repaired. Owners should be aware some streetlights are not hooked up to a transformer. If the hook-up coincides with the construction of a new home, the hook-up fee is nominal, instead of \$5000. Fort Loudon Electric has a 10 foot utility easement across all Lots in order to run conduit. The power company works with the builder to coordinate installation. Communications among the parties is key.

Results of the Vote

Lisa Lambert announced the results of the vote.

- Article II, Section 2 - 3 Yr vs 1 Yr Term for Board of Directors
Approved / Passed by overwhelmingly majority
- Article III, Section 2: Board of Directors appoint Officers from among elected Directors
Approved / Passed by overwhelmingly majority
- Election of Board –
All current members of the Board of Directors were re-elected
Per the passing of Amendment II, the Term for the newly elected Board is:
Julian Smiley & Steve Jennings – 3 Yr (2017 – 2019)
Patricia Mayhugh & Elvin (Al) Stephens – 2 Yr (2017-2018)
Steve Dekanich – 1 Yr (2017)

Cactus Cove / Fort Loudon Cove Docks

Julian requested Owners of Lots 40, 45-51 and 76-80 and 85 to remain after the Annual POA Meeting for a brief meeting on the community docks in each cove. All Owners were reminded the Cactus Cove and Fort Loudon community docks are the common personal property and for the exclusive use of these Lot Owners. The Board has charged the Cove Owners to organize and establish their respective guideline and processes for the maintenance and use of these docks.

Q&A / Comments

Owners were invited to ask questions.

Q: When will the pool be repaired? Will it open early?

A: There are 2 tiles that came off which will be replaced. Pool companies no longer do these repairs, so the Board will be looking for someone to do the repair before the pool is opened. The pool season will be extended if weather permits.
Owners were reminded that 2 years ago the POA replaced the deck furniture, and in 2016 a salt water system was installed to eliminate the algae problems. This system is working well. Julian requested Owners who regularly use the pool area to please keep the Board informed what repairs are needed.

Q: Why is the Clubhouse rental fee for exclusive use so high?

A: Based on experience at other community clubhouses, LF doesn't want the clubhouse used for too many parties. Exclusive use is not permitted on holidays. The rental fee is to cover cleaning costs and repair of any damage.

Q: What can LF do about the activities occurring on the adjacent property & boat ramp?

A: TVA owns the adjacent property. Two years ago there was a major problem.
LF POA spoke with TVA and got Blount County Police involved. The area is regularly patrolled. Owners were encouraged to call the Police if there is suspicious activity.

Q: What happened with the hole in the ground at Lot 69?

A: After submitting plans & starting thru the ARC process, Owner decided they did not want

to live in Lowe's Ferry. The hole in the ground was covered. Lot 69 is currently for sale.

Q: What is being done about the construction stoppage at Lot 127?

A: The Board is aware of the situation and is monitoring. Owner has until the beginning of August to complete construction.

Q: Given the situations at Lots 146 & 127, can builders be restricted from building a spec home in Lowe's Ferry?

A: Anyone, including builders, can buy a lot & build a home. All construction is subject to Lowe's Ferry Covenants and ARC guidelines.

Q: Does Lowe's Ferry have a Facebook or other social media network such as Nextdoor? If not, could one be set up?

A: Lowe's Ferry POA had a Facebook Page several years ago. The individuals administering the site sold their Lot and moved. The page has not been maintained during the past 2 years. Denise Vermeulen volunteered to research what is necessary to reopen/close the existing Facebook Page, and to investigate Nextdoor as an alternative. She will coordinate her findings with Patricia.

Comments:

David Eubanks advised attendees he has 3 Lots for sale. Anyone interested should please contact him.

Owners were reminded that safety is a primary issue, and since Lowe's Ferry is a residential community, there are a lot of walkers and special people living in the neighborhood. All were asked to be mindful of their speed and slow down.

Adjourn

Motion to adjourn the meeting was made & seconded from the floor.

Minutes recorded by Patricia Mayhugh, Secretary, Lowe's Ferry Board of Directors.