

**The Hills at Queens Gap
Board of Directors Meeting - Minutes
Saturday, December 7, 2013
11:00 a.m.-2:00 p.m.
Union County Civic Center
Blairsville, GA 30512**

Board Attendees:

- Billy J. Toups, Sr., President (Lots 11, 12 & 13)
- Ann Caver, Secretary/Treasurer (Lot 69)
- Gary W. Locke, Member at Large (Lot 123)
- William H. Pitts, Member at Large (Lot 119)
- Tracy Sackellares, Member at Large (Lots 109 & 112)

In Attendance:

- Chuck Jones, served on Covenant Review Committee (Lots 106, 107) (Mike Murphy resigned as a Member at Large, Chuck Jones served in his place)
- Guy McMillan, served on Covenant Review Committee (Lot 49)
- Taylor Duderstadt, Chairman, Website Designer (Lots 115, 116, 132)
- Wendell Caver (Lot 69)
- Lisa Toups (Lots 11, 12 & 13)
- Judy McMillan (Lot 49)

Billy Toups welcomed those in attendance. A buffet sandwich lunch was provided by the POA. Billy suggested everyone serve themselves and the group could enjoy lunch as the business meeting was conducted.

Treasurer Report:

Ann Caver, Treasurer, gave the Accounting/Treasurer Report covering the entire accounting period from February 6, 2013 (opening of the checking account with United Community Bank). Waterfront closed the account for Queens Gap and issued a check in the amount of \$4,585.73 to Queens Gap Property Owners. Those funds were used to open an account with United Community Bank (UCB) under the name of Queens Gap Property Owners Association Inc. (PGPOA). Thus, QGPOA started with a beginning balance of \$4,585.73 and deposits received from individual property owners were deposited into the account as they were received for assessment dues.

Deposits: Funds in the amount of \$26,050 have been deposited into the POA account from assessment dues collected from the property owners for 2013. The owners of three (3) lots are delinquent in paying assessment dues for 2013, totaling \$600. However, a lien will be filed against this property owner for these funds, with interest accruing thereon at the rate of 18 percent per annum from the due date, plus a \$ 20.00 late fee, the costs of collection, and reasonable attorneys' fees. Also, at the time of the Board Meeting (December 7, 2013), one property owner had an outstanding balance of \$150.00 for assessment dues, but has since paid the balance.

Expenses:

Summary of Expenses by Vendor for 2013 Jan. 1 – Dec. 5, 2013

Ann Caver	306.90
Blue Ridge Mountain EMC	451.28
G & G Bakery & Café	52.71
Gunther Krieger	8,450.00
Jason Lunsford	1,570.00
Moore Insurance Services	701.00
Mountain Valley Systems	75.00
Office of Secretary of State	30.00
Patton & Lance Law Firm, LLC	75.00
Union County Civic Center	30.00
United Community Bank	<u>105.34</u>
TOTAL	\$11,847.23

UCB Checkbook balance as of 12/2/2013 \$18,788.50

**Approximate Pending Charges for
December 2013-Gate Repair (\$1500);
Blue Ridge EMC (\$50) (Pump and Gate) -1,550.00**

**APPROXIMATE BALANCE \$17,238.50
12/2013**

Maintaining the roads within the complex will be QG POA’s largest expense now and in the future. Billy suggested that a separate account be opening for the QGPOA with a beginning \$15,000.00 deposit made into the account at year’s end. At the end of each year a deposit will be made from the overage in the checking account. The account to be opened should be an interest bearing account, i.e. Money Market Account, where at least some interest will accumulate. The account would be entitled Capital Improvements/Road Maintenance Fund. A motion was made by Gary Locke and second by Bill Pitts to open the Capital Improvements/Road Maintenance Fund.

The Board accepted the Accounting/Treasurer Report as stated.

Revision to the Covenants:

The Covenant Review & Revision Committee spend many man hours revising, tailoring, and adapting the existing Declaration of Restrictions, Limitations and Covenants Running with the Land (“Covenants”) received from Waterfront Properties to meet the ever-evolving needs of Queens Gap. Certain issues occurred over the past several months to warrant changes to be made to the existing Covenants.

Copies of the Revised Covenants were previously distributed to the Board. The Revised Covenants contained the existing Covenants from Waterfront, together with the proposed changes. In order to modify the existing Covenants, a minimum of 2/3rds (92 lots) vote of all of the Queens Gap property owners is required to pass the revised changes.

The Board reviewed the Revised Covenants, together with the Ballot line-by-line and discusses the proposed changes. See below:

ITEM 1 Lines 1 – 44 (Required for transfer to Queens Gap POA)

Replaces Waterfront Group with Queens Gap POA.

Affirmed by the Board per the Committee’s recommendation for Item 1.

ITEM 2 Lines 46 – 144

Adds legal description of Queens Gap as Attachment A

Adds terms and definitions for additional clarification.

No change. Added for information, only.

ITEM 3 Lines 145 – 211

Rights and easements discussed.

Requires that all dogs must be contained within the boundaries of their owners’ property.

Chuck Jones shared, in detail, his personal experience with several dogs running loose in QG. He walks in QG frequently and several dogs charged at him on more than one occasion. This occurred enough for him to discuss the problem with the property owner (dog owner) and when the threat continued, Chuck called Animal Control to file a complaint. The dogs are now considered “nuisance” dogs by Animal Control and will be subject to action if the issue continues. The owners did not think the dogs were a problem. He has now decided to carry pepper spray with him on his walks to protect himself should these threats continue. Also, Ann Caver (also a walker) has elected to not walk because of the dog issue. She has seen the aggressiveness of these dogs and felt uncomfortable with walking after Chuck Jones’ experience.

Tracy Sackellares requested the wording “must be contained” changed to “in control.”

The Board agreed to the change.

Requires that pastures for horses, ponies be a minimum of 1 acre per animal.

Adds language requiring compliance w/ state law.

Affirmed by the Board per the Committee’s recommendation for Item 3.

ITEM 4 Lines 212 – 237

Increases the required lot size that can be subdivided to four acres.

Affirmed by the Board per the Committee’s recommendation for Item 4.

ITEM 5 Lines 238 – 254

Clarifies and establishes minimum house size as 1,100 square feet on main floor.

A lengthy discussion ensued regarding the origination for the Covenants to the POA. It seems the document Waterfront used to generate the POA’s Covenants, parts were cut and pasted from other documents to be used a “foot print.” The Committee spent considerable time to protect the interest of the property owners in QG as they researched, discussed, etc. regarding the square footage (less than 1,100) for a house being built in Queens Gap.

Affirmed by the Board per the Committee’s recommendation for Item 5.

ITEM 6 Lines 255 – 272

Clarifies the allowable number of out buildings as two.

Board member, Tracy Sackellares, asked for clarification as to “attached,” i.e. would a breezeway be considered “attached.” The consensus was yes because it is attached to the main house. All outbuildings need to have the same look as the main house, i.e. steel building would not qualify, pitch of the roof, workmanship, color scheme, etc.

Affirmed by the Board per the Committee’s recommendation for Item 6.

ITEM 7 Lines 273 – 293

Clarifies prohibition of Manufactured or Mobile homes.

The Board members discussed the definition of a “modular” versus a “mobile” versus a “trailer” versus a “manufactured” home. Good example of a modular home being built in Queens Gap on Lot _____.

Affirmed by the Board per the Committee’s recommendation for Item 7.

ITEM 8 Lines 294 – 309

Clarifies and establishes maximum size of solar panels.

Board did not want to discourage owners from using solar panels. Board discourages a full array of solar panels. Board can add a variance on a lot-by-lot situation. Individual variances would depend on location of lot, location on the lot, location to other neighbors, etc. Owners should understand the variance could be revoked as people move into the community and circumstances changes.

Gary Locke did not like the idea of “variances” because it puts the Board in a negative light. Billy Toups also opposed the “variances” issue.

Affirmed by the Board per the Committee’s recommendation for Item 8.

ITEM 9 Lines 310 – 328

Requires adherence to county and state health department regulations.

Affirmed by the Board per the Committee’s recommendation for Item 9.

ITEM 10 Lines 329 – 346

Establishes guidelines for mail boxes.

USPS will not deliver mail into QG because the roads that run within are private roads. The Board encourages property owners to rent a Post Office Box to receive mail. The Board discussed this topic at length as to how the issue should be handled? Gary Locke suggested a bank of mail boxes. The problems with that idea-- no common area, traffic would bottleneck at the cluster site, or it would become unsightly because of circulars being discarded. Billy Toups talked about mail boxes being placed on Hwy. 515, but the DOT and USPS has very specific guidelines regarding placement on the acceleration and deceleration lanes. This idea could be dangerous, as well as large numbers of mail boxes on a busy highway such as 515.

Affirmed by the Board per the Committee’s recommendation for Item 10.

ITEM 11 Lines 347 – 363

Allows property owners to park a RV on their lot to monitor construction activities.

Affirmed by the Board per the Committee’s recommendation for Item 11.

ITEM 12 Lines 364 – 368

Allows resident to permanently store RV’s, boats and similar vehicles in a totally enclosed structure.

Affirmed by the Board per the Committee’s recommendation for Item 512

ITEM 13 Lines 369 – 424

Clarifies regulations for signs.

Affirmed by the Board per the Committee’s recommendation for Item 13.

ITEM 14 Lines 425 – 465

Clarifies that prohibition of vinyl includes soffits.

Requires all detached buildings to be enclosed on all four sides.

Tracy Sackellares wondered about “entertainment areas.” Would those be defined as out buildings? No, was the consensus for the Board.

Affirmed by the Board per the Committee’s recommendation for Item 14.

ITEM 15 Lines 466 – 505

Adds requirement that Board must check building plans for compliance with covenants.

Defines items / requirements that Board will confirm.

The Board must approve and check the floor plans before the construction starts. For example, no vinyl siding, only earth-tone colors, etc. Board would check the

plans against a checklist and return the signed checklist to the Owner. Board would have two weeks to complete the checklist. If the Board has not responded to the Owner within two weeks, the Board is in default and the Owner goes ahead with the construction.

Affirmed by the Board per the Committee's recommendation for Item 15 with the exception as stated above.

ITEM 16 Lines 506 – 626

Defines "fiscal year" dates.

Affirmed by the Board per the Committee's recommendation for Item 16.

ITEM 17 Lines 627 – 844

Removes the previous ARTICLE X

Affirmed by the Board per the Committee's recommendation for Item 17.

ITEM 18 Lines 845 – 905

Allows POA board to grant variances to provisions of the covenants to property owners.

Provides tools for board to enforce covenants.

The Board needs leverage to be able to enforce the rules and keep The Hills at Queens Gap a nice place to call home and to have family and relatives come to visit. If an owner is slack in their responsibilities to the Community, the Board may correct this deficiency by doing the work for the Owner, but charge for the services to correct the deficiency.

Affirmed by the Board per the Committee's recommendation for Item 18.

ITEM 19 Lines 906 – 1035

Adds Legal Description as Attachment A.

Adds Property Information Statement as Attachment B.

Affirmed by the Board per the Committee's recommendation for Item 19.

Adoption of Bylaws:

Billy Toups met with Lance & Patton law firm regarding the Bylaws and the Bylaws were drafted. The proposed Bylaws were reviewed line-by-line by the Board. The Board will consist of 5 members, but no more than 9. The rotation being--one-third elected for 1 year, one-third elected for 2 years, and one-third remaining for 3 years. Gary Locke and Bill Pitts volunteered to rotated off year ending 2013. Tracy Sackellares volunteered to rotated off year ending 2014.

Gary Locke made a motion to adopt the Bylaws as drafted.

Website:

Taylor Duderstadt, designer of the QG website, reported the progress of the Website. He has some minor adjustments to make but basically it is ready for launch. At the January Annual Meeting, he will be prepared to turn over the operation to a person to maintain.

Meeting adjourned at approximately 2:30 p.m.