

Mount Shaddai Homeowner's Association

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Prior to the meeting being called to order Pat Zagers (property owner in El Shaddai and Whispering Springs) introduced herself and requested that our homeowners association consider joining with Whispering Springs homeowner's association in road maintenance to determine if there was a better way to maintain roads. Her husband, Bob Zagers is the new President of Whispering Springs Homeowner's Association since the death of Gene Jaeger. Jerry Freudenthal indicated that it would be brought before the board.

Jerry Freudenthal then distributed certificates of appreciation to those that had helped during the year.

Secretary, Jimmy Godsey passed a card for the members present to sign for Gene's wife Lois and their family.

Minutes- 2004 Annual Meeting

The 2004 meeting was held on October 16, 2004 at the EMS building in the Nantahala Township of Macon County, North Carolina. It was called to order by President Jerry Frudenthal at 1:00 PM.

Reports by Officers

Vice President Tom McLean had no report.

Treasurer Bob Liniger reported that we have \$6,700 dollars in the bank and \$16,000 dollars in accounts receivable. During the year we spent \$23,000 dollars on the tank house. It will be cut over in November of this year. Bob passed out the new balance sheets and vendor list and answered all questions asked. A motion was made to accept the treasures report, it was seconded and passed.

President Jerry Frudenthal reported that very few people had contacted him. He would like more people to get in touch with him with any problems.

Rogers Mays reported that our roads are in good condition.

Bob Liniger reported that we had to replace the old water pump for \$3,000 dollars with a 5 year guarantee. We also had two minor water test failures that he is working to get corrected. Ivan caused electrical outages that lasted four days causing the tank to run dry. We have leaks that are hard to find, so we plan to install more cutoff valves and meters so leaks can be located faster. Bob reported that one lot owner sold their lot and paid all money owed. We still have three lot owners that are way over due.

Secretary Jimmy Godsey reported that we have 28 lot owners present and 30 proxies. A motion was made to accept the minutes of 2003 meeting as mailed it was seconded and passed.

Old Business

Tom Mclean reported that the injection system that we are using on the Hemlock trees appear to be working. We were able to do ten trees and we need volunteers in the spring to finish the other 20 to 30 trees.

New Business

Troy Johnson reported that Bob Liniger will be giving up the Treasurer position and we need someone to step up and take over his duties. If we can't find someone then we need to get a bookkeeper to take over the payment of bills and recordkeeping. The cost would be in the range of \$60.00 to \$100.00 a month. The only way to pay for this service would be to raise the administration fees. After a discussion of the pros and cons of a bookkeeper Pat Zagers stated she would take over the treasurer's duties.

Jerry Frudenthal made a suggestion that we put up a guard rail above the Passmore's house. Other suggestions were made to use railroad ties or concert planters. No action was taken.

Some members were concerned that gravel is not on all roads. Bob Liniger reported that all roads have gravel some more than others. Grass will always grow thru the gravel on roads that are not heavily traveled, but it could be better.

Jerry Fredenthal stated that our covenant is outdated and needs to be updated. To change the covenant it will take 75% of the membership to approve the changes. It would be better to change the entire covenant at one time instead of making one or two changes. Our attorney Rudy Bata stated he has some updated standard "cookie cutter" covenants that other associations are using and would give us a copy. No action was taken.

A discussion was held on changing our Bylaws which is a separate document and can be changed by the Board of Directors or by the general membership. Tom Mclean made a motion to change Article IV Section 1 of the By-laws.

Old Wording: "A voting member shall be a person, firm or corporation named on a current alphabetical list of voting members."

New Wording: *A voting member shall be a person, firm, or corporation in good standing named on a current alphabetical list of voting members.*

A new sentence is to be added "*In good standing means all association fees are paid within 30 days prior to any association meeting.*"

The motion was seconded by Richard Dittman, passed 58-0.

At this time Jerry Frudenthal turned the meeting over to Tory Johnson for a discussion on manufactured homes. Tory asked the membership to keep an open mind and to keep remarks to good taste. He then asked Dan Whitehouse to take the floor. Dan gave a brief summary of their dreams and the steps taken in buying their home. He stated that they took all information to our

attorney Rudy Bata and he signed off on the house as not in violation of the covenant. Dan asked a representative from Clayton Homes to attend that meeting and answer any questions or concerns about their home. Many questions were asked, too many to list, all questions were answered.

NOTE: At this point in the meeting I'm sorry to report that I walked out of the meeting after some unruly and crude remarks were made by one of the homeowners. I apologize to the membership of this association for my action, but I will not serve under these conditions. The rest of the minutes are from the tape recorder and input from other members.

The discussion continued. It was pointed out that our attorney Rudy Bata has stated that it is too late to ask the courts to do something about the Whitehouse's home. It was agreed that a letter be written to the Whitehouse's stating that they are in technical violation of the covenant but no legal action will be taken.

The association will be finding another attorney due to the conflict of interest.

Setting of Fees

All fees will remain the same as last years, except for an increase in the laying of pipe for those that are not presently a member of the water system.

2005 Meeting

The 2005 meeting will be October 15, 2005 at the EMS building in Nantahala Township of Macon County North Carolina. There will be a Pot Luck lunch preceding the meeting at 12:00 PM.

Election of Directors

The following members resigned as directors: Jimmy Godsey, Elmo Neff and Roger Mays. Roger Mays has agreed to still handle the roads.

The following members were elected as directors:

Pat Zagers
Bob Liniger
Tom McLean
Carol Shanaberger

Torrey Johnson
Jerry Freudenthal
Carol Creekmore

There being no further business a motion was made to adjourn the meeting Jerry Freudenthal adjourned the meeting.

Respectfully submitted by,

Jimmy Godsey, Secretary