

**BEAR PAW SERVICE DISTRICT BOARD OF DIRECTORS**  
**REGULAR MEETING MINUTES**  
October 23, 2010 – 9:00 AM

**Directors Present:** Dave Jacobs, Ron Taylor, Jim Awbrey, Dave Black (Randy Barton BP Manager & Chrissie Howard BP Office Manager)

**Directors Absent:** Jack Smith, Arthur Lecours, Steve Darnell

**Others Attending:** See attached list (Attachment #1)

**Call to order:** Dave Jacobs

**Mr. Jacobs began the meeting by stating this meeting is the Regular Meeting of the Bear Paw Service District Board of Directors, October 23, 2010. Mr. Jacobs's states there are 3 board members missing at today's meeting. Mr. Lecours and Mr. Darnell are attending business in California and Mr. Smith is in Orlando, FL. Mr. Jacobs states we do have a quorum. Mr. Jacobs asks Ms. Howard to do roll call. Mr. Jacobs states there are copies of the agenda, the budget report and the minutes from the last meeting if anyone wishes to take one.**

**Reading of Minutes:**

Mr. Jacobs states the minutes from the last meeting have been on the website for more than 30 days and board members have reviewed them as well. Mr. Black makes a motion to waive the reading of the minutes and accept them as presented. Mr. Taylor seconds the motion. Motion is unanimously carried.

**Financial Report:**

Mr. Jacobs delivers the financial report as follows: We have a budget report which represents the first quarter. Note under revenue we are carrying forward \$11,000. \$5,500 is for Roads which was done with an amendment at our last meeting. We have \$26,000 in Clubhouse Modernization. As of September 30, 2010, we have spent \$17,000 of the \$26,000. The renovation of the bathrooms was completed as of 9:00 last night. Mr. Jacobs encourages everyone to take a look at the bathrooms. Mr. Jacobs also states the upstairs turned out very nice. The ladies done a great job with the upstairs. Under General Administration, the Payroll Taxes Expense of \$5,584 is not just for administration. This amount is reflecting our total payroll taxes expense. It was previously separated but is now combined and all under one General Ledger number. We have only taken in \$46,508 from the county and have spent more than that. We have been operating on our CD's and we are fiscally sound. Elaine Ryan speaks from the floor and states she doesn't understand about the snow removal. Mr. Jacobs states we budgeted \$850 and haven't spent any of that yet. Ms. Ryan asks if this is enough money budgeted for snow removal. Mr. Barton states we buy a critical amount of salt and Claude applies it. We are considering another option with a salt spreader and possibly

stocking up more salt than we have in the past. If we do this, the \$850 budgeted will not be enough. Mr. Taylor states Mr. Barton has received a couple quotes from suppliers. Ms. Ryan states they only come up a couple of weeks during the winter and don't want to be snowed in while they are here. Mr. Taylor states the EMT and Fire Dept. was concerned last year about not being able to get into Bear Paw if there was an emergency due to snow and ice on the roads in here. Mr. Jacobs states in the first quarter, we spent \$41,000 of the \$68,000 we have budgeted for Roads. If needed, we can divert some of the funds to cover the snow removal. Mr. Jacobs asks if there are any other comments. No other comments are made and Mr. Jacobs asks Mr. Barton to present the Managers Report.

**Managers Report:**

Mr. Barton presents the managers report as follows:

**Clubhouse:**

The All-Dry system is working great. We have repaired the wiring in the clubhouse. The upstairs looks great thanks to our volunteers. The bathrooms were a long process but turned out beautifully. They not only look good but other issues were resolved such as new lines and the plumbers fixed an old pipe problem. Carolina Water can now cap us off if there is a problem. The odor we had was coming straight from the drain which was bringing in methane gas. We checked with the Health Dept. and they said we are not required to have the drains so we took them out. Mr. Barton states there are several future projects for the clubhouse although none of these will be done during the winter. There is a problem with the upstairs cooling system due to no insulation up there. There is a possibility we may have to install another unit to remedy this problem. We still haven't repaired the beams in the skate room. The contractor scheduled to do this has retired and we have to find a replacement for him. The kitchen needs are mainly cosmetic and we plan on doing something there. The lobby and concrete area outside area going around the corner to the restrooms need completing. The drains outside need attention. We will resume these renovations hopefully in the spring.

**Zoning:**

Currently we have 4 homes under construction and 1 addition.

**Pool:**

We passed 3 inspections during the summer and 1 extra inspection after we had put in another piece of fence. The tile on the pool steps got a favorable ruling from the state so we do not have to do anything there. The Health Dept. said the vacuum ports have to be disabled if we are not using them. This year they told us we have to use those or a portable vacuum system. Terry Woodworth speaks from the floor asking Mr. Barton if the Health Dept. is giving him these things in writing when they tell him he has to do these things. Mr. Barton says no and he understands what Mr. Woodworth is saying but he tries to work with them and not antagonize them. Mr. Woodworth states he had a problem with the Health Dept. one time and went to Raleigh about it and they changed their attitude. Mr. Barton tells Mr. Woodworth he understands what he is saying but they have the power to shut us down. Gail Taylor speaks from the floor asking Mr. Barton if the Health Dept. gives him a reason every time they make him change something. Mr. Barton states we will use the freeze guard again this year to winterize the pool.

### **Fire Wise Program:**

Mr. Barton states the Forest Service people are coming in and doing assessments. They are going to lots and locating property borders. They will be bringing an updated map to us soon. When they do these assessments they will send property owners a letter telling them what they suggest. They will not put a grinder on anyone's lot that has kudzu on it due to spreading. The machinery will spread the kudzu. The Fire Wise program is going a little slower than what we expected. They are finishing up a project in Clay County right now. Brooks Chesser speaks from the floor asking Mr. Barton what they will do about the lots they are unable to get a grinder on. Mr. Barton states he is not sure but will ask them. Mr. Chesser states at the Fire Wise meeting the Forest Service said they had 3 ways of removing the debris; by grinder, by hand and by burning. Mr. Chesser states he is just wondering how they will do it. Mr. Jacobs states they will not do anything without the property owner's approval. Mr. Barton states he looks for them to begin in the next few weeks. Mr. Jacobs states we as lot owners have control over the matter. Steve Jones speaks from the floor stating this will really be a relationship between the Forest Service and the property owner and not between the Service District and the Forest Service. Mr. Jacobs and Mr. Barton agree with Mr. Jones. Mr. Taylor asks Mr. Barton if he will be supervising the process. Mr. Jones states once again this is a relationship between the Forest Service and the property owner. Mr. Taylor states 80% of our property owners are gone so how will the Forest Service get with the property owners. Mr. Jones states by the addresses the property owners provided. Mr. Chesser states they were supposed to begin this process in August and have our addresses of where the property owner's were then. Mr. Jones states Mr. Barton can provide them with addresses if needed. Mr. Jacobs states all the Service District will do is provide an address or a phone number.

### **Kudzu:**

Mr. Barton states the Service District will be starting a program to help with our kudzu problem. We have two options available. The first option is as follows: Mr. Barton states a company came into Bear Paw and quoted a price for spraying Service District property and property owner's individual lots. Mr. Barton states he will post the information on this so that everyone may see it. The second option is for Mr. Barton to get his license this winter and do the mixing of the chemicals himself and have Claude spray the kudzu. Tricia Swiger speaks from the floor asking Mr. Barton how many bids he got and could we get more bids. Mr. Barton states he received one bid from East Coast Right of Way. The price East Coast Right of Way gave was \$90 an acre with a minimum of ½ an acre. Mr. Barton states he doesn't know how many companies do this type of work. Mr. Taylor states we are looking at the two alternatives which are having Mr. Barton and Claude do the work themselves or having East Coast Right of Way come in and do it. Mr. Jacobs states there is Service District property and personal property in Bear Paw. The Service District is not going to get into spraying personal property. The Service District will provide the name of a company for property owner's to use. Bink Webster speaks from the floor asking if property owner's can hire Mr. Barton personally to service their property. Mr. Barton says no, he doesn't want to do that. Mr. Webster asks if any thought has been given to the fill dirt brought into Bear Paw having kudzu in it. Mr. Jacobs states that is an interesting point. Mr. Webster states this is something to think about and why couldn't we do this like we do the road damage deposits. Mr. Jacobs states we are addressing the kudzu report at this time. Mr. Jacobs then asks if there are any questions. Mike Maul speaks from the floor asking if the \$90 was the price for a one time treatment from East Coast Right of Way. Mr. Barton says yes and for the one time spraying of the 12 miles in Bear Paw the estimated price was \$5,236. Mr. Taylor states that is why it

may be better to let Claude and Randy take care of the kudzu themselves and maybe save money. Mr. Jacobs states Jim Awbrey will now present the Roads report.

### **Roads:**

Mr. Awbrey begins by thanking Mr. John Todd for his previous work on the roads. Mr. Awbrey states Mr. Todd had a master plan that got him started and he has just followed Mr. Todd's plan. Mr. Awbrey states he has traveled the roads in Bear Paw to see what was going on and came up with a greatest needs list which included Chittendale, Cherokee Circle, Whispering Pine and Big Bass Trail. We should consider the forgotten roads that people do have lots on as well. So far, we have had no complaints but at some point this needs to be addressed. Mr. Awbrey states he measured areas on Big Bass and Cherokee Circle that needed repaired. There was a problem on Cherokee Circle so repairing a patch on Village was omitted to fund this. Mr. Awbrey states the quote for gravel was \$140 per ton. Mr. Awbrey stated he and Mr. Black went around and noted pot holes with paint. He thinks they covered all the major ones especially the big one out at the entrance. The Culvert at the bottom of Whispering Pine has been stopped up for years. Tyler Jenkins fixed this for \$65 and done a great job. Maybe next year we will have more money in the budget since the major work on the clubhouse is completed. Mike Stoner speaks from the floor stating based on past history there is always something needing repaired or done on the clubhouse. Mr. Awbrey states to get everything done that needs to be done in 2011 on the roads it would cost around \$224,000. Mr. Awbrey states Heather Lane is in really bad condition. A lady got stuck there last winter. The estimate to fix this was several thousand dollars. Half of Mallard was paved last year and a ditch was opened. If we don't pave it, it will deteriorate. This road used to be paved. Mr. Stoner states at some point someone is going to want their road paved and we won't have the money. Mr. Woodworth states he is concerned about the rock that is being used in here. Mr. Awbrey states we are changing to crush and run and this is also cheaper. Mr. Awbrey asks if there are any questions. Mr. Maul states he has noticed people are putting any type of culvert in they wish to use. The black culvert most are using is causing problems. Is there some way we can regulate this. Mr. Awbrey states there is no control here where water goes. The water is not supposed to go onto a neighbor's property. There is a problem right now on Village. There is not pitching on these roads. Mr. Awbrey states he doesn't know how we would control it so that someone wouldn't be able to have water running on to someone else's property. Mr. Jacobs asks if the county has any kind of regulations. Mr. Maul states the state does but the county doesn't. Mr. Maul states that a lot of counties require a driveway permit. Mr. Jacobs asks Mr. Barton to make phone calls and research what the state requires when someone puts in a driveway.

### **Unfinished Business:**

Mr. Jacobs states we have no unfinished business.

### **New Business:**

Mr. Jacobs's states there were a number of complaints over the summer about people smoking inside the pool area. Mr. Barton had to clean up tobacco juice that was spit onto the pool deck. Mr. Jacobs's states he would like to have Mr. Barton put up "Tobacco Free" signs in the pool area. Elaine Ryan asks how we would enforce this. Tricia Swiger asks if there are ashtrays for people to use outside the pool area. Ms. Swiger states the board should think this through because a freedom would be taken away and they are only looking at one side of the story. Mr. Jacobs states Jean Murtagh has approached us about buying 2

cigarette disposals for outside the pool area if the board approves this. People can step outside the pool area to smoke. Ms. Swiger states it is a matter of courtesy and suggests there be a smoking and non smoking area. Jim Kelley states he thinks it is reasonable to make the pool area a non smoking area. Steve Jones states if these signs were posted we would have to enforce the policy and Mr. Barton would have to go out to the pool and ask people to quit smoking inside the area. Mr. Kelley states it would not be reasonable to have Mr. Barton do such thing. Mr. Kelley also states we have signs posted all over for no speeding, no guns, etc. that are not enforced. Mr. Jacobs makes a motion to adopt a policy to make the pool area a posted non smoking area. Mr. Awbrey seconds the motion. Motion is unanimously carried. Mr. Black states this will be hard to enforce. Ms. Swiger asks the board to include a designated smoking area into the proposal. Mr. Kelley asks if there are plans to put the lines back on the roads. Mr. Awbrey says yes. Mr. Black states this will be done this spring and is already in the plan. Mr. Awbrey states reflectors around the curves would be a good idea. Mr. Black states we can consider doing this in the spring. Mr. Jacobs states this concludes the new business. Mr. Jacobs asks if there was anyone on the sign in sheet that wished to speak. Terry Woodworth states he thinks it would be helpful if the board set some direction on the remaining remodeling let to do on the clubhouse. The upstairs was supposed to have been insulated then someone objected due to not wanting to cover up the rafters. This is what has caused the problem with the cooling of the upstairs. We need to do things from a functional point of view and not let aesthetics get in the way. Mr. Jacobs states he does not know when we lost the Clubhouse Modernization Committee. Mr. Jacobs suggests we reestablish a Clubhouse Modernization Committee. Mr. Jacobs would like to see Terry Woodworth and Bob Edwards oversee the project so we spend our money wisely. Mr. Jacobs asks if there are any board members that object to this. Mr. Jacobs appoints Mr. Edwards, Terry Woodworth and someone else that Mr. Edwards and Mr. Woodworth approve of to reestablish the committee. Mr. Maul states Jack Smith once said that when we completed what we had going on now we were going to wrap up with the clubhouse. Mr. Jacobs states we have completed but what about maintenance and maintaining. Next year's budget will contain a Clubhouse Maintenance budget. Mr. Jacobs states we do have ongoing issues that are not new projects.

**Announcements:**

Next meeting will be March 12, 2011 Regular Meeting  
Dean Ware's Retirement Party this evening beginning at 6:00pm

**Adjournment:** Mr. Awbrey made a motion to adjourn the meeting. Mr. Black seconded the motion. Motion was unanimously carried.

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**Date**

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**Arthur Lecours, Secretary**

**\*Attachments:**

**Attachment #1 Speaker/Sign-in Sheet**

**Attachment #2 Budget Report**