

Firefly Cove Property Owners Association, Inc.

Board Meeting

April 26, 2023

Location: Firefly Cove Lake Lure, North Carolina – The Lodge

Roll Call/Call to Order: The meeting was called to order by President Al Joyner at 3:45pm

- Directors present: Al Joyner, Greg Gardner, Steve Dunn, and Joe Pritchett
- Directors Absent: Mike Knowles, present by Conference Call
- Officers present: Mike Kirkman
- Property Owners present: None
- Quorum: there being enough Board members present a quorum was established.

Approval of Agenda for April 26, 2023 Board Meeting

- A motion was made to approve the Board Agenda of April 26, 2023. The motion was seconded and approved with a 5-0 vote.

Approval of Minutes from March 30, 2023

- A motion was made to approve the Board Minutes of March 30, 2023. The motion was seconded and approved with a 5-0 vote.

Property Owners Input/Comments/Concerns : None

Updates and Old Business

- Mike Kirkman Updated the Board on the Balances of Bank Accounts as of March 29, 2023
 - **Operating Account** \$60,469 (includes \$6,000 compliance fee and \$18,500 Pinnacle Gate)
 - **Unrestricted Reserve Account** \$111,773 (includes 4-week T-Bill \$80,000 and I-Bond \$10,000)
 - **Restricted Reserve Account** \$8,596 (includes \$5,000 4-week T-Bill and \$2,000 refundable fee)
- Mike Kirkman reported that \$966.99 was transferred from the Reserve Account to the Operation Account to replace the POA Kayak

- Mike Knowles started a conversation about installing stacked stone to prevent sloughing at the Bridge wing wall for erosion control. Mike Knowles requested bids from two separate contractors to complete the work. After a discussion a motion was made to award the contract to Obaro Landscaping to complete the work by June 15. The cost is not to exceed \$2,500. The motion was seconded and approved with a 5-0 vote.
- Steven Dunn presented the Covenant to Amend the Firefly Cove POA Covenants that would Indemnify Firefly Cove POA for circumstances in which injury or property damage occurs anywhere on POA owned property or common area. A motion was made to approve the amendment to the covenants. The motion was seconded and approved with a 5-0 vote. Joy Ciocca will send the ballot to the Property Owners for approval. A 67% affirmative vote by the Property Owners is needed for this covenant to be added to the Firefly Cove POA Covenants.
- Al Joiner made a motion to approve the Memorandum of Understanding between the POA and the Owners of Lot 45 for landscaping the Village Gate entrance area entry (sign/rock, gate entry pad, and gate support is located on Lot 45). The Memorandum of Understanding will be published in the Minutes. The motion was seconded and approved with a 5-0 vote. (See Below)
- Joe Pritchett reported that dredging was on hold until the Lake returns to full pond.
- Mike Kirkman reported that Bob Cameron has made an application to Duke Energy for the installation of a temporary power pole for the Pinnacle Gate. Bob Cameron will meet with the Duke Engineer about the location and cost of the installation. Al Joyner tried to contact Gaston Fence Co for a second bid. There was no response. Steve Dunn, Greg Gardner, and Joe Pritchett met the Owners of Lot 43 at the site of the Pinnacle Gate proposed location. The proposed site of the Pinnacle Gate was acceptable to the Firefly Cove POA and the Owner's of Lot 43.
- Greg Gardner contacted Tirado's' Landscaping Company for an estimate of the cost to remove the excess debris to maintain the road and culverts in the Pinnacle. A motion was made to approve the Tirado's Landscaping bid of \$150. Future Clean Up will be on an as needed basis. The motion was seconded and approved with a 5-0 vote.

Board Discussion Items

- At the request of some property owners, Mike Knowles started a discussion about removing the birch trees by the west side of the dock. Greg Gardner met with the Town of Lake Lure Representative and was told that No Trees within the 995-foot lake level and/or the trout buffer zone are allowed to be cut down or trimmed. There was no further discussion.

Executive Session

- There was no Executive Session

The date of the next board meeting: April 26, 2023 at 3:30pm in the Lodge

Adjournment: The meeting was adjourned at 2:37pm

**Firefly Cove Property Owners Association, Inc.
And Owners of Firefly Cove Lot 45 (John and Karen Chapman)
Agreement Per Discussion with John and Karen Chapman September, 2022
Documented April 26, 2023 Through This Memorandum Of Understanding**

Firefly Cove Lot 45 is referenced from WNC Land Surveyors drawing of the Firefly Cove Subdivision and recorded in the Rutherford County North Carolina public records Book 28 Page 285.

Lot 45 is subject to Article 3 Section 3 of the DECLARATION OF COVENANTS, RESTRICTIONS, EASEMENTS, RESERVATIONS, TERMS AND CONDITIONS GOVERNING FIREFLY COVE, A MASTER PLANNED COMMUNITY, IN RUTHERFORD COUNTY, NORTH CAROLINA which states:

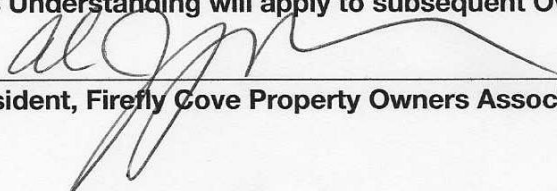
Gates and Attendants; Restricted Access to Lake Lure. Declarant and/or the Board may, but shall not be required to, provide a gate(s) at or near the entrance(s) to Firefly Cove which gate(s) may or may not be supervised by one or more attendants for the purpose of limiting vehicular and pedestrian access to the Subdivision. In addition, the Declarant and/or the Board may establish restricted access points to and from the Lake Lure water body.

A Firefly Cove entry sign/rock, gate entry pad, and gate support is located on Lot 45.

In exchange for the use of the Area Easement and use of the area for the Firefly Cove entry sign/rock, gate entry pad, and gate support as located at the Village Entrance, the Firefly Cove Property Owners Association, Inc. will provide the following:

Maintenance of the gates, monument (rock), landscape and sprinklers servicing this area. Grounds maintenance service is defined as grass cutting, weed control, trimming, leaf blowing, mulching and plant landscaping west of the ridgeline running from the gate along an area just behind the monument (rock). The landscaping described herein should be in keeping with the landscaping standards of Firefly Cove. Trimming will include the first row of shrubbery located on the ridgeline. The trees east of the ridgeline will be the liability of and maintained by the Owners of Lot 45. However, the owners of Lot 45 grant permission to Firefly Cove Property Owners Association, Inc. to trim those trees at the discretion of Firefly Cove Property Owners Association, Inc. to maintain the health of the landscaping (allowing proper sunlight,...) within the area described herein. There are utilities underground for the community which are not the responsibility of the Owners of Lot 45. Firefly Cove Property Owners Association, Inc. recognizes it is responsible for any damage caused by the Association as it fulfills it's obligations per this agreement. Damage to these utilities caused by any other parties will be that party's responsibility to correct/replace/repair to the prior condition/functionality. Ground maintenance is within the designated area as shown on Attachment A.

This Understanding will apply to subsequent Owners of Lot 45, their assigns and heirs.



President, Firefly Cove Property Owners Association, Inc

4/26/23

Date

Approximate
Ridge Line

Gate
Keypad

Berry
Tree

