



May 2023 XLII  
**Carolina Preserve**  
**HOA NEWS**

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**"A good neighbor – A found treasure"**  
**--Chinese proverb**

## HOA President's Comments

*by Judy Nixon*



My comment today addresses one of the least desirable duties of the HOA Board of Directors, enforcing resident compliance with HOA governing documents. For new residents and not so new, it is important to remember that Carolina Preserve is appealing and attractive to its residents and those looking to reside here because of its curbside appeal, greenery and good homeowner and HOA property maintenance, among other things. The HOA Architectural Design Guidelines (“Guidelines”), which promote and protect CP’s curb appeal, are part of the CP community’s governing documents and have been updated and kept current as the community has evolved and grown. All owners agree to comply with CP governing documents when purchasing in CP, because it is so important to maintain property values and the physical appeal of CP. One of the Board’s responsibilities is to ensure enforcement of the HOA’s governing documents, including the Guidelines. Authority to cite residents’ violations and direct the remedy for curing any violations is delegated to the General Manager, Christine Hast, and the Operations Director, Robert Hamilton. The Board is responsible for reviewing, hearing, and deciding appeals of those citations and remedies and imposing sanctions for continuing violations as provided for in CP’s Declaration of Covenants. With the foregoing in mind, the Board believes it is necessary to address what appears to be an increase in certain Design Guidelines violations so residents can avoid violation citations.

Recently, the Board has been receiving numerous resident complaints about homeowners who are not power washing siding and driveways/sidewalks that have mildew, fungus or mold; are planting street and side trees that are not approved and/or do not conform with the size specifications set forth in the Guidelines; and tree topping, i.e. cutting all the foliage down to the branches, leaving just a trunk and bare limbs. All the foregoing are violations of the Design Guidelines. Christine Hast also sent out an eblast in April notifying residents about these and other requirements. Just to recap, properties that have mold, fungus or mildew on their siding and/or driveways/sidewalks need to have it cleaned. **See Section 5, Maintenance Policy.** Replacement trees must be those approved in the Design Guidelines and must conform to the size specifications, 2” caliper of the trunk and 8’ high. **See Section 3.3.25, Trees. Tree topping is prohibited** unless the homeowner has received a written arborist’s opinion it is necessary for the health of the tree **and** it has been approved by the Architectural Review Committee (“ARC”) via a Modification Request (“MR”). **See Section 2.4 PP, Prohibited Modifications and 3.3.25, Trees.** Residents who have had their street and/or side trees topped without prior MR approval by ARC, will receive a violation citation and directive to replace the tree(s). Residents are responsible for being familiar with and complying with all sections of the Design Guidelines, which can be found on the CP website under “Governance” “Design Guidelines.” It is everyone’s responsibility to maintain and keep Carolina Preserve an attractive and appealing place to live and we appreciate everyone’s efforts in doing so.

## **I Want to Know... Frequently Asked Questions**

*This recurring HOA Newsletter article addresses frequent questions by Carolina Preserve Residents.*

**Q:** I have reviewed the Estimated Schedule of Goals and Objectives for 2023 that are found in the Board Minutes and have some concerns. Why are we so far off from our projected dates? Are the projections unreasonable? Are there too many projects to manage and oversee? Specifically, the pool and pavilion projects. The May timeframe states the outdoor pool decking repair/replacement will be in process/completed in May but then listed as completed in August. Does that mean the outdoor pool may be closed all summer for decking repairs?

**A:** The Estimated Schedule of Goals and Objectives for 2023 are just that, an estimate for reporting purposes to the CP community of work to be completed or that will be in process by the time of the Community meetings in May and August and the Annual Meeting at the end of the year. We are not far off the projected dates and the estimate is not unreasonable in that setting goals keeps the Board and Management focused and accountable for getting the work done. But things do get delayed due to unforeseen circumstances outside the Board or Management's control. The Pool and Pavilion are perfect examples. The Pavilion was originally scheduled to be completed in 2022, but COVID struck causing manufacturing and distribution delays. The latest Pavilion delay relates to electrical work delayed due to weather and then to the non-responsiveness of the original electrician. Another electrician has been sourced to complete the work and then the Town of Cary must complete its electrical work inspection. The completion of the Pavilion will be very soon. The indoor pool and spa were scheduled to be completed by the end of March but there was more extensive surface deterioration than expected and unanticipated electrical work discovered that needed to be addressed. We're happy the indoor pool and spa were reopened on April 25th. As for the outdoor pool, the schedule indicates that the work will be started and projected completed by the May Board of Directors' Community Meeting. The outdoor pool will not be closed all summer.

**Q:** I believe the hybrid meeting idea should be discarded. It has not worked for months and residents are not happy with this format. The number of participants has not increased significantly since trying the hybrid system and the frustration level has risen. I am not unfamiliar with computers but nothing I do will let me access the feature that lets me ask questions.

**A:** The first live test of the hybrid system was at the March Open Board Working Meeting. That was the first and only live test with residents to date. So, we respectfully disagree it has not worked for months. Regarding residents not being happy with this format, you are correct and the Board agrees that the first test did not go well, but there has not been widespread community frustration or unhappiness expressed to the Board about use of a hybrid system in general. In fact, it was a resident recommendation during the strategic planning resident focus groups in 2022, that the 2022 Board accepted and the 2023 Board is researching. The data show that the number of participants is still much higher with virtual meetings and those who view the video recording afterwards, than in-person meetings, which the Board has explained on numerous occasions is its priority. With further testing the Board will be able to make an informed decision whether to conduct hybrid meetings, but we do not have the data yet. If you are having difficulty using the chat feature on your computer, you can contact the Information Technology Committee (ITC) for assistance.



**Q:** What are the criteria for subjects being discussed in Executive Session meetings? In my experience these meetings are to discuss sensitive issues not for approval of repair costs.

**A:** First it is important to understand that there are several types of meetings; Board of Directors Executive Sessions, Board of Directors meetings (open and closed), Board of Director Community meetings and member Annual meetings. One difference between the meetings is whether minutes are kept, which are not required for Executive Sessions. Another difference is whether the meeting is a Board of Directors open/closed meeting or a member, i.e. owner's meeting. NC statute does not require Board of Directors meetings to be open, however, to provide transparency to the community, the Board of Directors decided years ago to open their meetings to residents as observers. Board of Directors Community Meetings are held to report to the community on the Board's work to date and provide owners and residents the opportunity to comment and ask questions. The Annual meeting is required by statute, and its topics include electing Directors to the Board, ratifying the next year's budget and providing owners and residents with the opportunity to comment and to again ask questions about community concerns or topics of interest.

Regarding your specific question about Executive Sessions, these are Board of Directors meetings to discuss any number of topics, but except for confidential matters, no decisions or votes are taken during these sessions because minutes are not kept. Some topics include but are not limited to contract discussions, vendor interviews, resident noncompliance with governing documents, legal issues, and personnel matters, all of which are confidential. However, it is during the Board of Directors Open Working Meetings and closed meetings that minutes are kept, and decisions and votes are taken to approve repair costs, if necessary, pursuant to the Finance Policy. Even confidential matters voted upon and approved during Executive Sessions or closed Board of Director meetings, are ratified during the open sessions for community information and transparency. Contrary to your assertion, approval of repair costs is not done during Executive Session.

**Q:** The covers on the mailbox posts look great and was a great idea to have them done for the community. But there are a lot of rusted mailboxes and some numbers in bad condition. What is going to be done about that?

**A:** The maintenance of mailboxes, including the posts, is the responsibility of homeowners. As the Board explained when the Mailbox and Signpost Task Force recommendation was accepted and implemented, HOA repair of the mailbox posts was a one-time occurrence, to bring all posts into compliance and be able to hold the landscaping company accountable for any damage to the posts. It did not mean the HOA was going to be responsible for the ongoing maintenance of the posts or the mailboxes themselves. Owners whose mailboxes do not comply with the ARC Design Guidelines for mailbox maintenance, will be cited for the violation. If not remedied, sanctions may be imposed pursuant to a due process hearing. Please refer to Section 3.3.15 of the Design Guidelines for the mailbox maintenance requirements. The ARC Design Guidelines can be found on the CP website under the "Governance" tab.



# CP News in Brief

May 2023

MONTHLY UPDATES

Vol 2 Issue 5

## May Board of Directors Community Meeting:

The Board of Directors Community Meeting will be held virtually on May 16, 2023, from 6:30 pm to 8:00 pm. The Board will be reporting to the CP Community the status of many 2023 projects as of the date of the meeting. These include Beckingham Park Loop refurbishment, the Pavilion, the CP Reserve Study, front fountain conversion, Marsalis and other topics. You will have the opportunity to ask questions or provide comments to the Board. These meetings are for you to stay informed and know what is going on in your community. Please plan to attend.

## Amberly Master Capital Improvement Task Force Survey:

In May or early June you will receive a survey from the Amberly Master Capital Improvement Task Force (CITF) asking for your input on how the Amberly Master area can be enhanced or improved to add positively to your resident experience at those facilities. The survey will focus on physical infrastructure, such as the Amberly clubhouse, the amphitheater, the gym, the surrounding grounds, etc. Surveys are opportunities to give voice to your ideas, concerns and suggestions. Please take advantage of these opportunities when they arise. Remember, Carolina Preserve and its residents are part of the Amberly Master Property Owners Association. Your input is important and CITF wants to hear from you.

## Is Your Email Correct?

Having your correct email on file with Kuester Management is critical to you receiving important information about Carolina Preserve. There are some owners who have multiple emails on file and no indication of which email is primary. Last year, due to a postal delivery delay of the Annual Meeting hard copy notifications and budget materials, the Annual Meeting had to be delayed and CP owners who did not have their emails on file with Kuester, were impacted by that delay. Those owners who had current emails on file received those materials on time and ahead of the Annual meeting. Additionally, the HOA uses owners and residents' emails for electronic notifications, voting, and delivery of other materials. For example, if there is an announcement about Bradford Hall being closed, or the pool reopening or another important issue, the email you have on file with Kuester Management is used to send out an Eblast. Lifestyle and HOA Newsletters are sent electronically so you can keep up to date with what is happening in your community. Using electronic media saves the HOA money and provides expedient notifications and information. If you do not have an email on file, please provide one. If you do not have a current email on file, please update your email information with Kuester at <https://kuester.com/>. To update your email with the HOA, log into Club Express, hover the mouse over your name in the upper right of the screen then click "Profile". In the next display, click "Basic Member Information" which will open to fill-in boxes. Under "Other Info" enter or edit your email address. If you have questions, you can go by Bradford Hall and ask the front desk to assist or find staff who can assist you. Don't miss out on important information!

# CP News in Brief

## What's Happening at CP?

Ever wonder what's happening in your community? Want to know what the status of a project is? Have other questions? The information you want is there, almost at your fingertips, but maybe you are not aware of where to look. So here is a thumbnail of the resources available to you. Every Friday, there is a Lifestyle Newsletter sent out via email that contains information about community and club events and a calendar of events. Every month there is an Open Board Working Meeting on the 3<sup>rd</sup> Tuesday of the month and an HOA Newsletter is sent by email at the beginning of each month, both of which provide the community with current information about Carolina Preserve. Both Newsletters also can be found on the CP website homepage along with a video recording of that month's Open Board Working Meeting, if you missed it. That leads us to the CP website, which not only provides event information but the resources to make court reservations under "Resident Services," reserve a room at Bradford Hall under "Clubs" and much more. If you have questions about an event, you can find the calendar on the homepage under "Community." If you want information about your or the HOA's responsibilities, go to "Governance" "CP Documents" "Policies and Procedures" or "High Level Laws and Laws" the latter of which includes CP By-Laws and the Declaration of Covenants. Other sources of information are Meeting Minutes, Eblasts and Surveys. Community information resources are there for you to access quickly. Give it a try.



# 2023 Financials At A Glance

By Jerry Warren, HOA Treasurer

OPERATIONS (\$000'S)				
	March YTD			Full Year
	Actuals	Budget	B/(W) Budget	Budget
Income	1,219	1,220	(1)	4,900
Uses:				
Reserves	(196)	(178)	(19)	(875)
Expenses	(950)	(1,054)	104	(4,046)
Net	73	(11)	84	(21)

**Note B/(W) means: B is a positive number: higher income or lower expenses  
(W) Is a negative number: lower income or higher Expenses**

RESERVES + EQUITY (\$000'S)						
	Replacement	Villa	IIF	Painting	Oper Resv (Equity)	Tot Reserves +Equity
12/31/2022	1,050	310	102	41	638	2,141
Contributions	170	-	22	5	73	270
Interest	5	1	-	-	-	6
Expenses	(178)	-	(111)	(7)	-	(296)
3/31/2023	1,047	311	13	39	711	2,121

# Treasurer's Comments

By Jerry Warren, HOA Treasurer

March revenues were \$412K, \$4K above Budget due to a few minor overages in various fee accounts. Expenses were \$16K under Budget due to lower payroll (-\$2K open position) and several other monthly timing variances (-\$13K landscaping costs, -\$1K other). This resulted in monthly net of \$18K, \$20K over Budget for March and \$84K favorable YTD. Despite the 1<sup>st</sup> quarter positive variances, our re-forecast for the year still remains close to Budget in that most of the favorability is due to monthly timing differences that should reverse as the year progresses.

Resale fees were on Budget in March with five home sales. Resales have now picked up after a slow start in January and February and we are \$11K below Budget on a YTD basis. So far there have been five resales in April month-to-date..

The Replacement reserve is now at \$1,046K, down \$24K from last month. This month's major expense items were \$42K for the indoor pool renovation, \$8K for stormwater management, and \$5K for the Marsalis project.



## **ARC Makes It Easy For You**

**By Ken Merten, Architectural Review Committee**

The paragraph below was previously published, but there is a need for further elaboration.

“One issue that surfaces too frequently is the replacement of a street tree with a tree that is smaller than the minimum requirements (2” caliper measured at 6” off the ground, and 8’ tall). Keep in mind that having to remove a newly planted tree and replacing it with another larger tree can be quite expensive. Your contractor is in the “business” of selling trees, but the homeowner must be in the “business” of making sure that the tree conforms to the minimum standards.”

A couple of things, first is that removing and replacing a street tree is a Fast Track. Submitting a Fast Track form stipulates that you agree to all the requirements listed on the form. For street trees, you must identify the type of tree you will plant. This implies that you need to have purchased the required size tree BEFORE you submit the Fast Track, which only takes a minute or two to fill out, and then submit it to the ARC drop box outside Bradford Hall. Then you can immediately proceed with the replacement.

One other element regarding street trees is that ARC will be doing post audits as soon as possible after the new trees have been planted. If there is an issue with size, Robert Hamilton, Facilities/Operations Director will be informed which will initiate the violation process.

Keep in mind that CP’s Street Tree guidelines have been mandated and approved by the Town of Cary.

Some homeowners have had difficulty finding the tree of their choice in the required size, which can be an issue. The only alternative is to select a different type tree, and the Design Guidelines offers 14 different choices in order to meet the Guidelines.

# Architectural Submissions

## Everything you need to know for Architectural Submissions

Robert Hamilton is your staff liaison to the ARC Committee and will be processing all architectural request submissions.

He can be reached at [RobertH@Kuester.com](mailto:RobertH@Kuester.com)

A box labeled ARC Modification Request and Fast Tracks is beside the front entrance at Bradford Hall.



Note: All Modification Requests to be placed on the agenda for consideration MUST be turned in at Bradford Hall by Wednesday 12 noon, seven days before the scheduled meeting.

Meetings are held twice a month on the 2<sup>nd</sup> & 4<sup>th</sup> Wednesdays

Please note the box is for architectural requests only – no other forms of communication will be accepted through this box.

**If you email your request, it must be in PDF form and not by a picture from your phone or JPEG.**

# Lifestyle Advisory Committee (LAC)

by Lynnette Womble, LAC Chair

The mission of the Lifestyle Advisory Committee (LAC) is to support the strategy of the HOA Board and the Lifestyle Director in the planning and implementation of a positive, active and diverse lifestyle at Carolina Preserve.

The HOA Board has assigned the committee certain operational tasks which include supporting the execution of fundraising events, conducting biannual lifestyle and fitness surveys, researching new lifelong learning classes and lecture series through Carolina Preserve University (CPU), offering quarterly new resident orientation sessions, sponsoring an annual picnic, and any other initiatives that arise in support of the strategic plan. With only the first third of the year gone, the 2023 LAC has already made enormous strides in meeting these goals.

The biannual lifestyle survey was conducted in March and the results were recently published to the community. The LAC and our Lifestyle Director, Terrie Murray, have listened to the community and looked at those items which scored particularly high in interest level. In the area of **entertainment**, tribute artists and stage shows with singers scored high, and there will be three such programs coming up in June, July and October. Top-scoring **services** desired included the evening food trucks which continue on a weekly basis, and the symphony whose representatives were on site in mid-April to sell discounted tickets. Other services that residents said they want, such as knife sharpening, shredding and electronic recycling have been scheduled. **Outdoor activities** of high interest cited a yard sale, which was held April 22. Holiday cookouts and a community picnic were also popular, and the LAC is considering combining a community picnic with the dedication of our new pavilion. **CPU classes** in history, technology and social issues also scored high in interest.

CPU multi-week classes already completed are Great Decisions, lectures on the Holocaust, old world vs new world wines, and ethics. Single lectures on artificial intelligence (AI) and L. Frank Baum, author of the Wizard of Oz, proved very popular and the lifestyle survey results indicate that more such individual offerings are desired. A series on British explorers is currently underway. Coming up this summer will be a series on climate change, a series on the Civil War in North Carolina, and a presentation on Medicare vs Medicare Advantage along with the NC State Health Insurance Information Program. Ideas for fall are in the works.

## Lifestyle Advisory Committee (LAC)

The spring vendor fair, a fundraising event, which emphasized health and wellness vendors, was held in February and the high-level-interest wellness events on eat/move/avoid diabetes, flu shots and the Medicare presentation are all on the calendar.

The first New Resident Orientation Workshop for 2023 was held on January 30<sup>th</sup> and the next one is scheduled for Saturday, May 6<sup>th</sup> 10-noon. Additional workshops will be held in August and November. New residents to the community have given very positive feedback on these presentations.

Watch your email, the Friday Lifestyle newsletters and the community calendar for upcoming events!

2023 LAC Members: Harlean Botha, Alora Burton, Marianne Frisch, Linda Laurich, Jackie Millslagle, Louise Stanley, David Streifford, Gayle Streifford, Lynnette Womble



Lifestyle

# 2023 Committees

## Architectural Review Committee

Steve Botha | John Bongino | Elizabeth Diton | Bill Gurecki  
Claire Hammitt | Ken Merten

Board Liaison: David Jackson | Staff Liaison: Robert Hamilton

## Club & Group Advisor Committee

Wanda Abel | Claudia Clissold | Joel Glassman | Cynthia Jackson  
Cara Lehman | Francine McElhinney | Marie Milazzo  
Paulette Shekell | Sandra Stein

Board Liaison: Robert Griffith | Staff Liaison: Laurene Adkins

## Finance Committee

Dennis Curtin | Steve Harrison | Don Ferranti | Dennis Hefner  
John Kasarda | Rahul Parikh | Paul Wolf | Ted Young

Board Liaison: Jerry Warren | Staff Liaison: Christine Hast

## Information Technology Committee

Jean Curtin | Dennis Curtin | Alan DeCrane | Margaret Horst  
Amy Levine | Robert Willenberg

Board Liaison: Sharon Valvona | Staff Liaison: Glenda Hunter

## Lifestyle Advisory Committee

Harlean Botha | Alora Burton | Marianne Frisch  
Jackie Millslagle | Louise Stanley | David Streifford  
Gayle Streifford | Lynnette Womble

Board Liaison: Jeff Diton | Staff Liaison: Terrie Murray

## 2023 Board

**Judith Nixon**  
President

**Robert Griffith**  
Vice President

**Sharon Valvona**  
Secretary

**Jerry Warren**  
Treasurer

**Jeff Diton**  
Assistant Secretary

**David Jackson**  
Member at Large

**Ron Oliveri**  
Member at Large

## Mark Your Calendar

**HOA Board Community  
Meeting**

**May 16th | 6:30pm**  
**GoToWebinar**

