



The Arboretum News

June 2011

www.ArboretumHOA.org

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Special Meeting Of Arboretum Community Association June 14, 2011, 7:00PM

Board members present: Mike Gould, Shirley McGraw, Alice Ervin, Jim Czekalski, and Bob Hittinger.

Mike Gould reviewed the attached document (Arboretum Community Association, CSS funds Disbursement, June 14, 2011) with those members present.

Discussion followed with several members voicing approval of the Board's decision. Attorney Rob Serra said the documents are ready for the signature of all three HOAs involved and that monies would not be disbursed to the individual HOAs until all signatures had been obtained.

It was suggested that monies for the Arboretum be issued to property owners of record as of June 1, 2011--this being the date that the Town of Caswell Beach switched control of the sewer system to the Town of Oak Island. Mike said that the Board would not vote on how the money would be distributed until the July 12th, 2011 meeting and that part of the motion to approve

this distribution would include the property owners of record as June 1, 2011.

There being no further questions, the meeting was adjourned, to be followed immediately by the regular meeting.

Jeanne Campbell
Secretary

Arboretum Community Association CSS Funds Disbursement June 14, 2011

The ACA Board of Directors wishes to present to you its current thinking regarding the disbursement of funds resulting from the closure of the Caswell Sewer Service.

The CSS By-Laws read as follows: "In the event of dissolution of the Association (CSS) for any cause or reason, any assets remaining after payment of creditors, debts and other costs and expenses incident to the dissolution, shall be distributed, transferred and paid over to the Class A members (HOAs) in proportion to the users of the facilities." This is a reasonable method to prorate the assets to each of the HOAs. CSS is a separate corporation from the HOAs each of which is its own corporation. Only the CSS Board of Directors must comply with the CSS By-Laws. In minutes of an October 5, 2009 meeting, the CSS Board of directors stated that "It would be up to each Class A member to decide what portion or percentage should be given to those that are not users of the facilities such as lot owners that have not built homes". In a document sent to the Arboretum, dated October 8, 2009, it was agreed in writing that this would be the procedure for distributing funds.

Upcoming Board Meetings

Board Meetings are held on the 2nd Tuesday of each month at the Arboretum Clubhouse at 7:00PM. All Arboretum Community Association members are encouraged to come and make your voice heard.

- * July: Tuesday, July 12th
- * August: Tuesday, August 9th
- * September: Tuesday September 13th

Article VIII Finance, Assessment and Maintenance Fees, section 9, Application of Surplus in the Arboretum Community Association By-Laws states “Any payments of receipts to the Association, whether from Owners or otherwise, paid during the year in excess of operating expenses and reserves and debt service and other common expenses of the Association shall be kept by the Association and applied against the Association expenses for the following year or in a separate reserve account to be applied as the Board of Directors may thereafter direct”.

The funds that the Arboretum Community Association will be receiving are a result of the sale of the “collection system” to the town of Caswell Beach. The town did not buy the treatment plant or land under it. (At this time CSS Directors are estimating that the Arboretum’s portion to be approximately \$250,000.)

The developer, The Caswell Partnership, installed the sewer collection system and the treatment plant as part of the total development’s infrastructure. The cost for the system was recouped through the selling price of the lots.

The creation of the Caswell Sewer Service was a result of The Caswell Partnership not wanting to operate the system any longer. In 1996, the collection system and treatment plant and associated land were deeded to CSS for \$10.00.

The three HOAs, the Arboretum, Ocean Greens Homeowners, and Ocean Greens Condos became the Class A owners of CSS. Shortly after that time, the three HOAs provided seed money for the early operation of CSS. The Arboretum’s portion

was \$9,450. This seed money was paid for by all of the lot owners through their dues.

Until the last couple of years, CSS has charged all property owners a semi-annual fee for the repair reserve to replace pumps, etc.

.In Mike Gould’s conversation with two Presidents of CSS, there were no capital improvements in the system or plant. All annual expenses were to process sewage and repair they system. Since 2005, the annual expenses average 35% over previous years reflecting the replacement of worn out equipment. The town of Caswell Beach’s review of CSS expenses also resulted in the conclusion that no money had been spent for capital improvements, only repairs.

The town of Caswell Beach will be assessing all lot owners the same amount, whether there is a home on the lot or not, for the new town owned sewer system. (At this time, owing to some large invoices have not yet been received, the amount of assessment is unknown.) Empty lots will also be charged a minimum monthly sewer fee.

Given the above information, The ACA Board of Directors feel that the fairest disbursement of the funds received by the ACA for the collection system is that all lot owners receive the same amount regardless of whether there is a house on the lot or how long they have been owners. The Board has not yet formally voted on this issue.

Mike Gould, President

The Arboretum Community Association
Board of Directors

**Minutes Of Regular Meeting Of
Arboretum Community Association
June 14, 2011**

Board members present were Mike Gould, Shirley McGraw, Alice Ervin, Bob Hittinger and Jim Czekalski

Bob Hittinger moved and Jim Czekalski seconded a motion that the minutes of the last meeting be approved as submitted.

Treasurer, Tom Kehoe reported balances of \$41,588 in the Operating Fund; and \$58,501 in the Capital Fund. Expenses last month included \$170 for the spa. Capital expenditures were \$1590 for patio improvements, and \$375 for a new grill.

- **Landscape:** Jim Czekalski stated that the barbeque area off the deck has been completed with a brickwork patio and landscape lighting. Plantings have been done on the entrance areas. Flowers were planted by the waterfall. Irrigation systems have been replaced by drip irrigation in an effort to cut back on water usage.
- **Caswell Sewer Service:** Jerry Johnson reported that Rob Serra has created the legal documents necessary to dissolve the CSS. A final meeting will be held upon receipt of the final check from the Town. He expects this distribution to occur in mid-July.
- **Building & Grounds:** Bob Ahlers reported that there hasn't been much to do.--just small things. The Committee will be adding rain gauges to the irrigation pumps. And a drainage problem on Periwinkle will be repaired on Friday.
- **Social Committee:** Karen Walsh reported that 60 people attended the recent Deck Dinner. The next event is the July 2nd Golf Cart Parade and hot dog sale. The Arboretum is responsible for this event this

year. Registration will begin at 10:00 a.m. on the 2nd. Golf cart and bicycle decoration judges this year are Major Harry Simmons, and Mr. and Mrs. Steve Isely (sp).

- **Pool/Spa:** Frank Bausch reported no problems with the pool. The spa had small issues and they've been resolved.
- **Caswell Beach Liaison:** Marti Hardy said the sewer system was up and running. The budget will go to a vote of the Board next week. Please attend if you wish.
- **Architecture Review Board.** Marti Hardy reported that there was just one issue last month with an owner's yard and it has been resolved.
- **Clubhouse Reservations:** Rich Walsh reported for Bo that there were no reservations for the next month.
- **Clubhouse Manager:** Spraying for pests has been done so there should be no bugs in the clubhouse. Heater is working well in the pool.
- **Security:** The deadbolt has been removed from the front door as required by the Fire Marshall. A small slide bolt has been installed to allow the front door to be propped open when large numbers of people are using the clubhouse until a solution to this need is found.

New Business:

- Bob Hittinger requested nominations for two seats on the Board (Mike Gould and Shirley McGraw) which expire in November. Nomination Committee members are Pat Wells, Jack Cowling, and John Wall.
- The Annual budget meetings will be held in August, times to be announced by John Wall and Tom Kehoe. These are open meetings.




- The Board has elected to wait and hold a Regular Meeting on July 12, 2011 to vote on the distribution of the CSS funds. Members are reminded that we usually do not have a meeting in July so check your calendars.
- Pat Wells said that the Town of Caswell Beach is doing minimal spraying for mosquitoes

this year. Call Town Hall if you have a very bad mosquito problem.

Bob Hittinger moved that the meeting be adjourned. Alice Ervin seconded. The meeting was adjourned.

Jeanne Campbell
Secretary






JUNE 2011

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
19 Father's Day	20  8:30 AM - 9:30 AM Water Aerobics First Session	21 4:00 PM - 5:30 PM TAI CHI CLASSES - Contact S. Williams or H. Barlow SUMMER SOLSTICE	22 8:30 AM - 9:30 AM Water Aerobics First Session 2:30 PM - 5:00 PM BRIDGE CLUB 7:00 PM - 10:00 PM MAH JONGG CLUB	23 7:30 AM Clubhouse Cleaning 4:00 PM - 5:30 PM TAI CHI CLASSES - Contact S. Williams or H. Barlow	24 1:00 PM - 5:00 PM Bring your own CRAFT DAY	25  10:00 AM -12:00 PM Decorating Committee Mtg.
26	27  8:30 AM - 9:30 AM Water Aerobics First Session	28 4:00 PM - 5:30 PM TAI CHI CLASSES - Contact S. Williams or H. Barlow	29 8:30 AM - 9:30 AM Water Aerobics First Session 1:00 PM - 2:00 PM SOCIAL MEETING 2:30 PM - 5:00 PM BRIDGE CLUB 7:00 PM - 10:00 PM MAH JONGG CLUB	30 4:00 PM - 5:30 PM TAI CHI CLASSES - Contact S. Williams or H. Barlow		




JULY 2011

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SEPTEMBER 2011

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	<p>8:30 AM -9:30 AM Water Aerobics First Session</p> <p>9:45 AM -10:45 AM Water Aerobics Second Session</p>	<p>4:00 PM -5:30 PM TAI CHI CLASSES - Contact S. Williams or H. Barlow</p>	<p>8:30 AM -9:30 AM Water Aerobics First Session</p> <p>9:45 AM -10:45 AM Water Aerobics Second Session</p> <p>2:30 PM -5:00 PM BRIDGE CLUB</p> <p>7:00 PM -10:00 PM MAH JONGG CLUB</p>	<p>4:00 PM -5:30 PM TAI CHI CLASSES - Contact S. Williams or H. Barlow</p>	<p>8:30 AM -9:30 AM Water Aerobics First Session</p> <p>9:45 AM -10:45 AM Water Aerobics Second Session</p> <p>1:00 PM -5:00 PM Bring your own CRAFT DAY</p>	 <p>6:00 PM -9:00 PM "Oktoberfest Party"</p>
25	26	27	28	29	30	
	<p>8:30 AM -9:30 AM Water Aerobics First Session</p> <p>9:45 AM -10:45 AM Water Aerobics Second Session</p>	<p>4:00 PM -5:30 PM TAI CHI CLASSES - Contact S. Williams or H. Barlow</p>	<p>8:30 AM -9:30 AM Water Aerobics First Session</p> <p>9:45 AM -10:45 AM Water Aerobics Second Session</p> <p>2:30 PM -5:00 PM BRIDGE CLUB</p> <p>7:00 PM -10:00 PM MAH JONGG CLUB</p>	<p>7:30 AM Clubhouse Cleaning</p> <p>4:00 PM -5:30 PM TAI CHI CLASSES - Contact S. Williams or H. Barlow</p>	<p>8:30 AM -9:30 AM Water Aerobics First Session</p> <p>9:45 AM -10:45 AM Water Aerobics Second Session</p> <p>1:00 PM -5:00 PM Bring your own CRAFT DAY</p>	



**The Arboretum Association
122 Flowering Bridge Path
Caswell Beach, NC 28465**

Visit the Arboretum
website soon!

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