

Firefly Property Owners Association, Inc.
Board Meeting
August 14, 2019

Location:

- Firefly Cove Lake Lure, North Carolina – The Lodge

Roll Call/Call to Order:

- The meeting was called to order by Joe Pritchett at 6:35 pm
- Directors present: Joy Ciocca, Melva Dye, Mike Frosaker and Joe Pritchett
- Directors present by phone: Bill Walker
- Directors Absent: None
- Property Owners present: Treasurer, Mike Kirkman and Cesar Pares.
- Property Owners present by phone: None

Quorum:

- There being a sufficient number of Board members present a quorum was established.

Approval of Minutes:

- The minutes from the Firefly Cove Board meeting of July 31, 2019 were approved by motion, second, and a unanimous vote 5-0.

Property Owners Input/Comments/Concerns

- Cesar Pares opened a discussion regarding the issue of the bears at the dumpster and the safety concerns. Several suggestions were discussed. It was agreed that use of the dumpster is a property owner own risk. Vice President Frosaker will search and contact suppliers to find a way to secure the lid and prevent the bear from getting inside.

Updates:

- Treasurer Kirkman provided the following updates:
 - Operating Account is approximately \$4,481
 - Unrestricted Reserve Account is approximately \$34,400 (Inclusive of \$6000 Refundable Compliance Fees)

- Restricted Reserve Account is approximately \$4,595 (Inclusive of \$2000 Refundable Road Impact Fees)
 - All but three third quarter dues have been paid, we are still waiting on payment from some property owners for the tree work and Kudzu treatments.
- President Pritchett noted that operating cash is running low, if needed, we can push September invoice payments off until October when we have more cash once the next quarterly dues money is received.
 - President Pritchett asked Vice President Frosaker if there was any paint remaining for the lodge as Jonathan Hinkle needed it to complete the work he recently did around the pool. It was reported that he was given several cans of paint, Vice President Frosaker said he would contact him to find out exactly what he needs to complete the work.

Discussion Items:

- President Pritchett opened a discussion regarding Rutherford County Tax Bills that were received for approximately \$8000 for POA owned property and common space. Treasurer Kirkman reported that he had contacted Rutherford County and was told that these tax bills were issued in error and will be corrected in the system, no tax is due. We are still awaiting the revised corrected bills.
- Secretary Ciocca opened a discussion regarding the estimate received from Excel Lawns to continue the lawn care treatments in the common space. After discussion, a motion was made and seconded to contract the services from September 2019 to August 2020 for a cost of \$385.42/mo, the motion was approved by unanimous vote 5-0.
- Secretary Ciocca opened a discussion regarding Bob Cameron's request on his June irrigation report to make a repair. President Pritchett stated that it was decided to do nothing at this time and just get us through the season as is.
- Secretary Ciocca re-opened a discussion regarding a request from Tom Maddux, who owns the 27 acres at the end of Boulder Run Road in the Ridges section of Firefly Cove, to join Firefly Cove POA. Mr. Maddux brought the following two questions after recent discussion with President Pritchett:
 1. If we decided to purchase, our intent would be to include Lot 55 into our existing ~27 acre parcel. If in the future, we decided to sell the property would the FFC membership for the property be assignable to the new owner?
 2. If we decided to purchase Lot 55 and assume the full FFCPOA fees, would FFCPOA eliminate the current ~\$550 easement fee on the residence on, 398 Boulder Run Drive or would FFCPOA require full membership fees plus the ~\$550 easement?

With respect to question 1, the board discussed and agreed that this would not be possible to include Lot 55 into the existing parcel. With respect to question 2, the board discussed and agreed that an amendment to the easement fee could be negotiated. President Pritchett agreed to meet with Mr. Maddux to discuss the board's comments and work towards negotiating a new easement document should Mr. Maddux desire to move forward.

- President Pritchett recommended the Board go into Executive Session. The executive session began at 7:05pm and ended at 7:34pm. President Pritchett reconvened the regular Board meeting at 7:34pm.
- Treasurer Kirkman informed the board that he is nearly finished the new website; once complete he will forward to the board for review and comments. The goal will be to present this at the annual meeting. Secretary Ciocca noted and thanked Treasurer Kirkman for taking it upon himself to learn how to create a website and spending the many hours in creating the website. This is a cost savings to the POA of anywhere from \$1500-\$2500 had we had to hire someone to do this for us.
- A revised Special Use of Common Area and Facilities Agreement, to be presented at the annual meeting in October for discussion and ratification and effective thereafter was approved by motion, second, and a unanimous vote 5-0.
- The date of the next board meeting was tentatively scheduled for Thursday, August 29, 2019 at 6:30pm.

Adjournment:

- The meeting was adjourned at 7:40pm.



Firefly Cove <fireflycovesec@gmail.com>

EXCEL Lawns, LLC could you give this to Joe P?

1 message

Isaac Dermid <excellawnccarellc@yahoo.com>
To: Joy Ciocca <fireflycovesec@gmail.com>

Wed, Aug 14, 2019 at 6:26 PM

EXCEL Lawns, LLC
828-329-4106
Excellawns@me.com

Estimate for Fire Fly Cove for 2019
This estimate is good for 30 days.

Weed Control and Fertilization with Crabgrass Control.

This keeps the weeds, and weedy grasses out of the common areas. Fertilization keeps the turf grass healthy and green. Now that we have a better stand of grass I will be able to be a little more aggressive on the weed control.
10 treatments \$275.00 each treatment total for all 10 treatments \$2,750.00

Insecticide Treatments

3 insecticide treatments a year that will kill Ants, Fire Ants, Chinch Bugs, Flea and Ticks, and controls Mosquitoes.
3 Treatments at \$225.00 each treatment total for all 3 treatment \$675.00

Yearly total for Weed Control and Insecticide treatment is \$3,425.00

1 treatment for the Aeration, Lime, and Over Seeding With Black Beauty turf seed. I feel that another treatment of this will help move the common areas to be a better grass area. It will also help thicken these areas even more then what we got last year.

Total for this treatment is \$1,200.00.

For a Grand Total of \$4,625.00

The monthly lawn service payment for 2019/2020 will be \$385.42.

This includes the new prices due to the price of chemical and fertilizer going up over the last year. The price of grass seed and lime has increased also. I have made the adjustments for the 2019/2020 service schedule.

This also includes the Crabgrass treatments as needed to keep the Crabgrass under control so it doesn't takeover the common areas.

The service is from September to August 2019/2020 just like 2018/2019.

When approved please sign and mail to:
EXCEL Lawns, LLC
139 Hoots Dr.
Hendersonville, N.C. 28792

EXCELLawns.com

approved by board
Vote 8/14/19
Joy Ciocca
Isaac Dermid

Firefly Cove Property Owners Association

SPECIAL USE OF COMMON AREA AND FACILITIES AGREEMENT

The Firefly POA offers to its property owners the use of its common areas and facilities for an event or wedding 9:00am – 9:00pm, (Maximum 4 hour duration for any one event, except weddings which can be maximum 5 hour duration)

This agreement is made between the Firefly POA and the Firefly Cove Property Owner.

Property Owners Name: _____ Lot or Condo #: _____

Type of Event: _____ Approximate Number of Guests Attending: _____

If for a Wedding please check box(es) that apply:

- Use of Covered Dock state start time of ceremony _____ am/pm
 Property Owner PO Children, Grandchildren, Parent Non-Property Owner

Date of Event: _____ Times of Event: From _____ to _____

Telephone Numbers: Home: _____ Cell: _____

Conditions of this agreement:

1. The property owner must provide a Certificate of Liability Insurance.
2. The property owner agrees to abide by the regulations set forth in this document and the attached Appendix A – Events and/or Appendix B – Weddings.
3. The property owner agrees to clean up the premises after use. All trash must be picked up and disposed of properly. No trash is to remain within the common area or facility. If the Lodge is used the property owner has to remain on sight until the last guest leaves to insure that the facility (wet bar area, great room, public restrooms, etc.) is clean, secure, and in good order.
4. The property owner is responsible for informing and enforcing all community rules applying to the use of the common area.

Property Owners Signature _____ Date _____

POA Board of Directors use only: Denied _____ Approved _____ Event Fee (if any):

Approved by: _____ Date: _____

Firefly Cove Property Owners Association

WAIVER OF LIABILITY FOR USE OF COMMON AREAS AND FACILITIES

Use of the Common Areas and Facilities is reserved for the Owners of Lots in Firefly Cove and their invited guests (“User(s)”).

Any use of the common areas and Facilities is at the User’s sole risk.

The Firefly Cove Property Owners Association and their respective successors, agents and assigns, including without limitation, the Board of Directors and the members of the Firefly Property Owners Association are all referred to below as the “Indemnified Parties.”

As an Owner of a Lot, you agree to the following in connection with any use of the Common Areas and Facilities by or through you:

1. **Waiver of Liability.** I do acknowledge that I and all such Users by or through me waive any liability on the part of the Indemnified Parties for any personal injury, property damage or loss occurring in the Common Areas or Facilities, to the fullest extent permitted by law.
2. **Indemnification and Hold Harmless.** I hereby agree to indemnify and hold harmless the Indemnified Parties from any liability from any loss, claim, award, damage or penalty arising out of any activities by you or any User acting by or through you in the Common Areas or facilities, to the fullest extent permitted by law.

Signature: _____ Signature: _____

Print Name: _____ Print Name: _____

Date: _____ Date: _____

Lot or Condo # _____

Appendix A

Use of Lodge Common Area Facilities

All Events (Other than Weddings)

Board Regulation

1. All reservations for the use of Firefly Cove POA common area must be made by the property owner by contacting the Board Secretary.
2. Property owners must complete and sign the “SPECIAL USE OF COMMON AREA AND FACILITIES AGREEMENT” request form.
3. Property owners must provide a “Certificate of Liability Insurance” naming the Firefly Cove COA and Firefly Cove POA as additionally insured. The following are the insurance requirements:
Named Insured: Firefly Cove POA and COA, PO Box 303, Lake Lure, NC 28746
Each Occurrence: \$1,000,000
General Aggregate (other than Products-completed Operations): \$2,000,000
Products-completed Operations Aggregate: included
Personal and Advertising Injury: \$1,000,000
Damage to Premises Rented to You: \$100,000
Medical Expense: \$5,000
4. Property Owners must submit a “Compliance” deposit of \$250. Checks should be made out to: Firefly Cove POA PO Box 303 Lake Lure, NC 28746.
5. A rental fee for the use of the Firefly Cove POA common area will be applied as follows:
 - a. A non-refundable fee of \$150 for Use of Lodge Common Area Facilities for an event for a groups of 20 or less.
 - b. A non-refundable fee of \$300 for Use of Lodge Common Area Facilities for an event for groups between 21 and 50.
 - c. The Rental Fee will be waived for the first event/wedding held by a Property Owners in the calendar year; January 1 to December 31.
6. Limit the number of guests to a maximum of 50 people.
7. The compliance check and rental fee must be submitted at least 10 days prior to the event. If the lodge is left as it was found after the event the “Compliance” deposit will be returned to the property owner within 10 days.

8. The "Common Area" in the Lodge being reserved is defined as
 - a. the main meeting/seating room that contains the TV
 - b. the wet bar/pool table room
9. The pool and pool deck shall remain open and available for use by other property owners between 9:00am – 9:00pm.
10. Time of party is limited to between the hours of 9:00am – 9:00pm; (Maximum 4 hour duration for any one event).
11. The lodge is to be cleaned and everyone is to be gone within one hour after the reception has ended or no later than 10:00pm whichever comes first.
12. Music is to be turned off by 9:00pm.
13. No reservations can be made on Memorial Day Weekend, the Fourth of July Week, and Labor Day weekend.
14. The property owner is the first one at the lodge and the last one to leave. The owner must be in the Lodge for the entire time of the party.
15. Events are defined as, but not limited to, the following: Parties, Regular/Recurring Meetings, Organized Functions, and Receptions. Examples include; Birthday, Retirement, Showers, Bible Study, Book Groups, Card/Game Groups, Funerals, Fundraisers.

Appendix B

Use of Lodge Common Area Facilities

Weddings

Board Regulation

1. All reservations for the use of Firefly Cove POA common area for a wedding must be made by the property owner by contacting the Board Secretary.
2. A Property owner must complete and sign the "SPECIAL USE OF COMMON AREA AND FACILITIES AGREEMENT" request form.
3. Property owners must provide a "Certificate of Liability Insurance" naming the Firefly Cove COA and Firefly Cove POA as additionally insured.
The following are the insurance requirements:
Named Insured: Firefly Cove POA and COA, PO Box 303, Lake Lure, NC 28746
Each Occurrence: \$1,000,000
General Aggregate (other than Products-completed Operations): \$2,000,000
Products-completed Operations Aggregate: included
Personal and Advertising Injury: \$1,000,000
Damage to Premises Rented to You: \$100,000
Medical Expense: \$5,000
4. Property Owners must submit a "Compliance" deposit of \$250. Checks should be made out to: Firefly Cove POA PO Box 303 Lake Lure, NC 28746.
5. A rental fee for the use of the Firefly Cove POA common area for a wedding will be applied as follows:
 - a. A non-refundable fee of \$1,000 for Use of Lodge Common Area Facilities for a wedding for a non-property owner.
 - b. A non-refundable fee of \$150 for Use of Lodge Common Area Facilities for a wedding for a property owner, a property owner's children, grandchildren or parent for a groups of 20 or less.
 - c. A non-refundable fee of \$300 for Use of Lodge Common Area Facilities for a wedding for a property owner, a property owner's children, grandchildren or parent for groups between 21 and 50.

- d. The Rental Fee will be waived for the first event/wedding held by a Property Owners in the calendar year; January 1 to December 31.
6. A wedding is limited to a maximum of 50 people including bride, groom, ushers, attendants, workers and guests.
7. The compliance check and rental fee must be submitted at least 10 days prior to the event. If the lodge is left as it was found after the event the "Compliance" deposit will be returned to the property owner within 10 days.
8. "Common Area" being reserved for the wedding is defined as
 - a. the main meeting/seating room that contains the TV
 - b. the wet bar/pool table room
 - c. the covered dock area (for ceremony only, property owner must specify if intending to use)
 - d. the amphitheater
9. The pool and pool deck shall remain open and available for use by other property owners between 9:00am – 9:00pm.
10. The covered dock area will remain open and available for the use by other property owners, except during the period of the ceremony.
11. The length of time of wedding and reception is limited to between 9:00am – 9:00pm. Maximum 5 hour duration for the reception plus the time for the ceremony.
12. Music is to be turned off by 9:00pm
13. The lodge and the common area must be cleaned and everyone must leave Firefly Cove within one hour after the reception has ended or no later than 10:00pm whichever comes first.
14. The use of the common area for a wedding by a property owner, a property owner's children, grandchildren, or parent can be made for any date except Memorial Day weekend, the week of July 4th, and Labor Day weekend.
15. The use of the common area for a wedding of a non-property owner can only be made for a date from September 15 – May 15.
16. The property owner is the first one at the lodge and the last one to leave. The owner must be in the Lodge for the entire time of the party.