

**Lake View Park Annual Homeowner's Meeting  
Monday, October 16, 2017**

**Agenda**

- Approval of the minutes
- Commissioner Reports
- Business from the Floor
- Election of Commissioners for 2017/2018

The meeting was called to order at 7:07pm. The sign-in sheets showed 60 members in attendance representing 45 households.

**Approval of the Minutes** - Copies of the October 17, 2016 meeting minutes were distributed to all attendees. Margie Bradshaw moved the minutes be approved. John Davis seconded. There were no additions or corrections.

**Special Announcements – Mike Nery**

- Secretary Keith Pandres could not attend tonight's meeting due to a travel delay. Debra Cooper has been asked to record the minutes.
- Law Suit – Mike Nery reviewed status of the Oliver vs LVP law suit regarding the south trail. He thanked Deutsch & Gottschalk, PA for their legal services which resulted in a win for LVP. Bob Deutsch was presented with a token of thanks – a carved beaver!
- The job of Fishing & Boating has become increasingly complex over the last two years due to increased State requirements. We have been fortunate to have Gary Ross meeting the challenge of keeping up with these issues in this role, including depth testing and monthly testing of our lake level early warning system.

**Commissioner Reports**

- Fishing & Boating – Gary Ross. A report appeared in the September newsletter. Current major issues regarding the lake and dam are as follows:
  - Due to financial uncertainty, dredging was put on hold while the law suit was pending and while investment was made in the south path.
  - A dam inspection conducted by Terracon 9/2017 shows the spillway in need of repair due to severe erosion. Terracon estimates that repairs will cost \$300,000-\$500,000 to repair.
  - Our early warning water level system which allows us to draw down the dam once we are alerted to rising water levels was installed and approved by the state many years ago to solve the spillway problem. Now, this system is no longer sufficient to satisfy State regulatory requirements.
  - On October 3<sup>rd</sup>, Mike Nery, Gary Ross and Russ Bendel (Terracon) met in Raleigh with Shane Cook, NC Director of Dam Safety. Out of this meeting we learned we have 4 options to resolve our spillway capacity problems:
    - Best/Cheapest: Lower the lake to a predetermined level when hurricane is predicted. We would need to pay for an engineering assessment (\$5,000+?) to determine what that level should be to accommodate a maximum amount rainfall through the existing spillway.
    - Lower lake permanently 3-5 feet or more as determined by the engineering assessment mentioned above.
    - Build berm around portions of the lake and dam which would give the lake the ability to rise several feet above the current dam height.
    - Make spillway larger by rebuilding the bridge at Glen Falls Road to make it wider or taller to increase the size of the downslope of the spillway.

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- Once a spillway capacity plan is approved by State, we can move forward with the plan to remove trees from the dam. New quotes for tree and debris removal, stump grinding, fill and reseeding are \$10,000-\$12,000
  - New state legislation is being introduced to require even stricter standards for handling probable maximum precipitation (PMP). Currently we are rated at 1/3 PMP and need to come up to ½ PMP. New proposed legislation is for FULL PMP, or capacity to handle 44" of rain in a 24-hour period. This would take effect 6-8 years in the future. (Likely necessitating \$3M-\$5M in dam/spillway alterations.)
  - As a strategy to offset costs, Gary has met with officials in the City of Asheville, Weaverville and Woodfin to see if they would like to use Beaver Lake as a raw water supply in emergencies in exchange for help on repairs and upkeep. They have an interest in this because reservoirs are impossible to build now.
  - Aquatics – 150 grass eating carp being stocked annually to keep grasses in the lake in check.
  - If you have a boat at the lake, please tie it down and lock it.
  - If you are having a neighborhood issue, please call Asheville Police Department and not Billy.
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- Treasurer – Barbara Hart

A Profit & Loss report, Balance Sheet, and Accounts Receivable Aging were distributed. The only comment from the floor regarded an explanation on money spent on “dog supplies” which is primarily dog waste disposal bags.
  
  - Grounds – Keri Saum for husband Kevin who is out of town.

Keri reported having two very successful volunteer clean-up days. Folks outside the neighborhood helped as well. She encouraged members to plan to participate in the next one. She also noted that mulch from fallen trees has been used to improve the path. As Kevin has served on the Commission for three years, and is now away for work quite often, he is stepping down.
  
  - Chair - Mike Nery
    - Administratively, we have sufficient insurance in place for general liability and Officers/Directors. Our legal work is with Deutsch and Gottschalk, and we use Peter McGuire (Strauss Attorneys PLLC) for collections. Our dog and boating/fishing permit systems are not working well and need to be revamped.
    - Common Property – Grounds are in good shape with more jobs be given to Billy. The lake is still in need of a dredge. It is in the budget and we have the reserves, but again this money may need to be reallocated to the dam and spillway.
    - Personnel – We have had no changes on the Commission for several years – one reason was lawsuit. Now that the lawsuit is resolved, we've had interest in both the Grounds and F/B positions and the nominating committee has presented a slate with two new members. Also note that this will be Mike's last year on the Commission, and it would be ideal if someone on the Commission was willing to step up to Chair in 2018.
    - Personal Property - Real estate issues are a constant challenge. Even though they've been asked repeatedly, the City doesn't tell new construction projects about our set-backs. The deeds themselves are a problem because restrictions are often not even listed in a new deed.

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- Long Term Budgeting – The Commission needs to develop a long-term plan and budget to address ongoing extraordinary expenses. Currently we generate \$20,000-\$30,000 annually in savings for periodic dredging. This leaves nothing for the tower, spillway or other repairs/emergencies. Assessments to be set to the correct level or have a plan in place for special assessments. We hope to get this in the works this year.
  
- **Business from the Floor**
  - Margot Ammidown: The swimming pool area along Lake View Road is being overwhelmed with invasive plants like ivy and kudzu. John Whitton pointed out that the same is happening on parkways.
  - Bob Deutsch: Promoted the lake and grounds saying although there are “lots of moving parts,” they add so much to the value of our property. It is worth the investment to try to keep up the property. He has several lake/dam accounts and the conditions of operation are getting more difficult. He speaks in favor of funding whatever is needed.
  - Have we asked city of Asheville to contribute to upkeep since the public uses our park? Recently Brendan Ross called the City of Asheville on behalf of Gary. The answer is there is no money for this, and they consider the lake is a liability they are not willing to take on.
  - Lewis Willis – Who do we thank for flashing light at the crosswalk on Merrimon? Barbara Hart!!
  - Several members spoke regarding crossing Merrimon Avenue: Drivers are still not stopping or slowing down. State road and State rules and not willing to put in a red flashing light or moving the cross-walk. Sandra Byrd crosses there every day and feels placement is a problem. Can it be moved? She knows a traffic engineer who can meet with the commission. She will follow-up to make this happen. Sallie Paar suggests calling the police department (non-emergency) to report any incidents so that APD will increase patrolling.
  
- **Nominations/Elections** – The Nominating Committee recommended the following slate:
  - Commission Chair - Mike Nery (to be his last year)
  - Treasurer – Barbara Hart
  - Secretary – Keith Pandres
  - Fishing/Boating - Bob Wiggins
  - Grounds – Matt Fusco

There were no additional nominations from the floor. Leila Tvedt moved that the slate be approved as presented. Catherine Gallagher seconded. The Commissioners for 2017/2018 were approved by voice vote.

Meeting adjourned at 8:00pm.

Debra Cooper for Keith Pandres, Secretary