

INDIAN LAKE CLUB, INC., Indian Lake Estates
Board Meeting
December 3, 2021

Presiding: Hedgie Bartol, President

By Phone: Dick Hennig, Vice President, Jeannette Lee, Treasurer, Barbara Pence, Secretary,
John Pappas, Allen Eason, Jan Harden
Committee Chairs, Rich Firebaugh, Ron Harden, Everett Bedenbaugh

Absent: Gina Brown

Minutes: Board Meeting September 11 2021. The Minutes of the September meeting were approved.

Community Speaks: Everett advised of a Burn Ban in the State of North Carolina. A notice will be sent out to the community reminding them of the ban and advising those with rentals to notify their renters.

Secretary's Report: Barbara advised Debra Stephens purchased the lot owned by Colin Mailloux on Cherokee Circle and Randall Ward purchased Lot 3 Sec. 1 at the intersection of Hiwassee and Indian Lake Road. Timothy and Frances Beckman purchased the ILC owned lot, 23B, Section 2

Treasurer's Report:

1. Jeannette advised both invoices and expenses were light for the month Invoices for past due balances with interest as well as invoices for the 2022 assessment year were sent out in November.
2. Current AR is \$5159.89 and most members are paid up for the year. Expenses were in line as expected with exception for a repair to the pump house heaters.
3. Current cash on hand is \$315,297.30

Water:

4. Dick reported heater in Toxaway Well house was not working but has been repaired. Jeannette questioned receipt of paperwork for 2022 Water permit, Dick will follow up.

Road Maintenance/Paving

5. Ron Harden reported repairs need to be made to the ditch and pavement on Cherokee; Pisgah Asphalt indicates it will be late January when he starts on the ditch and late Spring on the pavement.
6. Regarding the washout above Everett's house, Ron advised he is trying to coordinate with John Pappas to try to get the washout repaired at the same time as the dam repair.
7. Dick questioned trimming the rhododendrons; Ron stated some light trimming has been done and requested advice if other areas need to be trimmed. Hedgie asked Ron to follow ask the road maintenance crew to trim back the rhododendrons at the entrance which block the sight of traffic if making a left hand turn. Ron will follow up.

Website:

8. Everett stated in early September our site was hacked (along with 1.2million other sites also hosted by GoDaddy). The below actions were taken and the site is now working correctly. Everett continues to monitor the site.
 - a. Changing administration passwords/ instituting two factor authentication
 - b. Removed offending Coding
 - c. Purchased WordFence security product
 - d. Ban logins from questionable countries

Lakes and Dams

9. John Pappas advised we have two properties that overlap the spillway and dam which need to be deeded over to ILC. Once the property is surveyed, we will complete the transfer of the property. Cost is estimated around \$1000 as Rich Firebaugh recently faced the same issue deeding one property at Toxaway Trail water storage tank for \$500
10. Rainbow Dam Repair – we need to patch or slip-line the pipe through Rainbow Dam and possibly repair the vertical pipe as well. A proposal has been received from BioNomics to do this work; the price is \$22K to \$44K depending on whether it can be patched or slip-lined. Rainbow Lake will have to be drained; ramps will cover the pumps on the road causing no disruption to traffic. The work should begin the week of December 6. BioNomics was recommended to us by resident Matt Pickett who maintains the dams for Duke Energy
11. Mudslide at foot of Spillway at Indian Lake Dam: John has been working with Ed Medlock to draw up plans to rebuild the slide at the bottom of the spillway. We should hear from Ed by next week at which point we can bid out the work.
12. Regarding the Indian Lake Dam Spillway repairs, we are working with Ed Medlock to put together a package to respond to questions from DEQ along with the response from our H&H study. We hope to have a response complete by the end of the year.
13. FEMA Assistance for damage from Tropical Storm Fred, John has worked with Jeannette to submit a FEMA grant request and SBA loan request. We were rejected for the grant as FEMA does not support recreational dams or roads. Hedgie met with FEMA, showing them the areas needing to be addressed, but he has not heard back from them. Discussion on the SBA loan will be covered under new business.
14. Jeannette questioned whether we could fix the valve in Rainbow Lake during the repairs, John advised we will not know until we lower the lake to see what is involved.
15. Rich made a motion to approve the expenditures for repairs to Rainbow Lake Dam not to exceed \$44K. John Pappas advised we should not exceed \$60K as repairs to the stack pipe and trash catcher might also be involved. Rich amended his motion to approve expenditures for \$60K, the motion was seconded by Jeannette; the motion passed.

Architectural Control

16. Rich advised we have received the recorded deed for the property to the area on Section 3, Lot 12 (Cope) containing a portion of our Toxaway Trail water storage tank. Cost \$286.
17. Residents asked if ACC approval is needed for tree trimming around their house; Rich advised ACC approval is needed only if lot is being cleared.

18. Residents on Hiwassee road submitted a request to add a fence to the rear of their house, ACC approved the request.

Beautification –

19. There was no report; new chairman will take over January 1. Hedgie thanked Mike and Vivian, Dave and Bonnie and all who helped with decorations for their hard work. He also requested help in storing the beautification supplies, Rich Firebaugh offered to help store the supplies.

Old Business – There was no old business

New Business

20. **Easement with Comporium** – Hedgie thanked Rich for his amazing job working with Comporium to rewrite their easement agreement. Rich advised we have an agreement and need to have Board approval and signature; hopefully starting January 1. He discussed the question of possible damage to our water /utility lines. Comporium advised we must locate our lines and if we do not, we will be liable for any damage.
21. Rich advised we do not have drawings to locate our water lines, he recommended we contract with Target Locating to do a ground penetrating radar locator to provide us with drawings and field mark our facilities in conjunction with Comporium's contract. Three bids were taken, the lowest was approximately \$9K. Rich advised this is something we need to do to help with future water line repairs. If Target Locating misses the line, they have to pay for repairs, If the contractor misses the line, they have to pay.
22. Rich asked for a motion to approve documenting our water line system, Barbara made a motion to approve, Ron seconded, the motion was approved.
23. Hedgie asked for a motion to approve the Easement agreement, the Board unanimously moved to approve the motion.
24. Jeannette recommended tracking water line repairs for future budgeting purposes.
25. The Easement agreement will have to be signed by the Pres. or /VP and Sec or Treas; it will be sent to Barbara for signature.
26. **Hazardous tree on Hiwassee Road.** A locust tree split on a property on Hiwassee Road presents possible damage to the property across the street if it would fall. Discussion was held as to whether the club or the property owner is responsible. Property lines go to the middle of the road; NC statutes state that property owner is responsible for limited common ground, the portion of the easement for right of way on a property that is shared with the association is called limited common ground and the property owner is responsible for maintenance on his property. The tree in question is 12 feet back from the road; which is further back than the area the Club is required to maintain. The property owner is agreeable to taking it down or topping it. If the tree was taken down, and dropped, several options would be available to dispose of the wood if the property owner did not want it. After considerable discussion, the Board agreed that NC statutes 47F, Sec. 107 clearly indicate it is the property owner's responsibility. Hedgie will notify the property owner.
27. **SBA Loan for Spillway Repair** – John advised that the repair would entail putting metal Gabion cages full of rocks; then building up riff raff and dirt on top, also bulldoze the grade to make it less steep to stabilize that side of the hill to prevent further washout. Jeannette questioned

installation of cement wings, John advised it is concrete work which could be deferred until we have to do spillway repairs.

28. Discussion was held about our application for a SBA 1% loan for the spillway repairs and repayment options. We would have to have approval from the membership for this loan. Jeannette advised that we should go to the members explaining the need for the loan; if they do not vote to approve, we will have to do a special assessment/ or loan from the members.
29. Hedgie questioned going back to the SBA about loan forgiveness.
30. Jeannette advised that the SBA is asking how we would repay the loan and if we would have a special assessment. SBA wants information by Dec. 7 or they will not consider our application.
31. It was suggested the members of the community be advised we are applying for the SBA loan and we will need approval from 2/3 of the membership and if we do not get this approval, a special assessment will be necessary to maintain our neighborhood.
32. Jeannette and John will prepare the letter and send it to the Board for approval.
33. Hedgie asked for communication to the community about the upcoming Rainbow Dam repair.

There being no further business, Barbara made a motion to adjourn, John seconded, the meeting was adjourned.

Next Meeting – February 5, 2022

