

**INDIAN LAKE CLUB, INC., Indian Lake Estates**  
Final  
Board Meeting  
April 6, 2024

The Meeting was held by Conference Call

**Presiding:** Ron Harden, President

**Attending:** Dick Hennig, Vice President, Rich Firebaugh, Treasurer, Barbara Pence, Secretary, Jeannette Lee, Hedgie Bartol, Gina Brown, Wanda Misinco , John Pappas, Committee Chair Everett Bedenbaugh,

The Meeting was called to order by Ron Harden

**Minutes of the February 3, 2024 Board Meeting** , A motion was made by Wanda Misinco to approve the minutes, it was seconded by John Pappas, the minutes were approved.

**Community Speaks** There was no one from the community in attendance.

**Secretary's Report:** Barbara reported the sale of Barbara Fredricksen's home on Hiwassee to Jill Carter who will be a permanent resident.

**Treasurer's Report**

1. Rich reported our year-to-date assessments are coming in totaling almost \$150,000 through the end of the month. Operating expenses are in line with budget projections. He advised that the Carter sale closed on March 15.
2. Capital expenses are starting to occur:
  - a. Pisgah Paving should complete the repaving of Cherokee Circle and Indian Lake Road in April at a cost of \$28,365.
  - b. Toxaway Grading completed the restoration of Indian Lake Road at a cost of \$12,000,
  - c. New meters have been received for the well houses and should be installed in April.
  - d. Brooks Engineering has furnished a draft report on the evaluation of our water distribution system- it will be finalized as soon as a flow test on the Toxaway Well is completed; cost \$8,100.
  - e. Material for the mudslide repair has been priced out to the McNeelyCompany (\$27,070 for Gabion boxes and \$27,000 for stone to fill boxes.)
3. Rich made a motion to have Dalton Law Firm send out lien letters to two property owners who have not paid past due amounts by May 1. Many attempts have been made to collect these debts including offering payment plans with no response. A lien will be the next course of action. A certified letter from the attorney will be sent to the property owners, if there is no response in 15 days, a lien will be placed on the properties. We moved from Neumann Law Firm to Dalton as Neumann no longer serviced liens.
4. The motion was seconded by Wanda Misinco, the motion carried.

**Committee Reports**

**Water**

5. Rich expressed his concerns with issues faced by the Toxaway well which serves 14 houses. He has been advised that the well has been compromised over the years; a sleeve has been added to keep mud out and we have limited the output to keep the well from running dry. A test will be scheduled this month so we can determine the capacity of that well and once we have that information, an engineer can give us a report on our wells and our water system. He advised we would have a Called Board meeting to discuss once we have this report. Jeannette questioned whether the well could go deeper, or if we would have to drill an additional well. Rich advised it cannot be drilled deeper. We can get by for a period of time but will have to wait for the engineer's report before making further determinations.

#### **Roads**

6. Ron advised we are on schedule for mid-May to complete paving on Cherokee Circle and Indian Lake Road. The washout repair on Indian Lake Road has been completed and a locust rail fence has been added to that roadside and a rail fence has also been added to the waterfront park.
7. Hedgie questioned the right of way at the intersection of Indian Lake Road and Toxaway Trail as it is blind from both sides. Discussion was held. A motion was made by Hedgie to have Ron look into putting a stop sign on Toxaway Trail. Wanda seconded and the Board agreed. Ron will also look into installing a mirror at that intersection as well.

#### **Website**

8. Everett advised he has cleaned up the home page and added a link to a weather station at his home on Indian Lake Road.

#### **Lakes and Dams**

9. **Spillway and Mudslide Repairs** –The engineer at DEQ has combined the repairs into one package and we are on our way to getting them approved. The latest request is for implementation plans as this will be difficult to access based on the location. He thanked Rich Firebaugh for his help in creating a Statement of Work for the mudslide repair.
10. He also said DEQ has changed their fee structure, now asking for a \$500 application fee which they waived but they will charge a fee of 2.25% of construction costs which we cannot avoid – this could be around \$10,000. John feels we are getting close to getting approval for all repairs.
11. In November we received a letter from DEQ advising the Federal Government has authorized \$183 million for High Hazard Dam repairs. They are giving it to the State of NC; we are a sub-applicant for these funds. We have made an application and now they are requiring a risk assessment form which is due May 1. John will be working on that and he feels there is a possibility we could be awarded up to a 35% matching funds grant.
12. The timeline for this will stretch out through the summer, the awards will be made in the Fall.
13. **Lake Restocking** – We stocked the lake nine months ago and will be watching our fish population. A new sign for across the spillway was ordered in February and we are waiting for that sign.
14. Hedgie questioned whether we could schedule the draining of the lake at sometime other than summer. John advised we would not see approval until sometime in the Fall, once it is approved, we have one year to start the repairs – it could start over the winter of 2025-2026 (not during hurricane season). Jeannette questioned the possibility of a fish

kill down the creek when the lake is drained. John advised there are a lot of regulations on water flow from DEQ; this issue will be addressed when we know more. Discussion was also held about repairing or replacing the drain at the bottom of the lake – this will also be studied and addressed in the future.

15. Rich advised we have \$125,000 in checking and \$135,000 in our Money Market account. In light of the above timeline from John, Rich made a motion to purchase a \$100,000 three month 5% CD so we could get some interest and lower the cash in our checking account. Hedgie made a motion to purchase the CD, Rich seconded, the motion passed.

#### **Architectural Control**

16. Hedgie advised the ACC has approved plans for the Tangums to build a house and dock on Lots 8 and 9 in Section 1. The Castners are building a detached garage and found the location to be too soft to build, so they have had to clear a larger area for support. There is also a question of dirt being moved on a property on Rainbow Lake, the ACC is looking into it.
17. A property owner asked for approval to add an awning to a structure on his property – the ACC is waiting for documents to be sure setbacks are not involved.

#### **Beautification**

18. Barbara reported for Kathy Peerson who advised she is focusing on the entrance, park and island above it – Whistling Dixie will advise and she will hope to get some low maintenance perennials native to our area.

#### **New Business**

19. **Regulations for Use of the Waterfront Park:** A committee was formed to address possible regulations for the waterfront park and a report was submitted to the Board with recommendations. Discussion opened among the Board regarding the actual frequency of use of the lake and waterfront park – concerns about group reservations – restrictions as to hours and noise, parking, etc. and whether this is a chronic problem; use of the lake by non-residents, how to address misuse of the park and lake, and the covenants of ILE stating the park/lake can only be used by property owners and their guests.
20. The Board agreed to the following regulations:
  - a. If a property owner would like to use the park for a group event, that property owner must be in good standing and would make a request to reserve the park. The property owner must attend the event. Kathy Peerson volunteered to manage the reservations.
  - b. The club would charge a \$100 fee for a group event which would provide some income to the park and charge an additional refundable \$100 security deposit to cover any destruction to the park.
  - c. The group would be responsible for cleaning up and removing any trash.
  - d. The group must abide by local noise ordinances – quiet before 10:00 a.m. and quiet after 10:00 p.m.
  - e. Access to the waterfront dock would always be open to any property owner or guest even if the park is reserved.
  - f. Any misuse or concerns should be directed to a Board Member, the group should not be approached by residents.
  - g. Use of the lake would be restricted to property owners and their guests.
21. The report also addressed safety concerns as to a hole on the dock and the requirement that a preserver always be present on the dock.

22. The Board thanked the committee and asked Barbara to report their findings back to the committee.

**Other Business**

23. **Discussion on Providing Water to Contractors.** The question was whether to allow contractors access to community water during the construction process.
24. The Board discussed the pros and cons of giving water to contractors – the additional assessment to a property with water, the possibility of misuse and water possibly left running causing pressure problems. Also the inconvenience to contractor of not having water for cement or cleanup. At this point we furnish water at the Certificate of Occupancy. It was suggested that water be given to contractors if they ask for it.
25. A motion was made by Dick to provide water to contractors if they ask for it if the property owner is up to date on all fees and assessments and prorated difference between vacant lot and occupied lot fees. The motion was seconded by Jeannette, the Board voted and the motion carried.

**There being no further business, the meeting was adjourned. Next meeting June 1, 2024.**