

# Ridge Haven POA Zoom Meeting Minutes of April 29, 2023 and Voting Results

RH POA

**RidgeHaven POA <ridgehavenpoa@gmail.com>** Mon, May 1, 1:57 PM

Dear Ridge Haven POA Members,

Here are the minutes for the Zoom Meeting, and the Voting results.

These will be posted on the POA website Documents page with the email announcements which together contribute to the annual electronic "meeting".

Mel Standen, Secretary RH POA.

This year's electronic meeting used the Zoom Communications Platform as an additional discussion forum to the email correspondence and ballot voting process.

The following Board Members participated: Tom Osterhaus, President; Lynn Taylor, Treasurer; Mel Standen, Secretary; Jim Bishop; Paul Pensiero.

The following Property Owners were also participants: Annette Cabin, David Thompson, Dorie Dickson, Glenn Evers, Israel Mueller, Jeff Gerdes, Mary Ann Lawson.

A quorum for the Zoom meeting itself was not achieved since fewer than 40% of 70 voting lots were represented. Therefore no additional motions could be proposed or voted on.

Tom Osterhaus welcomed all participants at 1:00 pm and thanked Israel Mueller for his help in setting up the Zoom account for us and providing practice sessions beforehand for the Board members so that the meeting may happen without too many problems.

Israel then explained the use of Raise/Lower Hand icons and the Chat capability.

Tom summarized the Committee Reports, which, together with the Board Meeting minutes, had been available at the POA website Documents page since April 8th. Questions were invited, but there were none.

Tom reiterated that the voting is via email ballot, which was distributed at the time of the meeting announcement, and that the deadline is at the end of the day. A quorum is required for votes and the 28 minimum votes required had already been received, but every vote is important and adds to the legitimacy of the result.

Tom summarized the Andrew Bryant Lot (PR-27) issue for which Lien/Foreclosure proceedings are ongoing, and invited questions. There were none.

Tom summarized the David Holmes Lot (PR-26) request for part of the Green Space<sup>3</sup> along Panther Gap Road to be used as access to the top of his Lot, adding that opportunities to resolve this issue in the past<sup>1,2</sup> had not been taken, and that the option of an easement could still be possible in the future.

Discussion and questions were invited, but there were none.

The other Board members thanked Tom for his 10 years of service to the POA - first as Vice President and Secretary, then as President, and he assured us that he would still be around in future with his knowledge and insights into the history of the POA since its inception.

The Panther Ridge Water System was raised as a concern, and as of time of writing, those of us that had gone around the neighborhood looking for anywhere that a leak or break in a pipe might have happened had not been able to locate any. Ridge Haven maintenance will continue to investigate this.

The meeting closed at 1:18pm.

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### **Voting Results:**

The votes cast were as follows -

Item 1: Elect Glenn Evers as President for 2023 - 2025 term  
YES 38, NO 0, ABSTAIN 0. Glenn is elected President.

Item 2: Elect Mel Standen as Secretary for 2023 - 2025 term  
YES 38, NO 0, ABSTAIN 0. Mel is elected Secretary.

Item 3: Deny David Holmes Request for 0.12 acres of Common Area/Green Space.  
YES 31, NO 5, ABSTAIN 2. David's request is denied.

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### **References:**

1. Transylvania County Register of Deeds, Book 286 Page 658, May 11 2005 Milham to Holmes.
  2. Transylvania County Register of Deeds, Book 661 Page 395, July 3, 2013 Ridge Haven Inc to Holmes.
  3. Transylvania County Register of Deeds, Book 709 Page 378, June 12 2013, Ridge Haven Inc to Ridge Haven POA.
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## **Re: Ridge Haven POA Electronic Annual Meeting - Zoom information**

RH POA

**RidgeHaven POA <ridgehavenpoa@gmail.com>** Tue, Apr 25, 4:27 PM.

Dear Ridge Haven POA Members,

This is the follow-up information for those wishing to participate in the Zoom meeting on Saturday.

Pre-registration is required, and can be done using this link - < link expired >

When you register, you will receive a confirmation email from "Zoom" <[no-reply@zoom.us](mailto:no-reply@zoom.us)> and this will contain your unique link to use on Saturday to join the meeting.

The meeting will be open at 12:30 in order to give everyone time to get connected properly, and then at 1:00 pm we will mute everyone's microphone so that we may start in an orderly fashion.

To avoid times when multiple people are talking at the same time, we ask that you use the "**Raise Hand**" feature of Zoom if you want to speak to the meeting, and "**Lower Hand**" when you no longer need to. Those with raised hands will be called upon in turn for their input.

Using this feature is described at <https://ridgehavenpoa.org/Docs/RaiseYourHand.pdf>

Contrary to the previous information, there will be no attempt to gather votes during the meeting itself - instead we ask all meeting participants to vote by email ballot instead, if they have not already done so. This is so that the meeting participants will have the same level of privacy that all those who have already voted by

email had, and so that we will have a written record of all votes cast.

Email Ballots may be sent in at any time before midnight on the day of the meeting. Please vote - we need a quorum to continue the business of the POA, and want to be as representative as possible.

The meeting audio will be recorded by Zoom, and you will be prompted to accept this when joining. It will be available to us afterwards to verify the accuracy of the minutes.

Thank you for your interest and participation,

Mel Standen, Secretary RH POA.

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**On Wed, Apr 12, 2023 at 1:46 PM RidgeHaven POA** <[ridgehavenpoa@gmail.com](mailto:ridgehavenpoa@gmail.com)> wrote:

Dear Ridge Haven POA Members

We are using the Zoom communications platform for our annual meeting for the first time this year, so please bear with us if there are a few glitches along the way...

Information about the platform may be found [here](#)

The link to join the meeting will be sent prior to the date of the meeting.

For those not familiar with the platform, installation of the necessary software can be obtained -

For computer, download and install the **Zoom Desktop Client** installer from <https://zoom.us/download>

For mobile devices/tablets, install the **Zoom - One Platform to Connect** application from the Apple App Store, or the Google Play Store.

It will also be possible to call in via direct telephone call (if all goes well) - the number will be made available together with the meeting link.

If problems arise that prevent voting during the meeting, you may still send your votes via email ballot to [ridgehavenpoa@gmail.com](mailto:ridgehavenpoa@gmail.com) before the end of the day instead.

We thank you for your interest and participation,

Mel Standen, Secretary RH POA.

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## **Ridge Haven POA Electronic Annual Meeting - Announcement**

RH POA

**RidgeHaven POA** <[ridgehavenpoa@gmail.com](mailto:ridgehavenpoa@gmail.com)> Wed, Apr 12, 12:44 PM

Dear Ridge Haven POA Members

This is to announce the 2023 electronic annual meeting of the RidgeHaven POA, to be held on **Saturday April 29th at 1pm.**

The meeting itself will be held using the Zoom communications platform described [here](#).

Those wishing to attend may join via computer, mobile app (cellphone or tablet), or also by dialing the

meeting number via a regular phone call.

You may in any case send the voting ballot (being sent separately) via reply email to [ridgehavenpoa@gmail.com](mailto:ridgehavenpoa@gmail.com) before midnight on Saturday April 29th.

The 2023 Board Meeting Minutes and 2022 Committee Reports are available at the POA website [here](#)

The agenda for the meeting is as follows (for reference, please see the Board Meeting Minutes) -

1. Welcome and attendance recording
2. Any discussion about Committee Reports.
3. Any discussion about election candidates.
4. Any discussion about Andrew Bryant Lot.
5. As per Item 4 of the Board Meeting, David Holmes sent a letter to the Board on March 3rd requesting 0.12 acres of the Common Area / Green Space.  
His letter is included inline here -

March 3, 2023

RHPOA President and Board

I grew up on Panther Ridge Road. I also served at Ridge Haven over 22 years. Around the year 2000 I purchased lot 26 of Ridge Haven subdivision. Both the house site and driveway location were already determined when the development was originally established. In fact the driveways and house sites were all pre determined. I purchased the lot and was shown both, by my grandfather Ed Robeson who established all the RH subdivisions when he served as the first administrator for 25 years. The letter I submitted to the board from my grandfather explains that and states that the driveway was to be located on the green space east of my lot, also that the RH board of directors decided it wasn't necessary to redraw the lot lines at the time. 18 years later I was challenged that it wasn't on the county map which is certainly a clerical error. When Ramsey Pratt law firm produced my paperwork related to the lot the plot maps didn't show my driveway. When RH transferred the lease lots to their owners and the POA was formed they didn't revise the omission. After being challenged by the POA about the driveway over 18 years later I'm needing to have the county map changed to include that .12 acre area on my plot map. The reason I need the land is for my driveway and eventually possibly a carport. It's the only flat place to do so. The septic field goes all the way across the bottom of the lot which was laid out twice by the county. It's location negates any road from below and the house site is at the top of extremely steep terrain from there. I went to considerable expense to have the portion I'm asking for mapped as requested for your approval. While this part doesn't have an attractive stream it does have a cavernous hole that is actually a liability. I would also like to have permission to fix it. I also do own at least .12 acres along fox lane that does join the green space and has an attractive stream which, I'd be more than happy to swap parcels to make it fair if needed. I would retain my well obviously which is a few yards below the Panther Cove easement that was put on the map crossing my lot. My lawyer Mac McKellar has agreed to do the deed work. I've been through a good bit of hassle because of the error of not including the driveway part on the map. Please help me by granting your approval so that I will not have to keep revisiting this issue.

Sincerely, David Holmes

Ed Robeson's letter can be viewed here - <https://ridgehavenpoa.org/Docs/ERLetter.jpg>  
David's requested 0.12 acres can be viewed here - <https://ridgehavenpoa.org/Docs/0.12acres.JPG>

We, the Board, are asking the members of the POA to vote to deny his request for the following reasons -

The area being requested by David Holmes is part of the Common Area (or Green Space) which became owned by the POA in 2013 when the leasehold lots in Panther Ridge and Laurel Ridge were sold to the lessees.

The Board believes that it can best serve the community interests by preserving the Common Area as originally intended - as a recreational area for the enjoyment of all residents. We see the part being requested by David as a natural trailhead for a half mile nature trail which would follow the stream down from Panther Gap Road to Old Toxaway road, and would provide an as yet unrealized walkway for residents away from the traffic which uses the roads. The Common Area owned by the POA can be viewed on the County map here -

<https://www.webgis.net/nc/Transylvania/default.asp?op=id&id=1|parcels|pin|8551-17-7826-000>

The founders of the POA also wanted to protect the Common Area by including a specific ByLaw restriction that no part could be sold off without the approval of 80% of the POA membership, instead of the usual majority of a quorum requirement, which could be as low as 21% of the membership.

We dispute some of the assertions made in David's letter -

1. "The letter I submitted to the board from my grandfather explains that and states that the driveway was to be located on the green space east of my lot".

We read the letter as saying that "the best access (to Lot 26) would be to come in through the Green Area on the east side of the lot", and we view this as an opinion, not a directive to anybody. Access to Lot 26 can be from Fox Lane and Panther Cove roads instead

We also regard David's use of the word "driveway" to be somewhat misleading, because he confirmed in the Board meeting that there was no intention of joining the Common Area space he is requesting with any potential house location on Lot 26 - thus we think of his request as being for a "parking area" and that planning for a house location and a driveway should be done according to the existing boundaries of Lot 26, instead of taking away part of the Common Area.

2. "it (driveway) wasn't on the county map which is certainly a clerical error"

We don't believe that there was any clerical error. The County Map of Lot 26 is online at

<https://www.webgis.net/nc/Transylvania/default.asp?op=id&id=1|parcels|pin|8551-27-1997-000>

and it shows the Lot lines according to the deed descriptions that are filed with the County. David's Deed to Lot 26 is filed in Book 661, Page 395 at the County Register of Deeds, which states that Lot 26 is as shown by a plat thereof recorded in Plat File 2, Slide 238A, Records of Plats for Transylvania County.

The plat map can be viewed here - <https://ridgehavenpoa.org/Docs/238A.pdf>

We also infer from Ed Robeson's last sentence "It was not deemed necessary to resurvey the lot line and show this on the maps" to mean that there was never any intention of changing the map.

Any discussion about this request.

6. Voting for Ballot Items for those not voting by email:

a) Votes for Glenn Evers as President for 2023 - 2025 term

- b) Votes for Mel Standen as Secretary for 2023 - 2025 term
- c) Votes to Deny David Holmes Request for 0.12 acres of Common Area/Green Space.

7. Any discussion about the Zoom meeting itself

8. Any other issues..

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Mel Standen, Secretary RH POA

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## **Ridge Haven POA Electronic Annual Meeting - Ballot**

RH POA

**RidgeHaven POA <ridgehavenpoa@gmail.com>** Wed, Apr 12, 1:56 PM

Dear Ridge Haven POA Members,

This is the voting ballot for the 2023 RidgeHaven POA electronic meeting.

You may reply to this email with your votes for items 1, 2, and 3 - one vote per Lot, right away, or vote in person during the Zoom meeting itself being held at 1pm Saturday April 29th.

If more than one vote is received on behalf of any one specific Lot, the first vote received will be the one recorded.

Votes must be received by midnight Saturday April 29<sup>th</sup>.

We need a quorum to carry out the business of the association. Please vote YES, NO or ABSTAIN to each item.

item 1: Elect Glenn Evers as President for 2023 - 2025 term [YES/NO/ABSTAIN]  
the Board recommends YES.

item 2: Elect Mel Standen as Secretary for 2023 - 2025 term [YES/NO/ABSTAIN]  
the Board recommends YES.

item 3: Deny David Holmes Request for 0.12 acres of Common Area/Green Space. [YES/NO/ABSTAIN]  
the Board recommends YES.

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