



Mountain Harbour Property Owners Association  
1665 Mountain Harbour Dr., Hayesville, NC 28904  
828-389-9000

**MEETING HELD VIA ZOOM**

i Call to order at 2:00PM, January 17, 2023

ii. Board members present:

Jorge Azor, President

Perry Mustian, Vice President

Jim Ackerly

Ed Hooker, Secretary

Chuck Bridger

John Walvoord

Allen Horne

Beth Hooker, Administrative Assistant (Architectural Review Committee)

Betty Applegarth, Treasurer (non-voting member)

Andrew Reynolds (Golf General Manager)

Guests:

None.

1. Pledge of Allegiance led by Ed Hooker.
2. Motion to approve December 2022 minutes made and 2<sup>nd</sup>. Approved 7-0. Minutes will be posted on the web site.
3. Mountain Harbour Golf LLC Report
  - a. GM report provided by Jorge Azor and Andrew Reynolds.
  - b. The November and December financial reports were presented and approved 7-0.
  - c. **Financials:** There were 96 member rounds, decrease of 124 from December 2021. There were 322 greens fees paid, a decrease of 184 from December 2021. A total of 418 rounds played, a decrease of 308 from the same time last year. Green and cart fees resulted in \$4,662.46, memberships resulted in \$3,600.00. There were no tournaments fees collected this month. Total cash collected was \$8,262.46. This total is an increase in revenue of \$647.05 from last year. Golf Now had 39 prepaid rounds and the commission from Golf Now is currently outstanding. Golf Moose rounds resulted in \$1,260.00.00. The beverage cart is not running this time of year. There were 231 snack bar sales totaling \$1,406.21. The pool is closed for the season. The golf course was closed for 11 days and closed early 5 days due to weather. Mr. Azor reiterated that even though our member rounds decreased, our greens fees paid increased, thus generating more income. With the increase in the 2023 rates, he is confident that the



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trend will continue. Mr. Azor reminded the board that the course was basically closed for half the month. He is hoping that the weather will cooperate more in the coming two months.

Below is a summary of sales and income for the grill for the month of October:

|                   |               |                                |
|-------------------|---------------|--------------------------------|
| (1) Breakfast:    | 0 meals       | Income: \$9.51 (bacon add ons) |
| (2) Lunch:        | 478 meals     | Income: \$4,455.48.            |
| (3) Dinner:       | 143 meals     | Income: \$1,761.44             |
| (4) Drinks:       | 272 beverages | Income: \$700.91               |
| (5) Special Event |               | Income: \$1,275.00             |
| (5) Total Sales:  | 889           | Total Income: \$6,927.34       |

Mr. Azor reported on the progress of the grill. Members are reminded that social media is our friend. He emphasized sharing the Mountain Harbour Grill Facebook page on our personal pages as well as Instagram. The grill will be closed from January 19, 2023, to January 31, 2023. During this time, the carpet will be deep cleaned, and painting will occur. Mr. Reynolds was tasked with getting local advertising in the regional newspapers. The half page ad will run in the Clay County Progress for three weeks.

c. We had a major flood over Christmas when one of the fire suppression sprinkler heads froze and ruptured. There was extensive damage to the Falcon Room. Thanks to the quick actions of Mr. Walvoord, the damage was limited from what it could have been. The insurance claim is already being processed and repairs will begin shortly.

d. Mr. Azor went over our vision and goals for calendar year 2023.

- (1). Finalized a dress code and publish it for all to see.
- (2). Attract and prepare for new members. New members who join now will have free golf until April 1 as part of their new membership.

#### **Financials:**

- a. The financial statements of the POA for December are not yet finalized. The financial statements will be tabled until completed by our accountants. The November financial statements were presented and approved 7-0.

#### **Covenants Review:**



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- a. Perry Mustian reviewed feedback on the proposed covenants which was provided by several former board members and past presidents. The board specifically discussed Section 4-11: Subdivision of Property. While the covenants provide for contiguous properties to be combined into one property, section 4-11 does not address re-subdividing after a lot combination. Following discussion, on a motion and second, the board decided to add the following clarification to section 4-11: In the event that an owner decides to re-subdivide. After a lot combination, the Owner shall be required to reimburse the Association for each year of the Assessments for which the properties were combined, with a maximum of six years, before the re-subdivision can occur.

#### **Maintenance:**

1. As you all know, we had a major leak from the fire suppression system over Christmas. The system has been repaired and approved by the fire marshal. Bids are being accepted for repairs. Work should ensue soon.

#### **SOCIAL COMMITTEE:**

1. Mr. Horne presented the following. There will be a Superbowl Party on Superbowl Sunday in the member's lounge. Chef Luis will prepare a delicious taco bar. A cash bar will be available. Sign up in the pro shop.
2. We are planning on having Irish beer and whiskey for St. Patrick's Day party in the member's lounge on St. Patrick's Day. Wear your green.

#### **ARC Review:**

- a. Beth Hooker gave the following report as provided by Mr. Meldram:
  1. Mr. Norris has decided not to build and will sell his lot.
  2. Sadly, Mrs. Powell has passed away and her home is for sale.
  3. Rick Marneris has purchased the lot between his home and the Walvoords.
  4. There are stakes on the lot above the 7<sup>th</sup> green, but no word from the owners what their plans are.
  5. Mr. McCloud has installed a construction driveway to his lot on the Pinnacle side. He will be removing any trees less than 8 inches in diameter to improve the sellability of the lot.
  6. The Strickland's home is walled in and awaiting the finishing of the trusses.
  7. The Perry home is almost dried in.



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8. Lot 51C has been improved to see where best to put a home.

**SECURITY:**

- a. The new entry security system should be installed soon. Mr. Walvoord is working on a good Wi-Fi solution for the front gate for the entry system to be implemented.
- b. The security cameras have all been updated with larger storage capacity.
- c. Mr Walvoord is also checking and learning about obtaining optimal WIFI solutions in the Clubhouse.

**NEW BUSINESS:**

- a. The painting of the clubhouse is complete and looks fabulous.

**Adjourn:** Meeting adjourned at 3:40PM. The next POA Board meeting is scheduled for Tuesday, February 21, 2023, at 2:00PM. The meeting will be held via zoom.

Submitted:

Approved:

E. F. Hooker

J. Azor

Secretary

President



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**MEETING HELD VIA ZOOM**

i Call to order at 2:00PM, February 21, 2023

ii. Board members present:

Jorge Azor, President

Perry Mustian, Vice President

Jim Ackerly

Ed Hooker, Secretary

John Walvoord

Allen Horne

Beth Hooker, Administrative Assistant (Architectural Review Committee)

Betty Applegarth, Treasurer (non-voting member)

Andrew Reynolds (Golf General Manager)

Excused:

Chuck Bridger

Guests:

None.

1. Pledge of Allegiance led by Ed Hooker.
2. Motion to approve January 2023 minutes made and 2<sup>nd</sup>. Approved 6-0. Minutes will be posted on the web site.
3. Mountain Harbour Golf LLC Report
  - a. GM report provided by Jorge Azor and Andrew Reynolds.
  - b. The January financials were not properly formatted and will be tabled for now.
  - c. **Financials:** There were 148 member rounds, increase of 10 from January 2022. There were 534 greens fees paid, an increase of 304 from January 2022. A total of 682 rounds played, an increase of 314 from the same time last year. Green and cart fees resulted in \$8,635.00, memberships resulted in \$950.00. There were no tournaments fees collected this month. Total cash collected was \$9,585.00. This total is an increase in revenue of \$4,022.06 from last year. Golf Now had zero prepaid rounds and the commission from Golf Now was \$0.00. Golf Moose rounds resulted in \$592.00. The beverage cart is not running this time of year. There were 153 snack bar sales totaling \$888.47. The pool is closed for the season. The golf course was closed for 11 days and closed early 2 days due to weather. Once again, Mr. Azor reminded the board that the course was closed for over thirty percent of the month, and this is our slow season.



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Below is a summary of sales and income for the grill for the month of January:

|                   |               |                          |
|-------------------|---------------|--------------------------|
| (1) Breakfast:    | 0 meals       | Income: \$0.00           |
| (2) Lunch:        | 253 meals     | Income: \$2,510.24.      |
| (3) Dinner:       | 17 meals      | Income: \$238.34         |
| (4) Drinks:       | 122 beverages | Income: \$258.61         |
| (5) Special Event |               | Income: \$0.00           |
| (5) Total Sales:  | 392           | Total Income: \$3,007.19 |

Mr. Azor reported on the progress of the grill. The chef and wait staff were on vacation for two weeks during the month. During this time, the carpet was deep cleaned, and the prep area was painted. The carpet looks brand new. Ads will be running in the Clay County Progress for the next three issues.

c. Repairs on the Falcon Room are progressing rapidly. The work is so far, exceptional and during repairs, many previously unknown structural issues were found. There were eleven open gaps in eaves and soffits where the cold air and weather were able to penetrate the attic space. Also, birds, squirrels and other vermin were allowed to enter through these voids. We have asked the contractor to repair all these areas and these repairs will be added to the final bill. Additionally, the contractor repaired the front entrance door to make it more secure and will replace all the pot lights with LED 40-watt soft white lights.

d. Mr. Azor went over our income and expenditures summaries comparisons for the years 2019 through 2022 to show the progress of the golf club revenue during that period. He emphasized the many capital projects in previous years that have cost several thousand dollars and have affected the bottom line. A snapshot of income is posted below:

|          | 2019        | 2020        | 2021       | 2022        |
|----------|-------------|-------------|------------|-------------|
| Revenue: | \$556,413   | \$559,176   | \$695,255  | \$799,136   |
| Loss:    | \$(258,678) | \$(166,520) | \$(96,798) | \$(220,877) |

\*\$125,855 of the reported loss is actual capital expenditures reported on a cash basis. If we remove the capital expenditures the actual loss is \$95,022. Mr. Azor reminded the board that the Economic Impact Disaster Loan (EIDL) is a loan for small businesses with



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a interest rate of 3.75% that is paid back over thirty years. We have judiciously used this loan for much needed infrastructure repairs to the clubhouse and golf course that have been addressed. Repairs to damaged cart paths, re-building of the golf course bridges. We have purchased newer equipment that the golf course has needed, and we have steadily modernized pump house and irrigation equipment. EIDL money was used to get the Grill and Kitchen up to code by repairing the plumbing, coolers, and other kitchen equipment. Repairs were made to the pool and pool pump so it would pass inspection. The Clubhouse exterior was painted. Additionally, we have removed dangerous trees throughout the property.

The golf course is making progress toward standing on its own but obviously has a very long way to go. The goal is to increase memberships and that in turn will help get us through the lean winter months.

e. The member handbook is almost ready to go to the printer. We have ordered many rack cards to be placed in small businesses throughout Clay Co, Towns Co, and Macon Co to give us more exposure to the community.

#### **POA Report & Financials:**

1. The financial statements of the POA for January are not yet finalized. The financial statements will be tabled until completed by our accountants. Mr. Azor gave a review of the POA income and dues over the last four years. So far in 2023, over \$300,000 in annual dues has been collected.

|                       | 2019      | 2020      | 2021      | 2022      |
|-----------------------|-----------|-----------|-----------|-----------|
| Cash Reserves:        | \$138,787 | \$346,035 | \$408,713 | \$544,880 |
| Dues Collected:       | \$543,571 | \$422,565 | \$446,709 | \$451,095 |
| Expenses:             | \$189,329 | \$174,636 | \$197,848 | \$208,246 |
| Income over Expenses: | \$354,241 | \$247,636 | \$248,861 | \$242,849 |
| Dues:                 | \$1,900   | \$1,700   | \$1,600   | \$1,500   |
| # Dues paid           | 286       | 248       | 279       | 301       |

As the number show, dues went down, and revenue went up due to better collection methods and communication with owners. Many capital improvements have



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been made that were long overdue. It is imperative that our reserves increase each year as our roads and infrastructure age.

#### **Covenants Review:**

1. Update provided by Mr. Mustian. When the proposed covenant revisions were posted for review, the board received feedback regarding a section of the covenants about Development Unit Parcels (DUP's). A Development Unit Parcel refers to a parcel of land which has been conveyed to a developer other than the Declarant and which is subject to limitations established by the Declarant. Based on the feedback received, the board's attorney recommended additional modifications to the proposed covenants that were previously posted for review on the Mountain Harbour website. On a motion and second, the following revisions were adopted as recommendations to Mountain Harbour property owner as part of the covenant review project.
  - Added definition in Sections 2-11 and 2-35 to add back in the undesignated lot and development unit parcel language.
  - Added language to Sections 3-1 and 3-2 to grandfather in any UD's (Undesignated Lands) that had been previously designated in a deed.
  - Added language to 4-1 to grandfather in any exemptions to the ARC review an use restrictions.
  - Revised Section 4-11 to address UD's ability to subdivide.
2. During the recent covenant review and revision, an inconsistency was noted between the Mountain Harbour covenants and a property owner's deed. On a motion and a second, the board voted to acknowledge and accepted the inconsistency as non-material.

#### **Maintenance:**

1. As previously reported, repairs on the clubhouse are progressing.
2. Tree removal for dangerous trees has been completed.
3. The area above the 16-teeing ground along Mountain Harbour Drive was cleaned up by the Friends of Mountain Harbour. This has improved the sight line all the way up the 16<sup>th</sup> fairway to the green.





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4. Mr. Ackerly commented that in all the years he has lived in the community, it has never looked better than today.

#### **SOCIAL COMMITTEE:**

1. Mr. Horne presented the following. Superbowl Party was a success. All who attended had a great time and the food provided by Chef Luis was exceptional.
2. We are planning on having Irish beer and whiskey for St. Patrick's Day party in the member's lounge on St. Patrick's Day. Wear your best green.

#### **ARC Review:**

1. Beth Hooker gave the following report:
2. The Perry house and the Strickland house are progressing.
3. Mr. Andrews is in the process of purchasing several lots and is planning to build.

#### **SECURITY:**

1. The new entry security system should be installed soon. Mr. Walvoord is working on a good Wi-Fi solution for the front gate for the entry system to be implemented.
2. The security cameras at the front and rear gates have been improved with telephoto lens that will make it much easier to see license plates and better improve the security of the grounds.

#### **NEW BUSINESS:**

1. We have received two estimates to improve the drainage on the driving range and make the practice grounds more appealing and serviceable. Board members were given a synopsis of what these improvements entail, and this will be discussed at the next board meeting.

**Adjourn:** Meeting adjourned at 3:40PM. The next POA Board meeting is scheduled for Tuesday, March 21, 2023, at 2:00PM. The meeting will be held via zoom.

Submitted:

Approved:

E. F. Hooker

J. Azor

Secretary

President



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### MEETING HELD VIA ZOOM

i Call to order at 2:00PM, Mach 21, 2023

Board members present:

Jorge Azor, President  
Perry Mustian, Vice President  
Jim Ackerly  
Ed Hooker, Secretary  
John Walvoord  
Allen Horne  
Chuck Bridger  
Betty Applegarth, Treasurer (non-voting member)  
Andrew Reynolds (Golf General Manager)  
Guests:  
None.

1. Pledge of Allegiance led by Andrew Reynolds.
2. Motion to approve February 2023 minutes made and 2<sup>nd</sup>. Approved 7-0. Minutes will be posted on the web site.
3. Mountain Harbour Golf LLC Report
  - a. GM report provided by Andrew Reynolds.
  - b. The January and February financials were presented and approved by the board.
  - c. **Financials:** There were 170 member rounds, increase of 1 from February 2022. There were 688 greens fees paid, an increase of 238 from February 2022. A total of 858 rounds played, an increase of 239 from the same time last year. Green and cart fees resulted in \$10,110.05, memberships resulted in \$2,350.00. There were no tournaments fees collected this month. Total cash collected was \$13,460.05. This total is a decrease in revenue of \$923.25 from last year. Golf Now had zero prepaid rounds and the commission from Golf Now was \$684.00. Golf Moose rounds resulted in \$851.00. The beverage cart is not running this time of year. There were 218 snack bar sales totaling \$1,221.13. The pool is closed for the season. The golf course was closed for 1 day and closed early 0 days due to weather. There was one



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special event resulting in \$300.00 in revenue. The Pro shop had 430 sales resulting in \$1096..35 earning for the club.

Below is a summary of sales and income for the grill for the month of January:

|                   |               |                          |
|-------------------|---------------|--------------------------|
| (1) Breakfast:    | 0 meals       | Income: \$0.00           |
| (2) Lunch:        | 642 meals     | Income: \$6,245.36.      |
| (3) Dinner:       | 42 meals      | Income: \$657.06         |
| (4) Drinks:       | 408 beverages | Income: \$1011.06        |
| (5) Special Event |               | Income: \$0.00           |
| (5) Total Sales:  | 1092          | Total Income: \$7,913.48 |

d. The Golf member handbook has been proofed and approved for printing, and should be ready by mid April.

e. The rebuilding of the sand trap on hole #3 is complete. It has a refurbished drainage system. The sand trap on #4 is in the process of being done. Once completed it will greatly improve the playability of these 2 sand traps.

f. Mr. Hooker asked if there were any way to approve the drainage and practice area of the facility. Mr. Azor commented that he would love to have this project completed but the golf course does not have the money to complete that project at this time. Improvement of the practice facility is a top priority for the golf course.

g. Aerification is well underway. We are having to battle some weather to get this done. Holes 1-6 were done Sunday, holes 6-14 were done yesterday, 15-18 will be finished today.

h. Mr. Reynolds has been tasked with finding out how we can mount an outside television in the veranda area. A member has graciously offered to buy a television if we can provide the TV service and mounts for it.

i. The television in the work out area only works intermittently. Mr. Reynolds was tasked with finding out the problem and replacing the TV if needed.

#### **POA Report & Financials:**

- a. The January and February financial statements were presented and reviewed. Motion to approve passed.
- b. The annual POA dues collections are off to a very good start. We have received over \$354,000.0 dollars so far.



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- c. We have collected over \$68,000.00 in dues from liens and better communications with property owners.
- d. Mr. Azor reemphasized that building our reserve funds is a priority since we are freestanding and will be responsible for any major incidents such as slides, road repair, and major storm damage.

#### **Covenants Review:**

- 1. Mr. Mustian gave an update on the progress of the covenant revisions and his efforts to address feedback by a property owner. Based on advice by the board's attorney, the third covenant recital was revised to read as follows: "WHEREAS, except as specifically set forth herein and reserved in individual owner's deeds, the Declarant Rights, including class "B" votes, have been released, waived, or otherwise terminated;". On a motion and a second, the revised recital was approved as a recommendation to the POA for the upcoming mail referendum vote to approve the revisions and updates to the Mountain Harbour POA covenants.

#### **Maintenance:**

- 1. \$1,700.00 dollars was approved to remove dead and dangerous trees on the common areas of the development.
- 2. The Clubhouse damage in the Falcon Room due to the Christmas Eve freeze has been completed and came in on budget with the insurance repair funds.

#### **SOCIAL COMMITTEE:**

- 1. The St. Patrick's Day party was a resounding success.
- 2. Plans are being made for the upcoming POA annual meeting dinner for property owners. The Annual Meeting is set for 4/22/23 at 4:00pm in the Falcon Room, with a catered buffet afterwards.



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**ARC Review:**

1. Beth Hooker is unable to attend due to prior commitments. The current builds are progressing. The Strickland home was approved to change the originally submitted shingles to a darker color.

**SECURITY:**

1. The new entry security system planning is coming along, and installation is incumbent on the contractor and equipment order.

**NEW BUSINESS:**

1. The current make up of the Board wants to remain intact; however, any interested party wishing to serve and make a difference for the community may reach out to Mr. Azor with their qualifications, experience and interest.

**Adjourn:** Meeting adjourned at 3:40PM. The next POA Board meeting is scheduled for Tuesday, April 18, 2023, at 3:00PM. The meeting will be held in the Falcon Room.

Submitted:

E. F. Hooker

Secretary

Approved:

J. Azor

President



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828-389-9000

i Call to order at 3:00PM, April 18, 2023

Board members present:

Jorge Azor, President  
Perry Mustian, Vice President  
Jim Ackerly  
Ed Hooker, Secretary  
John Walvoord  
Allen Horne  
Chuck Bridger  
Betty Applegarth, Treasurer (non-voting member)  
Andrew Reynolds (Golf General Manager)  
Excused:  
John Walvoord  
Allen Horne  
Architectural Review:  
Beth Hooker  
Guests:  
Bill Hickok

1. Pledge of Allegiance led by Chuck Bridger.
2. Motion to approve March 2023 minutes made and 2<sup>nd</sup>. Approved 5-0. Minutes will be posted on the web site.
3. Mountain Harbour Golf LLC Report
  - a. GM report provided by Andrew Reynolds.
  - b. The March financials were presented and approved by the board.
  - c. **Financials:** There were 234 member rounds, increase of 94 from March 2022. There were 827 greens fees paid, an increase of 183 from March 2022. A total of 1,061 rounds played, an increase of 277 from the same time last year. Green and cart fees resulted in \$17,994.86, memberships resulted in \$30,187.50. Tournaments fees collected this month totaled \$0.00 Total cash collected was \$48,182.36. This total is a decrease in revenue of \$46,154.53 from last year. This discrepancy in income is from the number of golfers who have not renewed their memberships as of yet. Golf



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The commission from Golf Now was \$1,017.72. Golf Moose rounds resulted in \$1,036.00. The beverage cart did not run this month. It will commence operations in April. There were 294 snack bar sales totaling \$1,750.93. The pool is closed for the season. The golf course was closed for 2 days for aerification and closed early 2 days due to weather. The Pro shop had 744 sales resulting in \$1,936.81 earning for the club. The card room generated \$102.00

Below is a summary of sales and income for the grill for the month of January:

|               |               |                           |
|---------------|---------------|---------------------------|
| Lunch:        | 891 meals     | Income: \$8,109.85        |
| Dinner:       | 130 meals     | Income: \$1,982.37        |
| Drinks:       | 475 beverages | Income: \$2,236.33        |
| Special Event |               | Income: \$0.00            |
| Total Sales:  | 1496          | Total Income: \$11,328.55 |

- d. The Golf member handbook is complete and copies have been handed out to all board members. The handbooks will be given to members as they renew their memberships.
- e. The sandtraps for holes 3 and 4 are in play and we have received many compliments on how nice they look and play.
- f. Ms. Applegarth was asked to send out invoices to the 75 members who have not renewed their annual dues.

#### **POA Report & Financials:**

- a. The March financial statements were presented and reviewed. Motion to approve passed.
- b. We currently have \$751,902 in three accounts. We have collected \$354,000.00 this year. This month alone, we received \$18,000.00.
- c. Mr. Azor made a motion to move \$250,000.00 into a CD that will collect at least 4.5 percent. The motion was 2<sup>nd</sup> and passed 5-0. The interest made on this CD will pay the interest on the EIDL loan that we will start paying for in 2024. In effect, we will earn 1 percent more than the interest rate on the EIDL loan.

#### **Covenants Review:**



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1. Mr. Mustian gave an update on the progress of the covenants. The proposed new covenants ballots will be mailed the Friday after the annual meeting. No other changes will be made henceforth.

#### **Maintenance:**

1. Crisp Paving is preparing an estimate to repave North Meadow Ridge.
2. Mr. Azor requested a quote from Crisp paving on what the cost would be for a 1-mile section, 18 feet wide, and 1 ½ inches deep. This amount was determined to be approximately \$150,000.

#### **SOCIAL COMMITTEE:**

1. The Annual Meeting is set for 4/22/23 at 4:00pm in the Falcon Room, with a catered buffet afterwards.

#### **ARC Review:**

1. The Sylvester house plan has been approved.
2. The Upshaw home is under contract.

#### **SECURITY:**

1. The new entry security system is behind schedule due the contractor's full schedule. He assures us he has not forgotten us and has us in the queue.
2. We are researching if a card reader access is feasible for the work-out area. Mr. Walvoord will be asked to investigate this.
3. Mr. Hooker has been tasked with finding out the cost of installing a cattle gate or key entry gate to the Pinnacle side of the property. There has been a lot of trespassing at the top of the Pinnacle and people are making campfires and leaving trash on the top.

#### **NEW BUSINESS:**

1. We need training on how to do mass mailings.





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**Adjourn:** Meeting adjourned at 4:10PM. The next POA Board meeting is scheduled for Tuesday, May 9, 2023, at 2:00PM. This meeting will be one week earlier due to a prior commitment of the President. The meeting will be held in the Falcon Room.

Submitted:

E. F. Hooker

Secretary

Approved:

J. Azor

President



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i Call to order at 2:00PM, May 9, 2023

Board members present:

Jorge Azor, President  
Perry Mustian, Vice President  
Jim Ackerly  
Ed Hooker, Secretary  
John Walvoord  
Allen Horne  
Chuck Bridger  
Betty Applegarth, Treasurer (non-voting member)  
Excused:  
None  
Architectural Review:  
Beth Hooker  
Guests:  
None

1. Pledge of Allegiance led by Chuck Bridger.
2. Motion to approve April 2023 minutes made and 2<sup>nd</sup>. Approved 7-0. Minutes will be posted on the web site.
3. Mountain Harbour Golf LLC Report
  - a. GM report provided by Jorge Azor.
  - b. The April financials were tabled until the next board meeting. The monthly meeting is one week earlier this month due to scheduling conflicts to some of the board members.
  - c. **Financials:** There were 112 member rounds, a decrease of 224 from April 2022. There were 1,448 greens fees paid, an increase of 131 from April 2022. A total of 1,560 rounds played, a decrease of 93 from the same time last year. Green and cart fees resulted in \$63,947.22, memberships resulted in \$51,250.00. Tournaments fees collected this month totaled \$3,250.00. Prepaid 10/\$380.00 cards sold was \$3,420.00. Total cash collected was \$121,867.22. This total is an increase in revenue of \$10,412.23 from last year. Golf The commission from Golf Now was not yet



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reported. Golf Moose rounds resulted in \$2,340.00. Of that, \$585.00 was deducted by Golf Moose for administrative fees. The beverage cart had 556 sales resulting in \$1,710.57. There were 375 snack bar sales totaling \$2,369.43. The golf course was closed for 2 days for due to weather. Although the course was open most days, most of the month was spent as cart path only due to the wet weather. The Pro shop had 1,044 sales resulting in \$2,369.43 of revenue. The card room generated \$10.00.

Below is a summary of sales and income for the grill for the month of April.

|               |               |                           |
|---------------|---------------|---------------------------|
| Lunch:        | 891 meals     | Income: \$7,497.73        |
| Dinner:       | 130 meals     | Income: \$2,397.30        |
| Drinks:       | 475 beverages | Income: \$ 957.35         |
| Special Event |               | Income: \$0.00            |
| Total Sales:  | 1495          | Total Income: \$10,852.38 |

d. Mr. Azor gave a detailed report to the board on how the grill is progressing. He reiterated how narrow the margins are in the restaurant business. We are operating right at 56% spending on food, beverages and salaries. The optimum number here would be 50% or less on spending. Chef Luis is looking for ways to cut costs and get us to that number without sacrificing quality. These statistics reflect the slowest months of the year, and we were closed for two weeks in January. Overall, the grill is becoming more successful every day and with the coming of summer, should improve immensely.

e. Mr. Azor reported that Andrew Reynolds has decided to step down as GM of golf course operations. Mr. Andrews may become part of the maintenance staff where his expertise is more suited.

#### **POA Report & Financials:**

a. The April financial statements are not yet ready for review.

Mr. Azor and Mr. Hooker signed a CD for \$250,000.00 that will collect 4.5 percent. As discussed in last month's meeting interest made on this CD will pay the interest on the EIDL loan that we will start paying for in 2024.

#### **b. Covenants Review:**



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1. Mr. Mustian gave an update on the progress of the covenants. He noted that the mail referendum to approve the revised covenants was mailed out with a ballot to all members with a postmark return deadline of May 29, 2023. Several board members have received calls regarding the ballots which indicates that members have received and are reviewed the mailing.

#### **Maintenance:**

1. Mr. Walvoord has re-worked the supply side of the water wheel to better regulate the flow of water that will keep the feed from being clogged or running too swiftly.
2. The “pop up” springs on Mountain Harbour Drive are being addressed and Mr. Aaron Waldrip has been retained. He will submit a quote to mitigate this ongoing issue. As an aside, Mr. Ackerly has advised Mr. Crisp of Crisp Paving to hold off on any paving projects until repairs are made to these springs. It will be more cost effective to have all the paving projects done at one time.

#### **SOCIAL COMMITTEE:**

1. The Mountain Harbour “Navy” is planning summer meet ups on Lake Chatuge. Those that don’t own a boat are encouraged to link up with boat owners and come to the lake and socialize this summer. A schedule is forthcoming.
2. The first Friday night scramble is scheduled for this coming Friday at 4:30PM. Note the time change so everyone can have an opportunity to order a delicious meal from the grill after their round. Entry fee is \$5.00 per player and all money is paid out as prizes based on the number of team entries.
3. Plans are underway for the 4<sup>th</sup> of July gala at Mountain Harbour. Cost will depend on the menu price and how much fireworks are.

#### **ARC Review:**

1. The Sylvester house has broken ground as of today.
2. The Upshaw home has been sold.
3. The Cwik’s are repainting their home with the same color scheme.



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#### **SECURITY:**

1. We are waiting on the contractor to install the new entry system for the front gate. Once completed, we will devise a way to get the bar codes to owners. Each owner will be issued two bar codes to be placed in a designated part of the windshield. Additional bar codes will be available for purchase for those who have more than two vehicles. There will also be an option for a garage opener type device if so desired by the owner.
2. Mr. Hooker reported that he has had two responses for a quote to build an entry gate on the Pinnacle side of the development. Both contractors are in Asheville, and it would be a very expensive undertaking. Mr. Walvoord stated he knows a local contractor that does this type of work and will seek a quote from him.

#### **NEW BUSINESS:**

1. Mr. Mustian gave the board an update on the process of electing board Directors. The covenants and by-laws require a vote of all members to elect directors with a quorum requirement of fifty percent presence or members or proxies. Sample documents were provided to the board for review. The board tabled further discussion for director election until its June meeting.
2. Mr. Azor gave a detailed report of the wedding held this last Saturday at Mountain Harbour. The only complaint was the failure of the A/C in the Falcon Room. We contacted the HVAC contractor we have doing our preventive maintenance on our aging units. These are all original units that were installed when the clubhouse was built. Elliott Brothers Mechanical gave a detailed estimate of what it would cost to replace all the aging equipment in the clubhouse. The estimate was in excess of \$80,000.00. After discussion with the board, a motion was made and passed that the HVAC units that support the Falcon Room and the grill will be replaced with the remainder of the EIDL loan money at a cost of approximately \$20,000.00. The other HVAC units will be added to the long-range plan along with other capital projects.

**Adjourn:** Meeting adjourned at 4:10PM. The next POA Board meeting is scheduled for Tuesday, June 20th, at 2:00PM. The meeting will be held in the Falcon Room. As a reminder, COVID restrictions have been removed and owners can attend these meetings.



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Submitted:

E. F. Hooker

Secretary

Approved:

J. Azor

President



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i Call to order at 2:00PM, June 20, 2023

Board members present:

Jorge Azor, President  
Perry Mustian, Vice President  
Jim Ackerly  
Ed Hooker, Secretary  
John Walvoord  
Allen Horne  
Chuck Bridger  
Betty Applegarth, Treasurer (non-voting member)  
Excused:  
None  
Architectural Review:  
Beth Hooker  
Guests:  
None

1. Pledge of Allegiance led by Chuck Bridger.
2. Motion to approve May 2023 minutes made and 2<sup>nd</sup>. Approved 7-0. Minutes will be posted on the web site.
3. Mountain Harbour Golf LLC Report
  - a. GM report provided by Jorge Azor.
  - b. The April financials were reviewed and approved. The May financials were presented to the board late and will be reviewed next month.
  - c. **Financials:** There were 647 member rounds, an increase of 127 from May 2022. There were 2,166 greens fees paid, an increase of 386 from May 2022. A total of 2,813 rounds played, an increase of 513 from the same time last year. Green and cart fees resulted in \$54,904.41, memberships resulted in \$18,658.33. Tournaments fees collected this month totaled \$8,250.00. Prepaid 10/\$380.00 cards sold was \$6,840.00. Total cash collected was \$121,867.22. This total is an increase in revenue of \$44,473.66 from last year. Golf The commission from Golf Now was \$1,684.38. Golf Moose rounds resulted in \$3,195.00. The beverage cart had 912 sales resulting



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in \$2,770.67. There were 431 snack bar sales totaling \$2,250.69. The golf course was closed for 0 days for due to weather. The course was cart path only for 2 days. The Pro shop had 1515 sales resulting in \$3,398.40 of revenue. The card room generated \$144.00. There was one event that generated \$7,550.00.

Below is a summary of sales and income for the grill for the month of May.

|               |               |                           |
|---------------|---------------|---------------------------|
| Lunch:        | 1,142 meals   | Income: \$10,077.21       |
| Dinner:       | 131 meals     | Income: \$2,531.60        |
| Drinks:       | 537 beverages | Income: \$1,308.37        |
| Special Event |               | Income: \$0.00            |
| Total Sales:  | 1,810         | Total Income: \$10,852.38 |

d. It was pointed out to the board that our email system is not up to date. Many members relate not getting statements or not getting notified of events. The addresses have been updated and mandatory sports membership notifications have gone out to those who did not receive an invoice.

#### **POA Report & Financials:**

- a. The April financial statements were presented and approved by unanimous vote. They will be posted on the POA website. The May financials were received late from the CPA's and will be reviewed next month.
- b. The covenants change proposal failed to get a quorum. The new proposed covenants will be tabled and after some modifications will be proposed at a future date.
- c. Mr. Mustian reviewed the notice of Called Meeting to elect the board of directors and reviewed the proxy/election ballots that will be included with the meeting notice. The date of the called meeting is August 5, 2023, at 2:00PM. In order to meet the requirement for a quorum, we need 191 completed ballots for the threshold of fifty percent presence of Members or proxies. In the event a quorum is not forthcoming, a second meeting of the Association will be called, following proper notice, with no quorum requirement needed to elect the board. Mr. Mustian also reviewed several summary documents he prepared for the board that outline various sections of the Mountain Harbour by-laws and covenants pertaining to





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voting rights, board of directors, quorum for meetings and the number of votes to achieve quorum.

- d. Mr. Mustian reported that he and Mr. Azor held a conference call with FirstService Residential to discuss a potential management agreement with the POA. In this call, Mr. Mustian discussed the services to include in an agreement and reviewed some of the board's challenges with engaging members in the covenant review and addressing members who are in arrears with their POA dues.

#### **Maintenance:**

1. Mr. Walvoord has re-worked the waterwheel, so it does not spin backwards.
2. Mr. Ackerly reported that repairs to the road leading to the Volkheimer home has been repaired.
3. The road to the top of the Pinnacle has one area where a slide was repaired. The part of the road repaired is currently crushed stone. One of the property owners above the repaired slide area asked why that part of the road is not paved. To pave that one section of road would cost several thousand dollars. It is recommended that the road not be paved until a home is built on the land past the repair because construction trucks (cement, steel, bulldozers) would damage any road put in and it would just have to be repaired after construction.

#### **SOCIAL COMMITTEE:**

1. The 4<sup>th</sup> of July celebration is planned, and sign-up is in the pro shop. We are expecting a large crowd so sign up early.
2. The Friday night scramble has been a little inconsistent because of weather and other events. We hope to be back on schedule in the second week of July. Stop by the pro shop to sign up. There is a \$5.00 throw in per player.

#### **ARC Review:**

1. There are currently three houses under construction in the community. All are progressing and there have been no reported problems.

#### **SECURITY:**



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1. Instillation of the new front gate hardware and software are to begin next week. Once the new system is in place, the old "clickers" will not work. Owners need to come to the clubhouse to be issued two IFR stickers to display on their windshields. If they need more than two, additional stickers can be purchased at a very small fee.

**NEW BUSINESS:**

1. None.

**Adjourn:** Meeting adjourned at 3:20PM. The next POA Board meeting is scheduled for Tuesday, July 18th, at 2:00PM. The meeting will be held in the Falcon Room. As a reminder, owners can attend these meetings. Please email [efhooker@me.com](mailto:efhooker@me.com) with any items you would like added to the agenda.

Submitted:

E. F. Hooker

Secretary

Approved:

J. Azor

President



Mountain Harbour Property Owners Association  
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i Call to order at 2:00PM, July 23, 2023

Board members present:

Jorge Azor, President  
Perry Mustian, Vice President  
Jim Ackerly  
Ed Hooker, Secretary  
Allen Horne  
Chuck Bridger  
Betty Applegarth, Treasurer (non-voting member)  
Excused:  
John Walvoord  
Architectural Review:  
Beth Hooker  
Guests:  
None

1. Pledge of Allegiance led by Chuck Bridger.
2. Motion to approve June 2023 minutes made and 2<sup>nd</sup>. Approved 6-0. Minutes will be posted on the web site.
3. Mountain Harbour Golf LLC Report
  - a. GM report provided by Jorge Azor.
  - b. The May financials were reviewed and approved. Mr. Azor reported that revenue is up, but it still needs to increase.
  - c. **Financials:** There were 541 member rounds, a decrease of 125 from June 2022. There were 2,097 greens fees paid, an increase of 102 from June 2022. A total of 2,638 rounds played, a decrease of 13 from the same time last year. Green and cart fees resulted in \$50082.41, memberships resulted in \$22,559.04. Tournaments fees collected this month totaled \$4,588.00. Prepaid 10/\$380.00 cards sold was \$2,280.00. Total cash collected was \$79,509.45. This total is an increase in revenue of \$17,633.66 from last year. Golf The commission from Golf Now was \$1,832.50. Golf Moose rounds resulted in \$5,130.00. The beverage cart had 714 sales resulting in \$2,2740.23. There were 463 snack bar sales totaling \$2,740.23. The golf course



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was closed for 2 days for due to weather. The course was cart path only for 5 days. The Pro shop had 1,286 sales resulting in \$3074.51 of revenue. The card room generated \$100.00. There was one event that generated \$5,130.00.

Below is a summary of sales and income for the grill for the month of May.

|               |               |                           |
|---------------|---------------|---------------------------|
| Lunch:        | 994 meals     | Income: \$8,966.75        |
| Dinner:       | 304 meals     | Income: \$2,325.92        |
| Drinks:       | 531 beverages | Income: \$1,638.23        |
| Special Event |               | Income: \$0.00            |
| Total Sales:  | 1,629         | Total Income: \$12,930.90 |

d. The new golf carts should arrive in November or December of this year.

#### **POA Report & Financials:**

- a. The May financial statements were presented and approved by unanimous vote. They will be posted on the POA website. The June financial statements will be sent out via email to the board for review and approval at the next board meeting.
- b. We have approximately \$750,000.00 in the bank as of May 31, 2023. By the end of the year, we would like to add at least \$150,000.00 to our reserves.
- c. Mr. Mustian updated the board on the called meeting on August 5, 2023, to elect the current slate of Directors. The proxy/election ballots have been slow to return so it's possible that the quorum requirement will not be met. If the August 5 meeting does not meet the quorum threshold, then a second attempt meeting will be held in August to elect the board.
- d. Mr. Azor and Mr. Mustian reported on the status of their discussions with FirstService Residential to provide the Mountain Harbour POA with professional property management services. The outline of an agreement was reviewed with the board, including the monthly fee of \$2,083.33 and a one time on-boarding fee of \$2,500.00. The board asked for a formal proposal and references from FirstService Residential in order to make a decision regarding property management services.

#### **Maintenance:**



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1. We would like to get an estimate from the fire suppression system company to change from water to compressed air. This will eliminate the possibility of the sprinkler system freezing in the colder months.
2. We need to establish a policy for dangerous trees.
3. Mr. Ackerly spoke about the condition of the drainage ditches past the entryway on Mountain Harbour Drive. They are too wide and look bad. Mr. Mixson will be asked not to spray herbicide so wide in that area.

#### **SOCIAL COMMITTEE:**

1. The Friday night scramble is ongoing depending on weather. Stop by the pro shop to sign up. There is a \$5.00 throw in per player.
2. The last Mountain Harbour Navy social gathering had six boats. It was a good time for all in attendance.
3. The July 4 celebration was a huge success.

#### **ARC Review:**

1. The Perry house and the Strickland homes are all dried in and work continues. We are waiting on a landscaping plan for both homes.
2. The Sylvester home is progressing.
3. The Andrews family is currently meeting with an architect and hoping to finalize plans to submit to the ARC.
4. The owners of Lot 116A (Stubbs family) are currently looking for a builder. They would like to begin building before the new year.

#### **SECURITY:**

1. Installation of the new front gate hardware and software should be completed by July 20, 2023.

#### **NEW BUSINESS:**

1. None.



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**Adjourn:** Meeting adjourned at 3:23PM. The next POA Board meeting is tentatively scheduled for the last Tuesday, in August, at 2:00PM. This is a change to the normal third Tuesday. The meeting will be held in the Falcon Room. As a reminder, owners can attend these meetings. Please email [efhooker@me.com](mailto:efhooker@me.com) with any items you would like added to the agenda.

Submitted:

Approved:

E. F. Hooker

J. Azor

Secretary

President



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i Call to order at 2:00PM, August 29, 2023

Board members present:

Jorge Azor, President  
Perry Mustian, Vice President  
Jim Ackerly  
Ed Hooker, Secretary  
Allen Horne  
Chuck Bridger  
Betty Applegarth, Treasurer (non-voting member)  
Excused:  
John Walvoord  
Architectural Review:  
Beth Hooker  
Guests:  
Beverly Koon, Exit Realty  
Rick Sjolholm, Atlanta Community Const.  
Skip Smith, Atlanta Community Const.  
Bill Hickok, Friends of Mountain Harbour

1. Pledge of Allegiance led by Ed Hooker.
2. Motion to approve July 2023 minutes made and 2<sup>nd</sup>. Approved 6-0. Minutes will be posted on the web site.
3. **Presentation and summary of the offer to purchase Mountain Harbour POA lots.**
  - a. An offer to purchase 33 POA owned Mountain Harbour lots was presented to the board at today's meeting.
  - b. Beverly Koon, Broker with EXIT Realty, Rick Sjolholm and Skip Smith representing the buyer, Integrity Development Group, LLC presented to the board the terms of the Offer to Purchase.
    - (1) Terms of the offer are:
      - \$330,000.00 for 33 POA owned lots. (Exhibit A for lot identification is in the Secretaries office located in Mountain Harbour.)
      - \$20,000.00 in earnest money.



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- Initial 90-day due diligence time period with the option to extend due diligence upon written request. If due diligence extends past 90 days, earnest money of \$20,000.00 will become non-refundable.
- Settlement to occur 30 days after due diligence ends.

EXHIBIT A – Identifies lots by lot #, parcel #, Deed Book/Page, Plat Book/page & size of lot.

Special Stipulations modified:

- The POA votes associated with the prorated annual fees will be proportionate to the percentage of fees paid annually. Year 1- 20%, Year 2-40%, year 3-60%, year 4-80% and year 5-100%.
- There will be no rental services such as AIRBNB, VRBO, etc.
- Buyers understand all the Covenants and Restrictions have to be adhered to and any building plans must be submitted to and approved by the Architectural Review Committee.

After discussion of the modifications to the original proposal, a motion to approve the proposal was made and 2<sup>nd</sup>. Passed 6-0.

4. Mountain Harbour Golf LLC Report including the Grill.
  - a. GM report provided by Jorge Azor.
  - b. The June and July financials were reviewed and approved 6-0.
    1. Mr. Azor reported that food costs are slowly going down to the preferred percentage of 40%. For the midyear report, the grill lost money in January and February. In March it saw a small gain. From April to July, food and beverage activity generated nearly \$89,000.00 in gross revenue. Overall, the grill is at an 18% profit.
    2. The golf course has \$80,000.00 on hand. So far this year, the golf course has generated nearly \$536,000.00 in revenue.
  - c. **Financials:** There were 678 member rounds, an increase of 31 from July 2022. There were 2896 greens fees paid, an increase of 536 from July 2022. A total of 3,574 rounds played, an increase of 567 from the same time last year. Green and cart fees resulted in \$69,798.20, memberships resulted in \$24,343.98. Tournaments fees collected this month totaled \$00.00. Prepaid 10/\$380.00 cards sold was \$760.00. Total cash collected was \$94,902.18. This total is an increase in revenue of \$32,703.88 from last year. Golf





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The commission from Golf Now was \$2,476.03. Golf Moose rounds resulted in \$7,020.00. The beverage cart had 1,213 sales resulting in \$3,783.66. There were 416 snack bar sales totaling \$2,563.78. The golf course was closed for 1 day for due to weather. The course was cart path only for 3 days. The Pro shop had 1626 sales resulting in \$2563.78 of revenue. The card room generated \$80.00. The pool had 8 guests totaling \$100.00. Special event income was \$1,425.00.

Below is a summary of sales and income for the grill for the month of May.

|               |               |                            |
|---------------|---------------|----------------------------|
| Lunch:        | 1072 meals    | Income: \$10,109.99        |
| Dinner:       | 277 meals     | Income: \$5,350.91         |
| Drinks:       | 925 beverages | Income: \$3,064.89         |
| Special Event |               | Income: \$0                |
| Total Sales:  | 2,274         | Total Income: \$18,525.79. |

d. Mr. Azor gave a report on Golf Moose. Since we entered into an agreement with this 100% Facebook advertised promotion, most players come from 10 miles away. 68,000 people have access to the ads. The website has had 3,300 visitors with 442 sales. From March to August, the ad has generated nearly \$31,000.00 in revenue. Although on its face this seems great, most of the tee times made are during prime tee time bookings. Since Golf Moose is basically a "buy one get one" free ad, this blocks many tee times that could be sold at full price. Mr. Azor stated that when our contract with Golf Moose expires, if they won't renegotiate to only sell afternoon tee times, the contract will not be renewed.

#### **POA Report & Financials:**

- a. The June and July financial statements were presented and approved by unanimous vote. They will be posted on the POA website.
- b. So far this year we have collected approximately \$404,000.00 in dues. We had budgeted for \$414,000.00. We are close to the budget number.
- c. As of the end of July, the POA has approximately \$722,000.00 in our accounts.
- d. Mr. Mustian updated the board on the called meeting of August 5, 2023, to elect the current slate of Directors. The proxy/election ballots did not meet the quorum requirement. Since the August 5 meeting did not meet the quorum threshold, then



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a second meeting was held on August 21st to elect the board. In accordance with the current Covenants, a vote was held to ascertain if the current board should be retained as is. The vote was unanimous. The current slate of elected board members will run until the next election in April 2024. In response to a question from members, Mr. Mustian advised the board that all members must cast ballots during an election. We cannot call members and ask them to vote over the phone.

- e. Mr. Azor and Mr. Mustian gave the board an update on discussions with FirstService Residential concerning a proposed management contract with the POA. Further discussion was tabled pending the development of a financial cost proforma specific to add-on fees.
- f. Mr. Mustian updated the board on a member's misinterpretation of the covenants as it relates to votes per lot. The board's attorney approved a letter for Mr. Azor to send that outlines the board's position on this issue.

#### **Maintenance:**

- 1. We are waiting for an estimate from the fire suppression system company to change from water to compressed air. This will eliminate the possibility of the sprinkler system freezing in the colder months.
- 2. Mr. Hickok presented a proposal to handle the many dangerous trees in our wooded development. He proposed that AB Tree Service be contracted to remove trees that are an immediate threat to roads and property in and around Mountain Harbour. The cost would be \$3,800.00 per day for 4 days. The motion was made and approved to authorize funds for this much needed project.

#### **SOCIAL COMMITTEE:**

- 1. The Friday night scramble is ongoing depending on weather. Stop by the pro shop to sign up. There is a \$5.00 throw in per player.
- 2. The last Mountain Harbour Navy social gathering is September 10, 2023.

#### **ARC Review:**

- 1. Still waiting on Landscaping plans for all the houses currently under construction.
- 2. The Sylvester home is progressing.
- 3. The Perrys have moved into their new home.



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4. The Stubbs family will meet with the ARC and their builder in August.
5. A reminder that homes cannot be used as VRBO.

**SECURITY:**

1. Instillation of the new front gate hardware and software is complete.

**NEW BUSINESS:**

1. None.

**Adjourn:** Meeting adjourned at 4:20PM. The next scheduled meeting is September 19, 2023, at 2:00PM in the Falcon Room. Please email [efhooker@me.com](mailto:efhooker@me.com) with any items you would like added to the agenda.

Submitted:

E. F. Hooker

Secretary

Approved:

J. Azor

President



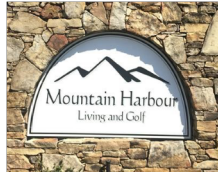
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i Call to order at 2:00PM, September 19,2023

Board members present:

Jorge Azor, President  
Perry Mustian, Vice President  
Jim Ackerly  
Ed Hooker, Secretary (via phone)  
Allan Horne  
Excused:  
Betty Applegarth, Treasurer  
Chuck Bridger  
John Walvoord  
Architectural Review:  
Beth Hooker (via phone)  
Guests:  
None

1. Pledge of Allegiance led by Allen Horne.
2. Motion to approve August 2023 minutes made and 2<sup>nd</sup>. Approved 6-0. Minutes will be posted on the web site.
3. Mountain Harbour Golf LLC Report
  - a. GM report provided by Jorge Azor.
  - b. The August financials were received too late to be properly reviewed and approved by the board. They will be tabled until the October meeting. Mr. Azor reported that revenue is up and so are expenses. Further breakdown of the financial status of the golf course was discussed and is illustrated below.
  - c. **Financials:** There were 687 member rounds, an increase of 45 from August 2022. There were 2,341 greens fees paid, an increase of 233 from August 2022. A total of 3,028 rounds played, an increase of 278 from the same time last year. Green and cart fees resulted in \$48,880.32, memberships resulted in \$26,316.62. Tournaments fees collected this month totaled \$9,000.00. Prepaid 10/\$380.00 cards sold was \$1,900.00. Total cash collected was \$86,096.94. This total is an increase in revenue of \$27,894.28 from last year. Golf The commission from Golf Now was \$1,669.04.



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828-389-9000

Golf Moose had 33 rounds resulting in \$1,980.00. The food and beverage had 3,620 sales resulting in \$10,795.87. The golf course was closed for 1 day due to weather and closed early twice. The course was cart path only for 2 days. The Pro shop did not supply a sales number. The card room generated \$120.00. There was one event that generated \$1,405.70.00.

Below is a summary of sales and income for the grill for the month of August.

Total Sales:                    3,620    Total Income: \$11,463.91

- d. Mr. Azor reported that expenses have increased this year especially in wages. Payroll is up to \$290,000.00 up \$80,000.00. Most of this increase is staffing of the grill.
- e. The YTD revenue is up to \$820,233.00 as of August 1, 2023. Last year at the same time it was \$579,929.00. This is an increase of \$240,304.00 from last year. \$90,000.00 of this increase can be attributed to the grill.
- f. So far this year we are operating at a \$15,000.00 loss. At the same time last year, we were operating at a \$67,000.00 loss. This figure considers that we had two major expenses in sod, and pump repairs. The board was reminded by Mr. Azor that we are trying to responsibly catch up on many decades of much needed repairs to infrastructure that was not addressed in the past.
- g. As the board is meeting, it must be known that due to recent severe rains and flooding, the course experienced damage to two bridges and had many creek banks erode. This will have to be addressed and repaired in the next month or so.

#### **POA Report & Financials:**

- a. The August financial statements were presented and approved by unanimous vote. They will be posted on the POA website.
- b. We have approximately \$730,000.00 in the bank as of July 31, 2023. In different accounts.
- c. Our last big expense was the final payment for the front gate entry system. Hopefully this is the last big expense for the year.
- d. Mr. Mustian gave the board an update on the contract negotiations with FirstService Residential including the review of the detailed financial cost proforma.



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The proforma showed add on fees between 15% and 18%, bringing the first-year contract total to approximately \$32,000.00. Mr. Mustian reviewed a list of pros and cons regarding the use of association management service agreements to assist the POA. On a motion and a second, the board unanimously approved a two-year contract with FirstService Residential, effective December 1, 2023. Mr. Mustian also updated the board on a process to suspend and privileges of members who are not in good standing with the POA due to their non-payment of mandatory dues.

#### **Maintenance:**

1. Mr. Ackerly reported that Lawns Unlimited will be spraying for weeds in the roads on the Pinnacle side this week.
2. Our tree service went through Mountain Harbour on the main side for four dedicated days. They removed dozens of dangerous trees from the neighborhood making it safer and more storm ready. A big thank you to Mr. Hickok for heading up this project with Mr. Ackerly to help keep our community safe.
3. Mr. Reaux had some asphalt sink in his driveway. Mr. Crisp will address this as well as some of the potholes on the Pinnacle side of the development when there is a big enough order for asphalt to make it cost effective to have him come.

#### **SOCIAL COMMITTEE:**

1. Octoberfest is in the works. It will be October 6, 2023, in the member's bar.

#### **ARC Review:**

1. The Perry and Strickland homes are getting landscaped.
2. The Sylvester home is progressing.
3. The Andrews family is waiting to meet with the ARC.
4. The Stubbs family building plans are approved, and groundbreaking should happen before November.

#### **SECURITY:**



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1. Installation of the new front gate hardware and software is complete and functioning as designed. There is an issue with the speaker at gate, and we are awaiting a part from the vendor. Mr. Walvoord is currently on medical leave from the board. Marsha Christy is handling gate access strips. You can email her at [mdchristy@christyenterprises.com](mailto:mdchristy@christyenterprises.com).

**NEW BUSINESS:**

1. None.

**Adjourn:** Meeting adjourned at 3:18PM. The next POA Board meeting is tentatively scheduled for October 24, 2023, at 2:00PM. The meeting will be held in the Falcon Room. As a reminder, owners can attend these meetings. Please email [efhooker@me.com](mailto:efhooker@me.com) with any items you would like added to the agenda.

Submitted:

E. F. Hooker

Secretary

Approved:

J. Azor

President



Mountain Harbour Property Owners Association  
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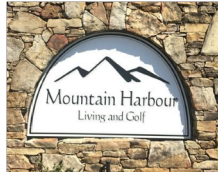
i Call to order at 2:00PM, October 24,2023

Board members present:

Jorge Azor, President  
Perry Mustian, Vice President  
Jim Ackerly  
Ed Hooker, Secretary  
Betty Applegarth, Treasurer  
Beth Hooker, ARC  
Excused:  
Chuck Bridger  
John Walvoord  
Allen Horne  
Guests:  
None

1. Pledge of Allegiance led by Betty Applegarth.
2. Motion to approve September 2023 minutes made and 2<sup>nd</sup>. Approved 4-0. Minutes will be posted on the web site.
3. Mountain Harbour Golf LLC Report
  - a. GM report provided by Jorge Azor.
  - b. Motion to approve the August and September financials was made and 2<sup>nd</sup>. Approved 4-0.
  - c. Mr. Azor commented that September was a surprisingly good month for revenue. Further breakdown of the financial status of the golf course was discussed and is illustrated below.
  - d. **Financials:** There were 703 member rounds, an increase of 212 from September 2022. There were 1570 greens fees paid, an increase of 163 from September 2022. A total of 2273 rounds played, an increase of 375 from the same time last year. Green and cart fees resulted in \$57,320.10, memberships resulted in \$11,503.46. Tournaments fees collected this month totaled \$1,400.00. Total cash collected was \$70,223.56. This total is an increase in revenue of \$20,800.38 from last year. The commission from Golf Now was \$2,085.47. Golf Moose deposit refund resulted in





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\$585.00. Food and beverage had 3,655 sales resulting in \$11,895.59. The golf course was closed for 2 days for aerification. The course was cart path only for 0 days. The Pro shop did not supply a sales number. The card room generated \$104.00. There was one event that generated \$180.00.

Below is a summary of sales and income for the grill for the month of September.

Total Sales: 1,067 Total Income: \$11,006.08

e. Mr. Azor gave a report on the four-year trend of the golf course earnings and losses. In CY 2019 the golf course lost \$258,678.00, in CY 2020 the loss was \$166,520.00. This also considers a \$62,000.00 PPP Loan that was forgiven so our actual loss was \$104,020.00. In 2021 our losses totaled \$96,798.00 for the CY. In 2022 CY we lost a total of \$220,877.00. Although this number looks ominous, \$125,000.00 was from the EIDL (Economic Impact Disaster Loan). This loan was used for severely needed repairs and upgrades to the clubhouse, pump houses, and other needed repairs that had been put on hold for decades. The EIDL will be paid back over thirty years with the interest from a money generating CD. As of September 30, 2023, the course has generated \$905,351.00. As of this date, the course has lost \$8,013. Of the revenue generated this year, \$136,000.00 is from the grill. We have also had major purchases for sod and bridge repairs.

f. In 2019 we had 62 golf memberships in all categories. In 2023 that number is 168.

#### **POA Report & Financials:**

- a. The August and September financial statements were presented and approved by unanimous vote. They will be posted on the POA website.
- b. We still need to pay property tax on all Mountain Harbour owned lots.
- c. First Service Residential has provided a draft collections policy that will be published on our portal. The board anticipates that there will be some "growing pains" associated with our new relationship with FSR.



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**Maintenance:**

1. Mr. Ackerly reported that it would be beneficial to place a reflective sign near the entrance to the development in the front due to there not being a turning lane into the property.

**SOCIAL COMMITTEE:**

1. Octoberfest was relatively successful.
2. There is a Yellowstone themed steak night scheduled for November. Seating is limited and as of now all seats have sold out. There are 12 on the waiting list. If these events are this successful, we may look at having one major dining event per month depending on the chef's availability and cost.

**ARC Review:**

1. The Perry and Strickland homes landscaping are a work in progress.
2. The Sylvester home is dried in, and the outside is painted. The white color really pops in the fall colors and enhances the stonework of the clubhouse from the golf course.
3. The Andrews family has met with the ARC and their plans are tentatively approved.
4. The Stubbs family has foundation walls poured.
5. The ARC has met with Mr. Sanford of 51C and his builder. They are hoping to break ground by March of 2024.
6. Mr. Meldram has resigned from the ARC. His years of faithful service are much appreciated. Mr. Perry, who has built two homes in Mountain Harbour will replace Mr. Meldram.

**SECURITY:**

1. The post protecting the front gate has been knocked down twice in the last month. Please remind landscapers and construction workers to use the Peckerwood gate near the clubhouse.

**NEW BUSINESS:**



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1. None.

**Adjourn:** Meeting adjourned at 3:15PM. The next POA Board meeting is tentatively scheduled for November 21, 2023, at 2:00PM. The meeting will be held in the Falcon Room. As a reminder, owners can attend these meetings. Please email [efhooker@me.com](mailto:efhooker@me.com) with any items you would like added to the agenda.

Submitted:

Approved:

E. F. Hooker

J. Azor

Secretary

President



Mountain Harbour Property Owners Association  
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i Call to order at 2:00PM, November 21,2023

Board members present:

Jorge Azor, President

Jim Ackerly

Ed Hooker, Secretary

Allen Horne

Chuck Bridger

Betty Applegarth, Treasurer (non-voting member)

Excused:

Perry Mustian

John Walvoord

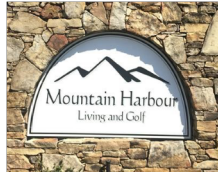
Architectural Review:

Beth Hooker

Guests:

None

1. Pledge of Allegiance led by Chuck Bridger.
2. Motion to approve October 2023 minutes made and 2<sup>nd</sup>. Approved 5-0. Minutes will be posted on the web site.
3. Mountain Harbour Golf LLC Report
  - a. GM report provided by Jorge Azor.
  - b. The financials were received too late to be properly reviewed and approved by the board. They will be tabled until the December meeting. Mr. Azor reported that revenue earned surpassed \$1,000,000.00. We currently have \$112,000.00 in the bank. The opening and success of the grill is reflected in this number. As a comparison, in 2019 the course earned \$596,000.00 for the year. We are still operating at a loss. Today we are \$6,843.52 from the break even point.
  - c. The POA board wants to point out that Mr. Azor is spending an average of 60 hours a week acting as the GM for the golf course. His leadership during this time is a direct result in our success.
  - d. A reminder that the annual employee appreciation luncheon will be on December 19,2023 in the dining room at 11:00AM. This is just before the December board



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meeting. If members and owners haven't done so, it is requested that donations be made in any amount to the employees Christmas bonus fund.

- e. **Financials:** There were 617 member rounds, an increase of 140 from October 2022. There were 2,347 greens fees paid, an increase of 371 from October 2022. A total of 2,964 rounds played, an increase of 511 from the same time last year. Green and cart fees resulted in \$58,339.20, memberships resulted in \$5,047.50. Tournaments fees collected this month totaled \$6,465.60. Prepaid 10/\$380.00 cards sold was not reported. Total cash collected was \$69,752.30. This total is an increase in revenue of \$12,759.14 from last year. Golf The commission from Golf Now was not reported. The food and beverage department had 2741 sales resulting in \$8,521.74. The golf course was closed for 0 days for due to weather. The course was cart path only for 0 days. The Pro shop did not supply a sales number. The card room generated \$110.00. There were two events that generated \$1,600.00.

Below is a summary of sales and income for the grill for the month of August.

Total Sales:                      1006      Total Income: \$10,118.45

#### **POA Report & Financials:**

- a. The November financial statements were received late and will be approved at the December meeting.
- b. The Property Owners Association budget was presented by Mr. Azor. The budget was approved unanimously.
- c. Onboarding with our new property management group is ongoing. There is much to accomplish in the coming weeks. Once completed and in effect, we should see a marked improvement in POA due collections and compliance with our covenances.

#### **Maintenance:**

1. Mr. Ackerly reported that Mr. Mixon of Lawns Unlimited will add reflectors (much like those on the back of wagons) to the entrance to the front to make it easier to see the entrance at night.
2. Randy Nichols will be addressing the drainage issues in the front of the Reaux home.



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#### **SOCIAL COMMITTEE:**

1. The Yellowstone steak dinner night was a huge success. Diana Azor and Bethany decorated the dining room in a Western motif' and all attendees had a great time. We were not able to accommodate all those who requested to attend and ended up with over two dozen people in the waiting list.
2. The Hayesville Christmas parade in December 9<sup>th</sup>. Mountain Harbour will have a float entered that is all volunteered manning.
3. December 15, 2023 will have a Cuban dinner buffet in the main dining hall. It is limited to the first 54 people to sign up. Like the Yellowstone steak dinner, this is expected to be a sell-out so make sure you sign up before December 8,2023.

#### **ARC Review:**

1. The Sanford family is approved to start building on Lot 51-C. He stated that the start date will probably be in March 2024.
2. The Stubbs family has their slab and foundation walls poured.
3. The Sylvester's have graded their lot and are using the same landscape company as the Perry home.
4. The Stricklands have moved into their home. Landscaping is underway and we are waiting for their driveway to be finished.
5. The Andrews family is good to go. The ARC is only waiting on two sets of blueprints before they break ground.

#### **SECURITY:**

1. Nothing to report.

#### **NEW BUSINESS:**

1. The grill will be closed from January 11<sup>th</sup> through the 23<sup>rd</sup> so our wonderful staff can go on vacation for one week, and deep clean and prepare for the 2024 season.



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**Adjourn:** Meeting adjourned at 3:02PM. The next POA Board meeting is scheduled for December 19, 2023, at 2:00PM. The meeting will be held in the Falcon Room. As a reminder, property owners can attend these meetings. Please email [efhooker@me.com](mailto:efhooker@me.com) with any items you would like added to the agenda.

Submitted:

E. F. Hooker

Secretary

Approved:

J. Azor

President



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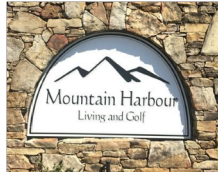
i Call to order at 2:00PM, December 19,2023

Board members present:

Jorge Azor, President  
Perry Mustian, Vice President  
Jim Ackerly  
Ed Hooker, Secretary  
Allen Horne  
Chuck Bridger  
John Walvoord  
Betty Applegarth, Treasurer (non-voting member)  
Excused:  
None  
Architectural Review:  
Beth Hooker  
Guests:  
Glenn Person, First Service Residential (via facetime)

1. Pledge of Allegiance led by Allen Horne.
2. Motion to approve November 2023 minutes made and 2<sup>nd</sup>. Approved 7-0. Minutes will be posted on the web site.
3. Mountain Harbour Golf LLC Report
  - a. GM report provided by Jorge Azor.
  - b. For the first time ever, the golf course surpassed \$1,000,000.00 in income. As of this meeting, the golf course is on track to lose \$6,000.00. When you consider depreciation, we are in positive numbers. Every month this year was an improvement over last year's income. Another factor in our modest success this year is the continued volunteerism of our community.
  - c. The grill financials have been promising and profitable during the season. The upcoming winter months of December through mid -March; however, will be challenging.





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- d. The special event (dinner) nights are wildly successful. We have many members end up on waiting lists for these dinners due to the limited seating. We need to keep these events limited to 50-60 people due to staff.
- e. Mr. Azor is working on a proposed 2024 budget for the golf course. He will be distributing the proposal to board members for review and discussion at the next board meeting.
- f. On December 12, 2023 we had a lightning strike near the clubhouse. This resulted in damage to the electronics in the elevator, fire suppression system, internet, and cable. As of today, most of the damage has been repaired. We are waiting on some circuit boards for the fire suppression system.
- g. November – December rounds and Club activity is way down, so we are very concerned with the financial results for the last 2 months of the year. This is a constant challenge for a club opened year round in a northern climate.
- h. **Financials:** There were 449 member rounds, an increase of 426 from November 2022. There were 1,129 greens fees paid, an increase of 205 from November 2022. A total of 1,578 rounds played, an increase of 381 from the same time last year. Green and cart fees resulted in \$26,059.77, memberships resulted in \$1,350.00. Tournaments fees collected this month totaled \$0.00. Prepaid 10/\$380.00 cards sold was not reported. Total cash collected was \$26,059.77. This total is an increase in revenue of \$5,468.38 from last year. The commission from Golf Now was 1,078.70. The food and beverage department had 1,561 sales resulting in \$5,566.74. The golf course was closed for 2 days and had a late opening one day due to weather. The course was cart path only for 2 days. The Pro shop did not supply a sales number. The card room generated \$88.00. There were 4 events that generated \$800.00.
- i. A reminder that the grill will be closed from January 11<sup>th</sup> through the 23<sup>rd</sup> for vacation and deep cleaning.

Below is a summary of sales and income for the grill for the month of November

|              |     |                          |
|--------------|-----|--------------------------|
| Total Sales: | 802 | Total Income: \$8,926.60 |
|--------------|-----|--------------------------|

**POA Report & Financials:**



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- a. The November financial statements were presented and approved 7-0. WE have \$691,000.00 in the bank in various accounts. This year we collected \$432,00.00. After expenses we are hopeful to place at least \$150,000.00 in reserves.
- b. The Property Owners Association budget was presented by Mr. Azor. The budget was approved unanimously.
- c. Onboarding with First Service Residential (FSR) is ongoing. There is much to accomplish in the coming weeks. Mr. Azor had a nice on-site visit with FSR representatives in early December, and as he previously reported to the board via email, they were impressed with our community and financial focus of the board. We believe we have successfully worked through some initial billing data challenges and have completed all FSR's information and data requests. The board may want to consider publishing FSR Collection Policy to help educate our members on the upcoming change in billing and payment of annual POA dues.
- d. **Moore Property update:** Jeff Stahl's paralegal informed us that our previous claim of lien on the Moore property was not filed consistent with the NC General Statutes that pertain to liens. Therefore, we had to start over with the claim of lien before we can move to foreclose on the property. We provided an updated statement of outstanding dues for the new demand letter and are awaiting an update from Stahl's firm in this issue.
- e. As discussed in previous board meetings, suspension of member privileges due to non-payment of POA dues needs the following actions accomplished:
  - a. Prepare a list of members who are more than one year in arrears for payment of POA dues.
  - b. Set a hearing date for any member(s) who wishes to contest the board's decision to suspend their privileges.
  - c. Send the letter prepared for Jorge's signature, which was approved by our attorney, that informs each member of the board's decision to suspend their privileges.
  - d. Hold a hearing before the full board.
- f.

#### **Maintenance:**

1. Mr. Ackerly reported that Mr. Mixon of Lawns Unlimited has added the reflectors to the front entrance making access to the development safer.
2. The access road to 58C has been mowed.



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3. Signs for Grandview and Cherokee Drive have been ordered and will be installed when they arrive.

#### **SOCIAL COMMITTEE:**

1. The Cuban pig roast and feast was a huge success.
2. The Hayesville Christmas parade float was very well received by the community and all volunteers had a wonderful time. The float Mountain Harbour Golf Club float won the Mayor's Choice Award.
3. There are no events planned for January.
4. There will be a Valentines dinner in February, and a Super Bowl party 2/11. These events are very popular, and seating is limited so sign up early.

#### **ARC Review:**

1. Grading of the Andrews property is to start in the next couple of days.
2. Lot 95A on the corner of Mountain Harbour Drive and Foxfire Drive belongs to the Longs. They have hired Brown Haven to build. The site needs a variance for setback on the garage side. The lot is angular and will not affect any drainage or encroach on any other property.
3. Brown Haven has also been hired to build on Lot120A, next door to the Striders. The builder requested a variance on the square footage which was not approved by the ARC. It was recommended by the ARC that the builder expand the breakfast nook or pick another plan.
4. The Stubbs house is being framed.

#### **SECURITY:**

1. The front gate needed some adjustment.
2. Someone once again hit the safety height bar at the front entrance. **DO NOT** give maintenance or construction workers access to the front gate. All commercial vehicles must use the back gate by the golf course entrance.
3. A lightning strike near the back gate damaged the electronics to the gate mechanism. We are waiting on a new sensor.



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**NEW BUSINESS:**

1. A current resident who had approval to remove some dangerous trees on their property went overboard and clear cut many healthy trees. This matter is being tabled until Mr. Azor can meet with the property owner and figure out an amiable plan to come back into compliance with current covenants.
2. A response to a counter proposal by the Integrity Group to purchase existing lots for much less money that originally agreed upon will receive no response at this time.

**Adjourn:** Meeting adjourned at 3:16PM. The next POA Board meeting is scheduled for January 23, 2024, at 2:00PM. The meeting will be held in the Falcon Room. As a reminder, property owners can attend these meetings. Please email [efhooker@me.com](mailto:efhooker@me.com) with any items you would like added to the agenda.

Submitted:

E. F. Hooker

Secretary

Approved:

J. Azor

President