

SCTA BOARD MEETING MINUTES

June 20, 2023

The regular meeting of the SCTA was called to order at 6:06 pm on June 20, 2021 by President Samantha Perry. The meeting was held at the Pavilion. All board members were present: Samantha Perry, Cindy Stedman, Jim Kiely, Karen Wappelhorst, Laurie LeRoy, Daniel Johnson, Robin Vose, Terry Stedman, Monica Quarmby

19 Guests: Joe Goett, Chris Davidson, Jennifer Davidson, Joan Proulx, Joyce Hupp, Linda Beck, Sarah Hartzell (Kenny), Marcy Norwood, Brenda Goett, Cary Simpson, Anita McDaniel, Sammy Kiely, Theresa Reynolds, Kathleen Chapman, Rick Chapman, Jay Light, Ed Wiley, Shelly Wiley, Sue Bertch

ADMINISTRATION AND COMMITTEE REPORTS:

May 2023 Meeting Minutes

The May 16, 2023 minutes were emailed to board members prior to the meeting for review. A motion was made to accept the minutes. The motion was seconded and approved 9/0.

JIM - MEMBERSHIP REPORT

As of June 18th we have 314 members of which 129 are New memberships (41%)

KAREN - TREASURER REPORT

Bank Account Balance = \$27,801.21 (as of 5/31/2023 statement)

INCOME: \$7,885.00

Memberships: \$7,475.00

Mail Only Fee: \$10.00

Donations (Trails) \$200.00

 Nancy Cowan: \$50

 Kevin & Hope Ferris: \$25

 Oliver & Amy Ray: \$75

 Lana Huffstetler: \$50

Donations (Unrestricted) \$200

 Kimberly Olmstead: \$100

 Ray Ramsey: \$25

 Sandy Phillips: \$50

 John & Leanne Butler: \$25

EXPENSES: \$3,769.52

Utilities: \$62.83

PayPal Fees: \$84.75

Membership Drive (stamps) \$15.75

Office Supplies (ink): \$118.26

Community Event (AED/CPR class): \$356.72

Pavilion supplies: \$308.61

Trails expense (legal fees): \$117.00

Trails expense (materials-timbers): \$205.90

Trails expense (survey for deed-Spurlock to behind Reynolds): \$2,500.00

\$25 Gift Certificates remaining = 4

SCTA BOARD MEETING MINUTES

June 20, 2023

Unanimous Vote to accept Treasurer Report

MONICA - (FOR KATHY BROWN) - WELCOME COMMITTEE

Committee is working on several of lists for new residents, such as farriers, hay suppliers, contractors, etc. They may use a stencil for "SCTA" on bags, as custom made bags are somewhat expensive. They hope to have the package for board approval next month.

THERESA REYNOLDS – MEMBER VOLUNTEER TRAIL WORK COMMITTEE

Members of the committee: Theresa Reynolds, Linda Beck, Michelle Riley, Kathy Chapman. Joyce Hupp has resigned. They are working hard to assess maintenance needs. Theresa brought her laptop with the latest version of the Trail Maintenance Log. Samantha will distribute a copy to the Board via e-mail after the meeting. Samantha suggested the committee work with Wally Linder (retired Superintendent- BSF trail system) for larger projects: (Wild Cat Den creek crossing, area behind the Pavilion, etc.) Wally has volunteered his time and has worked with us on several past projects. Terry and Daniel will help to provide contact information and set up a meeting.

SAMANTHA - FACEBOOK/WEBSITE

930 members.

LAURIE - ELECTION COMMITTEE REPORT

We broke every record for membership and voting participation. A very active election season. Results: Final Voting List: 306 memberships eligible to vote. 247 votes cast = 80% Congratulations to 3 re-elected board members, and thank you to those who ran, as well as all those who participated.

Daniel Johnson	244	98%
Cindy Stedman	165	67%
Samantha Perry	155	63%
Linda Beck	96	38%
Cary Simpson	93	37%

A written Election Process was shared with the membership via e-blast and a copy has been placed in the SCTA Board Cloud location. The election documents and proxies will be retained for 11 months per our by-laws. A special thank you to Sammy Kiely, Sue Bertch, Terry Stedman and Dawn Latour. Other statistics of interest:

213 (69%) Class A (property owners)
9 (3%) Class B (property owners-commercial)
74 (24%) Class C (non-property owners)
8 (3%) Class D (non-property owners-commercial)
2 (1%) Class E (Developer)
306 memberships

155 proxies submitted (62% of the vote)

SCTA BOARD MEETING MINUTES

June 20, 2023

Approximately 67% of the property owners in Spruce Creek are SCTA members as of the election. This is the first time in 20 years we have exceeded 50% of property owners as members.

Usage of PayPal continues to increase:

32 (10%) paid w/cash
89 (29%) paid w/PayPal
178 (58%) paid w/check
4 (1%) Lifetime
3 (1%) Comp.
306

LAURIE – MAPS AND TRAILS COMMITTEE

5-25-2023 Received/filed deed from Robert Livingston for ¼ mile of trail along Spruce Creek Dr. from Spurlock to behind Reynolds property. Next steps: Add to Trail Maintenance Log: repair ruts, mowing, drainage work.

6-13-2023 Our 6 trail deeds and pavilion deed were updated and refiled to include language to protect public access and adjacent property owner ingress/egress. See addendum.

6-15-2023 Completed/filed a land license with Ned and Leslie Helm to create a connector trail from Trail Head Lane to the SCTA owned Spruce Creek Trail leading to the Cumberland Valley Trail Head. New trail cleared with our DR Mower by Daniel; fencing relocated (Daniel and April Johnson, Monica Quarmby, Arlen Clevenger, Laurie LeRoy).

Expenses to date:

\$142 legal (\$125) and filing fees (\$17) for Land License Agreement
\$77 fence posts
\$100 insulators
\$100 gas and oil for DR Trimmer
\$335 culvert (\$500 approved 6/12/2023)
\$754 Should not exceed \$1,500 in total.

Next steps: remove 2 trees, culvert purchase and installation, clear debris, and trim foliage.

OLD BUSINESS:

Cindy reported that the neighborhood Clean Up was a success, with many bags of trash collected. All roads in the 4 sections of Spruce Creek were covered by Michelle Riley, Laurie LeRoy, Glen & Kathy Brown, Marilyn Spoon. In addition, Samantha, Cindy, Monica, and Arlen Clevenger did the entire stretch of 297 from Lot #1 to past Trail Head Lane. Thank You to those who came out to help.

NEW BUSINESS:

Election of Officers for June 2023-June 2024

All positions were elected unanimously (9/0)

SCTA BOARD MEETING MINUTES

June 20, 2023

President: Samantha Perry
Vice President: Cindy Stedman
Treasurer: Karen Wappelhorst
Secretary: Laurie LeRoy

Confirmation of e-mail Votes for Minutes

5/17/2023 Accepted Kathy Brown E-mail resignation-with regret. She will continue as chairman of the welcoming committee: 9 (YES) (Unanimous)

5/18/2023 Approved \$350 for 1 additional load of rock: requested by Larry McMillian who is working on trail between Taft Story and Indian Rock Rd. 7 (YES) Jim did not vote

5/18/2023 Nominated/Approved Monica Quarmby to fill the position previously held by Kathy Brown. Term remaining is 2 years through May 2024. 7 (YES) Jim did not vote

5/26/2023 Approved postponement of "Not Lost" T-Shirt order and **payment of \$84.92** for re-stocking, shipping, and design fee. Design fee will not be charged again should we decide to move forward with the t-shirts in the future and use the same map. 6 (YES) Jim, Daniel, and Monica did not vote

5/28/2023 Approved expenditure of \$725 for legal fees and filing of 6 trail deeds, plus the pavilion deed, to include paragraphs to ensure public access and protect adjacent owner ingress/and egress. 8 (YES) Jim did not vote **NOTE:** actual expenditure was only \$211 (\$117 pavilion deed and filing, plus \$94 filing fee for 6 trail deeds.) An anonymous donor paid the legal fees for the 6 trail deed modifications. The 5/25/2023 trail deed from Robert Livingston already included these paragraphs. See addendum to minutes for paragraphs inserted.

5/30/23 Approved new directional trail signs by Rick & Kathy Chapman property. Riders are getting misdirected/lost and entering their property/private trail. Jay Light & Rick are working together to create 2 signs to match SCTA's existing signage. **Cost should be less than \$200.** 7 (YES) Jim & Monica did not vote

5/30/23 Approved addition to the SCTA Financial/Records Policy. "No refund of Memberships or Donations will be issued unless there is an obvious error." 7 (YES) Monica and Jim did not Vote.

6/12/2023 Approved expenditure of up to \$500 for culvert for new trail project off Trail Head Lane to Spruce Creek Trail. 9 (YES) SCTA will provide the culvert/roads department will provide rock and installation.

Approximate cost:
\$302 for plastic
\$437 for galvanized

SCTA BOARD MEETING MINUTES

June 20, 2023

ADDENDUM: Paragraphs added to all trail deeds 6-13-2023 1

1. “This conveyance is made subject to the use by the public as trails for hiking and horseback riding. Should Spruce Creek Trails Association, Inc., or its successors and assigns, which must also be non-profit organizations, sale or transfer the subject property, or ever cease to exist by an act of formal dissolution, adopted by its directors, then the trails which have been deeded to the association shall be donated to non-profit and remain open to the public.”

2. “This conveyance is made subject to the right of property owners to cross the horse trails to get to and from their lots, but they shall not have the right to block access to or across the horse trails nor create unreasonable obstacles that would hinder horse traffic on the horse trails.”

For Pavilion Deed: Following Paragraph as well as Paragraph 2 above 6-13-2023

“This conveyance is made subject to the use of the property and pavilion by the Spruce Creek Trails Association, Inc., as well as by the public as trails for hiking and horseback riding. Should Spruce Creek Trails Association, Inc., or its successors and assigns, which must also be non-profit organizations, sale or transfer the subject property, or ever cease to exist by an act of formal dissolution, adopted by its directors, then the land, pavilion, and the trails which have been deeded to the association shall be donated to non-profit and remain open to the public.”

QUESTIONS/COMMENTS FROM VISITORS:

A number of questions asked/comments made by attendees. A summary:

1. Several **comments** were made that Campgrounds should “pay more” due to the wear and tear on the trails by their customers. BOARD: Pointed out that commercial memberships (B & D) are \$75 vs \$50 for individual memberships. Many campground owners also have individual memberships and have been generous with donations and labor over the years. We will explore other alternatives as well.

2. Several **comments** were made that Class C & D members should not be allowed to vote/ should have no rights-as is done by Ridge Top. BOARD: The structure, purpose, BSF trail access, by-laws and many other aspects of these associations are different. SCTA’s trails have always been open to the public since our formation. Our organization is structured with Classes of membership which carry rights per TN NFP law. To change their rights is more than a by-law change. It requires a vote by those classes of membership to alter their rights.

3. **Comment** was made that although the board can fill an open board position for the remainder of the term, we should have asked for names from the membership. BOARD: Will consider this in the future.

4. **Comment** was made that a 6-year-old voted in the election. Would not provide name or specifics-was heard at a party. BOARD: We have no knowledge of this occurring. There are no age requirement for membership; we do not ask for identification for membership. The only thing we verify is property ownership for Class A or B memberships using the TN Tax database.

5. A variety of **comments** were made about the validity of memberships, purchase of memberships and availability of the membership list. BOARD: Any member is welcome to make a written request for a membership list, review it, and ask questions via our email address: sprucecreektrailsassoc@gmail.com

SCTA BOARD MEETING MINUTES

June 20, 2023

6. **Comments** made that the board had spread negative information about Stedman Rudd (does chipper clearing) and we are threatening his livelihood. Would not provide names, documentation, or specifics. BOARD: We have no knowledge of this occurrence. Stedman did give us a bid of \$1,500 and then withdrew his bid. Daniel spent several days clearing the new trail using the SCTA DR trimmer.

7. **Comments** made that our by-laws have not been updated since 2011; the community has changed, and we should form a by-law committee. BOARD: Will put on the agenda to discuss at next meeting.

8. **Comments** made that perhaps we should not continue with a not-for-profit status as we would then no longer need to allow public use of our trails and would probably only cost us \$100 per year in taxes. BOARD: Being tax exempt has saved us many thousands of dollars. We paid almost \$1,000 in state and federal taxes for tax year 2013 alone. We applied for and were awarded 501 C 4 (public benefit) tax exempt status in 2014. We were formed to provide valuable and unique access to BSF trails. BSF access requires that our trails be open to the public.

9. **Question:** What is the difference between a lease and a land license? BOARD: Land license language is more in line with land usage, rather than apartment rental. For example, ours does not contain hours of inspection clauses, renewal time frames, is filed at the courthouse, and requires legal action to terminate. The Helm license was patterned after the 2014 Land License with the Sloan family for Wild Cat Den.

10. Many **comments** re/the Helm Land License: assertions that it should have required a membership vote, was done in secret meetings, and the SCTA should not be talking to other landowners about potential trails through their properties. BOARD: The board does not agree that the by-laws require a membership vote for anything but the election of 3 board positions per year- and is supported by the fact that no decision of any kind has ever been put to a membership vote in the 20 years of the Association. The new ¼ mile trail through the Helm property will provide a direct connection from a public road (Trail Head Lane) to our ½ mile of SCTA owned trail which leads directly to the BSF Cumberland Trail Head. This new trail also cuts off almost ½ mile of 297 highway riding for some of our trail users. The board believes that our mission includes continuously improving and expanding the SCTA trail system, when possible, for the enjoyment of all. The Maps and Trails committee is not a secret and has been in place since 2020, providing regular reports at board meetings, including this one. (See Minutes)

11. **Question:** Why do we have “Neighborhood Watch” signs? BOARD: As a community-wide function some years ago, the SCTA invited the Sheriff’s office to talk to us about ways to deter theft in the area. Some of the Deputy’s suggestions included practicing “watch out for your neighbors” and putting up” Neighbor Hood Watch Signs”, even if there was no formal organization. The SCTA purchased signs and used them as a fund raiser. Many are still posted in and around the local community.

12. Many **comments** were made about not allowing all posts/comments on the Official Spruce Creek Trail Association Face Book Page, with concerns of favoritism and censorship. Also entwined were comments concerning the Admin. for a different Facebook page: Spruce Creek

SCTA BOARD MEETING MINUTES

June 20, 2023

Acres Community Board. BOARD: Cindy Stedman (as an individual) recently took over as the Administrator of the Community Board FB page when the prior person left the area. This page does not represent/has no relationship with the SCTA. The SCTA Facebook page is a public page and represents the Association: "Official Spruce Creek Trail Association". All posts are monitored. As we are volunteers, reviewing posts is not immediate, and we do deny some posts with an e-mail or phone call explanation. Will consider shutting off all comments.

13. **Questions** about Real Estate Agents and Deed Restrictions: Why do some residents not have a copy of their deed restrictions? Why does the SCTA not enforce Deed Restrictions? Why don't Real Estate Agents tell customers about deed restrictions? BOARD: We are not a homeowner's association. We have nothing to do with deed restrictions or enforcement. Although these questions are not in the wheelhouse of the SCTA, Cindy Stedman, as a real estate agent, did provide some insight. Deed restrictions should be in each individual deed and can be very different between the 30+ phases in Spruce Creek. Infractions of deed restrictions may be taken to civil court, generally by the other landowners in that phase. Yes, RE agents should advise customer of deed restrictions.

Meeting adjourned at 7:51 pm.