

**TIMBER RIDGE PROPERTY OWNERS ASSOCIATION  
BOARD OF DIRECTORS MINUTES-September 14, 2015 Meeting**

**PRESENT:** Kim LaRosa, Kim Reinike, Cary Trapani, Charlie Reymond, Joey Niolet, Cathy Eagan, Ronnie Sedlak, Ken McLaughlin & Gene Rogers

**ABSENT:** Ken McLaughlin, Gene Rogers

**ALSO PRESENT:** Terie Velardi, Misty Dienes, Steven Hammons, - POA Staff; David Goff-2012-2015 Board Director,

The September 14, 2015 TRPOA Board of Directors meeting was called to order by President Joey Niolet at 5:30pm

Joey introduced David Goff to discuss the legal aspects of land ownership, specifically Treasure Point.

Joey explained that the TRPOA received a complaint from Bay Point Properties naming Timber Ridge POA, Harrison County and the MS Secretary of State in a suit in which they are claiming ownership of Treasure Point. The POA asked David to review and translate the complaint to determine its legitimacy. A title search was ordered and had not been completed as of the September TRPOA Board meeting.

David reviewed the history of Treasure Point and other land bordering Bayou Mallini. The land known as The Isles, Henderson Point and Timber Ridge was originally owned in part by a Mr. Wallace in the 1940's. Timber Ridge was conveyed to New South Corporation in the late 1960's who subsequently filled the original plat for Timber Ridge in 1970. In 1979 New South conveyed ownership to Guarantee Properties.

David reviewed maps of the area dating 1958, 1968 and 1971. Treasure Point, as it is known today was developed in 1970-71. Bayou Mallni was dredged with the spoils deposited to form Treasure Point. David explained that when Mr. Wallace conveyed Timber Ridge to New South; treasure point was not in existence and subsequently not part of the conveyance. In 1981 TRPOA received a "Quit Claim Deed" from Guarantee Properties for Treasure Point. David explained the difference between a "warranty deed" and "quit claim deed". A quit claim deed conveys whatever interest one party has to another. A warranty deed guarantees or warrants the accuracy of the conveyance.

Bay Point Properties are the successors to all of the Wallace properties and have asked the courts to clear the way for them to claim ownership of Treasure Point.

David continued to discuss ownership through "adverse possession". *Adverse possession is a doctrine under which a person in possession of land owned by someone else may acquire valid title to it, so long as certain common law requirements are met, and the adverse possessor is in possession for a sufficient period of time, as defined by a statute of limitations.*

Mississippi statute of limitation for adverse possession is ten years. David further explained that possession as; one truly & honestly believes that they own the property; it needs to be open, visible and peaceful. Possession is continuous; you treat it as your own demonstrating care and maintenance as well as the payment of property taxes as being inherent to possession. David indicated that the POA meets all of the requirements and

suggested that the POA respond to the complaint, file a countersuit and ask the Judge to make final ruling in the POA's interest as the legal and rightful owners of Treasure Point.

**President Joey Niolet called the regular meeting to order.**

**OLD BUSINESS:**

**Proposed Covenants & By-Laws –**

The Board reviewed the format of the covenant ballot, noting that there is no easy way to compare the current covenants with the new / proposed covenants line by line. Directions will need to be as clear and as simple as possible.

**Minutes -** A motion to approve the June, July & August minutes was made by Kim LaRosa, second by Cathy Eagan and approved by all present.

**Financials-** Kim noted that the tax returns have been filed and the year-end books have been closed.

Kim reviewed the YTD-2015 with YTD-2014 financials noting that collections are slightly down the net income is greater from the previous year. Also noting that the accrued expenses associated with the bulkhead repairs at Treasure Point has not been realized. What are not accrued for are the legal fees for the law suit pertaining to treasure point. However, the Association will ask for our expenses are covered when filing the counter suit.

**Collections-** Terie reviewed the collection report noting that dues collections are down 2% compared to last year. We were able to collect \$1,600 in past dues and \$300 for covenant violations on an old account when title transferred in to an LLC. The principal owner was the same and we were able to track them down using the MS Secretary of State website.

Transfers for the month are at three with five already posted in September.

**Covenants Violations –** Misty reported for the covenants compliance committee noting that ten properties received fines. Discussion revolved around two particular properties that the committee has been reviewing. The City has sent a letter to one of the owners regarding the blighted property. The office will follow up with the City. The committee is scheduled to meet with the other property owner in the next week to find some common ground and resolve the issue.

**Board Communication –**The office staff reported receiving a number of calls from members asking what the outcome was of the thefts that occurred during the 4<sup>th</sup> of July holiday. Kim Reinike noted that the golf cart and computer had been recovered but small items like sunglasses had not.

**Grounds & Maintenance**

Steven noted that the City continues to cut and maintain the right of ways in the subdivision. Communication about sink holes near the drains was conveyed to the City.

**Pool -** Steven noted that the pool continues to look good. A leak around one of the pumps has been identified and is in the process of being addressed.

**Treasure Point** –Steven noted that we received our certificate of occupancy for the restroom facility from the City. MS Power has removed the extra meter. Steven also noted that MS Power is in the process of changing to LED lighting at the pool and TP.

Steven continues to research & obtain costs for bike racks for the pool & TP.

**Bulkhead** – Charlie discussed the bid procedure for Treasure Point. A Step Above has completed the previous work and continues to offer the best price and service.

**Security** – Kim Reinike noted he and Joey are scheduled to meet with the City police chief to discuss future cooperation. Kim has been in contact with the Harrison County Sherriff's department regarding the neighborhood watch, noting they are on board. Kim asked that the office send out an electronic notice out to the membership asking about their interest and willing to participate in the program.

The board discussed the vehicle decal registration process. After speaking with the local officials it was determined that it is best that the decals be placed at back of the vehicle on the left side either the back windshield or bumper. The office will include the information in the electronic e-mail.

**City Liaison** - Joey shared that the pot hole at TR Blvd had been repaired.

Palmwood – The City recently granted the request to have the end of Palmwood vacated. The owner requesting the street vacation is granting an ingress / egress easement to the property owners at the point. He is also granting a 50 easement on the private drive for the property owner directly across on the canal side to assist in parking his boat.

**PCI** - Cathy noted that cooler weather brings out the golfers. The Club sponsors music every third Saturday and specials when the Saints play on Sundays.

#### **NEW BUSINESS:**

**Treasurer Position** – Due to additional professional responsibilities Kim Reinike feels he is unable to serve as treasurer and has respectively stepped aside. Kim LaRosa moved to nominate Ronnie Sedlak, second by Kim Reinike and approved by all present.

There being no further business the meeting adjourned at 7:05PM

Board Minutes respectively submitted by Terie Velardi, POA Staff.

**NEXT MEETING** - Monday October 19, 2015 – 5:30 pm – PCIGC Banquet Room