

The Mountaineer

Walnut Mountain Property Owners' Association

Volume 159

July 1, 2019

WMPOA ANNUAL MEETING & ELECTION 11:00 am, Saturday, July 20, 2019 at the Clubhouse LUNCH WILL BE SERVED!



PRESIDENT'S REPORT

Summertime on the Mountain always brings lots of folks up either visiting or relaxing in their cabins. It's always good to see old friends and meet new ones. Whether escaping from the heat for the summer, just the weekend or a short vacation, it is always good to see more people enjoying our great spot in the North Georgia Mountains.

Winter and spring have been active times on the Mountain with our staff handling a lot of projects that help keep the Mountain a nice place to live and vacation.

The gates continue to be a challenge with cars running into them and lighting strikes taking out the electronics. We are in the process of moving Gate 3 and widening the access to alleviate the problem that people sometime have in making the turn.

The pool opened Memorial Day weekend and is being used daily by lots of our residents. The water is beautiful and is getting warmer each day (so I'm told). We are in the process of changing to an electronic entry system at the pool that will eliminate the need for pool monitors on the weekdays. We will keep the monitors on the weekends and holidays. The gate system will work with the bar code on your current pool pass.

The annual Walnut Mountain Property Owners' Association Meeting and Election will be held on July 20. The monthly Board Meeting will start at 9:30am with the Property Owners' Meeting to follow at 11:00am with a delicious lunch to follow. Three Board Members will be elected. If you cannot attend, you can use the proxy statement that was mailed out at the end of May. Candidates are listed elsewhere in this newsletter and nominations will be accepted "from the floor" at the meeting.

Finally, I want to express my appreciation to our staff who work very hard to keep the Mountain running. In my opinion, we have the best staff that we have had in the 20+ years I have owned property here.

Max Holstein, President

Calendar of Events*

7/3	Men's Coffee 8:30 am
7/9	Book Club 7:00 pm
7/10	Men's Coffee 8:30 am
7/11	Garden Club 6:00 pm
7/17	Men's Coffee 8:30 am
7/20	Board Meeting, 9:30am
7/20	POA Meeting 11:00 am
7/24	Men's Coffee 8:30 am
7/26	Music Jam 7:00 pm
7/31	Men's Coffee 8:30 am
8/7	Men's Coffee 8:30 am
8/8	Garden Club 6:00pm
8/13	Book Club 7 pm
8/14	Men's Coffee 8:30 am
8/17	Board Meeting 9:30 am
8/21	Men's Coffee 8:30am
8/23	Music Jam 7:00 pm
8/28	Men's Coffee 8:30 am
9/4	Men's Coffee 8:30 am
9/10	Book Club 7:00 pm
9/11	Men's Coffee 8:30 am
9/12	Garden Club 6:00 pm
9/18	Men's Coffee 8:30 am
9/21	Board Mtg 9:30 am
9/25	Men's Coffee 8:30 am
9/27	Music Jam -3:00 pm

*All events are at the clubhouse unless otherwise noted. Check the calendar on our Website for changes: <http://www.walnutmtnga.com>

PURPOSE OF CC&R'S

When choosing to live in an HOA, property owners agree to covenants and conditions that restrict the use of their own property for two main reasons:

First, and most importantly, homeowners want to maintain or enhance the property's value.

Second, homeowners want to use and enjoy their property without annoyance, distraction, or offensive use by their neighbors that fall short of being an actual violation of any existing law.

COVENANTS VS. LAWS

Zoning ordinances are limited in what they can control; they cannot control what type of person moves into a neighborhood and/or how he will maintain his property. Although it is true that most counties and local governments do have laws protecting residents from unsafe or unhealthy conditions on neighboring property, there is little they can do to prevent clutter, poor appearance, or just "bad taste." These indiscretions can cost a neighboring property thousands of dollars in appraised value, and can also impair homebuyers' interest in it, should the owners attempt to move away from the offending property.

WHAT COVENANTS CAN REGULATE

Covenants regulate what property owners in an area can or cannot do with their property. When a geographically restricted group of homeowners are bound by neighborhood covenants, individual homeowners are better insulated from the possibility that one errant homeowner will bring down the value of surrounding properties because of the appearance of his or her house. Covenants ostensibly ensure that a residential area will remain a desirable one to live in; that the properties contained therein will retain their value; and that, in return for some minor sacrifices, homeowners will be able to better enjoy their own properties. Zoning laws can change, leaving residents unprotected from the possibility that a strip club or deer-processing plant might move in.

TYPES OF COVENANTS

Covenants can range in subject matter from the prohibition of flagpoles in the front yard to restrictions in outdoor music during certain hours. They may limit the colors a homeowner may paint a house, or the type of shrubs and trees used to landscape around it. They may control pets, vehicle parking, security lights and alarms, mailboxes, or remote-control toys. While many people are accustomed to such restrictions when renting or leasing residential properties, they do not realize that such limitations also can be placed on properties they own. "It's my property and I can do what I want with it" is a common retort that provides little defense for a homeowner who has breached a covenant attaching to his or her property.

UNLAWFUL COVENANTS

For covenants to be binding, they must be legal. For example, in the early 1900s, racially restrictive covenants were used to exclude minorities from white neighborhoods. Since civil rights laws (prohibiting discrimination) did not come into being until many years later, state courts reviewed challenges to these covenants under the Due Process Clause and the Rule Against Restraints on Alienation. In some courts, neither of these grounds proved enough to strike down such racially restrictive covenants, and many continued for years (although restrictions on alienation of property are generally void). The practice was finally outlawed by the U.S. Supreme Court in *Shelley v. Kraemer*, 334 U.S. 1 (1948). Other covenants that attempt to restrict otherwise legal rights can always be challenged, but, buyer beware, a homeowners' association is a private one in which buyers voluntarily agree to the covenants.

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TREASURER'S REPORT

The finance committee was asked to do a feasibility analysis and present their findings about pursuing the completion of priority 2 road work. Priority 1 had already been approved and budgeted by the board. We recommended that we proceed with the project. At the May POA meeting we presented, in detail, our forecast.

The new online bookkeeping system made it much more efficient for our accountant to complete Walnut Mountain's 2018 taxes. At the July POA meeting I will report on the findings of a review (by a CPA firm) of Walnut Mountain's books.

We remain committed to fiscal responsibility and harmony on the mountain.

Frank Randall MBA, Ed.S, LPC



Gina's Pets at Home
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SOLID WASTE AND RECYCLABLES

To keep our community beautiful and clean, Gilmer County offers convenience centers in seven locations – Tower Road, Cartecay, Coosawattee, Tails Creek, Whitepath, Whitestone and Yukon.

For the environmentally conscious, the Cartecay, Coosawattee and Tower Road locations offer a compactor for recyclable items free of charge (paper, cardboard, food cans, beverage cans and plastic). Glass is not accepted. Materials must be free of food residue. Plastics accepted are numbers 3-7, milk jugs #2, soda and water bottles #1 and detergent bottles #2.

Items that are not accepted at any convenience site are refrigerators, freezers, air conditioners, yard debris, cross ties, propane tanks, car batteries or tires on rims.

Larger recycle facilities such as Priest Recycle in Ellijay or Self Recycle in Talking Rock normally accept these items but call ahead to confirm specific items.

Priest Recycle does not accept cardboard, glass, plastic, burnt copper, tube TVs, tires or yard debris.



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JUST A REMINDER

The Walnut Mountain Covenants and Restrictions Section, (k) (ii) provide "No exposed above-ground tanks will be permitted for storage of fuel or water or any other substance, except that such tanks may be placed above ground provided they are kept in a screened enclosure which must be compatible in appearance and locale on to the previously constructed house. Any such screened enclosure must exceed in height by at least one (1) foot any such tank as may be placed therein.

The Architectural Control Committee (ACC) will be conducting a survey mountain-wide and notifying property owners that are not in compliance. Thank you.
Max Holstein



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GARDEN CLUB DOINGS

The Walnut Mountain Garden Club met the evening of June 13 for dinner at the Mountain's lovely picnic grounds beside Turniptown Creek. It was a beautiful evening, with no rain, no humidity and, best of all, no bugs! The Men's Coffee Club provided and cooked hot dogs and hamburgers, and club members provided salads, deviled eggs, baked beans, s'mores and watermelon to complete the dinner. After everyone was full and satisfied, they leaned back in their lawn chairs and enjoyed Jerry Ward's very interesting presentation on "bees and the plants that draw them to visit."



Walnut Mountain Garden Club members enjoy a picnic in the park.

The Club's next meeting will be on Thursday, July 11, when we will have another potluck dinner and a talk by Master Gardener, Lynn Robey, on "**Flowers and Edibles in Containers; vegetables, herbs, and flowers when you can't have a garden.**" All Walnut Mountain residents are welcome to attend, share our repast, and maybe learn a thing or two along the way.

WELCOME TO OUR NEW HOMEOWNERS

Michael & Bethany Brenholt	593 Goldmine Drive
Eric & Rachel Winter	396 Valley View
Hector & Delia Rivera	80 Pine Ridge Road
Jeffrey Hayes	190 Waters Road
Robert & Jane Martin	370 Valley View



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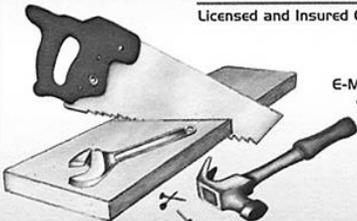


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Walnut Mountain Annual Elections and Property Owners' Luncheon

Every year on the third Saturday of July, we have our property owners' meeting and elections, as well as our annual WM luncheon. This is undoubtedly the most attended property owners' meeting of the year. The luncheon is presented by the Events Committee. I spent my first two years on the board heading events and I enjoyed the process very much, meeting new and old residents and putting on events of various nature. At previous POA luncheons, I asked The Pink Pig of Cherry Log to provide the food and it was delicious and very well received by the property owners. Last year, time escaped, and we had sandwiches and snacks from Ingles, which were really good.

Our event's chairman is on an extended vacation traveling across country and I again have the privilege of presenting the annual luncheon. I want to thank the ladies who will be helping now, as by the next newsletter I will no longer be on the board of directors. In addition, I would like to thank all the folks who helped make our spring fundraiser so successful. I believe it was our best yard sale ever and we raised enough money to complete our objective in just two days! (If you haven't seen it, please come to the clubhouse and look at our fabulous new ceiling) .

Below I have listed all the folks who have assisted and helped over the last three years, either at a fundraiser, craft fair, POA meeting, music jam, Christmas Dinner Party, etc. I owe a big thank you to each one of you, as none of the fun times would have been possible without you and your hard work! (If by any reason I omitted anybody, please accept my profound apologies)

- Bernadette Lee
- Bunny and Bob Demeo
- Cindy Fuerst
- Deb Johnson
- Don and Barbara Nickle
- Ernie Walker

- John and Dee Spadafora
- Joy Ward
- Joyce Adamson
- Julie Brown
- Linda and Andy Baughcum
- Linda Tison
- Lois Hoffman
- Lynn Robey
- Nancy and Ron Hollifield
- Nancy Soukup
- Nancy Troxell
- Patrice Bowser
- Paula Davis
- Sherri McGuff
- Shyla Brennan
- Suzanne McGhee
- Tammy McLaughlin

And last, but not least, my husband, Jim Waddell, who has assisted any and all times he was needed.

So, to all our new residents and long timers, please come by clubhouse on Saturday, July 20th; cast your vote, listen to your board, ask questions, meet your neighbors, and enjoy a great lunch.

Oh, and by the way, if you are curious about the luncheon this year, the theme is "A Summer Picnic" and the food will be provided by a local restaurant, The Smokehouse Grill in Ellijay. The menu is: smoked pulled pork (with various barbeque sauces available), fried chicken, baked beans, potato salad, and coleslaw. The drink choices will be sweet and unsweet tea, lemonade and, of course, water. The dessert is a secret, so you will need to attend!!!

Lastly, I say goodbye and thank you for the opportunity to serve this beautiful community of Walnut Mountain. I did my best. Often there was controversy, but I followed my instincts as to what was right and put my all into everything that came across my plate. I wish our three new board members the very best!

Marjory Walsh

MEET YOUR CANDIDATES FOR BOARD POSITIONS

Max Holstein



Max and his wife Sheryl have been property owners at Walnut Mountain since 1996 and full-time residents since 2001. They have four children and six grandchildren. He is a retired Senior Vice President of Bank of America where he served as Senior Real Estate Investment Advisor of their Private Bank. Max has served several terms on the Walnut Mountain Board. He has served as President, Vice President and Treasurer. He was appointed, by the Board, to serve out an unexpired term in June 2018 and elected, by the Board, as President in July. In the past, he headed up the effort to raise the money to build the volunteer fire station at Walnut Mountain and acted as the general contractor to help save money on the project. Max also headed the negotiations with Gilmer County Water and Sewer Authority to bring County Water to Walnut Mountain. An avid golfer, he currently serves on the Gilmer County Golf Course Advisory Board.

Carol Callicutt

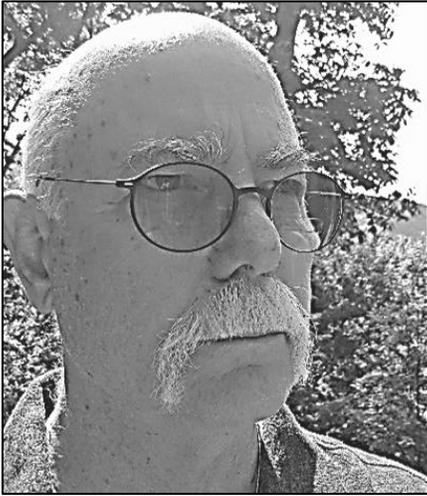


My name is Carol Callicutt. I have lived in Walnut Mountain since June of 2015 and was appointed to the Board of Directors in February 2018 to serve a one-year term. I became Vice President of the Board last July.

I am business minded, level-headed, patient and work well in a group. In the past 15 months, I have used these skills to work with my fellow board members to build a cohesive staff, improve the infrastructure and amenities on the mountain, and to create an atmosphere where all property owners and our staff feel their concerns are heard.

Before I moved to Walnut Mountain, I was the business manager for a commercial swimming pool and specialty chemical distribution business in metro Atlanta. I began as the office manager of the company and later transitioned into the Business Manager position. I was with the company for 10 years until it closed in 2015. I am also a licensed massage therapist in the State of Georgia. Additionally, I have experience in the mental health field, having held positions as an activity therapist and mental health specialist, was a stay at home mom for many years and held various volunteer positions during those years, including PTA President, PTA Vice President, and Booster Club President.

Kelly Russell



I am bringing to the board my prior three years' service as Vice President, President, and on the ACC committee. As part of my prior service I was able to help owners by allowing them to get 15 minutes to allow them to speak at a board meeting, which had not been allowed. The board oversaw the completion of the Lake Dakwa Dam siphon, paved roads, issued pool passes, purchased a dump truck and an excavator, started negotiations of a contract for the Cell Tower with Crown Castle, installed stairs to the basement of the clubhouse and remodeled the basement meeting area, remodeled the Administrative Office, and added and upgraded security cameras to protect our property. I am running for the board this year with a goal to make Walnut Mountain a better community and a friendly place to reside. I would appreciate your vote.

Mary Scott



I have been a proud Walnut Mountain homeowner since 2015 and have extensive condominium and board experience. I served as Board President for 2 years, VP for 1 year and director for 1 year for the Port Brittany Administration Corporation, which was a master homeowners' association, presiding over 6 different and separate HOA's (1,000 units). I also served as President and Director of Landmark (phase 2) which had 500 units.

My business experience includes: 40 years' banking experience, including 6 years as Vice President of Region's Bank and CEO of Norfolk Municipal Employees Credit Union for 6 years.

My skills include strong leadership and project management, team management, strategic leadership, computers, and the ability to read and analyze financial reports and long-term planning.

I am a firm believer that as a member of this community we should give back whenever we can. We live in a great development, and I would be proud to represent our owners by serving them as a board member.



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