



THREE COLONIES

November/December 2023 Newsletter

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THREE COLONIES COURIER

November 2023

ISSUE 5



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**Three Colonies
HOA**

President's Corner:

I would like to wish all of you an early **Happy Thanksgiving**, a **Merry Christmas**, and a **Happy, Blessed New Year**. As the holidays near, I would like to share a quote...

"When it comes to life, the critical thing is whether you take things for granted or take them with gratitude." -Gilbert K. Chesterton.

It's not joy that makes us grateful, but gratitude that makes us joyful. I'm proud to be a member of the Three Colonies Board of Directors, where each team member demonstrates daily their love and commitment to making our neighborhood a better place to live. Their hard work and the countless hours they have selflessly devoted to our community are shown by the positive changes that have taken place over the past year. Their accomplishments shine brilliantly for all to see, even when times become tough and challenging. So, a heartfelt **THANK YOU** to the board members for being such an incredibly excellent team.

A reminder to the board. Not a single board member is taken for granted in this community. Your positive presence, time, ideas, and daily efforts are born with much gratitude, and we wouldn't be where we are as a premier neighborhood without you. So again, **THANK YOU!** Wishing you peace, prosperity, and plenty of pumpkin pie & turkey!

Our Fall Festival was a tremendous success, with more than 55 attendees. At Bunco Night, we had more than 15 participants who had a blast, with a few residents winning some \$\$.

Bunco Night is scheduled for **8 December**; please contact Ruth Hair for additional info.

There are currently two vacancies on the Board of Directors needing to be filled.

- **Maintenance Col 1**
- **Pool**

If you're interested, please reach out to a board member with your name & phone number.

Architectural Committee:

ALL changes must be **APPROVED** by the **Architectural Committee**. Request forms can be found on the Three Colonies website.

PLEASE be good neighbor and pickup after your pet!

VEHICLE REGISTRATION:

Our security coverage recently changed. The company we had left the Signal Security franchise, so Signal Security is providing us with service at this time. Please be patient as our new guards learn about our residents and security procedures. Guards have been instructed to stop all vehicles without a current resident decal. It is imperative that **ALL residents complete a new registration card ASAP**. Please get in touch with Nancy Melton @ 910-987-8988 or mail nancy.melton@yahoo.com for assistance.

Please call the security number (910-867-5046) if you expect someone missing from your registration card. Doing so will help expedite traffic flow at the entrance.

Speed Limit: - The speed limit in Three Colonies is **15 MPH**. Please be aware that several **new STOP SIGNS** have been installed throughout the community.

If the security guard motions you to stop, you are required to STOP. Violation of not stopping when instructed may constitute a trespass violation and will be dealt with accordingly.

Col II & III - do **NOT** park vehicles on the lawn!

Tennis Courts/Playgrounds:

Tennis Courts - only during daylight hours & only for tennis. We are having the playground structure removed from the Lox Drive playground and a new structure installed after the first of the year. **We are researching ideas for replacement. Do you have any suggestions?**

Garbage Carts: Bulk pick has been an ongoing issue in the neighborhood. Items sitting out on the curb for several days is an eyesore which denigrates the aesthetics of our community. Please be considerate of your neighbors by following the guidelines listed below.

Special Waste Pick-up & Disposal - visit www.ci.fayetteville.nc.us To schedule a pick-up of bulky waste items, call #433-1329 or visit www.1FAY.com or www.FayFixIt.com

Recyclables:

- Recyclables must be placed in your blue recycle cart only. Don't use the blue cart for household trash or yard waste.
- You can mix all types of recyclable materials together – **do not bag them**.

Yard Waste & Household Waste: (see explanation below)

Cart Placement for Household Trash:

- Have carts to the curb by 6 a.m. on collection day. Carts must be removed from the curb and placed to the side or back of the house on the day of service.
- Carts must be four feet from all objects & other carts, with handles toward the house.
- Do not place under low-hanging wires or tree branches close to the road.
- Make sure lid is no more than six to eight inches open.
- Remove vehicles from the street on collection day.

Board Meetings:

The next HOA meeting will be held on **28 November @ 6:30pm**.

We would like as many residents as possible to attend the monthly meeting to keep updated on current events!

There will be NO HOA meeting in December.

- Meetings are held on the last **Tuesday of each month at 6:30 pm**. Time is allotted at the beginning and end of the meeting for residents to speak on any issue or concern.

- The board meets in a **closed working group session**, usually a week before the HOA meeting. This meeting is **NOT** open to the public. **However, meeting minutes from the working group are available online at the Three Colonies website.**

Cont:



FAYETTEVILLE NC
AMERICA'S CAN DO CITY

KNOW WHAT RIGHT LOOKS LIKE.



- Household Trash – Up to 2 carts weekly
- Recycling – Blue cart(s) every other week (A or B Week)
- Yard Waste – Up to 10 containerized items
- Limbs – Every **A Week**
- Bulky – Every **B Week**



Know your week: FayettevilleNC.gov/s

Solid Waste Collection Schedule 2023

✓ Your Recycle Week:

November						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

☐ A ☐ B

Yard Waste

Yard waste consists of grass, weeds, leaves, tree trimmings, plants, shrubbery, pruning, limbs, and materials that are generated in the maintenance of yards and gardens.

2024

January						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February						
S	M	T	W	T	F	S
		1	2	3		
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

March						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

May						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

It does not include **ANY** other waste items such as weed control cloth, garden hoses, or other items related to yard work. Please do not place animal waste in yard waste containers. Double bag animal waste and place it in the green household waste rollout cart.

For timely and safe pickup, please follow these guidelines:

- Yard waste shall be placed four (4) feet from the curb for collection in a green or brown 96-gallon rollout cart that is purchased or provided by the City, 32-gallon metal or plastic cans with a tight-fitting lid and strong handles, durable plastic bags, and twigs/trimmings that are tied into bundles.
- All 32-gallon metal or plastic cans with a tight-fitting lid, durable plastic bags, and bundled and tied twigs/trimmings must not exceed 50 pounds.
- Yard waste must be separated from all other refuse before collection.
- Twigs and trimmings should be placed in green or brown rollout carts, personal cans, or durable plastic bags if possible. You may also cut, tie, and bundle the twigs and trimmings so crews can easily place material in the rear loader.
- Twigs and trimmings must not exceed three (3) feet in length, three (3) inches in diameter, and must weigh less than 50 lbs.
- Yard waste placed on tarps, bedsheets, oil drums, barrels, or other non-approved containers will not be collected.



Collection trucks are rear loaders with two staff members who empty green or brown rollout carts with the use of a lift, or bags that must be opened and emptied into the truck. The city is not responsible for damage to personal cans.

All yard waste is taken to the landfill on Wilkes Road which is used specifically for this type of debris. It is mulched at the location and used in landscaping at public properties and is also for sale to the general public. What about placing loose yard waste at the curb? This violates the City Ordinance and can lead to a citation. Loose yard waste must be placed in the appropriate containerized item for collection. Twigs and trimmings may be bundled and tied together for collection. The only time loose yard waste (outside of a containerized item and not bundled or tied) is acceptable at the curb is during the City's prescribed loose-leaf season, approximately mid-November through mid-March. Vacuum trucks operated by [Fayetteville-Cumberland Parks & Recreation](#) collect loose leaves and pine straw only, operating on a published schedule of neighborhoods.

Please **DO NOT** put leaves and pine straw out more than two weeks prior to your scheduled collection dates. It is unsightly, can be hazardous to traffic, and can clog storm drains, which might then result in flooding issues.

It is possible to pay for a collection of loose leaves and pine straw during the non-loose leaf collection period. Call **433-1547** to pay and schedule this. Vacuuming can only be done for “clean” piles of leaves and straw; no branches, pinecones, or other items can be mixed in.

There's no need to wait for the vacuum truck that only comes through neighborhoods once a year. Containerize for weekly collection all year round!

PLEASE NOTE:

- If household waste collection is **MONDAY**, your yard waste collection is **FRIDAY**.
- If household waste collection is **TUESDAY**, your yard waste collection is **THURSDAY**.
- If household waste collection is **THURSDAY**, your yard waste collection is **TUESDAY**.
- If household waste collection is **FRIDAY**, your yard waste collection is **MONDAY**.

The city offers additional brown 96-gallon rollout carts for \$60 each plus \$25 for delivery. To order an additional rollout cart, use SeeClickFix, call the 1-FAY Call Center at (910) 433-1329, or drop by the Solid Waste Division's office at 455 Grove Street.

Household Waste

Household Waste collected by the city consists of any non-recyclable articles from households, such as garbage, trash, discarded clothing, toys, sweepings, rags, etc. Household Waste items must be properly placed inside the designated Rollout Carts, in compliance with the following regulations:

- Household Rollout Carts must be placed at the Curbside by 6 a.m. on your Collection Day.
- For each Collection Day, all Household Waste must be placed **inside** the maximum of two (2) green or brown 96-gallon Rollout Carts, one (1) foot from the Curbside.
- Household Rollout Carts must be placed side-by-side, 4 feet from other Rollout Carts, mailboxes, fixed objects and away from trees, power lines, parked vehicles, equipment and all other obstructions.
- Rollout Cart handles must face the residence and lids should not be open more than 6-8 inches when filled.
- All Household Waste shall be separated from all other waste prior to Collection.
- It is requested that all bags placed inside the Household Waste Rollout Cart be tied, to avoid spills.

To collect Household Waste, our crews drive Automated Side-Loader (ASL) trucks and use a mechanical arm to lift and dump Rollout Carts, while the driver stays inside the vehicle. This speeds up the collection process, so everyone's refuse is collected in a timely manner.

Over the next several months we will be sharing some Frequently Asked Question (FAQ) pertaining to Homeowners Associations (HOA) and its guidance from the North Carolina State Legislature. The questions are answered by Attorney Jim Slaughter who a Fellow of the College of Community Association Lawyers.

COLLEGE OF COMMUNITY ASSOCIATION LAWYERS **CCAL State Law Frequently Asked Questions ("FAQs")**

North Carolina FAQ's

Jim Slaughter, [Black, Slaughter & Black, PA](#)

Fellow, College of Community Association Lawyers

1. Can the Board of Directors meet in Closed or Executive Session? If so, for what purposes?

There are no statutory prohibitions on the executive board meeting in closed session for any reason.

2. Is an annual audit required?

There is no statutory annual audit requirement. However, both the NC Planned Community Act (NCGS § 47F-3-118(a)) and the NC Condominium Act (NCGS § 47C- 3-118(a)) provide that notwithstanding the bylaws, a more extensive compilation, review, or audit of the association's books and records for the current or immediately preceding fiscal year may be required by a vote of the majority of the executive board or by the affirmative vote of a majority of the owners present and voting in person or by proxy at any annual meeting or any special meeting duly called for that purpose. These two statutes apply retroactively to older associations. **Three Colonies Board of Directors has historically provided the community with an audit annually. The board has recently voted to extend the requirement for an audit to every two (2) years.**

3. Does the Association have the authority to adopt rules and regulations? By law or by statute?

Both the NC Planned Community Act (NCGS § 47F-3-102(1)) and the Condominium Act (NCGS § 47C-3-102(1)) provide that unless the articles of incorporation or the declaration expressly provides to the contrary, the association may adopt and amend rules and regulations. These two statutes apply retroactively to older associations.

4. Does the Association have the authority to assess charges or fines for violations by Members? Does the Association have the right to suspend the right of use of the common elements or common areas in the event of a violation? To suspend the right of a member to vote or otherwise participate in the Association in the event of a violation?

Both the NC Planned Community Act (NCGS § 47F-3-102(12)) and the NC Condominium Act (NCGS § 47C-3-102(12)) provide that the association, after notice and opportunity to be heard, may impose reasonable fines or suspend privileges or services provided by the association (except rights of access) for reasonable periods for violations of the declaration, bylaws, and rules and regulations of the association. The procedures for fines and suspension of services is further defined in NCGS § 47F-3-107.1 for planned communities and NCGS § 47C-3-107.1 for condominiums. These two statutes apply retroactively to older associations.

Generally, the right of a member to vote is not considered to be suspendable unless clearly defined in the declaration (which typically gives an owner the right to vote).

Board of Directors

Reminder: only call between the hours of 9 to 5 unless it is an emergency. Leave a message and your call will be returned.

Jack Smith	President	(910)527-7836	jrsmith4501@gmail.com
Nancy Melton	Vice President & Security	(910)987-8988	nancy.melton@yahoo.com
vacant	Pool		
Walt Mingle	Website	(910)868-4119	waltmingle39@gmail.com
Isabella Vann	Colony I	(910)978-1033	isames85@gmail.com
Karen Stein	Colony II & III	(850)499-1167	thesteins2004@yahoo.com
Ruth Hair	Clubhouse	(910)309-2277	ruthluvs2read@gmail.com
vacant	Maintenance Col I		
Richard Hup	Grounds/Corral	(910)366-4110	oneoleman3@yahoo.com
Brian Gaskell	Special Projects	(616)960-5236	brian.gaskell@hotmail.com

Ex-Officio Members (non-voting):

Mitzi Hennessey	Treasurer	(910)429-6914	threecolonies@aol.com
Pete Horne	Recording Secretary	(910)494-2985	bph1532@gmail.com