

**Keys at Kure Beach Homeowners Association**

**BOARD OF MANAGERS MEETING - June 6, 2009 - 9:00 AM**

**MINUTES**

**Board present:** Micki Hobson, Bryan Strickland, Tim Upton, Ed Wilkinson

**Not Present:** Harry Birch

**Accountant:** Grace McGee

**Committee Coordinators/members present:** Jennifer Scott,

**Other Homeowners in attendance:** John Winkelman

Meeting called to order at 9:15 AM by Tim Upton, President.

Minutes of previous meeting (final version emailed 3/12/09) adopted.

**VOTES TAKEN VIA EMAIL DURING PERIOD FOLLOWING 3/6 MEETING:**

1. LANDSCAPE REQUEST: 813 KVW - permission to plant 3 Crepe Myrtles

Approved: unanimous - 4/22/09 -- Request on file

2. DELINQUENCIES: 2 LIENS FILED against unit owners in excess of \$3,000 in unpaid dues.

Approved as follows: Owner #7 - 4 Yes 1 No; Owner #9 - 4 Yes, 1 Abstain ---

Further Action to be taken is noted under FINANCE Item 5 a) and b) below.

Documentation as of this writing is in possession of President, Tim Upton. See FINANCE, Item 6 below.

**FINANCE**

--presented by Grace McGee

1. CHECK DETAIL - Mar, Apr. May, 2009

**ATTACHMENT A-1**

2. P& L w/ Previous Year Comparison - thru May, 2009

**ATTACHMENT A-2**

3. P & L Budget vs Actual - Jan - May, 2009

**ATTACHMENT A-3**

4. BALANCE SHEET -- thru May, 2009

**ATTACHMENT A-4**

5. ACCOUNTS RECEIVABLE Aging Summary - as of 6/5/09

**ATTACHMENT A-5**

**ACTION SUMMARY [Note: Owner ident numbers below correspond to the order in which they appear on the Attachment-5]**

a) Judgment will not be served on Owner #7 as house is 'for sale' - Attorney opinion is that Keys Receivables will be forthcoming upon closure.

b) Judgment will be served on Owner #9 next week.

c) No other accounts require action at this time.

**FINANCE & ADMINISTRATION (cont.)**

6. LIENS & FORECLOSURES - **POLICY for VOTING VIA EMAIL**

- a) Subject line to read as follows: Lien /Owner Last Name/Vote (if applicable)/Private
- b) Only ONE subject per email
- c) Print copies of all email correspondence will be retained with all other relevant documents in confidential Keys files marked "Liens Filed" in Clubhouse.

**MOTION** To adopt the policy outlined above. (called by ED, seconded by Tim)

**APPROVED:** Unanimous consent.

7. ACCOUNTING: **LEGAL FEES**

All legal fee expenses are to be coded as follows for analysis and future budgeting purposes:

- a) **Pond** - those relative to operation, maintenance and ownership issues
- b) **Management** - those relative to initial account setup, review of by-laws and covenants and general counsel for 'day to day' business operations.
- c) **Financial - direct** costs related to unit owners for reviewing and/or filing liens, judgments or motions.

NOTES: Attorney expenses related directly to owners delinquencies may be charged at a rate up to 15% of the amount due, titled 'Reasonable Attorney Fees'. This does not include indirect costs to the Association and the fees are negotiable at settlements. Owners have a 15 day period following receipt of first advisory letter regarding liens in which to pay debt without incurring legal fees charge.

8. RECORD RETENTION

--proposed by Tim

- a) Outline for review of Keys record keeping procedures -----**ATTACHMENT B**  
**ACTION:** Micki will draft excel spreadsheet for review and implementation by July 1.
- b) Request for legal size filing cabinet w/ lock by Micki

**MOTION** To approve request (called by Ed, seconded by Tim)

**APPROVED:** Unanimous consent.

9. 2010 BUDGET PREPARATION

- a) use zero base format; forms same as previous years
- b) final copy to be ready by 9/1 for including with Annual Meeting notice

**ACTION:** Micki and Grace to prepare forms to forward to Board prior to next meeting.

10. 2009 AUDIT

--request by Grace

**MOTION** (called by Ed, seconded by Tim)

"To hire auditor, June Johnson (who has done all previous Keys audits) for 2009."

**APPROVED:** Unanimous consent.

## LEGAL ISSUES

1. What legal rights does HOA actually have to perform maintenance on individual units?  
**ACTION:** Bryan & Ed will draft letter of request for information to Attorney regarding these issues, including long term maintenance for re-shingling and exterior painting.

## ARCHITECTURE

1. CHANGE REQUESTS: 1
  - a) John Winkelman - 681 Settlers Lane -  
Front: hand rail replacement w/ composite material; 2 upstairs window replacement.  
**APPROVED, unanimously**

**NOTE: Availability of windows in exact type/style as the originals is becoming less and less probable. Board must be prepared to address such changes.**

2. RE-SHINGLING -- 2 new applications received via email
  - a) Moghadass/Ellison -- 609/613 SPL

REMINDER: The owner-approved re-shingling policy included escrow of \$2,000 per unit available through Dec. 2010 for owners opting to complete the process within that time period. Thereafter, an assessment for the balance needed to complete the re-shingling of the remaining units would be made to applicable owners PRIOR to beginning the project.

3. RE-PAINTING COMMITTEE -- update -- Ed / Micki  
Next Steps: Designer will be hired for consultation prior to next Board Mtg.

4. DRIVEWAY REVIEW COMMITTEE -- formation
  - a) Chair to be Bryan Strickland
  - b) Committee members to include Ed Wilkinson (Board) and 3 to 4 others to be solicited by Chair. Recommendations included Evelyn Bowman, Royce Edwards, Peter Haswell.
  - c) Purpose / Tasks
    - Update status/condition of all driveways
    - Provide recommendations for funding damaged driveways
  - d) Deadlines:
    - draft report to Board - Sept. Board Mtg.
    - Final Report ready for distribution Oct. 3 Annual Meeting

NOTE: Driveways are part of the Keys Common Area, thus maintenance, repair and replacement are not the responsibility of individual owners. At the 2004 Annual Meeting, owners agreed to driveways being maintained on an 'as-needed' basis in lieu of putting in escrow the funds to repair or replace them all within a specific time period.

## **STORM WATER POND -- OWNERSHIP & EXPENSES**

### **1. Ownership:**

Due to the number of documents regarding the complicated history of pond ownership and the more recently discovered Storm Water Management permits required, a **summary** of attorney findings, meetings with Kure Beach Village Board and discussions which occurred since our previous Board meeting is on file along with **all related documents**. As of this writing they are held by Tim Upton.

### **2. Next Steps / Expenses:**

Homes located in Phase III section of the KBV development (area due south of Keys units) are tied in to the storm water pond and directly affected by its maintenance. Request will be made to KBV Board for joint meeting with Keys Board to discuss:

a) removal of accumulated sediment which must be done in the near future (expense will be @ \$12,000) and b) ongoing annual maintenance.

## **LANDSCAPE**

1. DRAINAGE - no discussion

2. IRRIGATION / SPRINKLERS

-- Tim

-- RAIN SENSORS - (wireless w/ radio transmitter)

Per approval previous mtg., one rain sensor installed at 657 Settlers on May 30.

A second sensor will be installed between 625 & 629 Settlers next week.

4. POND AERATION

1) Pond pump was replaced May 18 with yeoman effort contributed by Tim Upton.

(Details on file!)

2) Pond fountain timer was reset in Feb. and seems to have reduced electric expenses.

Pump will run 4 to 5 hours a day off season ; 7 to 8 during hot weather, when required.

5. FEEDING OF WILD ANIMALS --

**ATTACHMENT C**

**ACTION per discussion previous mtg.:** Attached flyer regarding this issue will be included in June dues mailing.

## **LANDSCAPE (cont.)**

### 6. PLANT & TREE TRIMMING

a) Major trimming throughout grounds continued during May, including trimming and vine removal on West side of Settlers Lane. Summary of Board discussion re the following issues raised by unsatisfied owner, Judy Larrick (copy of complaint letter on file), included:

--Advance notification of work schedule to owners: It is not practical to notify all owners of trimming schedules due to last minute nature resulting from rain dates, etc.

--Supervision of work crews: Every effort is made by the Landscape Committee to oversee work which falls outside the general maintenance category. However, it is not possible to prevent all incidents and/or actions which will not be acceptable to individual owners.

--Chemicals and their application: The Landscape Committee will begin researching alternative chemicals and new developments in the field for environmentally friendly solutions. At present, the Board does not feel that it will be possible to eliminate treatments for individual units as it will a) jeopardize those adjacent to them and b) provide complications for landscaping vendor which are not part of the current contract.

b) Trimming Standardization & Schedule -- Continuing the exploration of this never-ending issue, Micki recommended the following:

--On Unit Map, color code plants by type and related number of times per year trimming should occur based on 'growth speed'.

--Include map as part of Landscape vendor contract.

**ACTION:** Micki & Ed to prepare map for Landscape Comm. review.

### **KBV - other issues**

1. PLAYGROUND PROPOSAL -- For the record, now that it is clear that the Keys owns the land surrounding swimming pool on Settlers Lane, the question of building a playground in this area will not be an option for the KBV Board.

## **NEXT MANAGERS MEETING: Saturday, July 11 - 9:00 AM**

Meeting adjourned at 1:15 PM

### **ITEMS FOR FUTURE AGENDAS:**

1. Roofs - Research **solar panel** options; including renderings for potential presentation to owners. Energy and long term monetary savings will likely be of increasing interest.

