

**Keys at Kure Beach Homeowners Association**  
**BOARD OF MANAGERS MEETING - October 23, 2010 - 9:00 AM**  
**MINUTES**

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

**Accountant:** Grace McGee

**Committee Members present:** Barbara Upton, Linda Newton, Carol Malicki

**Homeowners present:** Judy Larrick, Frank Fisher, Ken Richardson , Betty Swann, Jennifer Scott.

Meeting called to order at 9:05 AM by Tim Upton, President.

Approval of Annual Meeting minutes tabled to await re-count of Absentee Proxies & Ballots.

**VOTES TAKEN VIA EMAIL DURING PERIOD FOLLOWING 10/2 MEETING:**

**See ADMINISTRATION, page 4**

**FINANCE**

-- Grace

- |   |                       |
|---|-----------------------|
| 1. CHECK DETAIL - August - Sept, 2010                       | <b>ATTACHMENT A-1</b> |
| 2. P& L and YTD - August - Sept, 2010                       | <b>ATTACHMENT A-2</b> |
| 3. P & L Budget vs Actual - Jan. - Sept, 2010               | <b>ATTACHMENT A-3</b> |
| 4. BALANCE SHEET -- as of Sept. 30, 2010                    | <b>ATTACHMENT A-4</b> |
| 5. ACCOUNTS RECEIVABLE <b>Aging Summary</b> (Oct. 22, 2010) | <b>ATTACHMENT A-5</b> |

**NOTES:**

- 1) Pond Maintenance: Over budget due to rescheduling dredging to current year.
- 2) Legal: Over budget due to pond permit and other deed issues

**LIENS, JUDGMENTS and/or FORECLOSURES:**

**Aging Summary:** Action has been taken on accounts surpassing 90 day past due limit (marked with yellow highlight)

Highlighted item #2: Move to judgment, vote approved unanimously.

Highlighted item #6: Property is for sale, lien has been filed

**LEGAL ISSUES**

-- Tim

1) **Pond Maintenance to be shared w/ KBV** - History and actions to date on file. Issues regarding ownership (deeds) and county tax records remain under investigation.

2) **In 1996, the Keys transferred deeds to pool, tennis court and clubhouse on Settlers Lane to KBV.**

**MOTION** by Ed, seconded by Harry: To proceed on clarification of ownership of grounds surrounding pool, tennis court and clubhouse on Settlers Lane, as with that of the pond.

**VOTE:** Approved, unanimous

**ARCHITECTURE**

1. CHANGE REQUESTS: -- Tim  
665 Settlers Lane - Simmons - deck and rail to composite - request received following completion of change. Requisite materials used.
2. TERMITE INSPECTION - Oct. 1, 2010 -- Harry  
Inspection incomplete due to excessive rain - 75% now completed; Canady team will finish within next two weeks - report to be received by mid-Nov.

**RE-SHINGLING**

- a) NEW APPLICATIONS: -- Tim  
Newton - 636 Settlers Lane / Fields - 640 Settlers Lane
- b) REMAINING # **BUILDINGS TO BE RE-SHINGLED: 11** **ATTACHMENT B**
- c) NEXT STEPS -- Harry
  - RFP to be sent in December to Baker, Easterling and one additional vendor.
  - RFP will include request for charge for leak investigation

**DRAINAGE** - rear of units along east side of Sloop Pointe Lane -- Bryan  
Bryan spoke w/ Dean Lambeth, Town of Kure Beach Mayor who deferred request to Public Works to revisit the question of digging a trench along this area.  
Harry noted that the area behind south side of SPL should also be included.

**DECKS - Repair & Maintenance**

-- Ed

- In 2008, the maintenance (including painting) of front and rear decks was returned to unit owners.
- At the Annual Meeting (Oct. 2) this year, several complaints were registered re decks not being included in Re-Painting.
- A review of rear decks' conditions was made by Tim. **ATTACHMENT C**
- Note: 64 need re-painting; 8 have been converted to maintenance-free composite material

DISCUSSION: Opinion of majority of attending owners was to return re-painting, but not maintenance and repair (such as wood replacement), to the HOA's responsibility.

**MOTION** by Ed, seconded by Harry: **To return deck preparation and re-painting (only on re-painting schedule for units) to HOA. VOTE:** Passed - 4 yes, 1 abstain

Owners who have invested in composite decks will receive refund of amount vendor determines is per-deck cost of painting.

**GROUNDS COMMITTEE (formerly Landscape)**

-- Barbara Upton

**---POND MAINTENANCE**

- a) PERMIT issues: see “LEGAL ISSUES - this document P. 1]
- b) PUMP - alternatives to replacement of current pump
  1. replace with less powerful pump; Retention Pond Services estimate not including light kit is @ \$2,000.
  2. Arboretum has programs/classes for pond maintenance; Barbara has volunteered to attend.

DISCUSSION: Frank Fisher asked if Keys had been informed that pump was not allowed in pond? Tim read paragraph included on monthly reports from Retention Pond Services, for numerous years, specifying that the pond fountain did not meet state requirements.

**MOTION** by Ed, seconded by Harry: **To develop a plan with or without a fountain that will be satisfy the State of NC regulations for certification.**

**VOTE:** Passed - Unanimous

**---GROUNDS MAINTENANCE**

- a) **Landscape GUIDELINES** draft was forwarded to Board on 10/19 by Barbara who requested they be accepted for implementation. MOTION to approve them was tabled as several Board members were not prepared for discussion.
- b) **Gutters** - Barbara recommended that owners be advised that gutters across front of unit are useful for better plant maintenance and the prevention of flooding beneath the foundation. **ACTION:** Recommendation will be included in Dec. Dues mailing.
- c) **Plants - Roses** - Judy Larrick questioned efficacy of planting roses since they are ‘deer bait.’ Barbara read from research re rose plants which meet the qualifications of healthy growth in this region and are not attractive to deer, specifically the “Knockout Rose” which what has been chosen for the Keys. She also read from the New Hanover County Cooperative Extension Services flyer on landscape "Deer Zoning" guidelines on placement of the roses closer to the front of units, and stated we are following the guidelines.

**RE-PAINTING COMMITTEE -- update**

-- Ed & Micki

- 1. **Paint vs. Stain** - Ed reported that latex stain differs from latex paint in viscosity which allows wood grain to be more evident; oil base paint will not be used because it peels and once used, stain is never again an option.

continued.....

**2. Consultant:** Ed requested authorization to engage Moe Brown of C & S Paint, Carolina Beach (not a potential vendor re-paint project) to advise Committee on paint research and to perform periodic inspection and sampling during the painting process next Spring. His fee is \$25 per hour, capped at 25 hours. Additional hours will require Board approval.

**MOTION** by Harry, seconded by Tim: **To accept Ed's request as stated above.**

**VOTE:** Passed - unanimous

**3. Paint Preference Forms** - Micki reported 34 forms returned to date; numerous are problematic because owners have not read cover letter and are submitting preferences that do not match those of the attached unit owners. They are being advised to of this.

**4. Deck painting & preparation:**

- Decks will be added to Re-Painting RFP per vote earlier in this meeting.
- Preparation for Re-Painting - owners will be notified that decks will be repaired, if needed, at owners expense. They will be given the option of repairing them prior to specified deadline OR to have HOA selected vendor do all repairs and invoice owner.

**NOTE: To be clarified: Prior to painting, will sanding of decks be included as HOA RE-PAINTING expense OR invoiced to owner the same as wood repair and replacement?**

**ADMINISTRATION**

**1. OFFICERS for 2010-11 Term** were selected via email and will remain the same as 2009-10. **ATTACHMENT D**

**2. COMMITTEE MEMBERSHIP:**

No new volunteers since the Annual Meeting.  
All previous members of Re-Painting Committee signed on for 2011.

**3. BOARD MEETING SCHEDULE:** Board elected to meet every other month on Saturday mornings. However, due to pressing business, the next meeting to be scheduled in Nov.

**4. HOA MANUAL**

- Micki

- Per recommendations at this meeting, updates will be distributed via Email, on the Website and snail mail to those requesting it.
- To determine those who wish to receive manual updates via snail mail, a request form will be included in the Dec. Quarterly Dues mailing.

**5. BY-LAWS REVISIONS** -- No further action taken at this meeting

## **NEW BUSINESS**

### **FORMAL REQUESTS FROM OWNER'S TO ADDRESS BOARD:**

**1. JUDY LARRICK** - owner 645 Settlers Lane - made a formal presentation in protest of the new color selection chosen for the forthcoming Re-Painting of units. **ATTACHMENT E**  
In addition to her remarks, she provided a 'sample board' on which she had painted the 7 colors to demonstrate how they would look, noting the name for it as "Lollipop Village."  
In lieu of completing a petition of homeowners to call for a meeting, she requested that the Board do so.

#### **ACTION:**

--- The Board did not call for a vote to convene a special meeting of the homeowners.

--- The Board agreed that the Paint Committee would review the points presented at their next meeting, yet to be set.

Not pleased with these results, she noted that the 'sample board' would be displayed on her porch with a sign of protest.

She also pointed out that she had requested to join the Committee and never been informed of meetings. Ed and Micki apologized for the communication errors that led her to believe that she would not be welcome to do so.

**2. LINDA NEWTON** - owner 833 SPL and **CAROL MALICKI** - owner 837 SPL requested that the Board reconsider a decision made by the new Chair of Grounds Committee, Barbara Upton, regarding replacement of the 4 oleanders in front of their units which had been promised by the previous Chair, Betty Swann to be done last Spring but had to be postponed to this Fall. They also noted that they had been told that the addition of gutters over that area would be a prerequisite to the replacement. While willing to install gutters, they did not feel that the lack of them was the cause of the oleanders dieing.

#### **DISCUSSION:**

Barbara: Top priority needs to be given to plants and trees that are diseased, of which there are numerous at his time.

Bryan: Historically, committees provide recommendations to the Board for votes on action list.

Barbara: Committee cannot function if every item has to be approved individually.

Betty: In past, list of needs were provided to Board periodically and approved informally.

**MOTION** by Harry, seconded by Bryan: **To replace specified oleanders this fall.**

**VOTE:** Passed - Unanimous

### **OTHER OWNER ISSUES:**

**FRANK FISHER** - 809 Kure Village Way - requested solution re owners feeding wild animals and not keeping dogs on leashes. Tim recommended that he phone Animal Control - 798-7500.

## **NEXT REGULAR MEETING TBA**

Meeting adjourned 12:40 PM

Submitted by Micki Hobson, Secretary 11/3/10