

# Keys at Kure Beach Homeowners Association

## Minutes

**February 27, 2016      10:00 AM**

**Executive session (Closed) 9:30 -10:00**

Board present: Becky Richardson, Nancy Brickman, Bruce Yergler, ML Smith

Guests: Craig Turner, Sally Shafer

Accountants: Grace McGee, Pat Young

### **1. Question/Answer session with Craig Turner from Land Management Group concerning drainage issues in the Keys** **10:00**

Sam will not do any mulching until decision is made on drainage.

Google maps shows our soil as Lenn Haven (a very poorly drained soil) found up and down the east coast. Water moves in response to elevation changes and most of the land west of us is a higher elevation. We have had 20" above normal rains in the last four months. This usually occurs during hurricanes. Mr. Turner's recommendation is that we start at the top of the drainage system for the most economical plan to deal with our drainage.

We are talking about managing water that is right at the top of the water table. Mulch can be detrimental to water movement because it creates little "mini dams". Roof downspouts concentrate water collection, although the HOA has downspouts running into retention pond in the back of all houses around the pond.

The four-plex at the corner of Settlers and Sloop Pointe has continuing issues.

Mr. Turner proposed a swale along the Sea Watch line to force water to flow toward Kure Village Way. Drains are not possible because of utility lines. Downspouts on the backs of homes on Settlers mean water collects around those homes. Drains between the houses would collect the water and take it to the road.

Project could be done in phases:

1. Swale down Sloop Pointe (involves clearing, grading, removing/replacing plantings)
2. Drainage between houses on Settlers (possibly eight pipes)

We need a further assessment of our community to determine concrete next steps. The proposed work will most likely require a special assessment for the owners. Ken's time and work on this issue is much appreciated. Mr. Turner declined to give us an estimate for the work involved because it would be turned over to contractors and he could not estimate the cost.

ML moved that since we find the cost of the drainage solution to be prohibitive at this point, especially in light of the unusually wet weather, we table the decision at this time. Seconded by Becky. Passed.

## **2. Petition/Procedure for changing Rules and Regs concerning installation of hot tubs**

11:00

The cost of a mailing with proxies will be over \$100. In order to change a declaration (according to state law governing HOA's) 67% of entire community (62 out of 92 units) must vote in the affirmative.

Sally Shafer presented a petition with 12 signatures supporting a change of rules so that hot tubs can be installed on decks in the Keys. However, there was a question about signatures that might not be Class A because of unpaid dues. Ms. Shafer then challenged the board's statement that the number of votes needed to pass for a special vote would be 67%, referring to the majority clause in our Bylaws which indicates a total of more than 50% of voters. Becky will consult with our attorney for a definitive answer on the number of votes needed. If there is a conflict of priorities, the order is State law, Declarations and Bylaws, then Rules and Regs.

When we have a definite answer and the required number of signatures, the board will set a date for a special meeting and send out information and proxies. All owners will then have the opportunity to vote on the rule change to allow hot tubs to be installed on decks.

## **3. Financial**

Grace McGee/Pat Young

-Liens, Judgments, Foreclosures, Aging summary

## **4. ML moved and Bruce seconded to approve 1/23/16 minutes. Passed.**

## **5. Votes taken via email since last meeting:**

-Accepted Ken Richardson's resignation on 1/24/2016

Bruce moved that we wait until after the board election in October to fill the board vacancy. Seconded by Becky. Passed.

## **6. Architecture**

ML Smith

No new requests.

## **7. Pond**

**Ken Richardson**

Ken thanked Peter Beardsley and Mike and Sharon Fay for helping to install the fencing around the pond. There are adjustments for turtles and ducks to enter the water. We need at least four more rolls of fencing at \$25/roll and additional fencing posts to complete the fence all the way around the pond.

Bruce moved we continue to install the fence pending cost figures from Ken. Nancy seconded. Passed.

The board has explored many different solutions for our Canada geese problem. The other solutions would involve planting vegetation (\$25,000-\$30,000) or hiring a service with trained dogs to patrol the pond twice daily as a deterrent, which would cost approximately \$25,000.

The proposal to redo the fencing was approved at the annual meeting. After the annual meeting, Ken brought the fencing used to an open board meeting for approval.

Our attorney's bill for consultation on shared pond maintenance costs with the Dunes is \$1236.94. Mr. Meier is still investigating with DENR the issue of shared costs as agreed upon in the original deed.

## **8. Landscaping**

**Ken Richardson**

The mulch will be cheaper this year because they are no longer scraping up the pine straw to replace it with mulch. Ken discussed with Sam the selection of plants based on soil, light and survivability. Sam places the plants close together for a hedge effect. He will address the weeds. The board still has a concern about his choice of plantings. Ken also discussed the wet conditions and the fact that the mowers are making tracks in the lawns and the crew needs to change their paths when they mow.

## **9. Insurance**

**Bruce Yergler**

Bruce is going to go through every file and list the documented proof of coverage for unit owners. Our letter was an attempt to get insurance compliance from our neighbors in our community. The next step will be a warning letter that if we don't have proof of insurance within a specified time limit the owner will be fined and the matter will be turned over to our attorney to process.

## **10. Rules and Regulations**

There has been no response to our request for proof of registration and licensure for the covered vehicle on the driveway at 813 Kure Village Way.

We are reviewing the clause in Rules and Regulations that addresses fines.

A letter will be sent to 649 Sloop Pointe to address parking on the grass.

Commercial signs are not allowed. The realtor who sold the house at 673 Settlers Lane has left the sign in the yard. A letter will go to the new residents and the realtor to have it removed.

## **11. Other**

The board discussed hiring a management firm. It is difficult to find residents to fill volunteer positions and there are increasingly difficult and time consuming issues to consider. We will explore the feasibility of hiring a company.

Meeting adjourned at 1:10 pm.

## **12. Set date for next meeting: April 23, 2016 10 am**