

Keys at Kure Beach Homeowners Association

Minutes November 9, 2018 10:00 AM

Board members in attendance: Nancy Brickman, Linda Newton, Becky Richardson, Steve Turner

Accountants: Grace McGee, Pat Young, Kim Gargiulo

Paint Committee: Ed Wilkinson

Resident: Wayne VanDyke

Business conducted by email since last meeting:

- Board approved replacement windows at 620 Settlers Lane. All front and back windows will be replaced by Steve Gifford, Top to Bottom.

1. Board approved unanimously minutes from Annual Meeting.

2. Financial Report

Grace McGee

-Review of Profit & Loss Statement and Balance Sheet for August - October

3. Insurance

Pat Young

-There are several owners who are being contacted to provide proof of insurance.

4. Painting

Ed Wilkinson

-KVV is complete. Kerwick is starting on the west side of Settlers and will be finished before beginning on SPL. The weather has been a problem. Some owners who did not attend to damage at the time of the original reports have had more damage and now want to do repairs. If cosmetic work is not done prior to scheduled painting, the contractors will continue original schedule and leave paint for owner. At 32 degrees the stain will not adhere to siding, so eventually the cold weather could stop painting progress.

5. Pond

Steve Turner

-Steve is going to post pond chemistry report on the website.

-Geese, landscaping, and fencing will be handled by Steve's committee which is meeting tomorrow, 11/10. Steve will handle the day-to-day maintenance issues.

-Pond Retention Services has been unresponsive to Steve's phone calls.

6. Architecture

Linda Newton

-645 SPL applied to remove their rotting deck, replace with Trex and add PVC railings. There will be no change in design or style of deck. Linda is going to ask for pictures and remind owners the deck color has to be the same grey is used on other units.

-644 Settlers added a room to second floor and request to put in a mini-split air conditioning unit on side of house. Venting goes up the side of the house and will be painted to match the siding. They will need a separate application for deck replacement.

Applications approved with additional information from 645 SPL.

-Recommendation from Linda Newton, Architecture Chair, based on the history of a current architectural request:

Around the end of June, 2018, I talked by phone with Mr. Craig Daniel concerning replacement windows for 644 Settlers Lane. Craig told me that Steve Gifford was going to be the contractor installing the windows, but that he was himself a contractor and would be ordering the windows. I quickly told him that the windows needed to match the current windows in his house, including grids. I also said he would need to state this on his Request For Exterior Exchange form. I left on a vacation July 1, 2018 and returned on July 12th. While I was away, Mr. Daniel completed the required form and sent it to Grace McGee. Grace gave it to me soon after I returned home. I read it, paying close attention to Mr. Daniel's written statement that read, "The windows I have ordered match the grill pattern exactly as what is there now." For this reason, I recommended approval for these windows to the Board at our regularly scheduled meeting on July 20, 2018. The whole Board agreed and I notified the Daniels by phone that their windows were approved. The windows were not installed until much later, in September. Immediately I noticed that the large window in front (palladium window) had a different grid pattern. I called Mrs. Daniel and told her that this window was not what we approved. Two other pertinent facts follow:

*1. ONE other palladium window like the window Mr. Daniel installed was installed at 817 Sloop Pointe Lane without approval--over five years ago. I checked the records in our office--no approval was given for any replacement windows for this address. The current owners bought the unit after this window was installed. Keys Covenants, 10.5 No Waiver of Future Approvals
Each owner acknowledges that The Board (or if applicable, the ARC) may change from time to time and that interpretation, application, and enforcement of this article may vary accordingly. Approval of proposals, plans and specifications or drawings for any work done or proposed, or in connection with any other matter requiring approval, shall not be deemed to constitute a waiver of the right to withhold approval as to any similar proposals, plans and specifications, drawings, or other matters subsequently or additionally submitted for approval.*

2. Mr. Gifford, the installer of this window, came to my house and told me that he told Mr. Daniel that the palladium window was not the right one BEFORE INSTALLING IT. At that time, the Daniels could have consulted the Board for consideration. Mr. Gifford told me that Mr. Daniels said, "Go ahead and install it and I will deal with whatever happens later."

I don't know ahead of time what the Board will decide today, but my recommendation is that the half moon window above the lower double window in the front of 644 Settlers Lane is not what was agreed to and needs to be changed.

-There was a discussion concerning the original Request for Exterior Change submitted for this window and well as future requests if the Board of Directors does not enforce the architectural guidelines currently in place. Vote was 3-2 in favor of requesting owners replace the window.

-Window trim in the Keys

Currently, there is some difference in the trim on windows installed in the units. Some have been approved and others were installed without approval. The board will continue to consider each Request for Exterior Change as they are submitted.

-Ed updated his request on a Generac generator. Because of NC building code issues, the unit would have to be installed adjacent to the end of the rear deck and it requires an additional propane tank. The total price tag would be \$13,400.00. He is no longer considering installation, but is going to compile a reference file for the board in there are future requests.

7. Landscaping/Drainage

Cathy Pilat

-Nancy made inquiries about the Sunny Point property line behind units on Settlers Lane, but has had no response from Nancy Avery at Town Hall. Wayne suggested we look at county plat maps which would be at the county court house.

8. Rules and Regulations

-Update on 10/22/18 court hearing/lien – Dougan

-The board is waiting on the report subpoenaed from Airbnb for the final billing. She has 30 days to respond to the injunction. Total costs (billed to the owner) may include legal costs, certified mailings and a private server.

9. Other business

Steve is going to contact Canady and request our final reports from the October inspections.

Date for next meeting: Friday, December 7 - 10:00 AM