

**Keys at Kure Beach Homeowner's Association Minutes
March 7, 2023**

5:00 PM @ the Clubhouse and via Zoom

Board Members Present: Russ Timmons, Lollo Erickson, Frank Watkins, Eve MacCurry, Cathy Spiegel

Office Staff: Grace McGee, Kim Garguilo

Owners: Pat Brennan.

Renter: Jon Roma

Board actions taken since the last meeting:

- Minutes for 2/08/23 Approved
- Deck replacement for 630 Sloop Pointe Lane approved
- Attic Fan at 801 KBV Way approved

New Business (not included on the agenda):

Russ called the meeting to order. He then informed the Board that a town house at 645 Settlers Lane was currently installing two new windows without submitting an Arc request form. This was confirmed. It was determined that Kevin should speak to the owner.

It was also discussed that the attic fan which had been approved by the Board is white and that all attic fans installed need to be white in order to get the approval of the Board. Pat Brennan asked if his request was approved and he was told yes.

Russ brought to the Board's attention the fact that the new renters at 801 SP Lane have a tow truck in the driveway. Although the Keys HOA have no regulations regarding such vehicles, the KBV HOA has rules regarding what type of vehicles can be kept in driveways. The Keys are part of the Village and must abide by those rules. Kim looked up the rules and, while the rules do not specifically state anything about tow trucks, the rules do prohibit other kinds of commercial vehicles. The Board assigned Russ to communicate with KBV HOA president, Mike Smith, for clarification and confirmation.

1. Financial Report:

Grace McGee began the report with the checks that were written during the month of February. She detailed only the checks which are not usual and customary each month. One check was written to TruGreen for a grub treatment in January. Another check was written to Jim Cline for installing a new controller for the irrigation system around the pond. Malin Irrigation received a check for maintenance for a leaking valve on Anchor Way. The Keys also reimbursed the KBV HOA for postage for mailing the tax returns for the year. The IRS and NC tax returns have now been filed. Another expenditure was made for a roll of stamps. These were the only checks which were not typical, normal monthly bills.

The January and February P&L comparisons were discussed next. Grace stated that since it is early in the year there were no expenditures which were out of line. Grace next turned the Board's attention to some budget reallocations she proposed. These reallocations are necessary because there was a \$4900 addition to the contract with Sam's Landscaping and a \$1075 needed in the budget for mulch and pine straw and \$4,483 needed to dredge the pond. Grace explained proposals for where this money could come from. \$6200 has been

allocated for irrigation repairs. Grace estimated that \$5240 could be pulled from that amount to landscaping. Irrigation around the pond was budgeted at \$6000, Grace estimated that she could pull \$318 from that allocation. The budget for sinkholes was \$2500, but because the town is responsible for two of the repairs, Grace is confident that \$1900 can be pulled from that category. And moved to the budget for dredging the pond for which the KEYS HOA are responsible for \$4,483 which is 60% of the cost of dredging the pond. Lollo had some questions about winterizing the irrigation system which Grace clarified. Lollo expressed that the reallocations seem to be brilliant.

Lollo stated that he has spoken to Jeff Cline and Kevin and that there are three zones around the pond. Two of them are in working order. A third zone around the pond needs to be located. However, both Kevin and Jeff are of the opinion that there will be minimal cost to repair this third zone. The underground pipes will not need repairs so we have a good buffer there. Lollo made a motion to approve these reallocations. Eve seconded the motion which was approved unanimously.

Grace will start including long term maintenance details where we spent money in this section \$960 was paid so far to Jeff Cline for irrigation repairs.

The balance sheet showed everything is good in this section. Grace explained that some homeowners have paid in advance. Fines are considered deferred because we don't get paid for them initially. Some homeowners refuse to pay them. They are recognized as income when they are paid.

Money shown as "Undeposited Funds" on the Balance Sheet are dues that have been received but not deposited at the end of the month. They are now deposited. Only two owners have outstanding balances in their accounts. One is longstanding which are related to fines in the past specifically for window replacements. The HOA will probably not receive the money until the property is sold. Only one owner is more than one quarter in arrears. Grace stated that there are no problems at this point.

2. Insurance

Kim Gargiulo reported that she has been in touch with Kim at Network Realty Management because Network has taken over contacting owners for insurance documentation. As of the present 15 owners have not yet produced proof of insurance.

3. Pond

Frank stated that he had a concern about whether the fountain should remain on at all times even when the water level was low. He was advised by Kevin and Jeff Cline that it was best to leave the fountain on at all times.

-dredging

Lollo outlined the proposal for dredging the pond from Rainstorm Solutions. There are 3 outlet pipes that dump into the retention pond where the rip rap is covered with sediment that need to be dug out. First they will use a six foot pump to pump the water down to expose these areas to work upon. They will use an excavator and a vacuum pump and they will dump into sediment bags and properly dispose the sediment. A dump truck will haul off the sediment from the excavator. Then they will excavate around all three pipes, clean out the sediment from the rip rap and add an additional five tons of rip rap to secure these areas. Any disturbed areas in the turf will be seeded and "strawed". The total cost for this dredging is \$7471.13. The Keys are responsible for 60% of the cost. This amounts to \$4482.68.

. The Keys HOA Board is in agreement that this has to be accomplished. The Board agrees that the proposal from Rainstorm Solutions is a good one. Grace asked if this needs to be done on a regular scheduled basis. Lollo said that he didn't think this was necessary, but he

would consult with Rainstorm Solutions. He thinks that the proposal offered a solution to the problem but he will check with them.

Russ is volunteering to be on the Town Storm Water Committee liaison. Eve asked about the KBV HOA involvement. Mike Smith is aware and has a copy of the proposal. In summary after consultation with Mike, we will go ahead with the dredging. Russ is going to consult with the KBV HOA to get their agreement to the plan and then we will execute the plan.

There was also some discussion about the Dunes responsibility. There has been discussion with the Town about communities holding up their responsibilities regarding storm water elimination. Lollo spoke about the coming renewal of permits. That can be discussed at the Storm Water Committee meeting with the town. There is an easement agreement between the Keys and Kure Dunes. That is where the Town could come in as a fiduciary and encourage the Dunes to fulfill their responsibility.

4. Architecture

-Patios/ Pavers

Lollo initiated a discussion concerning patios/pavers on the back side of properties. Lollo stated that when he had his patio approved in 2021, the Board discussed and agreed that a 70” extension out from the back of the deck was acceptable.

At a previous meeting, Nancy Brickman stated that a patio extension would be permitted 80” feet from the deck and 70” wide. Lollo disagreed with this since it would be a small size for a BBQ and each property has different sizes and limitations. Lollo also asserted that since owners were permitted to extend their decks, should they not also be possible permitted to extend their patios to the same extent. Lollo proposed that the Board investigate what has been done by several homeowners and make an assessment.

Several Board members brought up possible issues which would have to be considered such as privacy barriers and getting adjoining neighbor’s permission before extending a patio. Lollo suggested that the Board needs to consider all issues and provide reasonable and rational guidelines similar to deck extension. He further proposed that the Board agree to conduct an evaluation and come up with a recommendation at a near future Board meeting.

-Privacy Fences, screens, bushes for the backyards

The privacy solutions were not agreed to at the last meeting. Lollo and Russ were delegated to look into options, However, they had not been able to do this assignment. This was tabled. Lollo and Russ will be doing their utmost to accomplish this assignment before the next meeting. Lollo further clarified that these options could be used to hide such things as pipes, trash cans which cannot be hidden by shrubbery or bicycles. Lollo and Russ will do their utmost to bring this back to the Board in the very near future.

5 Landscaping

-Irrigation

There are 3 zones around the pond. No major repairs should be needed. This matter was also addressed during the financial report in these minutes above. Two zones will be turned on in two weeks for 30 minutes two times a week. Malin has contacted Lollo about he date the irrigation system will be turned back on. Lollo does not think it needs to be turned on this month.

A discussion was held about bare spots which might need to be seeded. It was also discussed that power seeding might need to be done, but that tends to be very expensive. Lollo suggested that nothing be done until we see what TruGreen can accomplish. Lollo wondered if it was something that can be done by volunteers. Lollo suggested not doing anything in March or April. Then see if we can have Sam’s address the problem or if a team of

volunteers could be mobilized to address the problem. In the meantime, Lollo will contact Mike Malin to see when the main irrigation outside the pond can be turned back on.

-tree service

Russ made an observation that Fitness Tree did a great job with the tree removals. They removed the live oak, the pear tree and removed branches behind houses on SPL. The invoice from Fitness Tree has been sent to us and approved. One more dead tree on Settlers Lane has been identified as well as a palm tree on SPL.

-landscape maintenance

Lollo has sent Neska a short message that we are very pleased with the recent efforts of the landscapers from Sam's. Lollo congratulated Neska. The trimming of the bushes and other efforts have been very positive. Neska had spoken to Russ about the trimming of the bushes near a house on SPL. Especially around the pond the trimming of the bushes has gone very well. Although some owners have had discussions with Lollo, in general, there has been a positive outlook on the trimming of the bushes to an appropriate height. Russ and Lollo will look at some bushes that have become overgrown. Russ spoke about a palm tree on SPL that is ready to fall. In general, the Board is happy with the landscaping maintenance and the pruning. We will keep our eyes on other landscaping matters.

The mulching will commence soon. Neska is going to send the proposed dates to Lollo, and he will inform the Board and the owners of the dates.

-beautification plan

Lollo has not had the time to begin the beautification plan, and he stated that he would not have the time to do it before the April meeting either. He stated that we would still have time to do it by the middle of April or at least by the middle of May before we get into the hotter weather. Lollo stated that the way it was done last year was that a beautification committee was formed. Kathy Axe, Catherine Blankenship, Wayne Van Dyck, Marita and Lollo looked around the community and found areas that were more in need than others. This prioritizing is necessary because there is a limited budget of \$2000. Lollo stated that the beautification plan needs to be created with input from community members as opposed to Lollo making suggestions unilaterally.

Cathy made the suggestion that the plan include a community fire pit. Lollo said that he has heard that suggestion before and he is all for that idea. In the original plan there were some out of the box ideas. Cathy suggested that it could bring the community together. Lollo also said that some of the other suggestions included benches which Steve could possibly make. Benches could have plantings around them. Any suggestions are welcome. Cathy Axe was very involved. In summery, a group is being formed to address the 2023 beautification plan during the second quarter. With a budget of \$2000. Lollo's recollection is that for each property about \$150 to \$200 was spent last year. That was enough for the units that needed some enhancements. The labor cost from Sam's would now be included this year as per the contract.

Cathy discussed the need for a tree in the common area near her house. Lollo discussed the fact that there is a document which lists trees and bushes that are native to the area. This document can be used when making requests for trees and bushes that will thrive in our environment. This document is available, and Lollo will send it to Kim and Grace. It is a reference guide. It could be put up on the web and be kept in the library. This guide will be used as part of the community's input to the beautification plan.

Lollo asked if there was a dent in the ground where the live oak was removed. Russ explained that the stump was ground down. However, it was the consensus that Lollo would speak with Neska and make sure that the area is flattened and more grass is planted.

Russ mentioned that behind his house 805 and 809 SPL some topsoil and seeds are needed so that grass will be able to grow. The consensus is that now grass will grow back there since tree branches have been removed and proper irrigation has been implemented so it would be appropriate to add topsoil and seed and straw to cover at this time.

-underground pipe maintenance

Lollo has asked Kevin several times what other HOAs do about the maintenance of underground pipes, and Kevin has not gotten back to Lollo yet. Lollo is going to contact Kevin again. Storm Water Solutions has been consulted. Lollo questioned where all of these 3 or 6 inch pvc pipes might be located. Lollo questioned if the Town can help us locate storm water pipes. Storm Water Solutions suggests that we have a light contract with them to flush the pipes once a year. Lollo didn't believe that this would be a great expense but it is very important to keep these pipes free of sediment so that they are clean and functional. .

Lollo will take on the assignment to consult with Storm Water Solutions to see if they can help with this problem. He will also consult with the Town. Grace suggested that this wait until next year's budget. Lollo agreed that this can wait and we can discuss it again in the summer. However, we should have a plan for it.

-landscaping requests

One owner pointed out to Lollo a common area between SPL and Anchor Way that needs some attention. It needs some soil and fertilizer. Lollo thinks that he can take care of this with Neska.

The same owner requested leaf removal. Lollo will speak to Neska.

The same owner also requests decorative stones be placed on top of a fabric barrier. Lollo had looked into this and tried to see how much stones would cost vs mulching. Lollo found that it was very expensive and too problematic. Because digging is involved it could be problematic for sprinklers, and other below ground wires, lines, cables, pipes etc. Russ expressed that it was denied about a year and a half ago when the Board decided not to go in this direction. In summary, the reason for denying this request by the Board is that the stones were very expensive, hard to maintain and that for the purpose of uniformity from property to property it should not be allowed.

Another owner wants permission to plant some sky pencil shrubs that are native plants approved in the plant reference guide to hide a generator. This request is approved.

6. Other

• Termite inspection of unit on SPL

The termite inspection for 801 Sloop Pointe Lane has been completed per Canady. All townhomes has been inspected at this time.

• Propane Tanks: liability for damage caused by tanks in common area

A question about who is responsible for a buried propane tank was raised by a realtor who has recently had a property under contract on Kure Village way. The realtor, Joyce Barnwell is also a home owner. Apparently, the property has a buried propane tank, and Joyce was questioning if the HOA had any responsibility for the tank. Lollo recounted a similar problem that one of his neighbors had with an underground tank. They replaced it with an above ground tank, but he was unaware if they left the tank in the ground or unburied it. Lollo and Frank agreed that owners are no longer allowed to put propane tanks under the ground. The understanding is that the owners of the unit are responsible for the removal of the tank not the HOA. Kevin has already sent a response to Joyce In his response, Kevin stated that the tank would be on or beneath common ground. However, it is the unit owner who purchased or leased the tank who is responsible. Grace asked if Kevin had copied Joyce on this email. Lollo

said it was only sent to the Board. Lollo said if a tank is empty it is harmless. Lollo said that if you buy a house with an underground tank you earn the responsibility for the tank. Kim said that she would forward the email to Joyce if it has not already been done.

New Board Member

Cathy Spiegel was introduced to the Board. Cathy has volunteered to take the position vacated by Nancy Brickman until the annual meeting in October 2023. The rest of the Board greeted Cathy and said that she would be a welcome addition to the Board.

The meeting was adjourned at 6:55 PM

**The Next Board Meeting is scheduled for April 11, 2023 @ 5:00 PM
@ The Clubhouse and on Zoom**