

## BeachWalk HOA Meeting Minutes – February 2015

Board members present: Pat Brennan, Tom Moffitt, and Bill Bryan.

Committee members present: Jim Craig and Dan Church.

Homeowners present: George Schierle and Scott Garwicki.

Network Realty Representative present: Cindy Snead.

Call to order was executed at 6:00 PM, February 12, 2015 at the BeachWalk Clubhouse.

Pat (President) asked the HOA Board Minutes for the month of January, 2015 be accepted as submitted by Bill Bryan (Secretary). The minutes were accepted unanimously.

Tom made the point that our financial reports should not be posted on the Internet since they would be available to the public. Tom made a motion that all financial data attached to the minutes be removed before posting them onto the Internet where such sensitive data could be accessed by members of the general public who are not homeowners. During the discussion, it was stated that both the financial and directory portion of our website should be password-protected, with the password available only to homeowners. The motion passed unanimously.

Pat asked the HOA Financial Report (as generated by Gary Stickley in Joes Truelove's absence) be delayed until supplied by Gary Stickley. Gary was out of town and inaccessible to complete the report on time, but will be provided within seven days. All members accepted the delay of the report unanimously.

### Committee Reports

#### Update on Meeting between Kure Beach, Kure Dunes, and BeachWalk.

Tom has spent a considerable amount of time generating a written timeline of events for the Sandman Property Issue. His timeline covers the dates from 07/24/92 to 09/30/08 and synthesizes 50 exhibits which are needed to accurately detail the events of this property between these dates.

Tom recapitulated the January 08, 2015 meeting among Kure Beach, Kure Dunes, and BeachWalk. On January 20, 2015 there was a public hearing regarding the public sale of the property which the town wants to purchase (we surmise the town wants to sell the Sandman Lots to pay for the property they wish to purchase). Tom attended this meeting and reported that David Heglar, Kure Beach Councilman, gave a summary of the January 08, 2015 meeting to the town council and would get back to the council later. Tom reported that David was cordial and stated that this matter will take time to negotiate among the three parties, and for no one to expect an outcome soon. Another follow up meeting will be held at 6:00 PM, February 19, 2015 at Kure Beach Town Hall; this will be an open meeting like the January 08, 2015 meeting.

Tom's timeline traces the evolution of the "Sandman Property." He identified the history as "convoluted and difficult to understand." Although the history shows that BeachWalk agreed to accept the storm water runoff from Kure Dunes, there was no agreement as to remuneration.

It was again stated that 56% of the water that conveys through our Storm Water System (SWS) comes from Kure Dunes and the town of Kure Beach (streets and easements). This obviously is a grossly unfair situation.

Tom suggested we have another meeting before the February 19, 2015 meeting to go over the details in depth, and to discuss strategy. No time or date has been set for this meeting.

### Update on Stormwater Committee

Stormwater Committee was represented by Jim Craig and Dan Church.

Jim's report from the Stormwater Committee is attached to these minutes. Jim stated the progress of the SWS Project has slowed owing to the lack of an agreed upon contract between Larry Sneed and BeachWalk. Their committee has generated an engineering contract for the design of the SWS Project revisions, but the contract has not been accepted by Larry. Furthermore, the contract has not been fully accepted by the BOD since it has not been reviewed and approved by a contract attorney.

Jim stated that there could be negative consequences for delaying the start of the project. For instance, if the project concludes in the fall or winter, then planting the aquatic foliage around the ponds' periphery would be moot, since the growing season would have passed. Also, if DENR conducts another audit of the ponds, they could find deficiencies which would require more wattles. This might force us to expend monies to fix a temporary problem with additional wattles, taking the money away from a long term solution. However, Tom noted that we need to take the time to make sure we do the repairs right and that the money to make the repairs is spent wisely. Tom said that we are only half way through our two-year period into which we have to repair our deficiencies, and there is no emergency that would require us to rush to start the project without the appropriate planning and forethought; Jim agreed.

The SWS Project appears to have gained momentum when it was learned that Mike Gentile had a meeting with Larry Sneed, explaining to Larry that BeachWalk was prepared to move forward, even if it means obtaining an alternate vendor. Larry is reportedly in process of generating a revised proposal/contract for us to review. His new proposal/contract reportedly comes closer to addressing BeachWalk's SWS Project problems and solutions. We are expecting Larry's proposal/contract any day.

Tom also noted that it would be a better idea to have a meeting with DENR to ascertain if our proposed revisions would be acceptable to them. This might save thousands of dollars since it would negate Larry from designing the solutions to the SWS Project problems only to have them disapproved by DENR. If this occurred, we would have to pay Larry (or our vendor) to redesign the solutions, costing us additional thousands of dollars. It was agreed that a meeting with DENR was necessary, with attendance from Larry, the SWS Committee, and the BOD.

Jim met with Fitness Tree to get estimates for brush and tree removal in three areas of BeachWalk. Discussion was given to which of the three areas could we take action on now. It was decided that the brush and tree removal from beside the outlet ditch could be performed immediately. These are the brushes and trees behind the BeachWalk south entrance wall. Pat made a motion that Fitness Tree be given the contract to remove these items. The motion passed unanimously. We will wait for the remaining two areas to time their removals with the SWS Project.

Jim also discussed the weakness in the brick wall where water from the south pond exits. During rain events, water can be seen seeping out of the brickwork. Jim will follow up on this with Larry or other vendors to remedy this problem with a French Drain, or equivalent repair.

Jim will also contact ECS Carolinas to discuss the findings in their 2012 stability report contracted by BeachWalk. This report is particularly relevant in planning the excavation work in the ponds.

Bill stated he generated a draft report of work on the SWS Project, breaking the SWS into segments. There are two ponds (P1 and P2) and five ditches (D1 – D5). Bill's report describes each segment and gives a recommendation of remedy for each. A copy of this report is attached.

### Unfinished Business

Cindy and Pat went over the members of each committee and added/deleted names as necessary. The Communications Committee was deleted. All BeachWalk official business will be generated by Pat and disseminated by Cindy.

Tom noted that since Bill is a Professional Engineer, he should replace Joe Truelove as SWS Committee Liaison. This would complement Jim as a professional geologist and would have our most technically proficient board member working directly with the Stormwater Committee and engineer/contractor who will implement the planned repair of the stormwater system.

Bill noted that the Declaration of Covenants and Restrictions states a member of the Architectural Control Committee should have at least one member who also sits on the Board of Directors. Bill agreed to be that person and will be the ACC liaison. He will contact the current ACC committee to assist in electing/selecting a chairman of that committee.

Pat noted the house under construction at 205 Settlers Lane was issued a stop work order notice from the town due to easement encroachment. The house foundation, owned by Lori and David Bone, will be demolished and a new home with a new floor plan will be built. However, this will exceed the six month deadline by our covenants from start to finish. Bill noted that since this was through no fault of their own, we should reset the calendar to give them an additional six months. Pat asked Bill to notify the Bones of our decision, but to resubmit their original ACC Form with a new date and signature.

An email received from Bill Farriss voiced his concern that development of the Sandman Property would affect the runoff water onto his lot. Cindy responded to Julie Farriss that the Sandman Property is owned by the town and we have no control as to what they do with it.

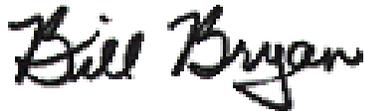
### New Business

Scott Garwicki volunteered to be the chairman of the Landscape Committee. The board thanks you, Scott!

### Meeting Adjourned

A vote was taken to adjourn the meeting at 7:45 PM; the vote was unanimously affirmative.

Next Meeting will be at 6:00 PM Thursday, March 12, 2015 at the clubhouse. Homeowners are encouraged to attend this meeting to watch their board in action.



---

Submitted by: Bill Bryan, Secretary  
BeachWalk HOA Board of Directors

2015-03-12  
Date

---

Approved by: Pat Brennan, President  
BeachWalk HOA Board of Directors

2015-03-12  
Date

### Attachments:

1. BeachWalk/Kure Dunes/Kure Beach Stormwater Timeline (4 Pages)
2. Draft Report from the Stormwater Committee (1 Page)
3. Fitness Tree Estimate for Brush and Tree Removal (1 Page)
4. Contract for Engineering Services (5 Pages)
5. 2015-02-01-Order of Work on the SWS (10 Pages)
6. Member Balance Activity (16 Pages)
7. January Financial Report (TBD)