

Beachwalk HOA Meeting Minutes – March 2015

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

Committee members present: Jim Craig and Dan Church.

Homeowners present: Don Morrow, Rusty Smith, and Mary Smith.

Network Realty Representative present: Cindy Snead.

Call to order was executed at 6:00 PM, March 10, 2015 at the Beachwalk Clubhouse.

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

Pat stated the February's financial report did not reconcile between Gary and Cindy; Gary noted he failed to place in the amounts correctly, but would amend the report accordingly. Interestingly, the error was only two cents.

Committee Reports

Website

Pat noted she had received notifications that a couple of Beachwalk residents' emails had been hacked. She voiced her concern of privacy for the residents to prevent this from happening again. She cited a case where someone illegally posed as a Beachwalk resident who was in a foreign country and had been robbed of all their possessions (cash, checks, credit cards, etc). The offender then had a link in his email where the unsuspecting resident could possibly click on the link to send them emergency money. Obviously, compassion must be tempered with caution, and Pat noted this information should be shared with our residents. Residents are cautioned to investigate the circumstances thoroughly, and be a Good Samaritan instead of a victim.

Bill noted that he developed a structure of the Beachwalk website, and had investigated the difference in basic cost for a http address (\$60 per year) vs the added cost for a https address (\$70 additional upgrade per year). The URL (Uniform Resource Locator) for Beachwalk would then become <https://www.beachwalkhoa.com>. The URL is currently paid, is good for two years, and is parked at www.godaddy.com.

The hosting for the website would be about \$40 per month at Port City Digital (the company with the most professional websites and the most competitive pricing). Bill shared the Structure Completion Table which shows which portions of the website have been completed. He noted that the website is about 70% complete. When asked how much the website would cost to build, Bill noted Port City Digital quoted a price of \$2,875. He then stated he did not know how many residents who would actually use this website, citing the age of Beachwalk residents. Owing to the high cost of building the website and the small number of people who would use the website,

Gary recommended we place the website on hold until the next annual meeting (October 2015). Pat made a motion, and it was seconded to suspend the website until the October 2015 meeting. All voted affirmatively to suspend the website. At the October 2015, we will allow the residents decide whether or not to move forward with our website. Bill will archive the website content until such time as a website is developed. During the meantime, we will continue to broadcast the monthly minutes via email from Cindy.

Update on the Architectural Guidelines

Pat noted the Architectural Control Committee (ACC) needs to work on creating new guidelines for Beachwalk. At the current time, we do not have controls in place to prevent someone from roofing their homes with metal instead of asphalt shingles, or prevent someone from erecting an antenna for a ham radio. Another scenario would be an owner in a duplex who needs to replace his roof with new shingles, but the other owner decided not to replace his roof with new shingles. The apparent disparity would be remarkable, and unsightly. We need guidelines not only for new construction, but for existing homeowners to ensure harmony amongst the homes.

Bill read an email from Donna Moffitt (attached to the minutes) requesting four items from the BOD. Donna was appointed chairperson of the ACC unanimously. Donna will survey other HOA's to find their architectural guidelines and use as appropriate to develop our guidelines.

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 noted that he, Dan, and Bill visited ECS on February 23, 2015 to discuss the Slope Stability Analysis report which was contracted by the HOA in 2012. The focus of the meeting was to discuss the stratigraphy of the four core samples which were taken near the two ponds (each pond had two core samples taken, each diametrically opposed across the ponds oriented north to south). Jim stated the report will be most helpful in the design of the pond excavation to ensure minimal harm is conveyed to the ponds' adjacent homes.

Overgrown brushes and trees were removed from the Beachwalk south wall by Fitness Tree; this area is the common area adjacent to Beachwalk's south entrance on Settlers Lane. The final clean up remains to be performed and needs to be leveled with removal of the roots before planting of grass. A privacy fence was discussed to replace the shielding provided by the overgrown brushes and trees, but it was decided the area was not readily visible from the road and a privacy fence would be an unfunded added expense which would benefit only one homeowner. Landscapes Unlimited will provide a quote to level the ground and plant grass in the cleared area; Cindy will coordinate this task.

Jim stated our engineer (Larry Sneeden) has declined to perform the task of providing the engineering services for the SWS's maintenance and upgrade. In response to this revelation (which became known to the SWS Committee on March 05, 2015), Bill developed a Request for Quote (RFQ) for Engineering Services. He stated he spent the weekend exploring the Internet to find local engineering firms who specialize in stormwater systems. He stated he then called the companies the following Monday morning to verify they specialized in stormwater systems and had a resident Professional Engineer on staff. He found 11 potential vendors, 8 of which met both criteria. Due to their unfavorable history with Beachwalk, 2 companies were deleted, and 2 additional companies were found to replace them via referrals from Robert Whitt. Bill sent the RFQ to all board members and Stormwater Committee members for proof/revision. Jim and Gary assisted in perfecting the document, and Bill readied it for distribution to the potential vendors. Bill stated the RFQ would be sent out on Thursday, March 12 to all qualified potential vendors.

Bill also noted he spoke with Larry to ask him what work product had he produced within the 67 hours he was paid last month. Larry claimed he had been working with the Beachwalk Stormwater Committee over the past four years without remuneration. The board asked Larry to send us an invoice for the hours worked and we would pay him, which we did. Since he was paid for 67 hours of work, there should be some amount of work product developed with this effort. Bill stated he would travel to Larry's home to secure the work product and other documents which pertain to Beachwalk. Bill will visit Larry next week, since the documents now reside with a company in Leland (Cape Fear Engineering).

Jim noted under new business his recommendation of removal of the trees on the Kure Dunes inlet ditch (D1) and the outlet ditch (D5). This prompted much discussion since there appears to be a difference of opinion as to the imminent threat of these trees. Owners of the trees do not want them removed, yet some or all of them may have to be removed if recommended by our selected engineering vendor. Jim claims they pose a threat owing to their weakened root system and large foliage area. Jim's claims may be correct, but the board has decided to allow our selected engineering vendor to make that determination. If the engineering vendor instructs us to remove the trees, then the board has more credulity than making this decision per se.

Dan noted we could simply prune the trees, removing all limbs which overhang the ditches. Gary stated we should consult an arborist to make that determination. Bill will contact the NC State University extension agent at the Arboretum to see if we can have an arborist visit our site and instruct us on how much pruning we can perform without killing the tree. Bill will try to secure an arborist pro bono.

Jim explained to our newest members (Rusty and Mary) the differences between open ditches and pipe and swale ditches, and the reasoning why we need to improve our stormwater system. Jim noted that the system has not had any maintenance on it for a very long time, and it was overdue to avert a catastrophic fault.

Jim stated he would like to place riprap into some of the ditches, especially along the first 50 feet on the outlet ditch (D5). Bill noted the riprap must be sized according to the water velocity, per the instruction manual in stormwater systems. Jim responded "the bigger the better" which

prompted Gary to take exception to this reasoning. Gary stated that large riprap would have larger openings for water to flow, causing more erosion; Bill agreed.

Bill made the motion that one of Jim's recommendations be performed; notably, the French drain over the south head wall on the outlet ditch (D5). The cost of this is estimated to be about \$1,000. The motion was seconded and passed unanimously. The motion was to obtain a quote for the work, but not fund the work this month. Jim will secure a quote from Steve Garner, Value Added Construction to install the French drain.

Update on Meeting between Kure Beach, Kure Dunes, and Beachwalk

Tom discussed the six possible options of the problem of cost sharing with Kure Dunes, ranging from doing nothing to Kure Beach imposing a tax on the town to fund the repair and improvements of the Beachwalk Stormwater System. He stated the next (third) meeting will probably be the end of March, and expects a resolution to be formulated within two to three months (his best guess).

One attractive option is the town providing manpower to repair/improve the inlet (D1) and outlet ditches (D5) since they connect directly to the town's SWS. This option would not require a tax on the town, and would not cost the town an appreciable amount since they have men on staff who perform this work anyway. The method of discussion with Kure Beach and Kure Dunes is to eliminate the options that are non-viable, and compromise on those options that are viable. It is realistic to believe the worst case scenario may be to repair the SWS and litigate against Kure Dunes for remuneration under the "Unjust Enrichment Theory."

Don spoke at length as to the timeline of the talks versus the progression of work on repairing the SWS. He noted the talks with Kure Beach and Kure Dunes could be protracted, whereas the repair of the SWS requires immediate attention. Tom responded again that he expects a resolution from the town within the next two to three months.

Unfinished Business

Pat made a motion we change our meeting time and date from the second Thursday at 6:00PM to the second Tuesday at 4:00PM. The original time was scheduled at 6:00PM in the expectation more homeowners would attend the board meetings; that has not held true. For convenience to all, the new meeting time and date will be the second Tuesday of the month at 4:00PM. The motion passed unanimously.

Pat asked Cindy to contact Ms. Pat Bolander and inform her that the area which was cleared next to her house will be leveled and seeded with grass; Cindy concurred.

Pat asked Cindy to contact the Frye's and request a \$1,000 building deposit per current practice. This is for the new construction of their house at 313 Settlers Lane; Cindy concurred.

New Business

No new business was discussed

Meeting Adjourned

A vote was taken to adjourn the meeting at 8:15 PM; the vote was unanimously affirmative.

Next Meeting will be at 4:00 PM Tuesday, April 14, 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

2015-04-14
Date

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

2015-04-14
Date

Attachments:

1. Email from Donna Moffitt dated March 9, 2015 (1 Page)
2. Report from the Stormwater Committee dated March 10, 2015 (1 Page)
3. Request for Quote dated March 12, 2015 (5 Pages)
4. Beachwalk HOA Website Structure and Completion (1 Page)
5. Member Balance Activity (16 Pages)
6. February Financial Report (3 Pages)