

Beachwalk BOD Meeting Minutes – March 10, 2020

Board members present: Bill Bryan, Megan Garrett, Don Morrow, and George Schierle

Homeowners present: Lee Brennan, Gene Lisewski, Gail Morris, Margaret Duffrin

Cindy Snead from Network was present.

Bill Bryan called the meeting to order at 5:00 PM at the Beachwalk Clubhouse.

Committee Reports

Architectural Control Committee (ACC): Lee Brennan reported for the committee. A request for a fence in the backyard of a pond adjacent property was denied. See attached ACC report attached for details. One of the reasons given for the denial is to retain the Community Standard of no fences on the pond. Question from George Schierle is 'was the Community Standard referenced voted on?' Lee communicated that the ACC can create Community Standards. Another reason given for denial is in regard to our stormwater permit. The stormwater permit does not specifically restrict fences around the pond but does refer to maintenance practices which would include keeping the areas around the pond clear. Our pond maintenance contractor did indicate that maintaining around a fence on the pond would be difficult.

Clubhouse Upgrade Committee: Margaret asked why these items are being considered an upgrade (Capital Improvement) rather than Maintenance. Answer from the BOD is that if surfaces are not damaged, replacement would be a Capital Improvement rather than maintenance. If there is damage (peeling, unraveling, etc.) replacement would be considered maintenance. Some of the proposed work in the bathrooms and kitchen would be considered maintenance and could be funded with maintenance funds (peeling paper, peeling paint, etc.). The Maintenance Committee is holding a meeting this Thursday and will be looking for volunteers to assist with keeping the costs of these repairs/refurbishment low. The main room carpet has not been cleaned in years. Stains that are apparent now may be removed by professional cleaning. The Committee has collected some prices for some of the work. The Maintenance Committee should work with the Clubhouse Upgrade Committee to look at work estimates for the areas that would be considered maintenance. Action item: Have the carpet professional cleaned (Gene will contact Cindy after Thursday's meeting to schedule this).

Lee voiced his opinion that non-homeowners should pay a fee to use the clubhouse, even if they are in attendance at an event hosted by a homeowner. Other opinions are voiced that instituting a fee as suggested would lead to many complications and undesirable effort and/or requirements. Bill Bryan states that the BOD has the authority to institute the type of fee suggested but currently has no intention to.

Communications Committee: Megan Garrett reported nothing to report for the committee.

Maintenance Committee: Gene Lisewski reported for the committee. Updates included those in the attached report. The Maintenance Committee is holding a Meeting this Thursday. Homeowners are welcome to attend this meeting.

Financial Committee: George Schierle reported the February 2020 financial summaries. See attached for full details. Bill discussed the possibility of increasing the annual input of dues into the Stormwater Reserve Account. This would need to be proposed in the budget proposal at the next Annual Meeting, if we proceed. Don Morrow discussed that the large amount of money that was needed previously was for a complete overhaul. Now that we are maintaining our system, we should not have such a large expense in the future. Our permit renews in 2026.

Bill proposed a motion for approval of the February 2020 Financials. This was motioned and seconded and the motion was passed.

Landscaping Committee: Gail Morris reported for the Landscaping Committee. Severe pruning, oleander pruning, and crepe myrtle pruning are scheduled for this month. This was carried over from last month due to weather. Beachwalk has communicated to Yard-Nique that funds will be withheld from the February payment for services not yet complete. Yard-Nique does not agree with this procedure and expects full payment for February. Cindy Snead noted that she has never seen another HOA operate the way we do in this regard. The Landscaping Committee is reviewing the contract. Discussion ensued about appropriate grace periods for weather delays and possible paths forward. Our contract states that they are supposed to send 4 workers and a supervisor, but it has been observed that only 3 workers were sent at times. This is an opportunity for Yard-Nique to delve into the contract and fully understand it. The Landscape Committee has a meeting scheduled with Yard-Nique next week to discuss path forward.

We requested an estimate from Yard-Nique for replacing dead palm trees around the pool. The Landscaping Committee has received this quote but would like to get the current situation settled before proceeding. BOD stated that they are OK will proceeding with getting the palm trees replaced/transplanted with the understanding that the transplanted tree may not survive and that would not be the responsibility of the contractor. The Landscaping Committee will get another quote (from another company) for this work.

Gail is officially back on the Landscaping Committee.

Social: No one has volunteered to be chair yet. Volunteers are welcome.

Unfinished Business

MOTSU Removal of Vegetation on Fence (George): George provided the update. MOTSU has cleared vegetation behind the clubhouse and pool but has not continued beyond that (behind the tennis court). The TOKB is now working with

MOTSU to continue this work. George will provide his MOTSU contact to be given to the TOKB contact.

Letter to TOKB about D1: TOKB will have a meeting this Thursday to discuss results of their engineering work.

March 4th Executive Session Meeting Minutes: Megan proposed a motion for approval of the March 4th 2020 Executive Session Meeting Minutes. This was motioned and seconded and the motion was passed.

New Business

Maintenance/refurbishment of Spa: Bill stated that it would be very expensive to run the spa. Currently, equipment such as heater has been removed. Gene notes there is also a leak. Megan Garrett proposes that a change of use of the Spa be on the Annual Meeting agenda for vote. Projected costs of repair and maintenance should be presented.

Obtain Legal Opinion on Perimeter Fence: A homeowner has taken down the perimeter fence on their property. It has been proposed that a legal opinion be obtained to determine if the homeowner can be forced to be reconstructed at their cost. Gene referenced Article 7, Section 7.

It was motioned (Don) and seconded (Bill) to proceed with acquiring a legal opinion on this issue.

Discussion ensued, including the ownership of the perimeter fence (HOA vs individual homeowner), concept of things for the “common good”, etc.

Legal opinions to be sought: “Is the perimeter fence a ‘common element’ or ‘private fence’?” “Does the ACC have the authority (without a vote of the homeowners) to establish a ‘Community Standard’ that does not apply to all homeowners, and incurs cost unequally to the HOA members?”

BOD tables this issue until the entire BOD can meet to consider.

Next Month’s BOD Meeting Date: Next month’s meeting will not be on April 14th 2020 as previously scheduled. The current proposal for reschedule is Wednesday April 8th, but will be confirmed via email within the BOD.

Motion to adjourn was made and seconded and passed unanimously. Meeting was adjourned at 6:21 PM.

Submitted by: Megan Garrett, Secretary
Beachwalk HOA Board of Directors

Approved by: Bill Bryan, President
Beachwalk HOA Board of Directors

Attachments:

1. Architectural Committee Report (1 page)
2. Maintenance Committee Report (1 page)
3. Financial Committee Report (2 pages)

Beachwalk HOA Board of Directors Meeting March 10, 2020

Architectural Control Committee Report

Members: Lee Brennan, Chairman
Bill Bryan, ACC Liaison
Gene Lisewski

Update of committee activity:

Greg & Lydia Nolan – 307 N. 5th Avenue – Fence – Backyard @ North Pond

2-19-20 We received request to install 4' Shadow Box fence at rear of house facing North Pond. ACC denied request. Reasons given:

1. The State of North Carolina in our Pond Permit calls for keeping the perimeter free and clear of structures that could impede proper maintenance and access to the ponds to perform any necessary dredging.
2. The ACC does not want to change the current 'community standard' of no fencing around either pond.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lee".

Lee Brennan, Chairman

**BEACHWALK BOD MEETING
MARCH 10, 2020
MAINTENANCE COMMITTEE REPORT**

- 1) We installed a new lid on the Swimming Pool 5HP pump strainer basket. This was requested by Pool Professionals. The old lid had almost all of the tightening tabs broken off.
- 2) We installed 4 new light fixtures on the Swimming Pool deck and 8 light bulbs. We have 5 spare fixtures and 10 light bulbs stored in the Chlorine Room.
- 3) The perimeter fence behind the Cabana and Tennis Court has been cleared of vegetation and is now accessible for repairs. Thank you George Schierle for persevering in getting this done.
- 4) In the Clubhouse one light bulb was replaced on the ceiling fan and the A/C filter was changed.
- 5) The Maintenance Committee Meeting is scheduled for this Thursday March 12th 6PM at the Clubhouse. All are invited to attend.

Eugene Lisewski, Jr.
Chairman, Maintenance Committee

Beachwalk

Homeowners Association Financial Summary Ending February 29th, 2020

	This Month	Year to Date	Budgeted
Income	\$10,798.30	\$25,083.64	\$24,480.00
Operating Expenses	\$9,860.69	\$20,078.78	\$23,820.00
Reserve Expenses	—	—	\$617.00
			— — — —
TOTAL EXP.			\$24,437.00

Checking Account Balance.....\$47,250.02

General Reserve Account.....\$42,362.93

Storm Water Reserve Account.....\$34,184.13

Member's Equity.....\$123,797.08

This info. has been transferred from Network Reality Reports

Cash Flow

Saturday, February 1, 2020 to Saturday, February 29, 2020

Beachwalk HOA

Cash Accounting Year Starts January 1, 2020

	Current	Percent	Year To Date	Percent
INCOME				
Income				
Interest(Saving Acct) 106	\$2.30	0.0	\$4.64	0.0
Monthly Dues 100	\$10,796.00	100.0	\$25,079.00	100.0
Total Income	\$10,798.30	100.0	\$25,083.64	100.0
TOTAL INCOME	\$10,798.30	100.0	\$25,083.64	100.0
EXPENSES				
Expenses				
Common Area Maint 502	\$9.89	0.1	\$9.89	0.0
Electricity 314	\$585.98	5.4	\$1,163.40	4.6
Flag Expense 301	\$172.68	1.6	\$172.68	0.7
Grounds Maintenance 310	\$7,056.00	65.3	\$14,249.26	56.8
Legal & Accounting 317	\$550.00	5.1	\$550.00	2.2
Management Fees 300	\$750.00	6.9	\$1,500.00	6.0
Office Expense 306	\$0.00	0.0	\$337.63	1.3
Pest Control 307	\$175.00	1.6	\$245.00	1.0
Pool - Contract 312	\$0.00	0.0	\$780.00	3.1
Pool/Fountain Repairs 501	\$57.49	0.5	\$177.49	0.7
SWS Routine Maint 302	\$249.16	2.3	\$491.06	2.0
Telephone 309	\$122.00	1.1	\$122.00	0.5
Water,Sewer&Trash 315	\$132.49	1.2	\$280.37	1.1
Total Expenses	\$9,860.69	91.3	\$20,078.78	80.0
TOTAL EXPENSES	\$9,860.69	91.3	\$20,078.78	80.0
NET INCOME (LOSS)	\$937.61	8.7	\$5,004.86	20.0
NET CASH FLOW	\$937.61	8.7	\$5,004.86	20.0