

**Colington Harbour Association  
Board of Directors Meeting  
Minutes  
8/18/2015**

The Colington Harbour Board of Directors met on August 18th, 2015 at the clubhouse. Frank Hendricks, Hickman Finch, Dennis Donaldson, Sharon Wheless, Bill Hentnik, and Bob Burk were present. Karl Kniffin and Emily Lewis were present representing Village Realty as the Association Manager. Elisabeth Piff was present as the Association's legal counsel.

Mr. Hendricks called the meeting to order and informed members that Mr. Ornstein was out due to a death in the family.

Those present observed a moment of silence.

**Approval of Agenda:** Mr. Donaldson motioned and Mr. Hickman seconded to approve the agenda as presented. Motion passed by all in attendance.

**Approval of Minutes:** Mr. Burk motioned to approve the minutes as presented. Mrs. Wheless stated that before the minutes were approved she would like to add the name of the person who wiped the data from the computers that were at the guard house and a record of what was done with the equipment after they were wiped clean. Mr. Hendricks asked for a motion with the addition of this information. Mr. Donaldson motioned and Mr. Burk seconded. Motion passed by all in attendance.

**ACC Report** –Bob Hopkins introduced himself as the chairman of the ACC and introduced Committee members, Bill Snow and Gail Miller. He stated that Mrs. Wheless sat in on the last meeting. The Committee meets on the first and third Tuesday of every month. Applications are reviewed and given to management to make copies, put in files and call contractors with the Committee's decisions. Mr. Hopkins stated that he is available to address any ACC issues and that the office has his contact information. He noted that year to date there have been 88 applications. 15 are new homes, 4 pending new homes due to incomplete applications, 30 marine, 20 major additions and 18 for fences. A number of people fill out applications that aren't necessary, but the Committee appreciates them working to comply with the rules and the applications are filed for the record. Mr. Hopkins stated that the office staff can assist with applications.

Mr. Hopkins noted a few changes in recent procedure including checking topographic changes to interior lots after they are completed in addition to those changes on lots including bulkheads.

Mr. Hopkins requested that the ACC be included on variances requests. After discussion it was noted that the proper procedure for variance requests was for the requests to be submitted to the ACC who would then forward them to the BOD with a recommendation and the BOD would then make a final decision and the ACC and owner would be informed of the decision by management.

**Crime Watch Update-** Todd Wheless presented this report. There were several reports of personal property vandalism where cars and mailboxes were spray painted in the modular section. In the 1300 block of Harbour View there was chainsaw stolen from under residence. In the 600 block Colington Drive breaking and entering from a storage shed, leaf blower and circular saw and other tools were stolen. There have been 4 domestic disputes reported and 3 civil disputes. The Sherriff's department also continues to receive calls about fraudulent scams. There was not a Community Watch meeting in July, but the next scheduled meeting is September 10 at 7pm at the club house.

Mr. Wheless noted that extra caution should be taken when driving as school is starting soon, children will be about, and busses will be making pickups and drop offs.

The Association's Community Watch contact, Lt. Duvall is retiring from the Sherriff's department. Mr. Finch suggested a card from the board and Mrs. Wheless said she would pick one up for the board to sign.

### **Member Comments –**

**Marion Caroll** 216 Outrigger Drive: Mr. Caroll expressed concern regarding guard uniforms. He noted that one guard was working in flip flops and a bathing suit recently. Management stated that new uniforms arrived last Wednesday.

**Ron Rossi** – King Edward Ct.: Mr. Rossi asked about the status on getting a grant to extend the jetty as discussed at the annual meeting. He commended John Collins on the work he did in getting a grant for dredging and encouraged the Board to continue to work to get grant money to pay for the jetty extension.

Mr. Hendricks stated that the Board continues to work on this project and is optimistic that it will be successful. Mr. Burk stated that the Board has been in contact with Jenny Gray, the Dare County representative in charge of the grant money. Mr. Burk noted that the Association did receive grant money for the part that was just completed and the emergency dredging. The CAMA permits are good until December 15 and the Association will be applying for an extension of the permits which will be valid for two years.

Mrs. Wheless stated that she would like to see an engineering report from the Corps of Engineers to determine the effectiveness of the jetty at its present length and the projected benefit that the extension would create. Mr. Rossi stated that Corps would probably not comment until we have extended out to their original recommendation of 400 feet. Mr. Burk noted that the Association has the initial findings behind the jetty projects from a private consultant from before the work was done, and that they can be compared to the recent depth sounds conducted after the dredging.

Mr. Hendricks noted an area in the center of the channel that is supposed to be 8ft but recently only measured 3 feet. Mr. Collins stated that this is caused by boats coming into the harbor too fast and shoaling the sand. It was suggested that a no wake sign be placed further out at the end of the jetty. Management will have maintenance put a sign out as soon as possible.

**John Polk** gave a letter to Mrs. Wheless. He asked for a written response from the Board on why the manger is a Village Realty employee rather than a Colington Harbour employee. He questioned whether this is in direct violation of the bylaws, article VI section 10, where it states that the community manager is employed by the association.

**Fran Caprera**- 516 Harbour View. Ms. Caprera presented a request and several photographs to the Board. She noted that her mailbox had been moved by the Association and she feels that the area where it was moved is in disrepair and is a detriment to her property value. She asked that the Board move her mail box back to her property. Mr. Hendricks stated that they will discuss this matter at the next workshop.

### **Board Member Reports/Comments**

#### **Management Report :**

Mr. Kniffin presented the following management report :

- Sound View and Colington Road Boat Storage Update- A letter was sent on July 28<sup>th</sup> informing the owner that pursuant to the hearing held in September, daily fees that would be reinstated on these

properties if the boats were not removed from the lot immediately. No response was received and fines have started on the Sound View property. We received a notice of closing on the Colington Rd. property for Mid-August, so fees have not been started on that property.

- Road Maintenance- all the asphalt maintenance has been completed for this year, and the bill has been processed.

- Estimate on Harbor Tree Pruning- Management has requested estimates from 4 different vendors for tree pruning around the harbor. So far we have only received one estimate. Copies of the estimate were provided to the Board Members. It was noted that the contractor suggested a contract for pruning every 2 years but he provided prices for yearly and biyearly pruning. Yearly pruning is \$1500 and biyearly is \$2300 or a daily rate can be done as well of \$1500. The yearly and biyearly prices are after the initial cut down. Management will continue to gather quotes for comparison.

- 501 Harbour View Foreclosed / Abandoned- Mr. Kniffin went and looked at the property and researched the Dare county tax records. He found that it is owned by Bank of America. It was foreclosed on in 2010. BOA was called and their property preservation department said that they did not have this account on record since 2011 and were no longer maintaining it. Mr. Kniffin called back and got another BOA agent who stated that there are actually several owners of the property and that she did not know why the tax records had not been changed. She could not give any more information until a letter was written to their correspondence department to research the information and including and explanation of why we believed the property was owned by Bank of America. A letter was sent to the Dare county address on file and the Correspondence address in Florida. This was sent out Wednesday August 12th. No response has been received.

Mrs. Caprera stated she had a red spider covering a tree she had cut down and was upset that maintenance did not pick them up. Mr. Finch stated that it was the owner's responsibility to remove any bugs and brush from their property. Management stated that maintenance could, for a fee of \$25 come pick it up from her house.

- Website/ Headlines- The website is up and running with its new and improved look and management is working as fast as possible to get the headlines folded and in the mail. Mrs. Wheless asked why the web site was up before being presented to the board for approval. Mr. Kniffin explained that he had been instructed by the President to make the site live and make the any necessary changes as they were discovered.

### **Old Business**

- Mrs. Wheless noted that the signature line for the Colington Harbour management email still contains the Village Realty website and email information. She would like this information removed and replaced with Colington Harbour info.

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### **New Business**

- Dogs without leashes/ Leaving Dogs in Trailer During the Day-

- Management explained that the trailer was on a lot with a house and the resident was a tenant not an owner. He came to the office at the beginning of July and said he would be keeping the dogs in the trailer while he was at work so they did not destroy the property since he owned the trailer and not the house. He takes the animals inside at night. There was a dog fight a few weeks ago and the tenants were injured. Neighbors are worried that the dogs will get out and that the wiring to the AC unit for the trailer is not up to code. Mrs. Wheless stated that the covenants say the animals cannot be a nuisance. Mrs. Wheless wanted to know where the line is drawn for living in a trailer. Ms. Piff

stated that it would be best if the SPCA is contacted to investigate the dog issue rather than the Association getting involved. She noted that the wiring was not an Association issue but that concerned owners could call the county building inspector.

- **Ratification of Actions Taken without a meeting**
- Conflict of interest policy- Mr. Burk made a motion to adopt the policy as presented, Ms. Wheless seconded. Motion passed by all in attendance. Mrs. Wheless stated that the Village Realty management contract does not contain a conflict of interest policy as stated by Ms. Lewis at the workshop. Mrs. Lewis stated there was a clause regarding this, but she was happy to sign the Association's Conflict of Interest policy as well.

Mr. Hendricks wanted to let everyone know that the VFW Post 1950 will be hosting a Buddy Poppy fundraiser for disabled vets. This is going to be on September 5<sup>th</sup> from 9am until mid-afternoon. This is the VFW post in Nags Head/ Kill Devil Hills.

**Adjournment:** Mrs. Wheless motioned to adjourn and Mr. Burk seconded it. Motion passed by all in attendance. 7:58pm