

**COLINGTON HARBOUR
BOARD OF DIRECTORS MEETING
MINUTES
COLINGTON HARBOUR ASSOCIATION CLUBHOUSE
June 16, 2017**

Meeting Location: 1000 Colington Drive, Kill Devil Hills, NC 27948

Board Members Present: Frank Hendricks-Chairman, Billy Hentnik-President, Hickman Finch-1st Vice President, Sharon Wheless-2nd Vice President, John Collins-Treasurer, Carole Warnecki-Secretary, John Marshall, Member-at-large

Guests: N/A

I. Call to Order

Chairman Frank Hendricks called the meeting to order at 9:02am.

II. Approve Agenda

Motion

Sharon Wheless made a motion to approve the agenda

John Collins seconded.

Motion was approved unanimously.

III. New Business

• *Determine how to handle assessment late fees, mailings, and billings*

The board read Elisabeth Silverthorne's email detailing her legal opinion regarding the agenda item; she is of the opinion that this board cannot waive late fees.

John Collins stated that the Protective Covenants restrict the waiving of late fees, and therefore feels the board does not have the authority to waive any fees.

It was stated that the mailing of assessments was done correctly, but the collection rate was running low.

John stated that the collection rate was at 84%, where it traditionally runs at about 95%, indicating that something was amiss.

There have been many residents claiming that no assessment invoice was received.

Board member Hickman Finch stated he did not receive the first invoice, but did receive a second with a late fee. Because he is directly involved, he recused himself from any vote on this subject.

There was some speculation that much of the problem lies with the post office.

John thinks there are two other issues that are causing problems this year -

- People are mailing their assessment fees to Village Realty.
- People are mailing their assessment fees to Cape Management.

These must be investigated.

A question was raised whether to extend the payment period by 30 days, but this again, goes against the covenants.

John Marshall spoke about alleviating these types of situations in the future; this would be solved by sending the assessments by registered mail. This would incur extra money to process.

John pointed out that the Post Office returns to CHA undeliverable mail, so those residents can be easily identified.

Motion

Sharon Wheless moved that we abide by the legal opinion given by legal council, Elisabeth Silverthorne, keeping the late charges as they stand, unless there is a proven failure on the part of Colington Harbour Association.

John Collins seconded.

The motion passed unanimously with the exception of Hickman Finch, who recused.

V. Adjourn

Motion

Sharon Wheless made a motion to adjourn.

Frank Hendricks seconded.

The motion passed unanimously.

Frank Hendricks adjourned the meeting at 9:28 am.

Carole Warnecki
Secretary, Colington Harbour Association