

**MINUTES**  
**COLINGTON HARBOUR**  
**SPECIAL BOARD OF DIRECTORS MEETING**  
**FRIDAY, FEBRUARY 17, 2017**  
**4:00 P.M.**

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

Attendees: Dennis Donaldson, President  
Hickman Finch, 1<sup>st</sup> Vice President  
Bill Hentnik, 2<sup>nd</sup> Vice President  
John Collins, Treasurer  
Sharon Wheless, Secretary  
Stephen Ornstein, Assistant Secretary( via phone)

Absent: Frank Hendricks, Chairman

Other Attendees: Donna Hatch

**GENERAL SESSION**

**1. Call to Order**

Dennis Donaldson, President called the meeting to order.

**2. Approval of Agenda**

No Motion was presented to approve the Agenda. Dennis suggested reversing the order of the agenda.

**3. Contractor Guidelines**

Dennis Donaldson introduced some Contractor Guidelines based on recent issues that occurred with a contractor who refused to stop working after being issued a Stop Work Order. There was some discussion about once the Contractor has been allowed in the gate, we cannot prevent them from going to a work site. John Collins explained the definition of trespassing and suggested that we will have to clearly define which job site they are going to. If you find them at another address, then he indicated they should be trespassing. Mr. Donaldson indicated that they should not be allowed into the gate without an ACC Permit. There should be a list of permits at the gate and they should not be allowed in without one. Mr. Collins stated that we cannot back up the gate onto Colington Road, and if we do, the State Police will tell us to open the gate.

Bill Hentnik read from the Covenants that the owners and contractors have to comply with the approved/declined permits. Hickman Finch suggested that we not issue permits to a Contractor if they are not complying to our rules.

The Board agreed that the Chair of the ACC should be instructed that they are not authorized to give any verbal approval for construction. Dennis thought it might be helpful to bring the ACC into a meeting again to review the Board's expectations.

#### **4. Stop Work Order**

Dennis Donaldson asked Pat how she would be handling Stop Work Orders. She responded that if she has no paperwork, then in essence, there is no permit. Ms. Wheless asked the Board their vision about making this procedure work. If the contractor begins work prior to getting a permit, then the owner will be fined \$150/day if work continues. Our recourse is only with the owner, not the contractor.

**Action Plan:** (Dennis Donaldson, President- to Notify )

- No verbals from Bob Hopkins per the ACC.
- No work without a permit.
- Issue the contractor a pass at the gate.
- It will be modified to include the ACC Permit Number.
- When a permit is approved, then the list should be provided to the gate.

#### **5. DMV License Plates Lookup**

Sharon Wheless contacted local and state agencies to find out if we can look up license plates. Our Sheriff indicated that there is no "legal" system for us to get that information. John Collins stated that was incorrect, and there was a system that we had access to find numbers. He added that in the past our Manager would contact Marine Patrol. M. Collins will take this action item to get this third party provider and account number.

#### **6. Budget for Annual Meeting**

John Collins confirmed that we had the approved proposed budget to be included with the Proxy mailing. Sharon Wheless asked if we had our actual accounting numbers for this year. She further suggested that we ask someone write a letter and give them a date we must have it.

**Action Plan:** (Dennis Donaldson, President )

Call and give deadline of Friday, then follow up in writing.

#### **7. Front Lots (76 & 77)**

The person who owns the front 2 lots wants to build, and he is interested in trading lots with us. There was a discussion about whether we would have to move our sign. Sharon Wheless indicated that we have already engaged legal counsel to investigate the sign and that she has that information to provide and will get it to Dennis. Mr. Collins referenced 47-f when there was discussion about whether the membership would have to approve the sale /trade of the common property. Sharon Wheless recommended that we get legal advice on whether we need to include that on the annual meeting vote.

#### **8. Owner with Commercial Vehicle**

A person has purchased a house, and owns a commercial vehicle. They want to park it in their yard, and want to know if that is allowed. There is nothing in our documents that prohibits this if it is registered to the lot owner.

**9. Email blast on behalf of CYC**

Our office sent an email blast about the CYC asking for volunteers to decorate a float. There were strong objections from CYRC. John Collins reported that the objection was that we could not legally do this. Sharon Wheless suggested that we have always sent out eblasts for other events such as: Fire Dept. Fundraisers, VFW, Blessing of the Fleet, Holiday Boat Parade. Bill Hentnick stated that the CYC is a for-profit organization.

John Collins indicated that we should not be sending out emails like this, and stated that there was a conflict.

**Action Plan:** (Dennis Donaldson, President )

Dennis will advise the office as to which e-blasts are approved. The Board indicated that only Colington Harbour Association e-blasts should be sent out.

Dennis Donaldson made a motion to adjourn, and Steve Ornstein seconded. The motion passed by the entire board.