Colington Harbour Association

Board of Directors Meeting

3/15/2016

Chairman Stephen Ornstein called the monthly Colington Harbour Board of Directors meeting to order at 7 p.m. at the Colington Harbour club house. Those in attendance and constituting a quorum were:

Present: Stephen Ornstein, Dennis Donaldson, Sharon Wheless, Frank Hendricks and Bill Hentnik.

Absent: Hickman Finch and Bob Burk

Others Present: Karl Kniffin (Association Property Manager), Leslie Sanders (Village Realty) and Elizabeth Silverthorne (Associations legal counsel)

A moment of silence was observed.

Mr. Ornstein asked for a motion to approve the Agenda with the addition of Old Business – Board meeting and workshop legal validity to be addressed by Ms. Silverthorne. Mr. Hendricks made a motion to approve the agenda with the addition, Mr. Donaldson seconded the motion. VOTE: Ayes, unanimous.

Mr. Ornstein then asked the Board to approve the minutes from the January 19, 2016 Board Meeting. Minutes were sent to the Board and reviewed prior to the meeting. Mr. Hentnik made a motion to approve the minutes as submitted. Mr. Donaldson seconded the motion. VOTE: Ayes, unanimous.

Mr. Wheless presented the Crime Watch Report. He noted January was a very active month with several (how many?) domestic disturbance complaints, \_\_\_ Communications of a threat, \_\_\_\_ Breaking and Entering of a vehicle, one Breaking and Entering of a home, one case of Larceny, a dog bite, a simple Assault, three Assaults on a Female, one Assault by Strangulation, several arrests and Damaged Property. February was quieter with one Domestic Disturbance and one DUI arrest at the entrance. Ms. Wheless noted that many of the incidents were at the same homes and asked Mr. Kniffin to check to see if they are rented or owner-occupied. She feels the Association should notify absentee owners on any activity they may not be aware of.

**Action Item:**

Mr. Wheless agreed to provide management with the exact addresses of the properties in question. Mr. Kniffin will research the owners.

**Board Member/Committee Reports**

Mr. Ornstein then asked the Board members for their reports;

Mr. Hentnik had nothing to report.

Mr. Hendricks noted that summer will be here soon and children will be playing in or near roadways. He suggested something be added to the next Headlines advising people to be mindful when driving.

Ms. Wheless reported the Dog Park is in need of cleaning up and regular maintenance. Mr. Kniffin agreed to add this to his inspection rounds.

Mr. Donaldson had nothing to report.

Mr. Ornstein noted he found a deer tick and suggested something be mentioned in the next Harbour Headlines to alert residents.

Mr. Kniffin reviewed the ACC Report on behalf of Mr. Hopkins who could not attend;

Eight new homes, two boat lifts, one addition, two deck replacements, three deck enclosures, two bulkheads, one pier, one rip rap installation, one wind break and one grading of a yard.

Mr. Kniffin then presented the Management Report. Mr. Kniffin reviewed efforts made by past Board members to improve the drainage at the corner of Rhodoms Drive and Prince Charles Court. He noted that according to a past Board member, a perk test failed on the property nearly fifteen years ago, illustrating the poor absorption of water in the area. He mentioned an owner with a retention pond several lots down the street has volunteered to have the water pumped there. An engineer has been contacted to assess the situation and provide the Association with advice to address it per a motion passed at the last Board Workshop. It was agreed by all present to wait for the engineer’s report before setting a plan of action to address the issue.

Mr. Kniffin reported the Harbour Headlines newsletter is back on schedule. Mr. Ornstein noted that it looks very good. Mr. Kniffin then reported 2015 Tax Returns have been filed. He stated Mr. Burke is nearly finished drafting the 2016/17 Budget and should have it ready for review by the end of the week. Per the last meeting, the Association’s study reserve provider has been contacted and will be conducting an on-site evaluation and will update the Reserve Study.

**Old Business.** Mr. Ornstein introduced Elisabeth Silverthorne. Ms. Silverthorne explained she is the Association’s legal counsel. She is tasked with ensuring that the Board is conducting business in a legal manner and will assist with other legal questions. She will not represent the Board against the membership or vice versa or Board Members against each other. She then reported on a question regarding the validity of motions and/or votes made at the Board’s Workshop meetings versus the open Board meetings held every other month. She stated that the Planned Community Act of \_\_\_\_\_\_\_\_\_ states that as long as there are at least four quarterly open meetings as required by the Associations documents throughout the year that motions may be made and passed at either type of meeting. She noted that although the Act was ratified after the Association came into existence, this particular section is retroactive and all associations must abide by it.

**New Business:** Mr. Ornstein stated he has discussed the webcam with John Collins. Mr. Collins worked with Albemarle Fence Company to install them. It was noted the camera on the sound is not working and the contractor has been unable to repair it. Mr. Collins will submit an estimate to replace it to the Board at which time they will decide how to proceed. Ms. Wheless suggested requesting a schematic of the cameras, their operation and any manuals be organized so that any current Board member or Management will have the necessary information for their operation available.

**Action Item**:

Mr. Kniffin will contact Albemarle Fence and /or Mr. Collins for any available information.

**Member Comments:**

Fran Collins stood and introduced herself. She reported the home at 102 King Edward Court is in horrible condition and submitted several photos of the property. The pool and house have not been repaired or occupied since Hurricane Irene in 2012 (?) Mr. Kniffin reported he has sent letters to the property’s executor with no response. He has also contacted Dare County Planning and after they inspected the property, they declared it a Public Nuisance and gave the owners ten days to repair/clean up, however, they are experiencing the same issue as the Association. Ms. Sanders then introduced herself to the Board. She stated the problem is that the Estate no longer actually owns the property even though the Dare County tax records still list it in their name. The bank holding the note on the property has not recorded their deed, a common practice used by banks since the recent foreclosure crisis. Ms. Silverthorne agreed that unless there is a legal owner of record, it is very difficult to force compliance. She has agreed to look into options for getting the deed recorded. Ms. Collins agreed to send her the auction information she has.

**Action Item:**

Ms. Silverthorne will attempt to contact the bank and/or get them to address the condition of the property.

There being no further items from the membership, Mr. Ornstein asked for a motion to adjourn the meeting.

**Motion:**

Ms. Wheless made a motion to adjourn. Mr. Hendricks seconded. VOTE: Ayes, unanimous.