

**MINUTES
COLINGTON HARBOUR ASSOCIATION, INC.
2:00 PM SPECIAL MEETING
NOVEMBER 19, 2011**

Roll Call: Don Brady, John Collins, Marion Carroll, and Dennis Linkous were in attendance. Present on behalf of Cape Management were Deke Bolte, Sherry Martin and Niels Moore.

Proceeding:

Meeting called to order in the Clubhouse at 2:00 PM by Chairman Carroll.

Verification of Quorum: Chairman Carroll then asked Ms. Martin of Cape to advise if a quorum existed. Ms. Martin confirmed that a quorum of the membership existed.

Special Assessment

- A. Board Presentation and Explanation.** Chairman Carroll explained the necessity of the proposed one-time \$45 per lot special assessment due to damages caused to Association property by Hurricane Irene. He reviewed the remedial actions taken to date by the Association, and the emergency nature thereof. Mr. Bolte relayed that a number of bids were received by the Board for the major projects that needed to be completed quickly. Canals needed to be cleaned because of navigational danger. Backfill for South jetty was needed, so it was done quickly. Other projects and repairs to be undertaken were listed on the detailed "Accounting" sheet distributed with the meeting materials.
- B. Motion to Approve Special Assessment.** Mr. Collins motioned that the membership accept the proposed one-time \$45 per lot special assessment, and Mr. Linkous seconded.
- C. Member Comments / Discussion.** Steve Kent stated that he has a canal behind his house, and there is a tree in it, and did not believe that his canal had been cleared (2216 Colington Rd.). Mr. Bolte stated that a GPS record exists, and that it demonstrates all portions of the Harbour canals were scanned, but that he would look into the tree situation. Mr. Kent questioned why the South Jetty failed, as it was relatively new. Mr. Bolte explained that only a portion failed, and that it was his understanding that an eddying effect occurred at the failed section, thereby resulting in its failure. Mr. Kent questioned if bids have been received on the bathhouse replacement. The Board explained that the bidding and spec process is still in motion, and that the numbers presented were estimates. George Griffin asked if the budget will be in-line considering the current delinquency rate and the special assessment. Mr. Collins opined affirmatively.

Jerry Raveling asked if it was the Board's intent to ask for an assessment without exact figures in place. Mr. Collins confirmed that was the intent, and that exact final costs were obviously presently unavailable. Mr. Raveling questioned the authority of the Board to conduct the Special Meetings as outlined in the meeting materials and executed. Mr. Moore read aloud Article V, Section 6 of the Association Covenants detailing the authority and procedure to obtain a quorum for such Special Meetings.

Rob Lanz questioned if the \$45 was for all the projects listed in the Accounting handout. Mr. Collins confirmed. Suzie Alder questioned if the CY&RC didn't partner with the Association if that would that affect the assessment. Discussion ensued between the Board and members about the proposed "joint" bathroom facility, whose total costs would be shared between the CY&RC and the Association. Mr. Lanz opined that if CY&RC were to offer, for example, \$20K towards this project, it would be a good investment and improve the neighborhood. Mr. Raveling noted that special assessments are required to be applied on a yearly basis, and questioned how that would this apply in this instance. Mr. Collins relayed that the funds would be collected and applied during the fiscal 2011/12 fiscal year. Catherine Mary Galbraith questioned if the \$45 was the maximum that would be collected, and if the current reserve funds were adequate to proceed with the projects until the assessment was collected. The Board responded affirmatively.

George Kendall asked how many bathroom seats would be built in the new facility. Mr. Collins stated that 4 would likely exist in separate bathrooms. Jim Horgan questioned whether how the fenced entrance might be altered due to the new location of the bathroom. Board members explained the proposed new bathroom location would be closer to the pool. Bob Hopkins questioned whether the proposed 30' x 50' size included the drainfield. Mr. Bolte stated no, but that it did include storage rooms, but that the exact specs have not been finalized. A member questioned if the new bathroom would be on pilings? Mr. Bolte responded affirmatively. Mr. Lanz

suggested including showers on the outside of the building. Ken Haas called for the vote.

George Kendall motioned to amend the motion to keep the bathroom located where it was previously. Motion seconded by another member. Following brief discussion, the motion to amend the original motion was called to vote. Ms. Martin reviewed the total number of members present in person and by proxies, and reported a total of 609.75 lots were represented. The motion to amend failed by a vote of 2 votes in favor and 607.75 opposed. The original motion was again called to vote. Chairman Carroll, who held enough proxies to pass the motion alone, asked those members present to raise their hands in support of the motion. Chairman Carroll then asked those members opposed to the motion to raise their hands. With 27 members present in favor, and two members present in opposition (George Kendall and Jerry Raveling), including proxy votes, the motion passed by a vote of 603.75 in favor and 5 opposed.

Other Business: None.

Adjournment: There being no further business, the meeting was adjourned at 2:45 PM.