

MINUTES
COLINGTON HARBOUR BOARD OF DIRECTORS MEETING
September 28, 2021
7:00 PM

11/18/2021 – These minutes have been amended from the original posted minutes to reflect the following: (1) Daniel Hoggard's abstention, (2) Removal of member comments from the Homeowners Forum, and (3) addition of opinion by CHA lawyer reference golf cart usage in CHA.

Call To Order: Meeting was called to order at 7:01P – Howard Snyder

Present:

Stephen Ornstein, President

John Collins, 1st Vice President, Treasurer

Daniel Hoggard, 2nd Vice President

Howard Snyder, Chairman

Leah Holmes, Secretary

Bill Meyer, Member At Large

David Creecy, Member At Large

Others Present:

Donna Price, Community Manager

Approval of Agenda – Agenda approved as presented. Leah Holmes 1st, David Creecy 2nd – All in favor

Approval of Minutes – September 14, 2021 – Approved as amended to reflect that Daniel Hoggard abstained from voting on notifying the Attorney regarding mowing of easements, and to include the Attorney's letter in the golf cart resolution – John Collins 1st, David Creecy 2nd - All in favor

Homeowners Forum:

Officers Reports

Stephen Ornstein, President: No Report

John Collins, 1st Vice President: No Report

Daniel Hoggard, 2nd Vice President: No Report

Howard Snyder, Chairman: No Report

John Collins, Treasurer: Gave a report on the budget

Leah Holmes, Secretary: No Report

Bill Meyer, Member at Large: Asked about putting a fish cleaning station at the Harbour

David Creecy, Member at Large: No Report

Old Business

Dredging Committee: A committee member from the dredging committee stated that everything is set up and that work will begin within a few weeks

New Business:

Pool/Maintenance: This matter was tabled until the October 12 meeting

Second Wind Builders: This matter was tabled until the October 12 meeting

Adjournment: 8:25P – David Creecy 1st, John Collins 2nd – All in favor

From: Matthew Spencer <Spencer@spencerlawoffice.net>
To: "Donna Price" <dprice@colingtonharbour.net>
Date: Mon, 26 Jul 2021 12:32:40 -0400
Subject: Golf cart regulations

Donna:

This follows my phone conversation with John, Steve and yourself this morning. I have not researched county ordinances or state law concerning operation of golf carts on streets, but I know such rules exist. Your existing covenants (as modified in 2003), under Ordinance 2 entitled "Vehicles," states that county and state laws apply to the operation of vehicles. I am of the opinion that golf carts fall under this provision of your covenants.

I advised that any attempt by the board to impose rules that vary from state and county regulations will require the approval of the membership, because doing so would effectively be a modification of your covenants. Even if the board were to request an ordinance change from Dare County, I believe that should only be done with advance approval of the membership in the same manner as a covenant change. Asking the county to change its rules would have the same effect as a covenant change, and so I am of the opinion that you should proceed only with membership approval after proper notice, a meeting, and a vote. Reasonable minds may see this differently, but these are my conclusions and my advice based upon our conversation.

In closing, I would suggest that the board pause and conduct further research and community outreach before moving forward. It may be that existing state and county regulations are sufficient to ensure the safety of the community without further action on the part of the board. A good first step would be for the board to take a careful look at county ordinances and state law on this subject. If it is determined that those rules do not meet the needs of the community, you should put the matter before the homeowners for a vote before making any changes (or asking the county to make changes).

If my help is needed in any respect going forward, please call me. As always, I appreciate the opportunity to assist.

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10:07 AM
10/11/21
Cash Basis

The Colington Harbour Association Inc.
Balance Sheet
As of October 11, 2021

	Oct 11, 21
ASSETS	
Current Assets	
Checking/Savings	
100 · Operating Cash - First National	215,496.34
102 · Southern Operating	151,359.31
104 · Infinex - CHA Reserves	472,860.00
114 · Infinex - CHYRC Reserve Ded	97,945.89
115 · Petty Cash	153.46
116 · Operating 2 CC - First National	20,392.66
Total Checking/Savings	958,207.66
Accounts Receivable	
140 · Accounts Receivable-Assessments	-1,724.08
Total Accounts Receivable	-1,724.08
Other Current Assets	
12100 · Inventory Asset	81.76
155 · Prepaid Income Taxes	406.00
Total Other Current Assets	487.76
Total Current Assets	956,971.34
Fixed Assets	
160 · Land	219,165.96
161 · Land Improvements	167,692.71
162 · Buildings	192,847.80
165 · Swimming Pool	100,000.00
167 · Tennis Court	9,951.76
169 · Playground Equipment	23,365.26
171 · Office Equipment	34,573.78
173 · Maintenance Equipment	116,883.47
174 · Vehicles	26,367.79
175 · Security Equipment	13,324.68
179 · Accumulated Depreciation	-645,233.99
Total Fixed Assets	258,939.22
TOTAL ASSETS	1,215,910.56
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
255 · Income Tax Payable	22.00
Total Other Current Liabilities	22.00
Total Current Liabilities	22.00
Total Liabilities	22.00
Equity	
320 · Retained Earnings	-74,854.17
340 · Operating Fund	460,586.27
350 · Reserve Fund	522,295.61
Net Income	307,860.85
Total Equity	1,215,888.56
TOTAL LIABILITIES & EQUITY	1,215,910.56

10:04 AM

10/11/21

Cash Basis

The Colington Harbour Association Inc.
Profit & Loss Budget vs. Actual
May 1 through October 11, 2021

	May 1 - Oct 11, 21	Budget	\$ Over Budget	% of Budget
Income				
400 · Assessments Outstanding	0.00	15,000.00	-15,000.00	0.0%
401 · Association Assessments	701,338.96	714,650.00	-13,311.04	98.1%
402 · Short period assessment refund	0.00	0.00	0.00	0.0%
424 · Interest on Past Due Assessment	5,276.26	5,000.00	276.26	105.5%
425 · Late Fee Income	6,632.48	8,700.00	-2,067.52	76.2%
426 · Attorney Fee	11,709.09	12,000.00	-290.91	97.6%
427 · Convenience Fee - Credit Card	430.00	500.00	-70.00	86.0%
428 · NSF Fee Income	0.00	0.00	0.00	0.0%
429 · Collection Fee	0.00	0.00	0.00	0.0%
430 · CHY&R Annual Billing	0.00	12,000.00	-12,000.00	0.0%
435 · CHY&R Additional Billing	2,128.17	1,200.00	928.17	177.3%
440 · Newsletter Ad	0.00	100.00	-100.00	0.0%
442 · Transfer Fee	9,750.00	7,275.00	2,475.00	134.0%
450 · Boat Slip	0.00	15,000.00	-15,000.00	0.0%
453 · Launch Fees	1,470.00	1,425.00	45.00	103.2%
455 · Park Reservations	450.00	50.00	400.00	900.0%
458 · Maintenance Yard Fees	0.00	100.00	-100.00	0.0%
460 · Debris Removal/Grass Cutting	1,020.41	2,500.00	-1,479.59	40.8%
461 · Bar Code Fees	176.00	100.00	76.00	176.0%
462 · Building Permit Fees	300.00	500.00	-200.00	60.0%
465 · Miscellaneous Income	0.00	200.00	-200.00	0.0%
470 · Fundraising Income	0.00	0.00	0.00	0.0%
471 · Fines	869.69	1,000.00	-130.31	87.0%
480 · Imagery Sales	0.00	0.00	0.00	0.0%
490 · Interest Income - Operating	0.00	0.00	0.00	0.0%
495 · Interest Income - Reserves	0.00	150.00	-150.00	0.0%
496 · Transfer From Reserve	0.00	6,000.00	-6,000.00	0.0%
513 · Returned Check Charges	50.00	100.00	-50.00	50.0%
Total Income	741,601.06	803,550.00	-61,948.94	92.3%
Cost of Goods Sold				
500 · Cost of Imagery Sales	0.00	0.00	0.00	0.0%
50000 · Cost of Goods Sold	0.00	0.00	0.00	0.0%
Total COGS	0.00	0.00	0.00	0.0%
Gross Profit	741,601.06	803,550.00	-61,948.94	92.3%
Expense				
605 · Management Fees	0.00	0.00	0.00	0.0%
608 · Admin Expenses	3,371.06	7,500.00	-4,128.94	44.9%
609 · Office Salaries	50,492.21	114,000.00	-63,507.79	44.3%
615 · Insurance Expense	37,005.34	43,000.00	-5,994.66	86.1%
620 · Telephone	499.90	1,100.00	-600.10	45.4%
625 · Utilities	2,019.81	4,500.00	-2,480.19	44.9%
627 · Bank Charges	45.96	50.00	-4.04	91.9%
629 · Bad Debt	3,217.85	2,630.00	587.85	122.4%
630 · Office Supplies	1,404.41	4,320.00	-2,915.59	32.5%
632 · Postage and Delivery	945.20	5,000.00	-4,054.80	18.9%
634 · Printing	1,166.28	6,084.00	-4,917.72	19.2%
637 · Dues and Subscriptions	127.03	250.00	-122.97	50.8%
642 · Small Tools and Equipment	547.03	2,000.00	-1,452.97	27.4%
644 · Equipment Rental	0.00	1,000.00	-1,000.00	0.0%
650 · Covenants Enforcement	37.05	100.00	-62.95	37.1%
655 · Tech Committee	0.00	0.00	0.00	0.0%
66900 · Reconciliation Discrepancies	0.00	0.00	0.00	0.0%
672 · Legal & Professional Fees	10,332.28	20,000.00	-9,667.72	51.7%
676 · Audit/CPA Fees	0.00	0.00	0.00	0.0%
680 · Travel	233.44	1,000.00	-766.56	23.3%
685 · Imagery Expenses	0.00	0.00	0.00	0.0%
690 · Property Tax	114.88	100.00	14.88	114.9%
692 · Federal Income Tax	0.00	500.00	-500.00	0.0%
694 · NC Income Tax	0.00	500.00	-500.00	0.0%
695 · Penalties & Interest	0.00	0.00	0.00	0.0%
696 · Payroll Tax Expense	11,643.34	24,000.00	-12,356.66	48.5%

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10/11/21

Cash Basis

The Colington Harbour Association Inc.
Profit & Loss Budget vs. Actual
May 1 through October 11, 2021

	May 1 - Oct 11, 21	Budget	\$ Over Budget	% of Budget
697 · Payroll Processing	1,084.40	2,500.00	-1,415.60	43.4%
69800 · Uncategorized Expenses	0.00	0.00	0.00	0.0%
69810 · Bank Service Charges	24.00	100.00	-76.00	24.0%
705 · Maintenance Salaries	33,893.04	75,620.00	-41,726.96	44.8%
710 · Contract Labor	0.00	1,500.00	-1,500.00	0.0%
715 · Maintenance Phone	667.29	1,195.00	-527.71	55.8%
716 · Maintenance Utilities	766.21	2,453.00	-1,686.79	31.2%
720 · Common Property Maintenance	12,564.21	7,500.00	5,064.21	167.5%
722 · Building Maintenance	0.00	150.00	-150.00	0.0%
724 · Street Signs	727.58	500.00	227.58	145.5%
730 · Maintenance Supplies	3,127.16	7,500.00	-4,372.84	41.7%
732 · Miscellaneous Expense	0.00	0.00	0.00	0.0%
740 · Maintenance Yard Tipping Fee	0.00	1,000.00	-1,000.00	0.0%
752 · Maint Equipment Rental	0.00	0.00	0.00	0.0%
754 · Equipment Repair	635.13	1,000.00	-364.87	63.5%
756 · Automobile Maintenance	681.46	2,050.00	-1,368.54	33.2%
758 · Gas	1,839.82	3,079.00	-1,239.18	59.8%
760 · Security Wages	58,807.54	126,652.00	-67,844.46	46.4%
761 · Contract Security	1,800.00	4,500.00	-2,700.00	40.0%
763 · Security Supplies	680.27	2,000.00	-1,319.73	34.0%
765 · Security Phone	199.95	600.00	-400.05	33.3%
766 · Security Utilities	1,750.88	3,048.00	-1,297.12	57.4%
767 · Security Passes	4,131.13	6,595.00	-2,463.87	62.6%
768 · Security Vehicle	0.00	0.00	0.00	0.0%
770 · Johns Brothers Monitoring	657.36	1,500.00	-842.64	43.8%
780 · Street Paving	118,090.00	160,000.00	-41,910.00	73.8%
781 · Bus Stop Construction	0.00	0.00	0.00	0.0%
782 · Dredging	2,584.89	16,000.00	-13,415.11	16.2%
783 · Tree Service	4,920.00	13,500.00	-8,580.00	36.4%
784 · Drainage Control	31,234.82	24,374.00	6,860.82	128.1%
785 · Discretionary	4,600.00	8,000.00	-3,400.00	57.5%
786 · Contingency	0.00	0.00	0.00	0.0%
787 · Depreciation Expense	0.00	0.00	0.00	0.0%
800 · Reserve Funding	0.00	75,000.00	-75,000.00	0.0%
810 · Reserve Funding - CHY&RC	0.00	12,000.00	-12,000.00	0.0%
895 · Reserve Disb	25,070.00	6,000.00	19,070.00	417.8%
Total Expense	433,740.21	803,550.00	-369,809.79	54.0%
Net Income	307,860.85	0.00	307,860.85	100.0%