

**Chadwick Shores Property Owners Association**  
**2009 First Annual Meeting Minutes**  
**September 27, 2009**

**A. Call to order -**

The First Annual meeting was held at the Sneads Ferry community building and was called to order by Tony Gillespie, President at 1:00 pm.

**B. Greetings and Salute to the Flag and Pledge of Allegiance -**

Tony welcomed everyone and thanked them for taking time out on this Sunday to attend the meeting. Tony stated that in order to have a vote at this particular meeting, we must have ten percent (10%) of the membership, which is about 430, in attendance at the meeting. We only have 24 members here; therefore, we cannot make any decisions at this meeting. Ballots will be mailed to property owners for voting on the budgets and/or proposals for the **2010** calendar year.

Tony then led the membership in the salute to the Flag and Pledge of Allegiance.

**C. Roll Call of Officers - Board members in attendance:**

Tony Gillespie - President  
Jon Frisch - 2<sup>nd</sup> Vice President  
Ellie Giles - 2<sup>nd</sup> Vice President  
Janet Gargano - Secretary  
Casey Barnes - Director

Board members absent:

Chris Wilkinson - Treasurer (proxy given to Casey)

**President's comments:** Tony then noted that this meeting will be held in two parts - the first of which will be discussion of the Roads report, eligible to all in the community, and the second part will address the Association.

Tony also asked that all comments please be held until the end of that particular section of the meeting and anyone wishing to speak to please state their name and address.

**D. GENERAL MEETING - ROAD ISSUES**

Summary of Year's Activities -

1. The reflectors on the roads adjacent to the fire hydrants were replaced; Tony noted there are more still to be done.

2. **Parking on the right of way/road edges as well as over-night parking violations** - Tony said he has been dealing with this issue for the past 3 years; he has had cars towed, left notes on windshields and sent letters. He said we are still "not breaking the code", but we are making headway. He noted we are not starting to get commercial vehicles w/attached trailers parking on the easement. This damages the road edges and the road is narrow enough where large vehicles parked on the side of the road is just not safe - we will still keep addressing the issue.

3. General maintenance and repairs of the roads are ongoing. We have had the sinkholes in several areas repaired. We've also had some edging done we will continue to work on the roads wherever necessary.

4. Challie Adkins who was a director as well as road chairman has resigned to take a job in Louisiana.

5. The Board approved the addition of twenty (20) streetlights to be installed throughout the neighborhood this year and forty (40) lights to be installed in 2010. Tony said he has done the lighting diagram and some of the darker areas where we have had vandalism and break-ins will be better illuminated.

#### Financial Report -

Casey did the report in place of Chris who was absent. He said the budget for the year was \$60,100, and we have spent approximately \$13,200, so we are almost \$47,000 to the good for Roads. He noted that we have 3 full months left in this year, but we don't expect to go over budget for Roads.

#### Introduction of proposed road budget -

Tony asked if anyone would like to see a copy of the 2009 Road budget; Marci Anderson, 786 Chadwick Shores Drive, said yes, she would.

Richard Civelli, 853 Chadwick Shores Drive, asked a question about the budget item for 'mowing of the side of the road'. Casey answered that it is one contract and part is paid out of the Association budget and part paid out of the Road budget. Casey noted that areas such as the front entrance and the community lots are Association – the lion's share gets paid out of Roads because it is a 'drainage issue' – the roads won't drain properly if the grass is not cut.

Richard said Casey answered his questions, but he was still concerned about the few areas where drainage is still a problem. Rich asked about redirecting drainage pipes and/or putting in a new swale or correcting the existing one. Tony said this is marked for a 'priority item' for next year.

Patty Whaley, 955 Chadwick Shores Drive, asked Richard if he has any ideas as to what can be done to correct the flooding at the entrance. He said he thinks the catch basins were installed too high and, somehow, we have to put in a small swale perpendicular to the roadway. Tony said we can probably go ahead and do it this year as there is money left in the budget.

Tony said we more sinkholes to do, road edges to repair and road repairs (some cracked pavement on Chadwick Shores Drive near Mr. Lynch's house) to do between now and the end of the Board's tenure. His proposal for the 2010 Road Budget is to remain with the current figures because we don't know what we will run into in the next few years. He said we are limited if we should have major sinkhole or other issue.

Marci Anderson asked if there is a 'carry-over' balance. Tony said there is a balance in Road accounts of \$179,008.59 (CD, checking and Money Market) Tony stated the new budget figures we be going out in a ballot next month. He said we have a very significant Total balance for Roads and Association.

Tony credits Dick Miller, who has really been aggressive in our financial structure, to see we did not lose money.

Tony also that it is almost time to start sealing the roads, and that will be a very large Capital Expenditure that will come out for a vote in 2010.

Discussion of Proposed Activities - sidewalk proposal throughout the neighborhood – Capital Expenditure for 2010.

Tony stated the sidewalk is for a 3.9 miles on the outer loop – not the inside of the outer loop – but the outer loop itself. He explained the reasoning behind starting with the outer loop is because there are no cross-streets and no breaks.

He has obtained some proposals, and the project will cost about \$135,000.

The mailboxes will be moved across to the inside loop. The sidewalk is well within the 30 feet of the ‘right of way’ owned by the association. Tony noted that about 80 per cent of residents walk on the outer loop. He said this is the first step in about a 5 year project to also include the inner streets.

Christine Miethe, 123 Bayshore Drive, asked how wide the sidewalk would be? Tony said if we go 42 inches with 12 inches for curb and gutter; 42 inches is actually the 3 foot standard.

Ellen Gearon, 1040 Chadwick Shores Drive, asked if this price includes a survey; Tony said, ‘yes’ and it also includes preparation and grading to bring the sidewalk up to the edge of the driveways; it is a complete “turn-key” project.

Tony also mentioned that there are some home that have very nice stone pillars, and he said he is sure that whatever company does the project they will try to move them in tact.

Frank Borkowski, 147 Bayshore Drive, asked if the sidewalk project is already set in stone; Tony said, “no” – it has to go to the property owners for a vote. Frank said he very concerned that the sidewalk will make speeding more prevalent and will turn the streets into a Racetrack.

Len West, 443 Chadwick Shores Drive, asked if the sidewalk would be concrete or blacktop? Tony said concrete; Len said he discourage using concrete because it damages easily, and blacktop will hold up much better in most circumstances. Len asked how are we going to allow for future projects on vacant lots. Tony said it would be the builder’s responsibility to replace the sidewalk after the driveway was in place.

Rich Civelli asked if Tony knew what the DOT minimum offset of the roadway and sidewalk is required. He thought we could be opening ourselves to a liability if, for instance, someone gets hit by the mirror of a truck if we did not adhere to the DOT code. Tony replied that the 3 companies he has contacted will build to the North Carolina DOT code.

Len West gave his opinion that curbs would not be a good idea. He cited an incident a while back in which a vehicle hit the curb on our road at the entrance, and the Association ended paying for the damage.

Good and Welfare -

**Chris Holman**, 1307 Chadwick Shores Drive, made a suggestion that the Board entertain putting a moratorium on an issue that has been voted down so that same issue doesn’t keep coming up again every year. Chris said it ties up the Board from doing other business, and he suggested it should be a least 3 years before an issue is allowed to be brought up again and that should be only by petition.

Len West commented that the roads are looking better than ever now that the brush is being cut back to the edge of the easements.

Tony noted to all of a very sharp curve on Chadwick Shores Road as you come in from the front towards Everett Lake. Cost Wise has kept the brush cut back from the road because it is a safety issue.

Tony stated he is really pleased to see the progress we've made throughout the neighborhood; the front entrance looks great and the community as a whole is looking really nice.

Adjournment - Tony asked for a motion to adjourn the First Annual Roads Meeting: Motion to adjourn the First Annual Meeting of Roads was made by Casey Barnes; 2<sup>nd</sup> by Ellie Giles. The Roads meeting was adjourned at 1:30 pm.

#### **ASSOCIATION MEETING -**

The First Annual Association Meeting was called to order by Tony Gillespie at 1:35 pm. It is noted that the Roll call had previously been taken at the Roads meeting. Tony asked that anyone wishing to make a comment or has a question or concern to please state their name and address.

#### Summary of Year's Activities

1. Tony welcomed everyone to the beginning of the new year and the 2009 Board of Directors. \* Tony said we had a great year.

(section is missing – Jan will find and insert)

#### Report by Nominating Committee of nominations-

Hal Corzine announced the following nominations received for the **2010 Board of Directors -**

Dennis Miethe	President
Casey Barnes	President
Jim Armstrong	1 <sup>st</sup> Vice President
Patty Whaley	2 <sup>nd</sup> Vice President
Deb Shinskie	Treasurer
Jim Lynch	Secretary
Janet Holman	Director - 1 year term
Xue Yun Ni	Director - 2 year term

All nominees declined except for Janet Holman; she accepted the position of Director for a 1 year term.

Ellie Giles that Cameron Waggoner has volunteered to take the nomination for President. He is now in Iraq, but will be home in December. Tony said he will stay on as Past President for a few months to help the new Board.

Jon Frisch volunteered to stay on as 1<sup>st</sup> Vice President for another year.

### Nominations from the floor –

Tony asked if there were any nominations from the floor, including non-board member chairman positions. He also said we could really use help on committees: Roads, Grounds and Maintenance, Security, Legal and Covenants. There was no response;

Janet Holman introduced herself. She and her husband, Chris, have lived at 1307 Chadwick Shores Drive since 2003. Janet said she would be please to serve on the Board.

Tony closed the nominations.

### Financial Report –

Casey Barnes gave the financial report for the Association in Chris Wilkinson's absence – The total income as of September 26, 2009 is \$52,900; we have almost \$27,000 remaining in the Association budget. Casey said we are 'in the good'.

Tony said that last year the Board had put aside some additional funds for legal fees due to the fact that we were faced, as an association, with a lawsuit. Tony noted the original lawsuit was against each member of the Board, individually, and the Association. The individual lawsuits were subsequently withdrawn and is now against the association, only.

Nationwide, our insurance company, covers the Association for this, and they also provided us with an attorney. Tony said he cannot go into details, but he said when this comes to an end, we will publish exactly what is and is not as it pertains to the Covenants sd filed in Onslow County, ie – how much they pay and who does not pay.

Tony said this has been a great learning experience as difficult as it is when the Sheriff comes to your house and drops off a letter informing you that you are being sued.

### Introduction of Proposed Budget –

Tony said we will send out the Association budget asking that it remain the same for **2010**.

Our by-laws allows us to only spend \$2000 in case of emergency, and Tony said he considers the vandalism and break-ins an emergency; hence we sending a Capital Expenditure ballot out for a vote to install a camera/video surveillance system at the entrance. The amount will be \$4,000 spread over a 2 year period.

### Good and Welfare –

Tony asked if there were any comments, concerns or questions regarding the Association meeting items that were presented, or anything for the community anyone would like to address.

**Boat ramp - Ellen Gearon**, 1040 Chadwick Shores Drive, had a question regarding the exploration of the boat ramp with the \$1,000 put aside for that purpose. She wanted to know if she was correct in hearing that the reason we are going forward with the investigation is because it was a community vote that was a priority.

Tony answered that of all the Amenities the community requested, the boat ramp was the #1 request.

Both Ellen and Joyce Miller voiced their concerns about the parking of vehicles and vehicles with trailers that will be in the parking lot. Tony said there are many concerns about this issue, especially from residents who live near the dock.

Tony said the purpose of hiring a subject matter expert is to, once and for all, have him state:

1. it is or is not feasible?
2. would CAMA deny or grant us permission?
3. is it worth the expenditure?
4. would there be restrictions if we were granted approval?

Then we let would let the community vote!

**Property management company** - Marci Anderson asked the Board if any thought had been given to contacting or hiring a property management company to work with the Board

Tony said there has always been a Board; we've talked about outsourcing, but the problem is that you still have to have a Board of Directors. He further explained that a property manager would be someone who, if you parked on the side of the road he drops a letter at your house and an hour later, he tows your vehicle.

Marci asked if this wouldn't take some of the stress or burden off the Board, and Tony agreed that it would: however, he stated that it is a lot more stringent if you use a property management company than a 'Board of your neighbors'.

Tony also mentioned there is also money involved in hiring a management company, and we can't get some people to pay their fees now. He said there are liens and foreclosures to deal with and that is not an easy process.

Tony said a management company is a good idea, and he asked Marci if she would like to serve on the Board next year?

She said that in her opinion, "the Board has way too much power, and she would like to see an outside entity because we are neighbors, and an outside entity would let the community do what the community does and not have 5 people governing everything that goes on".

Casey stated that there are by-laws that state there has still has to be a Board. Tony said the Board would still have to approve or disapprove what the property management company would be doing.

Chris Holman stated he has served on the Board, and he did research on management companies: a. they are not cheap, b. they are not local (usually from Wilmington or up towards New Bern), c. they do very little work.

Chris went on to say you still have to have someone enforcing the rules; the Board does not enforce anything that is not in the Covenants. He said the Board is voted on by the community, they are elected by the community and they serve at the will of the community.

**Cameras** - Stephen Chapwick, 142 Shellbank Road, asked if we have the cameras. Tony said we are purchasing 2 of 4 cameras because the Board is limited to \$2000 per year.

Ann Chapwick asked if the cameras would act as a deterrent. Tony said they will see anyone coming in or going out of the neighborhood, and will 'catch' your license plate as you go out the front.

Elizabeth Murcia, 223 Shellbank Drive, asked if there were plans to put cameras elsewhere in the community such as the dock or Tot Lot. Tony said the community dock is a potential item for the future; the Tot Lot is not because of Privacy issues.

Christine Miethe spoke to the Board about the gate system at Pelican Point ; if an unexpected guest comes, he/she can dial the property owner who, in some manner, can open the gate.

Patty Whaley thanked the Board and expressed everyone's appreciation for all they have done.

**Adjournment** - Tony asked for a motion to adjourn the First Annual Meeting. Janet Gargano made a motion to adjourn the First Annual Association Meeting; 2<sup>nd</sup> by Casey Barnes  
All were in favor; none opposed.

Meeting adjourned at 2:25 pm

Respectfully submitted,

Janet Gargano, Secretary

November 22, 2009