

CHADWICK SHORES PROPERTY OWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING ** MINUTES

Meeting date: July 17, 2008

3. CALL TO ORDER

The meeting was held at the Sneads Ferry Community Building, and was called to order at 7:05 pm by Tony Gillespie, President.

Board members in attendance:

- Tony Gillespie – President
- Janet Gargano - Secretary
- Dick Miller - Treasurer
- Ellie Giles – Director
- Ryan Brummond - Director
- Patty Whaley - 2007 Past President

Board members absent:

- Bill Keller - 2nd Vice President
- Bob Braxton - 1st Vice President
- Casey Barnes - Director

2. MINUTES

Minutes from the June 19, 2008 meeting were reviewed. Motion to accept the minutes was made by Patty Whaley, 2nd by Ellie Giles. All approved.

3. PRESIDENT'S REPORT

a. Tony reported that he had received some really good responses to his second President's letter which went out to CSPO in June. Two or three were not so good, but of the nearly **200** responses we received, most were positive.

b. Tony said that we are seeing more dumping and general trash in the area. A freezer was dumped on the community lot, and after the Onslow Sheriff's Department checked it out, he and Chris Detrich removed it around 10:00 that night. Someone else dumped a bunch of what looked like 'dish network' parts on an unbuilt property.

The Board asks that the community, at large, please keep an eye out for people coming in the area and dumping things. Please try to get a license plate number.

a. A reporter for the Jacksonville Daily News contacted both Tony and Bill Keller, and wanted a statement regarding a story they were doing about the Board's decision to charge all Chadwick Shores property owners association dues. Tony explained to the reporter that the matter is in litigation, and we have no comment, and they can say whatever they desire as far as he's concerned.

COMMITTEE REPORTS

1. Treasurer –

The monthly financial reports were given to all board members and reviewed by Dick Miller.

a. Dick reported that twenty-nine (29) liens had been filed on delinquent property owners, and of those twenty-nine, seven (7) had liens on them previously. Dick said that the Board needs to decide if it is going to go ahead with the foreclosures. He cited that these seven (7) owners had prior liens on their properties in 2003, 2004 and 2005; these had expired and are now on again; Dick stated that these were never enforced the first time around. He also said that some of the monies owned amount to \$2500.

A motion was made by Dick Miller that the Board go ahead with the foreclosures on these seven (7) properties.

Discussion on the motion:

- Ellie Giles stated that she was not yet ready to vote.

- Tony Gillespie said that he as of the mindset that we get through the possible litigation first.

- Dick argued that litigation hadn't started yet, and these folks have already gotten away the first time around. He also noted that the Board had said it was going to follow through when this process was first started.

- Ryan Brummond said he just wanted to be sure that we have exhausted all means of contact, i.e., late notices, certified letters, etc., and that these property owners were fully aware of what could happen, and they are totally ignoring us.

- Tony asked if a threshold had been set, and Dick said 'no', that these seven (7) property owners had liens before (3 years out), they expired and now they have liens against them once again. In fact, Dick said, some of these property owners told Patty Whaley that they were not going to pay until they are forced to do so, or they sell their property. Patty confirmed that this was true; she had, in fact, called them all last year.

- Rick Hamilton, who was in the audience, asked if liens and foreclosures are in the covenants.

- Tony answered that whether it's in the covenants or not, North Carolina allows you to place liens and foreclosures on properties that are in arrears. He added that these properties to which we are referring have been in arrears in excess of five (5) years; "the the Board is talking about seven property owners who have been ignoring their bills for upwards of five years, while everyone else has paid to have the roads repaired, paid for the light bill, paid for the insurance, paid their other bills. These are seven investors who refuse to pay their bills and said they were not going to worry about it, because the previous boards have allowed the liens to expire, and they are not going to pay until they are force to do so." Furthermore, Tony said everyone that has paid a road fee or an association fee for the last eight years has been carrying these seven people, and every time they have driven on the roads, they did so on 'your dime'.

- Ellen Gearon, who was at the meeting, noted to Tony that about three years ago, the board had a public meeting to discuss the procedures for liens and foreclosures, and there was a very definite procedure and rules on this, and she wanted to know if these were being followed. Tony answered that, yes, the Board has that written policy and has followed it for the past six months. There were four (4) invoices sent, and then two (2) certified letters, and then the liens filed as per the process and procedure that was documented, and this is the process, which the Board has followed.

- Jerry Hinnant, who was in attendance, wanted to speak, but Tony said he had received a letter from Mr. Hinnant's lawyer, and it was made very clear in that letter and also in a phone conversation with Atty. Tisdale, that Tony should not discuss this matter with Mr. Hinnant.

- Patty Sturm wanted to know the name of CSPOA's attorney; Tony told her the he is Attorney John Warlick.

Tony brought an end to the discussion, and returned to the motion made by Dick Miller to begin the process to pursue foreclosure on the seven lots that are in arrears for more than five years. Tony asked for a 2nd on the motion; Janet Gargano seconded the motion.

The motion was put to a vote: **1 abstain** - Patty Whaley

1 nay - Tony Gillespie

5 ayes - Ellie Giles, Janet Gargano, Dick Miller,
Casey Barnes (by proxy, Ryan Brummond).

The motion is carried.

Patty Whaley made a motion to accept the treasurer's report; 2nd by Janet Gargano
All approved.

2. **Roads** -

a. Speed humps: Tony announced that Dr. Dante Martin will give a presentation at the meeting on his in-depth research on the different types of speed restrictive devices.

Tony gave the results of the voting on the speed humps from the ballots received. The vote **against** speed humps was significantly more than those in favor. **50 yes - 81 no.** However, Tony said there are other speed restrictive devices, so Dr. Martin has generously offered to come tonight to give us this presentation.

b. Swale/drainage issues: Tony reported that we have closed out most of that. DEI did the repairs on some of the drains which go under the street, and they also filled in the sinkhole on Everett Drive. The Board thanks Chris Holman all his work in getting the problems resolved.

3. **Grounds and Maintenance:**

a. Well: Ellie reported that Tony Gargano has been in the process of doing research on this project. The one thing she does know is that based on the research he has done, Tony feels that we will definitely have to go with a 4-inch pipe, which will cost more; he make us aware of the price.

4. **Welcoming** - Dick Miller reported that four new residents have moved into the neighborhood. Tony noted that one called to thank him for the basket, and Dick Miller told us that Dina Rogers handles all the welcome baskets. Thank you, Dina.

5. **Covenants** -

a. Tony said he has not seen the fence on the property at 1343 CSD, which is part wood, and part chain link, but he will check it out.

b. Tony had included in his recent letter some of the things which should or should not be done in the community. A number of the responses, which came back, talked about very young children driving golf carts. Tony noted that he had encountered a young child of about 7 years old driving a golf cart all by himself.

There are also reports of young teenagers on skateboards who are getting rather aggressive. Tony said he had a discussion with them the other day, which he hopes was productive.

6. Amenities -

- a. Ballot:** The results of the voting on the ballots showed the **top five amenities** requested are:
1. Boat ramp
 2. None
 3. Swimming pool
 4. Walking /Bike path
 5. Closed front entrance and more street lights were tied.

Tony said that we may want to consider adding more street lights where needed. That could easily be tied to the road or association budget.

Tony was very pleased with the number of people who took the time to vote.

b. Boat ramp: Patty Whaley asked if we were going to move ahead on the boat ramp, and Tony said he would contact Dennis Mieth to see if he will head up this project. Tony said we will do the necessary research, and get the information out to the community of exactly what this will entail. The community will have to vote on this item, because even though the funds for the boat ramp are available, it is a capital expense and will be included in next year's budget as an amenity.

7. Security -

a. Theft: A paddle boat belonging to Jerry Hinnant was stolen from his dock. The Sheriff's department was called out, and the youngsters who were, allegedly, thought to have taken it were caught and handed over to their parents.

Mrs. Hinnant, who was at the meeting, commented that there is a certain group of children who are always where they shouldn't be. Patty Whaley said she had previously spoken with the parents about their children's behavior.

Tony said when anyone sees someone where they should not be, by all means, call the Sheriff's department, or if you so choose, you can call him.

b. Vandalism: A backhoe at 123 Shellbank Dr. had been spray-painted with obscenities. Tony said that we all just have to keep our eyes open; Patty asked that the community help in this taking an occasional ride through the neighborhood at various times of the day or night.

8. Legal - Tony made mention of a letter that was sent from Mr. Tisdale, who is the attorney for Jerry Hinnant, to Bill Keller, as president of CSPOA. Tony called Attorney Tisdale to make him aware that he is now the president of the association. Tony reported that Attorney Tisdale was very clear and concise as to his decisions. Tony said the Board is, obviously, also very clear and concise in how they will respond.

Jill Hinnant then spoke and asked Tony if the Board would be as clear and concise if they had to spend their own money to take court action. Tony replied, "I am spending my own money, and that's the problem. Because, I am spending my money to pay for the front entrance, the insurance, and to cut the grass, and to keep the lights on, and pay for the water, and pay for the road repairs, and continue to fix things like the sinkhole we just fixed on Everett Drive, while there are people who live in the community who are driving and enjoying all the amenities in the community that I am paying for so, yes, ma'am, I would spend my money, I really would. I feel that if you are going to be part of the community, and you are going to expect us to keep it up to a certain level, then you should pay your fair share, and if \$200.00 is more than you are willing to pay, than I really don't agree".

Mrs. Hinnant said she understood what Tony was saying, but didn't think it was legal to force people to pay the fees. Tony said we will let the courts decide if this is an illegal measure, and if the courts say we cannot charge fees, then it is very simple. The association will be dissolved, and you can do what you will with the money.

Old/Pending Business

- a. additional speed limit signs** - we have to add additional speed limit signs to go along road, and that money will be pulled from the road and association monies. Patty is working on this project. Ellen Gearon as if there was a possibility of obtaining 'double-sided' signs so they can be seen from both directions. Both Patty and Tony said no; they would then be on the wrong side of the road. Patty said some of the additional signs will be going on the opposite side of the road for this reason.
- b. warning signs** - Ellie purchased the three new signs, which had been approved by the Board, and brought them to the meeting to show the Board the final product. The signs will be put at the Tot Lot and Community dock.

New Business

1. **Nomination committee:**

We are still in need of people to assist in finding members for next year's Board of Directors. Tony offered to remain on the board for another year. (This received a big round of applause). Tony stressed that those people who really, honestly feel that the Board is not doing things right, we would love to have you sit on the board help us to get it right.

Janet Gargano had a sign up sheet available for anyone interested, but no one present at the meeting responded.

Tony noted that the Board really needs people to serve on committees. We could use the assistance in managing the community and fixing the things that need doing. As an example, Tony said a few weekends ago, he went down to the front entrance and stained the box in the shrubbery area. Anyone willing to help can just go to our website suggestions box and sign up.

Elections committee: we also need volunteers to do the mailings and count ballots for the second annual November meeting.

Covenants – Tony said he really needs someone to help with the Covenants, and would appreciate a few volunteers to take this on.

Tony opened the meeting for any comments or questions from the audience –

Patty Sturm asked Tony about the paragraph in his letter which mentioned combining the road fees and association dues; she wanted to know if that was going to happen.

Tony said no, that it was only a suggestion from a member of the community.

Eric Sandberg asked if the Board is aware that there are certain people in the neighborhood who think they own the road when they walk with their strollers. He said it is getting very dangerous, and they won't get out of the way of vehicles. Tony absolutely agreed, and said he has personally talked with some of these people about what they are doing. Tony said the Board understands that the roads are for automobiles – which was addressed in his letter - and that is the purpose of the road fee. He advised anyone who sees someone blocking the road, to call the Sheriff and just report that someone will not stop obstructing traffic. Patty Whaley said the community owns 30 feet on each side of the road, and we keep the grass mowed for just this reason. She asked if anyone else had any ideas on how to solve this problem.

Chris Detrich, who lives at 504 Chadwick Shores Drive with his wife, Tina told the Board that “this is the best kept secret in Onslow County”. He said that once he and Tina found Sneads Ferry and Chadwick Shores, they knew they were home. After that nice compliment, Tony asked for a motion to close the meeting.

ADJOURMENT

Motion to adjourn the meeting made by Ryan Brummond; 2nd by Dick Miller.

Meeting adjourned at 7:45 pm

Submitted by,

Janet Gargano, Secretary