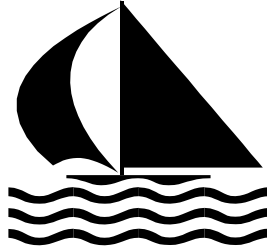


# PORTSIDE BOARD OF DIRECTORS MEETING MINUTES



October 10, 2009

**Call to Order:** The Quarterly Portside Homeowners Association Board of Directors meeting was called to order at 09:02 A.M.

**Introduction of Guests and Administrative Announcements:** President Meeks welcomed everyone and told them that refreshments were in the kitchen if anyone would like something to eat or drink.

**Secretary's Business: Mitch Manning**

**Record of voting members present:** President Frank Meeks – Present; Vice President Andy Barnette – Present; Secretary Mitch Manning – Present; Board Members Present: Alton Baldree, Scott Lang, Tim McCarter, Frank Moyer, and Stanley Wainwright. Approved absent: Bill Brown, Tommy Poe and Charlie Speight.

**Assignment of proxies:** Tommy Poe's proxy was assigned to Frank Meeks and Charlie Speight's proxy assigned to Tim McCarter.

**Confirmation of a quorum.** There was a quorum present, 8 Present, 2 Proxies.

**Others Present:** Mark Cutler - Volunteer Treasurer

**Other Business of the Secretary:**

**Approval of July Homeowners Association Minutes:** Motion to approve by Alton Baldree. Seconded by Frank Moyer. Members for 8, against 0, abstained 0. Proxy for 2, against 0, abstained 0. Motion passed unanimously.

**Portside Board of Directors Proxies:** During the Portside Annual Homeowners Association meeting on July 4, 2009, an amendment to the Bylaws was approved to reflect the proxies for the Board of Directors to be in effect for 24 months instead of 11 months. We currently have 10 proxies for Board of Directors members. **Action Item 1 - ongoing.**

**Portside Homeowners Proxies:** Only two Portside Homeowners (Frank Meeks and Christine Waters) have signed and submitted their proxy in case they cannot attend the 2010 Portside Annual Homeowners Association meeting. You can go to the Portside web site and download the Portside Homeowners proxy at:  
[http://www.portsideonthepamlico.com/PHA\\_Proxy.pdf](http://www.portsideonthepamlico.com/PHA_Proxy.pdf). **Action Item 2 - ongoing.**

**Any other unfinished business of the Secretary: None**

**Treasurer's Business: Mark Cutler**

**Review of Quarterly Treasurer's Report for the Period July 1, 2009 - September 30, 2009:** Mark Cutler submitted the attached Treasurer's report as of September 30, 2009. Mitch Manning Sr. moved to accept the Treasurer's Report subject to audit; seconded by Andy Barnette. Members for 8, against 0, abstained 0. Proxy for 2, against 0, abstained 0. Motion passed unanimously.

***“Take Pride In Portside”***

**Review final recap of the Portside income and expenditures for July 1, 2008 - June 30 2009.** Mark Cutler reviewed the total income and expenditures for the budget year ending June 30, 2009. **The Treasurer pointed out that the Expenses exceeded Income for the budget year July 1, 2008 - June 30, 2009.**

**Portside Approved Budget:** Mark Cutler reviewed the approved Portside budget for July 1, 2009 – June 30, 2010. After some discussion by the Board members on the projected budget expenditures, Frank Moyer moved to look at a dues increase effective July 1, 2010. The projected dues increase from \$150 to \$200 would be voted on at the Portside Annual Homeowners Meeting on July 3, 2010. Andy Barnette seconded the motion. Members for 8, against 0, abstained 0. Proxy for 2, against 0, abstained 0. Motion passed unanimously. Scott Lang made a motion to table the final decision on the effective date of the dues increase until the January 10, 2010 Board of Directors meeting. Seconded by Frank Moyer. After some discussion it was noted that the Board President will research the two Portside Covenants and Bylaws and let the Board know the correct procedure to implement a dues increase. Members for 8, against 0, abstained 0. Proxy for 2, against 0, abstained 0. Motion passed unanimously. **Action Item 25 - ongoing**

**2009-2010 Homeowners Dues (July 1, 2009 – June 30, 2010):** As of September 30, 2009, we have 4 homeowners who have delinquent dues for this budget year. **Action Item 26 - ongoing.**

**Any other unfinished business of the Treasurer: None**

#### **Unfinished Business:**

**Capturing email addresses of all Portside Homeowners:** President Meeks reported that by using the email addresses of homeowners to email the Board of Directors minutes, social announcements, deaths, etc., it has continued to reduce expenditures in the budget. As of September 30, 2009, we have email addresses for 35 of the 53 Portside property owners. **Action Item 7 - ongoing.**

**Sewer Petition:** As of October 10, 2009, 31 of the 53 Portside property owners have signed the sewer petition. This gives us 58.3% of the homeowners signing the sewer petition so far. **Action Item 8 - ongoing.**

If you would like to sign the sewer petition, Frank Meeks has the petition. Call him at 252-258-5330 or stop by his home and sign it. We would like to get the sewer petition submitted to the Beaufort County Board of Commissioners as soon as possible.

**Amendment to the two Portside Covenants:** As of September 30, 2009, 9 property owners (covering 11 lots) still have not signed and returned the Amendment to the two original Portside Covenants. **Action Item 15 - ongoing.**

**Metal Roofs:** During the Portside Annual Homeowners Association meeting, Mr. Jack Cutler asked for clarification on the first Portside Covenants on page 3 where it states the following in 1. F: "All boat house roofs must be covered with shingles." Mr. Cutler stated that he had a quote to install a metal roof on his home, but he wants to be in compliance with the Portside Bylaws and Covenants.

Below is a recap of the motions made at the July Homeowners Association meeting:

1) The first motion was for the Board of Directors to see what process is required to modify the Portside Bylaws and Covenants that were approved in 1992 and to develop the appropriate wording to allow metal roofs subject to certain specifications. The motion was made by Ashley Leggett and seconded by Tommy Poe. Tommy Poe asked for input so the Board would have some background on the specifications for the metal roofs. It was recommended by Floyd Wiggins that the metal roofs be of a galvalume coated steel material, of at least 26 gauge, painted with a lifetime guarantee not to chip and with at least 20 years warranty not to fade. With no other discussion, the motion passed unanimously. **Action Item 23 - Closed.**

2) Ida Wiggins made a motion for the Board of Directors to have the amendment to the Covenants to allow metal roofs completed by July 29, 2009. Bill Brown seconded the motion. With no further discussion, the motion passed unanimously. **Action Item 24 - Closed.**

On July 14, 2009, the Portside Homeowners Association President wrote a letter to Mr. William Mayo, Jr., Attorney at Law. In the letter, the President requested his assistance in reviewing the two Portside Declaration of Covenants, Conditions and Restrictions. The President explained to Mr. Mayo in the letter that since the original two covenants were signed, Mr. Warren Whichard has sold the Community Lot (Lot 10) and divided the Water Pump Lot into three lots of which two lots were sold (Lot 35A and 35C). Lot 35B was deeded to the Portside Homeowners Association. He also explained that the verbiage on page 1 of both Covenants needs to be changed to reflect where Mr. Whichard sold Lot 10 and split Lot 35 and sold parts of Lot 35. He also explained that on page 3 of the first Covenants filed in Book 976, Page 26, the Homeowners would like to change the wording on the following two statements: B. No junk cars, boats, trailers etc. shall be allowed on any lot. F. All boat house roofs must be covered with shingles.

On October 8, 2009, Mr. Mayo returned his recommendations to the Portside Board of Directors. After some discussion by the Board members, they agreed with Mr. Mayo's recommendations with one exception. It was recommended that the following "and metal roofs of a galvalume coated steel material, of at least 26 gauge" be added the sentence dealing with roofing materials. Andy Barnette moved to accept Mr. Mayo's recommendations with recommended changes and to start the process of attaining signatures from all of the Portside property owners. Alton Baldree seconded the motion. Members for 8, against 0, abstained 0. Proxy for 2, against 0, abstained 0. Motion passed unanimously. **Action items 23 and 24 recommended to be closed.** New Action Item 29 opened for getting Portside property owners' signatures for the recommended changes to the two Portside Covenants. **Action Item 29 – ongoing.**

**Any other unfinished business:** There were no additional items of unfinished business.

#### **New Business:**

**Portside Web Site:** On August 5, 2009, the Board of Directors approved funds for the Portside web address (portsideonthepamlico.com) for the next 3 years at a cost of \$32.61 and the hosting of the web site was moved to Go Daddy. The web site address is: <http://www.portsideonthepamlico.com/>.

The Board of Directors approved \$1,000.00 for the following three projects listed. The total cost for all three projects was \$983.24.

**Light at Picnic Shelter and Boat Ramp:** On August 5, 2009, the light pole, area light and wiring installation was completed at the boat ramp. Randy Howard provided the area light, conduit, wiring and buried the wiring. Two of his personnel helped with the installation at no cost to the Portside Homeowners. Larry Lewis donated the light pole. The cost for the concrete was \$104.62 and a timer for the light was \$46.12.

**Water Faucet at Boat Ramp:** The water line and the frost free faucet have been installed at no cost to the Portside Homeowners. Frank Meeks donated the PVC pipe and Larry Lewis donated the frost free facet. Stuart Elks dug the trench for the water line with his trencher. There was a cost of \$22.50 for 15 square yards of centipede sod to go along the edge of the Picnic Shelter where the water line was installed.

**Bulkhead Problems:** On August 1, 2009, Alton Baldree completed the repairs to the Portside Tract Two bulkhead along Portside Drive at a cost of \$800.00.

**Vinyl Siding for Picnic Shelter:** The Portside Board of Directors members authorized the expenditure of \$1,390.51 for the installation of the vinyl siding donated by Andy and Judy Barnette. This amount also included purchasing soffit for the overhang and ceiling, lights for the ceiling, building wrapping materials, roll of aluminum, 2" x 4", 1" x 4" and other materials needed to complete the installation. The funding for this project was approved in the Portside 2009-2010 projected budget. President Meeks expressed his thanks to Gene Register, Larry Lewis, Gene Powell, Frank Moye, Gary Best and Jack Dixon for their assistance in completing the work on the Portside Picnic Shelter.

**Portside Homeowners Association mailing address has changed:** On July 14, 2009, President Meeks stopped by the Beaufort County Planning and Zoning Office and requested a 911 and postal address for the Portside Picnic Shelter and Boat Ramp lot. The 911 and postal mailing address for Portside Picnic Shelter and Boat Ramp is **60 Riverview Drive, Chocowinity, NC.**

Since we now have a postal mailing address, we can use this address to receive mail for the Portside Homeowners Association and save the cost of \$40.00 per year to rent a mailbox at the Chocowinity Post Office. The postal address number 60 has been installed on the end of the Picnic Shelter. On July 15, 2009, the Chocowinity Post Office changed the lock on one of our empty cluster mailboxes, and President Meeks received the keys to the mail box for the Portside Homeowners Association. The rent for the Portside Post Office Box ran out on August 31, 2009. The three keys to the Post Office Box were turned-in on August 25, 2009 and Portside received \$3.00 in cash (\$1.00 per key) that was deposited in the Portside checking account.

According to the Beaufort County Planning and Zoning Office with us now having a postal address for the Picnic Shelter and Boat Ramp lot, if someone was injured, had a heart attack or stroke while at the Picnic Shelter or using the Boat Ramp, we now have an exact street address for emergency vehicles to respond.

**Annoyance problem:** In accordance with the Declaration of Covenants, Conditions and Restrictions: Portside Subdivision, Section 1 - Restrictions on Use and Occupancy in paragraph N on page 4, it states the following:

“No continuous noxious or offensive trade or activity or anything that may be or become an annoyance or nuisance to the neighborhood may be carried on upon any Lot”.

During the last couple of months, residents within the Portside Subdivision have told members of the Portside Board of Directors that they had talked to one of the Portside Homeowners about the situation with the annoyance problem with one of their guests without any improvement to the situation.

On August 25, 2009, the Board President mailed a letter to the property owner involved and requested assistance in abating the annoyance problem. In the letter, the President stated that in the Bylaws, they have 10 days from the receipt of the letter during which the annoyance violation may be abated without further sanction. Action Item Closed on August 25, 2009. **Action Item 27 - closed.**

**Swimming Pool:** It was brought to the attention of several members of the Portside Board of Directors about the possibility of having a swimming pool on the Picnic Shelter and Boat Ramp lot.

Listed below are some of the state requirements for swimming pools:

(a) For public swimming pools which are constructed or remodeled on or after May 1, 1991, plans and specifications shall be prepared by a registered professional engineer or registered architect, and shall be approved by the Department prior to construction. Public swimming pools constructed after May 1, 1992, shall be constructed by swimming pool contractors licensed by the North Carolina Licensing Board for General Contractors, Post Office Box 17187, Raleigh, North Carolina 27619. The General Contractor's license shall include the Swimming Pool Classification.

(b) A minimum of two complete sets of plans shall be submitted to the Health Department for review. Plans shall be drawn to scale and accompanied by specifications so as to permit a clear, comprehensive review by the local health department. All prints of drawings shall be a minimum of 18 x 24 inches and a maximum size of 36 x 42 inches. These plans shall include:

- (1) Plan and sectional view dimensions of both the pool and the area enclosed by the barrier fences to include the bathhouse and the equipment room and pool accessories;
- (2) Specifications of all treatment equipment used and their layout in the equipment room;
- (3) A piping schematic showing piping, pipe size, inlets, main drains, skimmers, gutter outlets, vacuum fittings and all other appurtenances connected to the pool-piping system;
- (4) Layout of the chemical storage room;
- (5) Specifications for the water supply and wastewater disposal systems would include aspects such as well location and backwash water disposal where applicable.

After some discussion by the Board members on installing a swimming pool at the Portside Picnic Shelter and Boat Ramp, Alton Baldree moved to reject any ideas to install a swimming pool at the Portside Picnic Shelter and Boat Ramp; seconded by Scott Lang. Members for (rejecting) 8, against 0, abstained 0. Proxies for (rejecting) 2, against 0, abstained 0. Motion passed unanimously. **Action Item 28 - closed.**

**Street Light on Portside Drive:** On October 3, 2009, President Meeks was asked by Mr. Scott Lang about the procedure to have a street light removed that is located on Portside Drive between Mr. Pete Johnson's residence and his residence. After some discussion by the Board members, Scott Lang made a motion to have the street light removed and for the Board President to call Progress Energy and initiate the work order to have the light removed. Frank Moyer seconded the motion. Members for 8, against 0, abstained 0. Proxy for 2, against 0, abstained 0. Motion passed unanimously.

**Action Item 30 - ongoing.**

**Any Other New Business: None**

**Action Item Updates:** Please refer to the list of action items on the last page of the minutes.

**Information Items:**

**Schedule Use of the Picnic Shelter:** If any Portside property owner would like to reserve using the Picnic Shelter during the upcoming months, please let the President know. Currently the rules for using the Picnic Shelter only allow reserving the Picnic Shelter 60 days in advance.

**Special thanks to the following:**

President Meeks stated he wanted to take the opportunity to thank all of the Portside residents for their continued support in maintaining their Portside property.

**Reminders:**

Please observe the posted 15 MPH speed limit within Portside subdivision. With the summer months over and the winter months coming on, please remind everyone not to allow children under 16 years old to drive golf carts within Portside without a parent or guardian and to observe the "No Wake" within the water ways inside Portside. If you have pets, please be courteous of others and clean up behind them. Please keep your pets on a leash when you are out walking them. In order to keep Portside looking good for family, friends and visitors, everyone is asked to keep their grass mowed year around as needed. If any homeowner has a death in your immediate family, please contact the President or one of the members of the Portside Board of Directors.

**Call for Any Other Business, Announcements or Items for the "Good of Portside":** None.

**Call for a motion to adjourn:** Mitch Manning made a motion to adjourn, and it was seconded by Andy Barnette. Members for 8, against 0, abstained 0. Proxy for 2, against 0, abstained 0. Motion passed unanimously. With no other business to discuss, the meeting adjourned at 10:00 A.M.

**Respectfully submitted on October 13, 2009,**

*Mitchell W. Manning Sr.*

*Franklin D. Meeks*

**Mitchell W. Manning Sr.  
Secretary**

**Franklin D. Meeks  
President**