**Board Meeting Minutes May 19, 2025**

* All Board members are in attendance.

**Quick recap**

The board meeting covered a range of topics including delinquent accounts, payment methods, and potential HOA fee increases. Discussions were held regarding environmental control, wetland delineation, and the use of green belt areas, as well as potential changes to covenants and the approval process for property work. The board also addressed ongoing legal issues, conflicts with South Gulf Cove, and the handling of property violations, emphasizing the need for consistent enforcement and improved procedures.

**Next steps**

* [Board: Vote on special assessment for wetland delineation of the green belt and Track 1 property](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eab426-3519-11f0-beb6-a28d91446fb8)
* [Kirk: Consult with Ben to establish a clear path forward for homeowners to remedy DEP violations within HOA guidelines](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eab980-3519-11f0-beb6-a28d91446fb8)
* [Kurt: Update the board on the status of the 9 outstanding DEP violations](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eabc5a-3519-11f0-beb6-a28d91446fb8)
* [Maria: Request an updated spreadsheet from ALS showing current delinquent properties and share with the board](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eabed0-3519-11f0-beb6-a28d91446fb8)
* [Board: Review and vote on raising HOA rates beyond 10% annually](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eac128-3519-11f0-beb6-a28d91446fb8)
* [Kirk: Present the Riprap approval documentation from ECC to the full board for a formal vote](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eac376-3519-11f0-beb6-a28d91446fb8)
* [Bud: Complete the restoration plan for fill and wetland plants as per DEP requirements](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eac5c4-3519-11f0-beb6-a28d91446fb8)
* [Maria: Get the exact date when the last foreclosure intent notice was sent out and to whom](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eac7f4-3519-11f0-beb6-a28d91446fb8)
* [Maria: Confirm there is only one house in the delinquent properties list](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eaca24-3519-11f0-beb6-a28d91446fb8)
* [Kirk: Email the updated non-exclusive license agreement request form to board members for review](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eacc4a-3519-11f0-beb6-a28d91446fb8)
* [Dan: Add conditions to architectural approval forms regarding greenbelt usage restrictions](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eace70-3519-11f0-beb6-a28d91446fb8)
* [Maria: Contact ALS to request negotiation with the homeowner who paid association fees but refuses to pay collection fees](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09ead08c-3519-11f0-beb6-a28d91446fb8)
* [Kirk: Send out the updated website email addresses and implement changes on the website](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09ead2bc-3519-11f0-beb6-a28d91446fb8)
* [Mark: Continue forwarding emails from the ECC Gmail account to Kirk](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09ead4ec-3519-11f0-beb6-a28d91446fb8)
* [Maria: Clarify the status of declaration and its recording status for future voting on riprap regulations](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09ead708-3519-11f0-beb6-a28d91446fb8)
* [Kurt: Schedule a board vote on allowing riprap installation in wetlands and uplands for erosion control](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09ead92e-3519-11f0-beb6-a28d91446fb8)
* [Kurt: Follow up with Ben regarding the legal relationship between Section 94 and South Gulf Cove HOA](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eadb4a-3519-11f0-beb6-a28d91446fb8)
* [ECC: Issue violation letters for non-compliant properties currently for sale](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eadd7a-3519-11f0-beb6-a28d91446fb8)
* [Kirk: Get the ECC approval process properly documented and shared with the board for future cases](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eadf96-3519-11f0-beb6-a28d91446fb8)
* [Kirk: Follow up with McDowell regarding his wetland remediation plan and drawings from David Mason](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eae1a8-3519-11f0-beb6-a28d91446fb8)
* [David Mason: Complete and submit the site drawings for property violations](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eae3c4-3519-11f0-beb6-a28d91446fb8)
* [Maria: Share with Kirk the letter Steve sent to DEP and Ben's document for violators to sign](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eae5e0-3519-11f0-beb6-a28d91446fb8)
* [Kirk: Work with Ben to update and present the NILA](https://tasks.zoom.us?meetingId=C8JOjK%2FdR76zBB3Y8r8Tyw%3D%3D&stepId=09eae7e8-3519-11f0-beb6-a28d91446fb8)

**Summary**

**Delinquent Account Collections Update**

Maria reports that the number of delinquent accounts has decreased from 63-65 to 53 due to recent collection activities, including lien paperwork. The board votes to proceed with collections notifications for those who have not paid their 2025 dues. Maria will confirm the exact date of the last intent to foreclose notice, verify if there is only one house on the delinquent list, and clarify which property owners need to be added to the collections process. Additionally, there is a homeowner who wants to pay but can only do so via PayPal, which is currently not an accepted payment method.

**HOA Payment Solutions and Fees**

Maria plans to contact GoDaddy about accepting PayPal payments for a property owner who has been trying to pay their dues. The board discusses potential solutions, including having Maria or another board member accept the PayPal payment directly as a one-time accommodation. For another property owner who has paid association fees but refuses to pay collection fees, Maria proposes reaching out to ALS to negotiate on the owner's behalf. The board agrees to these approaches as good faith efforts to resolve outstanding payments. They also discuss HOA fee increases, with Maria noting that the current fee is $66 and that she previously voted to increase it. The board considers future fee increases and potential development projects to improve the neighborhood's amenities.

**Streamlining Green Belt Approval Process**

The Environmental Control Committee (ECC) discusses the process for approving green belt use and house plans. They aim to create a streamlined process that educates homeowners about green belt restrictions upfront, requiring a detailed site plan for any intended green belt use. The committee is exploring options for environmental surveys and wetland delineation, with cost estimates ranging from $20,000 to six figures. They are working to improve their relationship with the Department of Environmental Protection (DEP) and establish themselves as reliable partners in the process.

**Wetland Delineation Funding Debate**

The board discusses the pros and cons of conducting a comprehensive wetland delineation for the community's green belt area. They consider the cost, estimated between $35,000 to $50,000, and debate whether to fund it through a special assessment on all property owners or have individual homeowners pay for delineations as needed. The board weighs the benefits of having a stable negotiating platform with the Department of Environmental Protection (DEP) for five years against the potential need to repeat the process. They also discuss how this delineation could support future plans to potentially sell portions of the green belt to adjacent property owners. No final decision is made, but the board agrees to continue exploring options.

**POA Land Delineation and Boat Ramp**

The group discusses the delineation of land owned by the POA, including a 27-acre parcel (Track One) that could potentially be used for a boat ramp and parking lot in the future. They debate whether to include this parcel in the current delineation, considering the added cost and potential benefits. The conversation then shifts to the "Redneck boat ramp," which is on POA property but accessed through Denny's land. Concerns are raised about liability issues and increased usage of this informal ramp, especially since a nearby official ramp is closed for repairs. The group considers potential solutions, including directing people to use an alternative ramp near the fire station.

**Riprap and Wetlands Covenant Debate**

The board discusses potential changes to covenants regarding riprap and wetlands. They debate whether to allow riprap installation in wetlands and uplands, with Mark expressing concerns about the existing declaration prohibiting additions that may impede water flow. The board agrees to table the discussion for now and revisit it after clarifying which version of the declaration is currently in effect. Separately, there is discussion about a homeowner working directly with regulatory agencies to remedy violations on their property, though some board members express concerns about proper approval processes being followed.

**DEP Violation Approval Process Dispute**

The board discusses the process for approving work on properties with DEP violations. There is disagreement about whether ECC approval is sufficient or if a full board vote is required. Some members express frustration with perceived antagonism and technicalities, while others emphasize the importance of following proper procedures. The discussion becomes heated at times. The board agrees to hold a vote on approving riprap work at the next meeting. Concerns are raised about issuing violation letters for lots for sale. The ECC chair apologizes for not having many updates due to personal commitments.

**HOA-South Gulf Cove Legal Dispute**

The board discusses the complex relationship between their HOA and South Gulf Cove, focusing on architectural review fees and approval processes. Mark explains that South Gulf Cove illegally recorded documents claiming developer rights over their section in 2011, which he disputes based on his research. The board considers seeking legal advice to clarify their status and potentially challenge South Gulf Cove's authority. They decide to continue collecting fees but not remitting them to South Gulf Cove, and to ensure that architectural plans are submitted directly to their HOA. The discussion highlights the need for a definitive legal ruling on their relationship with South Gulf Cove.

**Board Debates Compliance and Precedents**

The board discusses ongoing legal issues and internal conflicts. George acknowledges making a mistake by approving work without full board knowledge. Mark and Maria express concerns about setting precedents and following proper procedures. The board debates how to handle violations and create pathways for homeowners to remedy issues while adhering to governing documents. They agree to seek legal counsel on finding a compliant solution. The meeting ends with unresolved tension over George's fence violation.

**Property Violation Enforcement Strategies**

The board discusses ongoing issues with property violations, particularly focusing on George's case. Maria emphasizes the need for consistent enforcement and a clear process for all violations. Kirk acknowledges past mistakes and expresses a desire to move forward, improve procedures, and work together. The board agrees on the importance of having homeowners cooperate and set a good example. They also touch on other violation cases, including Mcdowell's dispute over wetland size. The meeting concludes with plans to gather more information and continue addressing these issues.