

Board Meeting

Time and Date: March 18, 2023, 10am – 12pm

Location: John Duncan's house or via phone

Agenda Items:

- Daneker/Brady Easement
- Trash Can Violations
- Schedule Road Crack Fill
- Schedule common area maintenance
- Henry's Fence
- Mailboxes
- Discuss method of improving community participation
- Brendan Walsh – document he sent from the 2021 annual meeting that never took place
- Trail cameras to watch roads

Board Meeting Called to Order at 10am, March 18, 2023 – For Community Discussion

Attendees – Property Owners:

Randy Baxter

Chaz Mott

Mark Leuzinger

Attendees -Board Members:

John Duncan

Bob Krainiak

Robin Leuzinger

Jeff Matejka on phone conference

Randy had 2 items:

1. Randy pointed out that the easement says private. He is concerned about not using a lawyer and wants to know what the attorney said about the easement saying 'private'. John says there are 2 easements and description are the same. The second one just adds Daneker.
Per Chaz it is against the law to use the easement for commercial access. Daneker should not be using Happy Landing for their commercial use. Miriam Webster first definition.
John says the first question is what do we want?

What Chaz, Randy, and Mark want is to ask the attorney if private easement can stop Daneker/Brady from using our roads/taxiways for commercial use. And get the attorney to litigate. Mark said he feels it is important to have the attorney do this so we do not end up in a legal battle.

Per Randy why would we not use an attorney? We should be running the HOA as a business. Businesses use attorney's.

Chaz said we got into trouble not using an attorney before. If Brady and Daneker sue us we are insured. They do have access to Maple Road since their addresses are Maple and they have a driveway leading out to Maple.

Chaz read : 1. 1310-607 A. Property in the Airpark shall be used for residential, non-commercial purposes only and 8. Termination. failure to comply with any condition...

2. Excerpt from the Williamson ORDER GRANTING PRELIMINARY INJUNCTION AND PERMANENT INJUNCTION.

3. Book 1432-677 3rd paragraph showing 45' Private Access Easement.

He did not read from the 2014 easement but it does also state 45' Private Access Easement.

Mark wants us to use the attorney. Randy talked to an attorney and he said there are 2 points of contention. One is easements are invalid because neither one were voted on by the community and approved. Second one is we have the right to reasonable use of our roads/taxiways and they were never designed for heavy trucks to go on them.

Mark said he wants: 1st is attorney is single point of contact. 2nd we shut off access to Happy Landing to commercial traffic.

Chaz said that at his airpark he gives a list of commercial trucks coming in for building to the ARC, when someone is building or having a large vehicle come in.

2. Fence – get braces out and put intermediate posts there. Roger said he would help, but, per Randy there are 7 bags of cement around those posts. So it would be better to add then replace.

Corey for fence per Randy or Sunshine out of Camden are the ones he has talked to before

Mark, Randy and Chaz left the meeting at 10:30am

Board Meeting Called to Order 10:30am

Easement Discussion:

John said Kerry wants to do what it takes to shut down the Daneker operation

Motion to talk to Hood Ellis, Hornthall Group to see what we can do and get a definition of the 'private easement'. Motion approved by Bob Krainiak and seconded by Robin Leuzinger. See if we can use the same ruling that was used for the Williamson case. Hornthall handled this. Can we shut down the commercial traffic and keep the easement?

Jeff recommends putting a sign up. Have it say 'NO Commercial Traffic over 30' without prior approval of the Brady Landing Airpark POA Board.

They must Email: bradylandingairparkpoa@gmail.com. The HOA president can approve. If the president is no available the secretary, then the treasurer should the secretary not be available. Bob can order one for each entrance. This way we have a record of the request and approval.

Per Jeff the attorney said due to maneuvering around tight turns and John said, he can give them info on airplane safety.

John will call Hood Ellis to verify private and put up sign.

Trash cans:

Remain a dilemma at some level. John will talk with 2 properties that are not following the covenants and then send a letter, if necessary.

The board is trying to find a solution for those that are still having occasional issues with the trash company putting the trash cans in the wrong spot.

1. Solution is to have the property owners paint a line on their driveway to show where the trash cans need to be.

2. Plus put vinyl on the 2 sides of the trash cans that says **“Caution place trash cans on house side of ditch”**.

Robin will do create a mock up and can print these out, if the property owners agree to use them.

Per John how do we enforce them? There is a way to fine property owners who are not following the covenants.

Taxiway/road crack fill

Schedule the crack fill for all taxiways in the community

Robin and Randy Baxter will schedule

Common Area maintenance

Common area ditches maintained

Robin and Randy Baxter will schedule

Henry’s Fence

Get quotes to have the fence repaired. Then schedule for the repair.

John will get the quotes. Once approved by the board, John will schedule

Mailboxes

On hold until January 2024. At that time new quotes for bank mailboxes will be needed, concrete and pull off area needs to be determined. Postmaster needs to approve.

Gate security

All property owners who access the gate or have guests who use the gate are responsible for the security. You must stay at the gate until it is completely closed before taxing away. If you do not then the HOA will fine those property owners who are in violation.

Trail cameras

The board will research purchasing trail cameras. There has been an ongoing issue of damage to private properties due to vehicles going onto the sides of the taxiways/roads. Plus someone has done burnouts on the taxiway. Possibly with trail cameras in a couple of locations we may be able to get control of this.

Gate

A suggestion of a gate at both entrances was brought up. The board will look into this. No gate can put up without the approval of the community.

Pig Pik'n

Schedule for May 6th. Same location as last years. The board will meet on April 22 at 10am to go over details of the event

Brendan Walsh had sent a document to the board. The board will review documents from one of the previous boards. The process of amending the covenants is in the HOA covenants and By-Laws. However, the board is looking at putting this information into an easy to read document.

It must be communicated that no amendment can change the character of the airpark.

Citizens Academy, Currituck County - John and Rose have been going to the classes, offered by the county. At these classes they learn about our local government, departments and county management.

John suggested we have a commissioner's day, where the commissioners talk to our airpark. Possibly meet at the COA in the room where we have our Annual meeting.

No decision was made at this time.

Ellis Hood invoice. The board approved payment