

LAKE HONDAH PROPERTY OWNERS ASSOCIATION
200 Hondah Blvd, BREVARD, NC 28712

Special Board Meeting
May 21st, 2026 – 6:00PM
401 Spring Water Dr, Brevard NC 28712

Attendance:

Desmond Duncker (President)

Ashley DeCoux (VP)

Jason Karol

Frank Kralik

Raymond Jacques (present long enough to state his position that no penalty should be enforced).

Leticia Allen (Secretary)

Meeting Minutes:

- Treasurer Resignation and Board Action
 - Don resigned; Desmond has contacted the bank to remove Don from the Association account. Susan (Don's wife) provided all Treasurer documents & outstanding checks yesterday.
 - For the Bank records Board must formally remove Don as treasurer in meeting records; Ashley moved to remove him with no objections noted.
 - Desmond stated he will cover the Treasurer functions until a replacement Treasurer is found.
 - Motion to remove Don as treasurer advanced without objection; minutes to be updated accordingly.
- HOA Garage Encroachment and Compliance Issues (253 Springwater Drive)
 - A large garage/shed was built without submitting plans to the HOA; recognized as a violation.
 - Construction advanced before board understood scope; encroachment into right-of-way cited (approx. 15 feet).
 - Structure classification/use: town referred to it as a shed; owners describe garage/storage, no bathroom or septic, power planned; tall height likely for loft storage; not a dwelling.
 - Site constraints and permit compliance: health inspector verified setbacks (26 ft from pump, 15 ft from septic repair field, 50 ft from main septic field); placement influenced by Transylvania County rules; drain field location near house remains unclear.

- Roadway impact and width: estimates included ~25 ft passable width absent shrubbery; [Raymond Jacques] noted roadway is widest there and emergency vehicle passage remains feasible; owner plans a 10-ft gravel access path along the front, perpendicular from Springwater, avoiding a peach tree.
- Foundation height and aesthetics: built higher due to slope for stability and drainage; plan to backfill, stucco, and paint foundation neutral dark gray, with evergreen shrubs along road-facing base while preserving sight lines.
- Debris cleanup: construction debris accumulated in pond, bridge, and roads; board preference to manage cleanup and bill homeowner, allowing homeowner an opportunity to clean first.
- Enforcement preferences and fines:
 - Diverging views: [Raymond Jacques] preferred no fines, cleanup only, and no foundation relocation; others advocated deterrent fines due to precedent concerns.
 - Consensus in subsequent sessions: fixed fines over percentage-of-cost; proposed and moved fines totaling 5,000(4,000 for failure to submit plans/notification; \$1,000 for siting too close to the road). Motion was seconded and proceeded; explicit vote count not recorded.
 - Tree removal violation likely dismissed due to permitting context and past leniency.
- Encroachment agreement/easement and liability:
 - Owner proposed an encroachment agreement to limit HOA liability (e.g., collisions); considered reasonable, to be legally reviewed.
 - Board preference to formalize an easement tied to the property deed so obligations and liability protections follow future owners; paying fines does not absolve need for easement.
 - Costs for easement preparation/filing to be borne by the homeowners.
- Governance and confidentiality:
 - Bylaws affirm board—not the general association—makes decisions; broad outreach opposed due to confidentiality.
 - [Raymond Jacques] advocated community consultation without address; rejected to maintain confidentiality and bylaw compliance.
- Conclusion: Board confirms authority to enforce covenants, pursue fixed fines totaling \$5,000, require HOA-managed cleanup billing, and proceed with a deed-attached encroachment

easement to limit HOA liability; owner committed to mitigation (backfill, paint, shrubs). Final vote record and specific timelines to be documented.

- Builder/Lot Development Concerns
 - A buyer from Georgia considered building on a low-lying corner lot; [Desmond] advised against building at the lowest point and suggested adjacent higher lots.
 - [Ashley] mentioned an architectural review was performed; building was possible but risky.
 - [Jason] raised HOA liability concerns if a house were to sink.
 - Conclusion: No action required; shared understanding that low elevation poses risks.
- Small Lake/Pond Maintenance Idea
 - [Raymond Jacques] proposed dredging the small lake/pond now and using material for an earth bridge and edge stabilization while vegetation is present.
 - [Desmond] and [Tisha] acknowledged potential benefits (including for adjacent owners) and deferred discussion.
 - Conclusion: Topic deferred to next meeting; feasibility to be assessed.

Next Steps:

- Update official minutes to reflect removal of Don as treasurer.
- Determine and approve final record of the decision to levy a \$5,000 fine; issue formal violation notice detailing fines and payment deadlines.
- Arrange HOA-managed cleanup of debris in pond, bridge, and roads if needed; document costs for billing.
- Review and approve an encroachment agreement with HOA counsel; draft a customized easement tied to the property deed, clarify liability language, and file with the county.
- Prepare options for aesthetic mitigation (backfill, stucco paint color, evergreen shrubs) with timelines and responsible party; verify final landscaping plan.
- Add small lake/pond dredging proposal to the next meeting agenda with preliminary feasibility notes (permits, environmental impact, costs, responsibilities).