

**Regular Meeting of the Board of Directors
June 16, 2015**

Board Members Present: Spencer Stegall, Jayne Nendorf, Diane Smith, Bob Crawford, Willie Charles, John Cronin, Mark Wilson, Kim Morris Hopkins and John Desautels

Management Present: Jerry Watson

Homeowner Guest/s: Charmaine Gillow, John Parker.

I. Call to Order

The Charleston National Club House, 2nd floor was the location of the **June 16, 2015** CNCA meeting which was officially called to order by President Spencer Stegall at 5:30 p.m.

II. Approval of Meeting Agenda as Presented

The meeting agenda was emailed to board members prior to the meeting and approved.

III. Final approval of Minutes April 8, 2015

The minutes of the previous board meeting had already been approved by email.

Guest Presentation - Legacy Segment:

Mr. John Parker was attending the meeting because he was notified by the board to stop advertising the Legacy as part of Charleston National community, since there was no such agreement by the board.

Mr. Stegall indicated he thought that the Legacy did not touch Charleston National property. Mr. Parker provided background information indicating that the parcel containing the twelve condominium units of the Legacy touches property of the Retreat phase 2 and is part of the original PUD for Charleston National in documents deeded to him in 2003. Mr. Parker indicated that when National Drive was extended it bisected his property. Mr. Parker referenced Charleston County records Book E 460 pg 273 TMS # 599.00.00.131 67. Sixty seven acres was deeded from Charleston National Properties LLC to Winston Carlyle Charleston National Properties LLC. The sixty seven acres has been carved up over time. The last change occurred in approximately 2007. The Legacy will not be part of the Retreat and will have its own association but it is adjacent to property owned by The Retreat which is a part of CNCA.

Mr. Cronin asked Mr. Parker what he wanted from the board. Mr. Parker felt the board should accept this property as part of CNCA rules and regulations but also indicated that he has no problem if CNCA accepts the Legacy parcel or does not. But Mr. Parker believes that the CNCA community has no choice but to accept the Legacy property. He indicated that this property is part of the original PUD for Charleston National and there may be a requirement to amend the original PUD of Charleston National if there is a decision not to accept this parcel.

Mr. Parker said the property has been approved by all necessary state and town agencies, and plans for this project meet all of their requirements. Mr. Parker claims the net body of water in the lake is the same as it was prior to the Legacy project and that only a corner of the buildings' footprint is over the filled lake.

There was a discussion amongst the board and Mr. Parker, questioning CNCA liability if there were issues with flooding or building faults due to the building base. Mr. Stegall identified a community in the West Ashley where no contracts can be approved, units bought or sold because the buildings were built on filled wetlands. That community also had approvals. Mr. Parker indicated that CNCA does not own any

part of the lake adjacent to the Legacy. The Retreat owns half of the lake and Mr. Parker's company owns the other half. Mr. Parker indicated that the lake is capable of withstanding a 500 year flood. He also said that the volume of water in Pavilion Lake has stayed the same.

Mr. Stegall suggested this documentation be reviewed by the CNCA attorneys for comment. A motion was made by Diane Smith and seconded by Jane Nendorf to refer this issue to the CNCA attorneys for review. The motion was unanimously approved.

Mr. Parker was concerned about the time frame of a decision once attorneys are involved. He felt there may have to be letters of intent once agreements were made. On a motion by Ms. Smith and a second by Ms. Nendorf, the board agreed to seek legal advice and to expedite a decision on this issue.

ACTION ITEM: Ms. Watson will contact the board attorney to review the documents regarding The Legacy as part of Charleston National Community Association. Mr. Parker and the Board will be informed of the findings.

IV. Committee Reports

A. ARC – Mr. Crawford emailed his report June 7, 2014.

Applications received and processed since last Board Meeting:

Approved:

3438 Oxfordshire Ln - Trim Trees, New Sod
4025 Harleston Green - Remove Dead Trees
2517 Charter Oaks - redo front Landscaping
1237 Spoon Ct - New Screened Porch
1248 Medinah - Remove Lg Oak Tree rear corner of House
3438 Oxfordshire - Remove Crape Myrtle and add Palm Tree
3215 Heathland - Remove Tree hit by Lightning
3208 Heathland Way - POD in Driveway
3442 Oxfordshire Ln - New Fence
1135 Old Course Ln - New Fence
1284 Royal Troon Ct - Remove Large Pear Trees
1311 Belhaven - Add Deck and New Sun Room
2501 Charter Oaks - New Exterior Paint
1365 National Drive - New Paint Exterior, New Shutters, New Porch Lights
3494 Stockton Drive - New Roof
3474 Stockton Drive - New Trees in Front Yard
3499 Stockton Drive - Trim Trees
3446 Oxfordshire - Remove Pine Trees, replace with Palms
1167 Old Course Ln - Tree Removal
1196 Old Course Ln - New Shed matching House
1287 Hogan's Alley - Repaint Exterior
3460 Mulligan Dr - New Roof
1260 Walton Heath - Add Parking Pad to Driveway
3460 Mulligan Dr - New Roof
3282 Heathland Way - Remove Pine Tree
1332 Royal Links Dr - Repaint Front Shutters
2508 Charter Oaks - New Construction
4088 Egret's Pointe - Pod
1336 Royal Links Dr - New Front Porch Railings

3168 Linksland Rd - Paint Shutters and Trim
1164 Ballyliffen - Paint Front Door
3499 Stockton Dr - New Roof, Cut Fir Tree next to Garage
3591 Somerset Hills - Redo Beds in front of House
1232 Old Course Ln - Cut Pine Trees

Thirty-four ARC change requests have been approved.

Pending: None

Not Approved: None

Bob Crawford stated how eager he was to see the CNCA documents be approved to provide the ARC committee the support they need to complete their work. The biggest problem with the ARC is they have no enforcement teeth with the current documents. Bob discussed the process for violations to the Covenants and Restrictions.

Bob Crawford discussed the process the ARC committee follows for new construction. Detailed documents are reviewed by Doug Rucker. Mr. Rucker receives \$400 for review of architect's plans for new construction.

Mark Wilson suggested a process change that allows other board members access to ARC approval status in case of a committee member's absence. There was agreement to scan the approval form and email to Property Management so others can be aware of ARC change request status. Mr. Crawford said he keeps a file of all requests and approvals.

There was discussion regarding the contents of the ARC form and specifically changing the number of days for approval on the ARC request form. It was agreed to leave the document unchanged.

Mr. Crawford will be researching a dual use driveway in Egret's Pointe for a lot owner that is concerned about this for new construction.

B. Financials

May financials were emailed out by Ms. Watson. Ms. Nendorf reports everything according to plan this month.

C. Maintenance – Lagoons

Mr. Willy Charles reported on the fish kill in pond CN 11. The pond maintenance company indicated that there was low oxygen level in this pond due to the heavy rain at high tide that created an overturn in the pond. They suggested an aerator would help prevent this situation from occurring in the future. Mr. Wayne Sellers indicated power was available at this pond. No decision has been made on this issue. ACTION ITEM: Mr. Stegall and Mr. Charles will follow up with Mr. Sellers on a preventive solution.

CN 4 has been cleaned up. Weeds had been blocking the water flow. Mr. Charles is still looking into a baffle to raise the water level.

Mr. Charles indicated the committee was working on a long term/short time plan for the ponds. ACTION ITEM: Mr. Charles will work with Carl to finalize evaluation of the ponds and create a plan for maintenance and enhancement.

D. Maintenance – Landscape/Irrigation/Lighting/Signage/Structures

Mr. Cronin indicated a concern about the impact the heat will have on the irrigation needs for the community.

Mr. Cronin raised the issue of pine straw. After discussion there was agreement to distribute pine straw at the two entrances of the community and the entrance to St. Andrews but not do pine straw throughout the community until the fall.

There was some discussion regarding mulch. No one wanted to use blown in mulch due to the mess that creates and because the mulch layer applied is not packed down enough. Mr. Cronin suggested that we contact Bees Ferry about providing mulch that would be put down prior to the pine straw application. ACTION ITEM: Ms. Watson will follow up on this.

E. Safety & Traffic Awareness

Kim Morris Hopkins had no report this month.

F. Social

Ms. Smith reported that the social committee was disappointed in the turnout for the community garage sale. She felt there was a communication breakdown because we lost out on free advertising on Thursday and Friday. The pickup by the Kidney Foundation did not work out that well. It was suggested that donations go to the DAV or Kidney Foundation in the future. She reminded everyone about the children's party at the pool on July 4th.

G. Documents – Ms. Gillow emailed her report June 3, 2015.

Status of Revision of Documents:

Bylaws. Included with this report is the revision of the Bylaws for Board review and approval. Also included are the Notice to Homeowners of Special Meeting by Absentee Ballot and the Absentee Ballot form. Attorney Chip Beverly of McCabe Trotter and Beverly has reviewed and endorsed the proposed revision and the absentee ballot. If the Board approves the revision at the June Monthly Meeting, the packet can be mailed to Association Members for a vote. It is not necessary to hold an Association Meeting for the vote. A majority of a quorum (10%) is required for passage. Note: The 2006 Bylaws should replace the 2004 version currently posted on the website.

Restrictions and Easements (R&Es). Also included with this report for Board review and approval is the proposed restructured and updated neighborhood R&Es. This Handbook for Homeowners also has been reviewed and endorsed by attorney Chip Beverly. A vote of approval by the Board is sufficient for the Handbook to be put in force. There is no need to pursue approval by a vote of Association Members since the focus of the Handbook is to incorporate all neighborhood R&Es into a single document, we are not making fundamental changes, and the Board does have the right to set policy as needed. The Handbook includes all current ARC policies adopted by the Board as well as new policies on fences and paint color changes that were discussed but not officially adopted by the Board. Please note that I am waiting for official information about Egret's Pointe from Doug Rucker who reviews applications for home construction and additions for the ARC. I also need the Victory Pointe R&Es to complete the files. To be added, at the end of the Handbook, is the list of all original neighborhood Declarations of Restrictions and Easements and all subsequent Amendments to these neighborhood Declarations. Page numbers may need to be adjusted once the Egret's Pointe information is included and if the Board wishes to make any changes. Once the document has been finalized, it will be mailed to all Association Members with a letter of explanation (to be written).

Declaration of Covenants, Conditions, and Restrictions (C&Rs). Once the R&Es Handbook for Homeowners has been completed, I will meet with the attorney to determine the best approach for revision of the 1992 C&Rs. The proposed revision remains open for a vote of approval by Association Members. If we need to continue to pursue the vote, then we can activate the Block Captain Program to attain the needed 75% approval. If the new state laws enable us to address many if not most of the proposed changes as presented in the revision by a simple vote of approval by the Board of Directors as with the R&Es Handbook for Homeowners, then this project can be reworked and completed very quickly.

Ms. Gillow was congratulated for the outstanding amount of work that she has done on the documents over a period of many years.

The following segment summarizing the Board discussion was submitted by Ms. Gillow:

1. It was noted that both the proposed Bylaws revision and the R&Es Handbook for homeowners have received multiple legal reviews and have been endorsed by our attorney.
2. Regarding the Bylaws, Ms. Gillow needed to parallel passages regarding the process and deadline for the various means of voting (in person, by proxy, absentee ballot, electronic means). Mark Wilson brought up the recent Board decision to meet every other month rather than monthly. We agreed that the passage should read that meetings would be held at "Board discretion" to allow for changes in the meeting schedule. The Board agreed that the Enforcement section would allow the Board and Management to bring homeowners into compliance in a more timely and streamlined manner.
3. Regarding the Handbook, the Board tweaked a few passages (materials required for sheds and fences, for ex.) and asked that I include a few additional items and ARC policies (screening of HVAC units and play sets, iron oxide stains, maintenance at pond edge, etc.). Jerry/our attorney and Spencer were going to try to locate the R&Es for Egret's Pointe.

ACTION ITEMS:

1. Ms. Gillow was to edit a few passages in the proposed Bylaws, the Notice of Special Meeting by Absentee Ballot, and the Absentee Ballot form and send out the 3 finalized documents to Jerry and the Board for mailing out to all Association Members for a vote.
2. Jerry and Spencer were to try to locate recorded R&Es for Egret's Pointe.
3. Ms. Gillow was to edit the Handbook as requested and send it out to Jerry and the Board for final check and mailing out to all Association Members.

The timeline of mailing the ByLaws to homeowners was discussed and Ms. Gillow indicated homeowners should receive the ByLaws by the beginning of July. Only 41 votes are needed to approve these documents. A date of September 1 for homeowner approval of the documents was set. This will provide sufficient time for the homeowners to review the documents and submit their votes.

V. Old Business

A. Ratify Approval of AR - Delinquent Accounts

Ms. Watson provided information about the delinquent accounts and specifically ten accounts where foreclosure is an option to be considered. The board discussed this option. The affected homeowners have been notified of their delinquency and basically have not responded or made any attempt to correct their financial obligations. There would be no cost to the Charleston National community to pursue this option. A motion was made by Mr. Charles and seconded by Mr. Cronin to refer these ten accounts for foreclosure. All board members voted in favor of this motion. **ACTION ITEM:** Ms. Watson will file the legal paperwork.

B. Ratify Approval on the SCE&G Easement Agreement.

Following a brief discussion a motion was made by Mr. Charles and seconded by Mr .Crawford to approve the plan in the SCE&G Easement to provide power to the Cube Storage business being expanded on South Morgan's Point Road. SCE&G will be boring under the CNCA property but there is a possibility a tree may be lost. ACTION ITEM: Ms. Watson will notify the homeowner that borders this property about the boring.

VI. New Business

No new business was discussed.

VII. Next meeting date – August 12, 2015

VIII. Adjournment

Mr. Charles moved to adjourn the meeting and Mr. Crawford seconded at 7:05 pm. All approved.

Minutes submitted by:
John Desautels, Secretary
Charmaine Gillow