

**I'On Assembly
Board of Trustees Meeting Minutes
May 28, 2009**

Members Present Bruce Kinney, Jody McAuley, Barbara Fry, John Powers, Brady Anderson and Matt Walsh

Member Absent Sheri Cooper

AMCS Jane Gottshalk, Helen L. Postell Huston

Guests Dave Rosengren, Amy Sage, Ed Clem, LeAnn Adkins, Katherine Kraft, and Brad Walbeck

Bruce Kinney called the meeting to order.

Homeowner Forum

Katherine Kraft of 26 Hopetown Road discussed the vacant lot at the end of the street. The kids have made this area into a playground. The lot is not maintained by the owner and the children are using the area freely. Ms. Kraft suggested that the Board of Trustees send the owner a letter requesting that the lot be cleaned up and asks that others not trespass. The Board of Trustees advised that it is the responsibility of the owner to maintain the lot and see that it is free of play equipment. The Board of Trustees advised that this owner has been sent a warning letter recently. If the owner is not responsive, then the Homeowner Association will assess fines.

Brad Walbeck of 114 North Shelmore Boulevard discussed the Creek Club sale and the docks. Mr. Walbeck received the original HUD when he purchased his property. He questioned how the HUD can legally be amended after the property has been purchased. Matt Walsh advised that he has spoken with an attorney regarding the HUD amendment and was told that if the HUD was part of the closing, then the homeowner has a right to make a claim for damages. Any homeowner who has that right may assign his rights to the Assembly to act on his behalf. To make a claim, the homeowner must show that there was a contractual agreement with the developer.

A homeowner asked if there would be an amendment to the I'On Code when the Homeowners Association takes over the I'On Design Committee. Jody McAuley advised that he is looking into it.

Minutes

Bruce Kinney made a motion to accept the April 23, 2009 Board of Trustees meeting minutes as presented. John Powers seconded the motion. All in favor. Motion carried.
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I'On Company Report

The Board of Directors reviewed the I'On Company reported prepared by Chad Besenfelder.

PD Amendment

The Mt. Pleasant Planning Committee approved the phase eleven land use agreement and the I'On Code text amendment to exclude eave heights. The committee denied the request to relocate the Ponsbury Road entrance to the community. Chad Besenfelder discussed this proposal with the Board of Trustees.

Enhancement Projects

The I'On Company has requested bids to irrigate the Georgetown Park area. The I'On Company will complete Georgetown Park.

Creek Club Docks

Matt Walsh questioned the costs that the Homeowners Association is paying for the boating facility. Mr. Walsh believes that the Homeowners Association overpaid in 2008 and is continuing to overpay in 2009.

Matt Walsh made a motion to ask permission from the I'On Club to suspend billing for all boat facility costs until the billing issues can be resolved. Brady Anderson seconded the motion. All in favor. Motion carried.

Vacant Lots

The Board of Trustees discussed contacting the owners of the vacant lots that are not being maintained. The I'On Company will determine if there is a build time on these lots.

AMCS Report

AMCS representative reported the following account balances as of April 30, 2009:

Operating Accounts

RBC Centura Bank-Operating	\$80,665.98	No CD	
Fidelity Operating	\$69,650.72	No CD	
RBC CD#9416920442	\$30,000.00	05/26/2009	1.19%
RBC CD#9416920434	\$30,000.00	06/25/2009	1.19%
Harbor Bank CD#2000522	\$45,000.00	12/18/2009	2.96%
RBC CD#9416920469	\$40,000.00	07/31/2009	1.19%
RBC CD#9416920477	\$40,000.00	08/31/2009	1.39%
RBC CD#9416920514	\$40,000.00	09/30/2009	

Reserve Accounts

Harbor Bank CD #2000343	\$32,454.39	07/24/2009	2.96%
Harbor Bank CD #2000354	\$32,426.41	08/11/2009	2.96%
Harbor Bank CD #2000431	\$30,732.00	09/30/2009	3.92%
Harbor Bank CD# 2000520	\$50,000.00	08/18/2009	2.96%
Harbor Bank CD#2000521	\$50,000.00	11/18/2009	2.96%
Tidelands CD#1008023	\$245,000.00	10/30/2009	2.75%
First Reliance Bank CD#3056653	\$95,000.00	11/30/09	2.49%
Ameris CD# 9111545672	\$87,695.10	11/01/09	1.98%

The AMCS representative stated that the Board of Trustees meeting packet was sent out on May 22, 2009 to the Board of Trustees giving them a chance to review the operating statement, twelve month trend, balance sheet, open and closed work orders. The AMCS representative asked the Board of Trustees if there were any questions regarding these reports. There were no questions from the Board of Trustees. The violation report, collection report, and lien report were discussed in executive session.

Landscape Committee Report

The Board of Trustees reviewed the Landscape Committee report prepared by Dave Rosengren and Amy Sage. Amy Sage discussed the plans for the landscaping of the roundabout at North Shelmore and Mathis Ferry Road. Ms. Sage asked Chad Besenfelder if the I'On Company would be willing to contribute to the cost of the project. Mr. Besenfelder will check and report back to the Board of Trustees. The Board of Trustees reminded Mr. Besenfelder that the roundabout landscaping was a project that the I'On Company was pursuing in the past, and it was never completed. The Assembly feels that the intent was for the I'On Company to share the expense. Chad Besenfelder had previously offered on behalf of the I'On Company to pay for the design portion of the project. Mr. Besenfelder also offered to talk to the Town of Mount Pleasant to request their assistance to share the expense for the roundabout.

Bruce Kinney made a motion to formally request the Town of Mount Pleasant to finance the roundabout. Barbara Fry will provide the written request on behalf of the Association. Brady Anderson seconded the motion. All in favor. Motion carried.

Bruce Kinney inquired as to the time frame for the temporary garden at the Amphitheater. Steve Degnen is the person in charge to contact with any questions.

Dave Rosengren asked the Board of Trustees if the cost of the boring to connect Maybank Green irrigation to Westlake can be paid out of the cost of the money that will no longer be spent on the irrigation. The Board of Trustees approved that request. The twenty percent discount still applies to the boring at the roundabout even through it was not done at the same time as Maybank Green.

Infrastructure Committee

The Board of Trustees reviewed the Infrastructure Committee report prepared by John Powers. John Powers requested approval for the proposal to install a drain at the mailbox cluster on Jakes' Lane for \$2,300.00

John Powers made a motion to accept the proposal for Jakes' Lane. Matt Walsh seconded the motion. All in favor. Motion carried.

Canals

John Powers discussed the engineering bids from Thomas and Hutton and Earthsource to inspect the canals. The Board of Trustees agreed that the Association should have an independent inspection done. The I'On Company has already had the canals inspected by R&K Engineers, which is also the company that designed the canals.

The depth of the Jefferson Canal is greater than the depth of the Lafayette Canal, possibly due to the fact that the construction at the Lafayette Canal is complete. The Board of Trustees discussed postponing the turnover of the Jefferson Canal until all of the construction along the canal is completed. Chad Besenfelder recommended having a complete study done now to determine the status of both canals. He offered on the behalf of the I'On Company to pay half of the cost of the engineer hired by the I'On Assembly.

The Board of Trustees asked that R&K Engineers present their inspection report to the Homeowners Association. The Homeowners Association will then hire an independent engineer to review that report and then proceed from there. The Board of Trustees recommended proceeding with the turnover of the Lafayette Canal.

President's Report

Continued Viability of I'On Square

The Square Onion will be leaving the I'On Square. The Board of Trustees discussed the importance of keeping the store front areas looking desirable and not "empty".

Eastlake Swimming

The Board of Trustees discussed the safety of some of the activities that teenagers are engaging in at Eastlake. The Board of Trustees reviewed an e-mail that was sent from a concerned resident who has observed some dangerous activities at the lake. The Board of Trustees advised that the responsibility of the Homeowners Association is to look out for the community. The Homeowners Association has posted signage at the appropriate places and continues to encourage residents to contact the police if dangerous activities are witnessed.

Barbara Fry suggested putting a notice in the June newsletter promoting safety awareness going into the summer season.

Amenities

Ownership Versus Easement

The Board of Trustees discussed the advantages of the ownership of the docks versus use by the existing easement. One advantage to dock ownership would be a reduction in insurance costs. The Assembly's general liability insurance would cover the docks. Presently, the Homeowners Association pays seventy-seven percent of the dock costs. The current easement agreement is a three way agreement between the developer, the Assembly, and the Club. There is also an agreement in place that reserves club membership to residents of Olde Park.

The following issues need to be defined: right to maintain, right to enforce, and right not to be denied use. The Board of Trustees agreed to write an official proposal to present to the developer regarding the Assembly and dock usage.

Communications Committee

The Board of Trustees reviewed the Communications Committee report prepared by Barbara Fry. Ms. Fry reported on the work that has been done to update the website. The goal of the website committee is to have the "new" website up and running by September. Ms. Fry advised that there has been some commercial mis-use of the email addresses on the website and that they should only be used for community purpose.

The Board of Trustees discussed with AMCS the advantages of the online bill pay through the website. Ms. Fry will meet with AMCS to discuss it further.

Barbara Fry made the motion to have the community yard sale as a yearly event on the calendar for 2010 and to reimburse expenses up to \$100.00. Bruce Kinney seconded the motion. All in favor. Motion carried.
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Compliance

The Board of Trustees reviewed the Compliance Committee report prepared by Brady Anderson. Mr. Anderson discussed setting the amount for fines depending on the severity of the offense.

I'On Design Committee

The Board of Trustees reviewed the I'On Design Committee reported prepared by Jody McAuley. Mr. McAuley is working with Ms. Chitty in preparing for the Hurricane Awareness

Seminar which will be held on June 3, 2009. There are thirty-five commitments thus far. Mr. McAuley encouraged all Board of Trustee members to invite someone. Mr. McAuley advised that there will be speaker from the Town of Mount Pleasant at the seminar. Mr. McAuley is in the process of preparing the necessary documentation to turn over the I'On Design Committee to the Homeowners Association. The Homeowners Association will work with the I'On Company through the transition period.

Next meeting is the Mid-Year meeting that will be held on June 25, 2009 at 6:00 PM at the Creek Club with a Potluck supper.

Barbara Fry, Secretary

I'On Development Update for Thursday, May 28

PD Amendment:

Planning Committee instructed town staff that garden plots are permitted in I'On and do not require a PD Amendment. Change to the I'On Code excluding eave heights unanimously approved. The request to relocate the Ponsbury entrance failed 3 to 4. Next meeting is June 1 or 2.

Enhancement Projects and Turnover:

I'On Square and Amphitheater improvements complete and ready to transfer to the I'On Assembly. Deeds are complete and TIC would like to schedule transfer as soon as possible.

Phase 7 and 9 marsh walks complete and look great. All roots removed and new retaining walks with drainage in place. We are preparing deeds early June for transfer of this linear park and Phase 7 and 9 common areas.

Phase 10 Sophie's Park under design. We should have rendering available early June for HOA review. TIC would like to provide the HOA funds to build the park later.

Canal landscape enhancements scheduled early June. TIC to prepare deeds. Has the HOA completed bulkhead inspections?

Al Evans has cleared most of Phase 11 staging materials and most berms are graded. We should have project completed in two to three weeks depending on weather. We plan to barricade the existing pedestrian entrance located about 75 feet north when new pedestrian entrance is complete.

West Lake paths along the west bank will be improved this June. This includes grading the paths and adding new stone material.

TOMP Street Repairs:

Expect some street repairs in Phase 10 next month. Curbs and sidewalks will be repaired and turned over to town.

Home Construction and Lot Sales:

We have seen an increase in building activity including 6 homes under construction, 3 homes in the IDC conceptual approval process, and one home in the IDC final approval process. There is also increase in lot sales. We currently have 3 lots under contract and have 4 lots under negotiations.

Treasurer's Report for May 2009

- 1) Moved all the reserve money (\$427,295) invested in a Fidelity money market account, which was earning less than 1%, to certificate of deposits at 3 locale banks:
 - a. Tideland
 - b. First Reliance
 - c. Ameris

Total Reserve is \$623,308

- 2) Collected over \$40k in HOA fees after e-mails and letters. Approximately \$100,000 still due, \$30k of which already have liens filed against them. Several payment plans have been set up. Jane, do we need to update old liens to include 2009 dues?
- 3) Vote to file liens as of 6/15/09?
- 4) Proxy – need 93 more votes before 6/15/09. I plan on one more round of door knocking from my list. Sending all board members new list. PLEASE review all the names and call your friends who did not vote or voted “NO”. Running out off time!!!
- 5) Still need a compilation done on our 12/31/08 financials. I can't get our previous tax accountants to return my calls. Will try another firm. Since audit and tax season are over should be easier to find a firm. Doesn't appear to be a time frame on when this needs to be done.

May 2009 Landscape Committee (LC) Report

Landscape Enhancement Status:

• Enhancement Budget	\$25,000
• Projects Completed	
○ Eastlake Entrance Vine Clean-up	\$2,500
○ Liriope Transplanting on Jogging and Rialto	\$200
○ Perseverance Park Sod and Flower Beds	\$2,500
○ Eastlake Entrance New Plantings - Approved	\$5,239
○ Eastlake Entrance Planting Additions	<u>\$813</u>
	\$11,252
• Balance	\$13,748
• Maybank Green Irrigation (offset by reduction in water budget)	\$11,500

Enhancement Project Status:

- Eastlake Entrance Landscaping: The Holly's and Azaleas have been planted as per the approved plan. In addition the LC recognized the need for one more Holly and 4 Azaleas to fill in holes in the bed. Given that we are rapidly moving into the heat of the summer, the LC made the decision to add these plants in early May. Total additional cost is \$813.
- Maybank Green Irrigation: The boring was completed in early May and the irrigation tie-ins quickly followed. The system has been commissioned and is operating as per design. This project will save the Maybank Green water budget of \$13,500.
- Mathis Ferry Round-a-bout:
 - Design: The selected design is a center core of 3 Crape Myrtles, a second ring of either Lorapetelum or a shrub Holly, and an outer ring of Asiatic Jasmine ground cover. The current cost estimate is \$7,800 versus an Assembly Board approval of \$7,500; larger plants would make a more immediate impact, but increase the cost. Relocation of mature Crape Myrtles from the Johnnie Dodds corridor was considered, however there was no cost savings.

- Status: Lawn-o-Green is completing the encroachment permits for SCDOT and TOMP. The Assembly will need to provide a certificate of insurance. To date no funds have been spent.
- Issues:
 - To date the I'On Company (Chad Besenfelder) has been unwilling to contribute funds to the installation.
 - In addition the Town (Eddie Bernard) has declined to contribute funds and has stated the Town will take no ownership to maintain the round-a-bout.
 - If the Assembly takes complete ownership for the project, what liability is assumed? If plantings are damaged by large vehicles is the Assembly responsible to replace? What if a traffic accident occurs and the landscaping is claimed to have been a cause (obstructed view; ice caused by irrigation in cold weather); is the Assembly liable?
 - Does the fact that SCDOT and TOMP would have approved encroachment permits protect the Assembly from liability claims?
- Next Steps: The Assembly Board needs to provide leadership to resolve/clarify issues.

May' 09 Infrastructure Update

Projects Completed

- a. Phase 9 marsh paths improvement almost complete. New treated lumber used to outline and edge marsh paths; Additional marsh paths improvement can be seen off Hopetown Road marsh paths and Jogging Road marsh paths. Finally, Saturday Road Marsh Path Bridge repaired.
- b. Jim Ducker of Thomas and Hutton Engineers made a proposal to inspect the Lafayette and Jefferson Canals before the turnover process requested by the I'On Company. The proposal included options with charges for a general study, record drawings, soil studies, and ground penetrating radar. These charges ranged from \$700) to over 9,500 depending on the menu of choices. Jim recommended that at a minimum we should do the best General Study and the best recording of the drawings (cost \$7,000). Included would be maintenance costs/expected life span and working with the contractor. I will present all documents at the May Assembly Meeting.
- c. I'On Company needs to provide the following for the engineering company to make recommendations on the Lafayette and Jefferson Canals.
 - **Master Drainage Study**
 - **Current Canal Maintenance Plan**
 - **The original Construction Plans of the canals from RK Engineers**
 - **Maintenance Plans for the Conspan (concrete bridges over the canals - does the Town of Mt. Pleasant maintain?)**
- d. Haley Whatley of Earthsource Engineering made a proposal to inspect the Lafayette and Jefferson Canals which included an Engineering Analysis of System for \$2,250.00 plus an analysis of potential issues report for \$950.00 – all charges hourly and not to exceed \$3200.00. I will present all documents at the May Assembly Meeting.
- e. Jakes Lane Mailbox Area repair requested to eliminate the flooding and mud problem for residents. Will include French Drain and will cost \$2300.00 to repair – to present at May Assembly Meeting.
- f. New playground equipment installed at Ramble.

- g. Amy Sage doing an outstanding job preparing for roundabout plantings. Town of Mt. Pleasant donated over \$3,000 worth of Trees. I'On Company (Chad's emails) offered credit from Wertimer Landscape Architects for design work or plants – Chad as of this press time has not specified.
- h. Scheduled power washing and painting of lake bridges.
- i. Repaired again some blacked out street lights by SC & G. Developed future memo to homeowners who black out street lights in the future.
- j. Bobby Newman handyman project to bid on future work in I'On stalled and did not work out. Continuing to look for additional company/handyman to bid on future I'On initiatives.
- k. Contacted SC & G for towing of Boat on property adjacent to overflow parking – Creek Club. SC & G came out to survey and owner moved the boat.

Ongoing Projects on Calendar/ To Do List

- l. Cracked Sidewalks/busted curbs (work with town for repairs – catalogue need)
- m. Resurface alleys – develop a yearly schedule/calendarize for Board to review
- n. Street Lights Mapping and SC&G Updates
- o. Test Lake for Fecal Coli-Forms
- p. Westlake Drainage Issues

Amenities Committee May 2009

Creek Club Docks

- Recommendations
 - Ownership vs. Easement
- Actual Costs for 2008
 - Landscaping payments to TIC
 - Not following the easement

HUD

- Spoke with Attorney
 - HUD between developer and Home Owner. If a homeowner feels damaged by the changes in the HUD, their right is to make a claim for said damages. If a homeowner(s) wants to assign their rights to the Assembly, then the assembly could make a claim as a whole against the developer.
 - The HUD documents are not related to the I'On HOA, and the contractual rights, do not accrue to the assembly, but to the individual homeowner.
 - If a Homeowner feels wronged and wants to assign their rights for damages to the HOA, the board needs to decide if this is something the HOA should pursue.

I'On Communications Committee Report
Submitted by Barbara Fry
May 24, 2009

Monthly Board Meeting Location. Father John will make the Church available to us for our monthly Board meetings on an "as needed" basis in the future. We should try to give him as much advance notice as possible to avoid potential conflicts.

Website. Another monthly update is planned. I do want to go over in some detail how you fellow board members want information presented on the site. If you have any documents you want out there, let me know. I hope to present some of this at the mid-year meeting.

Newsletter. The June cover copy for **Living in I'On** will present our "Guidelines to Firework Use in I'On" prepared by Brady. The July issue cover will probably promote the 4th of July celebration here in I'On.

Use of Community Email List. In the June newsletter I'm putting a notice on the Assembly page informing residents that the email list on the website or in the directory is for community use only for social or community issues. There have been a few abuses of the list recently where residents who have businesses have used email addresses for "cold-calling" to promote their ventures.

Monthly question:

"What should be put in the June newsletter to alert residents of any of your committee work that may affect/concern them?"

Email Bulletin. Other than the newsletter, the bulletin was used in May to alert residents of the upcoming Hurricane Preparedness Seminar; the PUD Hearing; and The Garden Tour - Art show - Trust Lecture Series - Memorial Weekend Concert - and Piccolo Spoleto Event.

Email bulletin Use Policy. I would also like you're help in establishing a policy for others in the community to use email bulletins to promote their events. I believe Anne Register will be presenting this issue on behalf of the I'On Trust at the meeting.

IDC MAY 2009 REPORT

IDC Report
May 28, 2009

Update: I have sent Bouch Law firm updated copies of the I'On Code and Declaration of Covenants, Conditions, and Restrictions. The goal of this process is to determine any legal restrictions in transferring responsibilities from The I'On Company to the HOA.

Hurricane Seminar – Kay Chitty has worked very hard to organize the upcoming Hurricane Awareness Seminar on June 3rd from 7:00pm – 9:00pm. I hope all Board members will be able to attend.

Kay has asked me to lead a discussion during the Seminar discussing the Role of the HOA after a major storm.

I contacted our insurance Representative Patrick Smith to help me prepare the information and he assures me the info will be emailed to me on Friday.

The cost of the seminar will be limited to some wine and a few snacks from The Square Onion. I will collect the receipts from Kay and submit them to Sheri.