

I'On Assembly Board of Trustees Meeting

August 25, 2016

Members Present: Bruce Kinney, David Thompson, Chad Besenfelder, Lori Feehan, Karen Dillard

Members Present via Telephone: Tom O'Brien, Paul Gillis

Members Absent: Tony Woody

SCS: Mike Parades, Lesley Ramey

Guests: Approximately 57 Homeowners

Statements Prior to Homeowner Forum:

Bruce Kinney informed attendees every Board Member had received and read homeowner comments regarding the proposed changes to D-102. The reasoning for and against the changes were well known. Due to the response from residents, the Board decided to not vote on the rule as proposed this evening. Instead, the Board has elected to restudy the issue and consider changes that allow animals to be off leash at certain times and in certain locations. While the decision was made the previous night, the Board felt it was very important to have a Homeowner Forum on the issue in order to best understand the needs and wants of the community. The new language for the rule will be mailed to homeowners and all homeowners will be advised when a new vote will occur.

Bruce Kinney asked speakers to limit their comments and questions to 2 minutes. He asked residents to be civil and direct comments solely to the Board. He reminded attendees that comments and questions will not be accepted once the Board meeting begins.

Homeowner Forum:

Matt Walsh, 57 Saturday Rd., spoke in opposition to the proposed change. Mr. Walsh believes the proposed change does not effectively address the core problems: enforceability and civility. Mr. Walsh does not believe General Manager, Mike Parades, should be asked to enforce this rule. Mr. Walsh stated issues regarding animals should be addressed between owners, not by

additional rules. Mr. Walsh highlights how I'On documents emphasize the importance of Civitas, a neighborhood value. Mr. Walsh feels the TOMP rules are sufficient and notes the police do not just fine violators instead they work with neighbors. Mr. Walsh reminded the Board that I'On has different rules than the Town of Mount Pleasant regarding boats, trailers, etc. on streets. Mr. Walsh feels it is contradictory to want to apply TOMP rules only part of the time. The rules are meant to enhance the quality of life in I'On and dogs are part of quality of life in I'On.

Deborah Bedell, 179 E Shipyard, was relieved the Board had elected to withdraw the current proposed rule change. However, Mrs. Bedell was disappointed there was no email blast informing the residents a vote was not happening. Mrs. Bedell felt it was disrespectful of residents' time.

Bruce Kinney explained the Board's reasoning behind not sending an email blast informing the neighborhood of the decision not to vote. Mr. Kinney stated the Board recognized many residents had made plans to attend and those residents may not be able to speak at a meeting at a later date. The Board also did not want to appear to be shying away from the topic.

David Cooper, 54 Fernandina St, asked for several points of clarification regarding the process behind the proposed change. Mr. Cooper asked what the rule was attempting to solve, reasoning behind the move to change the rule, how issues were evaluated by the Board, and what the process was behind the evaluation to decide to change the rule.

Serge Papatakis, 197 N Shelmore, was torn on the proposed change. Mr. Papatakis felt it was a fallacy that the rule was only addressing dog waste issues. Mr. Papatakis believes the proposed changes were addressing: (1) quality of life for animals who are left outside all day long and bark incessantly, (2) dogs attacking individuals, (3) quality of life for humans, and (4) general health and safety issues that must be addressed. Mr. Papatakis believes that if dog owners were more responsible with their pets that would solve many problems. Mr. Papatakis himself is looking at getting a dog and would like to be able to walk the dog off leash once properly trained, a factor that led to his decision to live in I'On. He believes that consequences for irresponsible dog ownership would lead to a change in behavior.

Bruce Kinney responded to Mr. Cooper and Mr. Papatakis' comments. The notion of changing the pet rule has been brought up many times. Mr. Kinney remembers proposed changes being discussed as early as 2007. In 2014, the Board commissioned a survey of homeowners. The survey had 563 respondents, a large number for a neighborhood I'On's size. Comments from the survey suggested a number of people desired some form of a leash law. The Covenants Committee took the issue under consideration and investigated what other similar HOAs did regarding pets. All of the HOAs they reviewed in Mount Pleasant had a leash law. I'On is the outlier in this situation. The Town of Mount Pleasant ordinance applies to all public areas to include sidewalks and streets throughout I'On – many residents were unaware that a leash is required on I'On sidewalks. The HOA common areas are exempt from the TOMP ordinance as these areas are considered privately owned.

The City of Charleston adopted a leash law in 2009. The literature has consistently shown dogs should be on leashes for their safety as well as human safety. The issue for the Board has never been dog waste but rather human and pet safety. While the Board will do everything it can to keep I'On dog-friendly, their first and foremost priority is for I'On to be human-friendly. Many folks are uncomfortable with dogs being off leash. Bruce Kinney stated there are no places in the neighborhood where they may not see a dog off leash. Bruce Kinney also noted that in regards to enforceability, voice control is not enforceable. Dogs are very reactive to different stimuli around them and voice control will not prevent them from reacting. Voice control is impossible to enforce and is a myth. When residents moved into I'On, they agreed to abide by all rules regardless of the amount of staff available to enforce them. There is no amount of staff that can enforce all rules all the time. Bruce Kinney wants residents to have the option to contact Animal Control when there is a problem when right now nothing can be done when on I'On private property.

David Cooper, 54 Fernandina St, followed up his original statement. Mr. Cooper feels the issues the Board is trying to solve are still not clear. There are no specifics and no way to evaluate whether or not something rises to the level of Board issue or not.

Beth Meredith, 10 Prescient St., spoke in opposition to the change. Ms. Meredith is a long time I'On resident and believes amenities have increasingly been taken away from residents: The Creek Club, boats, etc. Ms. Meredith

believes the Board is not acting in accordance with desires expressed by the neighborhood in surveys. Her confidence in the Board is waning.

Carrie Cox, 98 Latitude Ln, met many of her neighbors walking her puppy. Ms. Cox believes dog waste is ultimately the responsibility of owners and does not want to lose the wonderful dog community due to irresponsible owners.

Mallory Norvell, 115 Ionsborough, asked for the specific numbers from the aforementioned survey.

Lori Feehan, Covenants Committee Chair and Board Member, responded on behalf of the Board. In the 2015 Homeowner Survey, there were two questions regarding pets outside of a Titleholder's lot. The first asked the resident to rate how important it was to them for "pets to be on leash when outside of Titleholder's lot." 278 responded it was very important to them, 123 said it was important, and 165 said it was not important. The second question asked the resident to how important it was to them for "pets not be on a leash but under voice control when outside of the Titleholder's lot." 204 responded it was very important to them, 150 said it was important, and 101 said it was not important to them. This demonstrated the desire of the community that it is important to have some sort of leash rule.

Lori Feehan noted it was not a perfect survey, but what impressed the Board was the number of comments. There were 271 total comments with 94 regarding pets. 84 of those 94 comments supported the leashing of pets while 10 comments were in favor of voice control.

Mallory Norvell, 115 Ionsborough, asked a follow up of how many individuals had signed the petition a resident created.

Matt Walsh, 57 Saturday Rd, answered there were 145 households that signed the petition.

Tom O'Brien, Amenities Chair and Board Member, request the total feedback numbers to the management office regarding the proposed rule change be published.

Bruce Kinney responded that 154 households had sent in feedback. The numbers ran approximately 2 to 1 against the rule change. However, many of the responses proposed a compromise rather than doing one or the other.

Curt Nesbitt, 24 Edenton, raised concern that with a 2 to 1 margin against changing the rule, it was not in the best interest of the community to continue discussing the rule. Mr. Nesbitt felt it was delaying what the neighborhood wanted. Mr. Nesbitt also asked about reported attacks. He has not heard of any attacks and felt it was an imaginary issue.

Bruce Kinney acknowledged Mr. Nesbitt's concern but noted the Board is not set up to serve the interests of one group of owners. The Board works in the interest of all I'On residents and part of that involves following best practices.

Curt Nesbitt, 24 Edenton Rd., stated part of I'On's appeal was how unique the neighborhood is. Due to its unique qualities, Mr. Nesbitt feels I'On deserves a unique policy.

Bruce Kinney noted dog attacks are a national issue and I'On is not exempt. Mr. Kinney also informed attendees that in the neighborhood alone there had been a dog killed by another dog, a dog killed by a car, several bite reports, and several residents who were afraid of dogs and were uncomfortable in their own neighborhood. Mr. Kinney is concerned about waiting for a tragedy to spur change rather than addressing the issue early.

Joe Barnes, 27 Mobile St, remarked how lovely the dog community was for the neighborhood. However, Mr. Barnes feels dogs must be leashed when on the street and owners should be extra careful when dogs are off the leash. Mr. Barnes does not believe this an either/or issue but rather a problem that can be solved by responsible owners. Mr. Barnes supports the current policy and believes dog owners should be following the TOMP ordinance when on the street and sidewalks throughout I'On.

Marilyn Felix, 113 Ponsbury, thanked the Board for their care in this issue. Ms. Felix remarked many families consider their dogs a part of their family and spend a lot of money on their pets. Many owners pay close attention to the dog policies when considering where to purchase a home. Ms. Felix feels neighbors who do not like the rule as is should have considered that when they purchased in this community and should perhaps consider living in a different style community. Ms. Felix bought her home under the pretense that dogs could be off leash and believes many other owners did as well. Ms. Felix does not believe specific times at specific locations being off leash would work with the schedules of many neighbors.

Brenda Uttaro, 67 Sanibel St, thanked the Board for listening to feedback and being willing to compromise on the issue. Mrs. Uttaro informed the Board of a study commissioned by the City of Seattle regarding pet leash policies in large urban cities across the country. The study shows a trend of cities adopting off leash policies in certain parks. I'On should be able to find a balance if these large cities are able to. There must be a middle ground between folks in favor of off leash policies and those against off leash policies.

Peter Wallace, 70 Ponsbury, asked what the schedule for redrafting and voting on the rule change would be. Mr. Wallace voiced concern this issue would drag on indefinitely.

Bruce Kinney informed attendees the Board would decide on a rewrite. Any new rules must be sent to homeowners, even if there is only a small change. The Board would like the issue resolved sooner rather than later, but Mr. Kinney is uncomfortable putting an exact time line on the issue as the Board wants to find the best answer possible. Mr. Kinney reminded attendees that only the Board votes on rule changes.

Michael Korizno, 121 W Shipyard, believes the Board is out of touch with the needs of the community. Mr. Korizno was disappointed the Board elected not to send an email blast regarding their decision to not vote on the issue. Mr. Korizno finds this disrespectful of the resident's time. Mr. Korizno was confused by the Board's decision to not end the issue when feedback was 2 to 1 against the rule change.

Laura Tyson, 63 Krier Ln, has met many neighbors while walking and playing with her dog. Ms. Tyson believes there is an education piece that is very important, and by attending the Board meeting she was able to learn more about the TOMP ordinance. Ms. Tyson was unaware dogs were required to be on leash on streets and sidewalks. Ms. Tyson believes if owners would follow the current rules, many issues would be solved, and dogs could continue to be off leash on common areas. Ms. Tyson believes dogs should continue to have areas where a leash was not required. Neighbors do not seem to know the TOMP ordinance applies to streets and sidewalks. There should be an educational campaign to inform everyone.

Denise Iannatuono, 61 Ponsbury, informed the Board of her long time experience with dogs and community dog issues. Many problems can be fixed

with solutions other than a leash law. Ms. Iannatuono mentioned having a specific color harness that indicates a dog is not comfortable with other dogs or humans. This is good to protect everyone's safety. Ms. Iannatuono suggested dogs who are off leash be required to have Good Citizen training. Ms. Iannatuono highlighted that voice control is not a term that has any real meaning behind it. There is also the option of DNA testing to address the dog waste issue. Ms. Iannatuono urged the Board to consider some alternative solutions to a leash law.

Matt Walsh, 57 Saturday, inquired about the condition of Maybank Green, noting it was looking more like Maybank Brown.

Mike Parades, General Manager, responded that the field has mole crickets and the landscaping company was working on treatment. However, it is difficult as overseeding of winter rye hid the problem for so long.

Call to Order: 7:10 pm by Bruce Kinney.

Approval of Minutes:

Motion to approve the July 28, 2016 I 'On Assembly Meeting Minutes. Motion Seconded. All in favor. Motion passed unanimously.

Presidents Report:

Bruce Kinney informed the Board of a homeowner's request for an encroachment agreement. A survey commissioned by the homeowner revealed their fence on the Rookery encroached onto a portion of the common area. The homeowner has requested the Assembly grant an encroachment agreement. The homeowner will be responsible for all costs associated with drawing up and recording the agreement. Bruce Kinney recommends granting the encroachment agreement.

Motion to approve an encroachment agreement for the fence on the Rookery. Motion seconded. All in favor. Motion approved.

Bruce Kinney updated the Board on the Creek Club Lease Amendment progress. Mr. Kinney is working with the leasee to reach an agreement that would allow the Board to add amenities to areas around the rented property. Once the agreement is reached, Mr. Kinney will circulate the Lease Amendment for a vote.

Covenants Committee:

Lori Feehan stated the Covenants Committee would be reconsidering the proposed D-102 Rule Change.

There are 5 homes the Covenants Committee recommends a \$10/day fine for failure to respond to maintenance violation letters. The fines will begin on September 16th with the notice of fine letter being sent certified mail on July 26th. If the homeowner responds to the notice of fine with a plan to fix the violation or fixes the violation prior to September 16th, the fine will not commence.

Chad Besenfelder commended the Covenants Committee for their policy on working with homeowners and believes the September 16th deadline for response is sufficient.

Motion to approve the \$10 a day fine for 5 home in violation. Motion seconded All in favor. Motion passed unanimously.

Mrs. Feehan informed the Board a member of the Covenants Committee, Linda Rinaldi, had moved out of the neighborhood. Duval Acker, a long time l'On resident, had generously offered to join the Covenants Committee in Linda's place. Mrs. Feehan asks the Board to approve Ms. Acker joining the committee, so she may be covered by the D&O Policy.

Motion to appoint Duval Acker to the 2016 Covenants Committee. Motion Seconded. All in favor. Motion passed unanimously.

Landscape and Infrastructure Committee Report:

Mike Parades informed the Board that Steve Brooks of OCRM would be meeting the Dock Expansion Committee and JGT on August 16th.

Maybank Green is having issues with mole crickets, weather, and grubs. The Greenery is working on treating the area. They are doing everything they can at this time. Lori Feehan asked if the area needed something different. Mike Parades stated the Greenery just had to continue to treat the area. Mr. Parades informed the Board the overseeding of winter rye had hid the problem. The Landscape and Infrastructure Committee would like to continue the practice of overseeding though.

Lori Feehan asked about the trees in the Perseverance Park. Mike Parades reminded the Board 12 trees were taken out 2 years ago. There were far too many trees for the space. Currently, there are two trees that need to be removed. The Landscape and Infrastructure Committee has already agreed to take them out. David Thompson voiced concern that the trees removal will disturb the aesthetic of the park. Mr. Parades assured the Board the trees would thrive and grow to cover open spaces.

David Thompson applauded the Greenery's efforts in maintaining the community. Mike Parades agreed the Greenery was doing well but noted the details still needed work.

Finance Report:

Mike Parades informed the Board finances were in good shape. One large receivable entered a payment plan and had submitted a large down payment. The other two large receivables would likely be collected by the end of the year. Bruce Kinney commended Mr. Parades on his exhaustive efforts to lower receivables to an historic level.

Lori Feehan asked if there 2017 budget would reflect a decrease in dock closures as the number has steadily decreased over the years. Mike Parades stated the preliminary budget had accounted for a drop. The Finance Committee would like a budget to be presented to the Board at the September Board meeting with the Board hopefully approving a budget at the October Board meeting. The goal is to keep the assessment at the same rate as it was in 2016.

IDC Liaison Report:

David Thompson informed the Board the IDC reviewed 20 submittals in August. Most submittals were about ADUs and landscape. This month, Mr. Thompson highlighted the IDC's efforts to help homeowners understand the process for submitting construction plans and getting IDC approval.

The IDC is meeting with the Appeals Committee to review. This will assist the Appeals Committee when reviewing an appeal to see if the IDC followed procedure or not.

Lastly, Cindy Cline wrote a blurb for the newsletter about plantings for the right of ways. These plants are very sturdy and do well in shaded areas. The

piece highlights the importance of watering these plantings. Lori Feehan raised concern about the effect of trash and landscape debris being put on the right of way for pick up. David Thompson pointed out the right of ways are allowed to pavers, providing a sturdy option for homeowners who place trash in the right of way.

Mike Parades inquired about potential changes to the IDC compliance process. David Thompson informed the Board the IDC was discussing having the management office send letters to owners who begin work without IDC approval. The IDC working on compliance and is sending out blurbs in the newsletter to help inform neighbors about the IDC.

Communications Committee

Karen Dillard informed the Board the Communications Committee was beginning work on the Directory. A price list for advertisements had been accepted and will allow for a few more ads. Lori Feehan asked if the Communications Committee would be renewing the Survey Monkey membership. Karen Dillard confirmed they would be.

Amenities Report

Tom O'Brien expressed disappointment at the phone in system used during the Board meeting. Mr. O'Brien asked the system be addressed so Board members can fully participate in the future.

The Sports Court Committee met and settled on a potential location. Weaver Construction submitted a preliminary bid. Things are moving forward. The Waterfront Enhancement Committee is refining the proposed planned. They will be meeting soon to hammer out a proposal. The goal is to present something to the Board before the end of the year.

Discussion regarding Community Concerns

Bruce Kinney noted several comments expressed during the Homeowners Forum implied that the Board was rule happy and the community was becoming drastically different than it was in the past. Mr. Kinney believes part of this is due to the enforcement of covenants. Mr. Kinney reminded the Board many homeowners expressed a desire to see the covenants enforced, but it is

uncomfortable for owners to receive letters about their own property. Mr. Kinney asked the Board to consider these comments and what spurred them.

David Thompson remarked the neighborhood had grown a lot and there were many new residents. Bruce Kinney asked the Board to consider the statements about liberties being taken away. Lori Feehan reminded the Board of many changes the community had enacted in the last few years including the Satellite change, Short Term Rental rule addition, and ADU rule updates among other. There was a saturation of information with the Board's efforts to be more transparent. Mrs. Feehan stated I'On was a much bigger community than it was and the community was maturing. Mr. Thompson agreed the community required more maintenance with age. Mike Parades reminded the Board that according to the Amenities survey approximately 60% of residents have resided in I'On for less than 3 years. Home values have continued to climb and are now competing with Olde Park.

Mr. Kinney asked the Board to continue to consider these comments. Karen Dillard commented there will be continued efforts to improve communication with the community. Lori Feehan encouraged the Board to develop context around actions. Mrs. Feehan noted the context created around the Short Term Rental rule helped build understanding and how that was lacking for the proposed change to Rule D-102. Mr. Kinney agreed there needed to be more context to the proposed rule change.

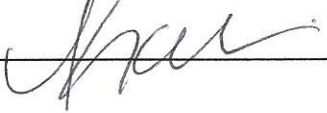
Mosquito Control

A resident has requested the Assembly begin mosquito control and prevention efforts in the common areas, specifically playgrounds. The resident spoke with a popular area contractor that quoted \$400 per common area. The CDC recommends a 4 prong approach for mosquito control and prevention. Charleston County does two of the prongs, but typically, communities do the other two prongs. The resident is very concerned about safety, stating the Board should prioritize safety and aesthetics. Chad Besenfelder asked if this was an issue that would require the Board to vote to approve funds or if it was a maintenance issue. Mike Parades stated legal Counsel would need to advise on liability.

Karen Dillard noted the proximity of homes to each other was an issue. If one neighbor sprays and another doesn't, the non-spraying home becomes an

attractive location for mosquitoes. David Thompson agreed many solutions just repelled the mosquitoes rather than prevent them. Bruce Kinney asked Mike Parades to investigate the costs to treat areas and expected results of treatment.

There being no further business to come before the Board of Trustees, the meeting adjourned at 7:49 pm.

Respectfully submitted by  _____