

I'On Assembly Board of Trustees Meeting

April 15, 2019

Members Present: Tom O'Brien, Trey Mathisen, Johann von Asten, Chris Colen, Peter Wallace, Julie Hussey, and Eric Krawcheck

Members Absent: None

SCS: Jessica Gosnell and Mary Fraser

Homeowner Forum:

Call to Order: 6:02 pm by Tom O'Brien

Approval of Minutes:

Motion to approve the March 18, 2019 I'On Assembly Meeting Minutes. Motion Seconded. All in favor. Motion passed unanimously.

Presidents Report:

Tom reported on the information he received from Shawn Willis regarding the Creek Club lawsuit. He let the Board know that Justin Lucey has filed a motion to appeal the Supreme Court's decision. The last eblast that went out to the community regarding the lawsuit stated that the Assembly would be appealing the Supreme Court's decision, which is what is being done alongside Justin Lucey. Julie asked if this information is filed publicly, so that we could direct residents somewhere if they were to ask any questions. Tom responded that we could link the 72-page document to an eblast so that residents could access the information. Peter made the point that we have not received many complaints nor questions regarding the progress of the lawsuit, so sending out another eblast at this time might not have any real benefit to the community. The Board unanimously decided that once there is an update to provide to the community, that information will be e-blasted out.

Shawn Willis has requested the Board's approval in listing Justin Lucey as counsel for the Assembly in all filings with the Court.

Chris made a motion to authorize Shawn Willis to represent the Assembly regarding all filings with the Court and approve that activity with Justin Lucey. The motion was Seconded. All in favor. Motion passed unanimously.

Tom confirmed that the Assembly does not owe any money to Tim Bosche, the previous attorney representing the HOA in dealings with the Creek Club litigation. We will only owe Nelson Mullins for legal fees at this time. It should be noted that we have not received an invoice from Shawn recently. Johann stated that we should ask Shawn to send over the invoice for all work he has done for us that we have not been billed for yet.

Treasurer Report:

Johann briefly reported on the delinquency list. He mentioned that the list is much shorter than it was at this time last year. It should be noted that two of the residents on the delinquency were on the list last year as well. He stated that he thinks the new collection policy helped with collecting assessments this year.

He also stated that IDC revenue is being tracked according to plan, as well as dock closures. It should be noted that we are over budget regarding legal fees, but that is to be expected considering the Creek Club litigation that required action again.

Lastly, Johann reported that besides legal fees, everything is on track according to budget.

Amenities Report:

Trey first reported on a few items on the punch list down at the docks. He stated that the copper caps have now been installed.

Trey then mentioned that he and Michael Purcell attempted to install the new light on the dock piling but had some trouble in doing so. The light is solar powered and was not receiving enough sunlight at the position they tried to install it at. They attempted to mount it a second time but could not reach the top of the piling during low tide. He stated that they will try again during hightide this week. He also mentioned that the back half of the light has been blacked out so that residents who live around the Creek Club won't be affected by it.

Next, Trey reported that the gate down at the docks has now been fixed as it had broken away from the lock causing it to not function properly. Likely children standing on the gate is what caused this. The Board recommended adding a small wheel to the bottom corner of the gate, so that we do not have to fix it again.

Trey stated that he and Chris have received quotes from landscape architects regarding the waterfront enhancement project. They have two bids which were not close in price. Trey stated that Kelly Messner's quote seemed to be more in line with what we have in mind for the area. Kelly would design and oversee the project. She is also worked with The Greenery in the past on similar projects and proposed a more detailed approach with project. Tom asked if the areas for seating would require hardscape. Chris responded that Kelly included this in her plans for the areas that might need hardscaping like for seating, golf cart parking, etc. Johann asked what the next step is for receiving permits. Trey responded that we are to use the existing permits since we are not removing any protected trees and the area we will be working on is outside of the critical lines that we were provided by Earthsource Engineering. Jessica reiterated there is no need to get a permit for this project since there are no tree removals and we are not working in any critical buffer areas. Peter inquired about the budget in reference to plans for furniture. Kelley's plans will include locations and suggestions for furniture that would be well suited for the area. Jessica let the Board know that she has requested a light pole to be added SCE&G to the parking lot as part of this project. It was noted that the area down by the docks and Creek Club is very dark at night, so adding a street light would be helpful. There is also a plan to add up-lighting to some of the large oak trees along the path and by the dock. The Board agreed that up lighting would be a great addition to the area.

Motion to approve hiring Kelly Messner as landscape architect at a fee of two thousand dollars for the waterfront enhancement project. Motion Seconded. All in favor. Motion passed unanimously.

Jessica mentioned that just one Adirondack chair would cost around \$400. She stated that if we order the chairs, benches, and tables in bulk, we could get a better price point. Tom noted that we have lost furniture down at the Creek Club in the past, so we should look into getting furniture that would be pretty difficult to move. Lastly, Tom mentioned that we should look into having someone power wash the furniture every few months.

Landscape and Infrastructure Report:

Peter reported that he would like to request funding for several reserve projects that the landscape committee would like to have approved for 2019.

One project is the Eastlake Path Renovation. There are three main areas surrounding this project that we are asking approval for. The first would be for the renovation of the actual pathway. Peter stated that they have reassessed the project and decided it'd be more prudent to only re-edge and add top dressing to the path. The original quote we received was for \$146,000. This would have been to re-edge, top dress, as well as reinstall the base of the path. The revised quote from The Greenery is \$58,000 and would be for new steel edging to line the path and new plantation mix to topdress the path. The Greenery advised that this would be an appropriate solution that would last for the next several years. Jessica is still awaiting a quote from Newage Contractors for this project as well. The second portion of the Eastlake project would be for the washout of the bank that is by the boathouse behind the bulkhead. The Landscaping Committee is requesting approval to spend \$8,500 to repair this issue. It should be noted that both of these items would be paid for out of reserves. The third portion of this project would be for re-landscaping the north end bank and park area. The committee is requesting approval to spend \$24,000 for this project. It should be noted that this would be paid for out of capital. Peter mentioned how taking \$15,000 away from the waterfront enhancement project could allow for this capital spending. Johann touched on the fact that we have not actually received the expected transfer fees yet, which funds capital spending yet. It is what we expect to receive by year end, but do not yet have those funds. Trey responded that there were ten closings this month, so we are tracking along as planned on the amount of transfer fees we should get for the year.

Tom commented that we are not as far along with the waterfront enhancement project as we'd like to be. He again mentioned how this was the neighborhood's top priority for amenities they'd like to see enhanced per the survey. Tom questioned what we would do if the final bids for the waterfront enhancement come back much higher than we anticipate where we would have to postpone the project since we took away \$15,000 for another project. He stated that he thinks we owe it to the community to follow through on the top priority from the survey,

which is the waterfront enhancement project, and complete that with adequate funding before starting any other capital projects.

Erik went on to ask if there has been a comprehensive study surrounding the landscaping of common areas throughout the neighborhood. Jessica responded, stating there has not been a comprehensive study done that notates every single common area in the community, but the projects on our list were all selected and brought up due to inspection of common areas or issues raised by residents.

Tom mentioned that he thinks The Greenery isn't doing as good of a job as they did last year. He stated that some common area plantings look like they are wilting and not being watered as they should be. He also mentioned the number of weeds and heavy amount of leaves in the streets and stated that it doesn't look like The Greenery is doing much to address it. Trey stated that he thinks we are getting good value from The Greenery. He stated that although we did raise their budget, other neighborhoods spend a substantially higher amount for their landscaping. Tom stated that he thinks it would be a good idea to set up a meeting with Tom Murray to discuss our expectations along with supervision of the crew members. Peter agreed that we should set this up.

It was decided to table the approval of spending \$24,000 from capital funds for the Eastlake North Bank Landscaping project. We will revisit this next month when we hopefully have more accurate Waterfront Enhancement numbers to report.

Peter then went on to discuss reserve spending regarding the Maybank Green Path renovation. We previously received a bid for \$17,000 that the Board approved to renovate the Maybank Green path. We have changed the scope of work surrounding the path to now only install steel edging and top dress the path rather than reconstructing the base of the path, so the updated bid is \$10,000.

Peter then touched on the drainage issues on Westlake Path in front of 50 Fernandina. It was noted that a previous Board did not follow the Greenery's recommendation to install a French drain the entire length of this path, so there is no drainage in the path in the area where water currently pools. We received a bid of \$6,110 to add a French drain to this area and add an outfall to one of the existing drainage boxes. If we add this cost to what was spent on this project in 2016, we are actually in line with the amount budgeted in the Reserve Study for the Westlake Path renovation.

Peter then reported on the maintenance of the bulkheads via the reserve study. He stated that we should plan to look at the bulkheads and come up with a strategy on spending for replacing them. The reserve study isn't able to tell us exactly when this should be done. Peter is requesting to spend \$5,700 out of reserves for an updated inspection of the bulkheads and obtain an accurate replacement schedule. The Board also asked for this study to include the remaining life of these assets so that we can factor that into our reserve calculations.

Next, Peter went on to discuss two studies that have been done surrounding the maintenance of the Rookery. One study was done in 1998 when the Rookery Management Plant was established, and another was done in 2008 per request of the I'On Company before they turned this over to the HOA. He is requesting approval for spending \$3,000 dollars out of reserves to have Newkirk Environmental, the same company that originally created the management plan, to come in and do a study of the Rookery to ensure we are properly maintaining it and make recommendations on what we need to do to improve or continue to properly maintain the area. Conducting this study will ensure that we are fulfilling all requirements regarding the maintenance of this area as this is a Federally protected reserve area.

Lastly, Peter reported on the Saturday Road alley expansion. Residents reported that the alley is not wide enough for vehicles to make the turn. Peter and Jessica met with the residents onsite and saw their concerns. A survey of the area was just completed today, which marks the property lines so we know what boundaries we need to work within. We have been asked to address the problem by adding an extension around the perimeter of the existing asphalt. Peter is requesting to spend up to \$7,000 out of reserves for this project.

Peter motioned to approve the proposed spending from the reserve budget for these landscape and infrastructure items (up to \$58,000 for the Eastlake Path Renovation, \$8,500 to repair the Boathouse Bulkhead wash out, \$10,000 to repair the Maybank Green Path, \$6,110 to address the Westlake Path drainage issues, \$5,700 to have the bulkheads inspected and update the bulkhead study, \$3,000 to have Newkirk Environmental do a study of the Rookery, and up to \$7,000 to address the Saturday Road Alley issues). Julie seconded. All in favor. Motion passed unanimously.

Covenants Committee:

Eric first reported on the covenants procedure flowchart that is included in the Board packet. It was noted that we have added calling residents along with sending a mailed letter on second notices.

Eric also mentioned that residents have been saying that pressure washers are behind schedule and have been difficult to try and get scheduled. It was also noted that renters tend to be the biggest offenders and that often times, the owners don't know what is going on at their home.

Lastly, Eric stated that we will have more updates at next month's Board meeting, as the Covenants Committee hasn't met this month.

IDC Liaison Report:

Julie first reported on plans that have been either approved, not approved, incomplete, or approved with conditions by the IDC. She stated that per the minutes from the IDC meetings on March 19th and April 9th, there were nine reviewed plans that were approved by the neighborhood design coordinator. There were nine plans reviewed by the IDC that were approved with conditions. Three plans were reviewed by the IDC that were considered to be incomplete. Four plans were approved by the IDC at large. It should be noted that there were only three plans reviewed that were not approved.

Julie then mentioned that the IDC is working on how they communicate their comments to homeowners through their letters. She stated that she would like to see the letters have a more detailed, clear explanation of the neighborhood guidelines. They would like to consider using covenants template letters along with a similar fining schedule/process. She stated that the IDC has run into trouble in a few cases where owners refused to take down their unapproved structures and the IDC believes that having the ability to fine would be helpful in limiting this.

Julie then went on to discuss possibly surveying homeowners who have been through the IDC process in the past year to get their opinion on what the process was like for them.

She also suggested looking into obtaining old surveys from the I'On Company, stating that she thinks it would be helpful to have these on file for residents while going through the approval process. The Board responded that it may be difficult and extremely time consuming to try and access these documents, as the I'On Company says these files are "in storage," but no one seems to know where that is. Jessica also stated her concern in being responsible for these files. She stated that it is not the HOA's responsibility to provide these sorts of documents to residents and mentioned that it could be difficult to administer.

Chris also mentioned the possibility of making space on the website to educate homeowners on the IDC's process and guidelines. Overall, Julie would like to see the IDC considered as more of a resource to the community instead of a police force.

Julie is to speak with Shawn Willis for legal advice in regards to obtaining documents, surveys, and other personal information.

Communications Committee:

Chris first reported on a few items regarding the website that were discussed during today's communications meeting. He mentioned that we removed the "display name" search option on the site to enable more accurate searches by name only. He also stated that Cameron Conway is working on a situation where people encounter "page not found, 404 errors" in regard to searching for calendar event entries.

Chris then reported that the committee met to review the newsletter policy as approved by the Board in March and discussed suggesting some amendments. Changes have been made to the approved newsletter policy to clarify the HOA's policy. The revised policy is attached.

Eric motioned to approve the proposed revisions made to the newsletter policy. Motion Seconded. All in favor. Motion Passed Unanimously.

Lastly Chris mentioned that the committee will be reviewing the communications charter next month to validate that we are addressing all of the original intent of the Charter and will reflect this in our ongoing activities.

Board of Appeals: No Report

Other Business:

There being no further business to come before the Board of Trustees, the meeting adjourned at 7:45 pm. Next meeting is May 20, 2019 at 6pm.

Respectfully submitted by_____

Chris Colen, Board Secretary