

## **I'On Assembly Board of Trustees Meeting**

**December 14, 2020**

**Members Present Via Conference Call:** Johann von Asten, Tom O'Brien, Chris Colen, Julie Hussey, Eric Krawcheck, and Amy Sage

**Members Absent:** Trey Mathisen

**Management Company:** Jessica Gosnell and Mary Fraser

**Board Meeting Guest:** Carl Rokes, The Greenery's Aquatic Division

*Amy made a motion to move into executive session at 5:03 pm. Johann Seconded. All in favor. Motion passed unanimously.*

*Julie made a motion to move into open session at 5:56 pm. Trey Seconded. All in favor. Motion passed unanimously.*

**Homeowner Forum:** Cory Alcala; 129 W Shipyard, Michael McLaughlin; 11 Krier Lane, George Toole; 130 W Shipyard.

George Toole joined the meeting to discuss his concerns surrounding homeowners now being responsible for blowing and cleaning the streets and curbs adjacent to their homes. George expressed that his property is located on a street where acorns, leaves, etc. seem to accumulate more quickly than other streets. He is requesting that The Greenery blow and maintain the streets adjacent to his home at least once a month and asked that the Board research ways to acquire the funds for this. Cory Alcala and Michael McLaughlin also expressed their agreeance with George's statements. Johann pointed out that the Board came to this decision after receiving many complaints from homeowners regarding the noise pollution. Amy responded that she will discuss these concerns with the Landscape Committee and explore possible solutions that would be suitable for everyone.

Cory Alcala joined the meeting to discuss his concerns surrounding a neighboring property breaking I'On's short-term rental rule. He voiced his concerns regarding the parking spaces that the tenants are occupying and also expressed his frustrations surrounding his belief that more than 3 unrelated people are residing at the property at a time. He mentioned that he has discussed this issue at length with the Town of Mt. Pleasant as well as the HOA. He asked what the HOA can do to

help resolve this and inquired if the Covenants could be changed. Jessica responded that she spoke to our attorney about this issue and sent his response to all of the neighbors who have relayed these concerns to her. She reiterated that there is already a 28-day rental rule in I'On that prohibits rentals less than 28 days, and then there is the Town ordinance on the number of unrelated people that can reside in one household. The Town is the only entity (other than surrounding neighbors) that can legally enforce the ordinance on the number of unrelated people living in one home, so legally, there is nothing more the HOA can do to address this matter as it is an issue with a Town ordinance that the HOA does not have the authority to enforce. The burden of proof is on the Town. It was noted that even if we could make an amendment to the covenants, we would not have the ability to enforce it as the burden of proof is still an issue. Jessica stated that she has received copies of the leases from the homeowner every time a new person has moved in, which is all that is required per I'Ons short term rental rule. Tom stated that he has spoken with Jessica about the matter and stated that they will reach out to Shawn again to discuss this further.

Carl Rokes joined the meeting to discuss the algae that has recently surfaced around the lakes. He explained that the algae appears to stem from the unseasonably warm weather. He stated that they have actively been applying treatments to the areas and are keeping an eye on the clarity of the water. He stated that he recently applied another treatment which has caused the algae to turn blue and white as it breaks down they are then following up with a beneficial bacterium to help break it up more quickly. He indicated that the circulators are working well and moving the water throughout the canals to keep the water consistency the same throughout our water systems. He conveyed that he is seeing a lot less film and debris than we were prior to installing the circulators. Amy asked if this algae is only residing on the surface and if we need to possibly collect the algae that is surfacing rather than keeping it in the water. Carl responded that it is not harmful to our lakes and stated that after a good rain, this will break down more with help from the additional treatments they are applying as well. Johann asked if the geese and turtles are contributing to this. Carl responded that turtles don't seem to have much of an impact but stated that the geese absolutely do have an impact on the algae due to the high amounts of feces they produce. Carl urged residents not to feed the turtles, geese, or any other wildlife. Tom then inquired about the fish population. Carl replied that the fish population is very strong and he continues to see a lot of fish activity. Jessica inquired whether he knew of any other

communities that have experienced success with geese deterrents. Carl responded that he does not see nest activity around our lakes but stated that migratory geese are flocking at this time. Carl will do more research surrounding geese control options that might be more sustainable long-term. Jessica also asked if it is a problem for people to catch any of the fish that we have added to the lakes for pond weed and midge control. Carl responded that it would not be an issue as many are too small to even catch or are fish that would not go after bait.

**Call to Order:** 6:49 pm by Tom O'Brien

**Approval of Minutes:**

*Chris made a motion to approve the November 16, 2020 I'On Assembly Meeting Minutes. Johann Seconded. All in favor. Motion passed unanimously.*

**President's Report:**

Tom notified the Board that the Assembly has been served with a complaint filed in the Charleston County court of common pleas regarding a personal injury claim from Karyn Cavanaugh. The Assembly's insurance carrier has been notified of the lawsuit, and the carrier has retained counsel for the Assembly to handle the defense of the suit.

**Treasurer's Report:**

Johann provided a brief overview regarding where we stand on spending, specifically relaying that we now expect a surplus at year end rather than a deficit. Johann discussed the surplus that we now have and explained why this occurred. He stated that there are 3 key factors that contributed to the surplus. One, we received \$70,000 more in income than we had budgeted for, which includes the \$23,000 in interest that was reallocated from reserves, an increase in IDC review fees due to the increased number of submittals, and violation fines that are never budgeted for, two, the canal circulators were paid from Capital Reserves rather than from the Operating Budget as we originally planned to do, and then three, when projecting Johann didn't account for some of the expenses that were one-time hits on the budget. He also informed the board that we received a high number of transfer fees for the year. We had budgeted to receive \$83,500 in transfer fees and actually received \$136,000 at year end.

Johann then reported that that Paul Gillis and David Nixon will be resigning from the Finance Committee. Paul is very busy with work right now but plans to re-join

the committee after he retires in a few years. David and Nancy are moving from I'On, therefore David would no longer serve on the committee. Johann stated that the Finance Committee does have a new volunteer, so he would like to receive Board approval to add Bill Finn to the committee.

*Johann made a motion to add Bill Finn to the Finance Committee. Amy Seconded. All in favor. Motion passed unanimously.*

It should be noted that Bill has tentatively agreed to run for the Board in 2022.

The Board reviewed the 2021 variable comp goals for the management team.

*Johann made a motion to approve the 2021 variable comp goals for management. Julie Seconded. All in favor. Motion passed unanimously.*

Lastly, it should be noted that we are also working on variable comp goals for Dana to achieve in 2021.

### **Amenity Report:**

Jessica provided a report on behalf of Trey, first providing an update on the Waterfront Enhancement. She stated that the furniture should be installed no later than February and explained that it has taken so long because it was on backorder. Tom commented on a bench that was previously down at the Creek Club that honored Leann Atkins and Brad Walbeck that disappeared some time ago. Jessica will look into getting another bench or plaque to replace this. It was also noted that we attempted to add azaleas around the electrical panel but found that there is cement all around the area so were not able to do so. We will look into either adding dirt or installing potted plants around this meter in order to sufficiently screen it from view as requested by the Town. It should also be noted that the electrician will be adding an outdoor cover to the outlet so that it isn't open to the elements.

She then went on to discuss the Common Area and Eastlake Athletic Field Reservation policies. She stated that after an issue with a previous Common Area reservation, we decided to look into these policies and noticed that they needed more clarity like the firepit reservation policy that we drafted. (See attached revised policies.) It should be noted that these policies do not apply to the I'On Trust and are only applicable to those who wish to reserve common areas for "private" events.

*Julie made a motion to approve the Eastlake Athletic Field Reservation policy and the Common Area Reservation policy as proposed. Motion Seconded. All in favor. Motion passed unanimously.*

### **Communications Committee**

Chris reported that the 2021 directories were distributed to those owners who participated in the Giving Lights program on December 6<sup>th</sup>. The remaining directories are available for pickup in the I'On management offices for any residents who would like to pick one up.

Chris also stated that the Civitas Award meeting will be held next week to determine the 2021 Civitas Award Recipients. He welcomed anyone's thoughts or opinions on possible nominees that the team should consider.

### **Landscape and Infrastructure Report:**

Amy first discussed capital projects that the committee would like to see completed in 2021. She first brought up the Front Entrance Enhancement and directed the Board to view the proposal for this project. Johann pointed out that the school bus pick up/drop off location is in an area we are planning on planting and stated that kids often walk through the area. Due to this discovery, we will need to revisit the scope of work with the landscape architect. Amy then discussed landscaping projects that would begin at the start of 2021. These projects include planting in front of the Boathouse, planting the pocket park close to the Isle of Hope Dock, planting the remaining bare HOA right of way strips, and renovating the plantings in the raised planters at the front of the neighborhood in the I'On Square. These projects will begin in January since the early winter months are the best time to install plants.

Next, Amy discussed the topic of fishing in the canals, stating that we have received complaints from a few homeowners stating that they witness many people fishing in the canals and lakes that do not live in I'On (such as contractors). She also expressed her concern of children hooking fish and turtles and not knowing how to properly release them, therefore harming the wildlife. The Landscape Committee discussed the matter and did not agree with not allowing fishing at all in the lakes or canals, they felt this was an amenity that many residents responsibly enjoy so they did not want to prohibit fishing completely. They briefly discussed adding additional signage in the area stating that fishing is for I'On residents only. However, the Board touched on the fact that none of our amenities are private as

we are not a gated community. Chris also raised his concern of how we would enforce this rule. Tom voiced his opinion that eliminating fishing in the canals only would still leave many other water spaces to utilize while addressing the biggest area of concern. After further discussion, it was decided that we will install 2 small signs along the canals that read “No Fishing in the Canals”.

*Amy made a motion to install small, “No Fishing in the Canals” signs. Johann Seconded. Five in favor. One opposed. Motion passed unanimously*

Lastly, Amy discussed the proposed Westlake Path repairs. She stated that we received a quote from Earthsource Engineering to design a permanent solution to the continual erosion problem we are experiencing on the Hopetown end of the Westlake path. These plans would resolve these issues long-term and eliminate the need to continually spend money on repairing the washout as has been done over many years now. The engineered drawings would cost a maximum of \$6,550. It was noted that we have already put a lot of money into repairing this area with but nothing done has actually fixed the issue permanently. It should be noted that we previously received a quote for \$5,400 from S&S Enterprises to add another drain to the area, but they could not guarantee that this work would fix the washout issue. We have also discovered that stormwater runoff issues from neighboring homes will need to be addressed in addition to engineered plans being designed to permanently fix this. The committee has spent a lot of time researching this and would like to receive Board approval to enlist EarthSource Engineering to design a plan to fix this issue.

*Amy made a motion to spend up to \$6,550 to have engineered plans designed for the repair of the eroded area along the Westlake Path. Motion Seconded. Three in favor. Two opposed. Motion passed.*

It was noted that the geese away light warranty has been extended by the company upon our request until July 2021. It was also noted that Jessica obtained another one year extension from the SCDOT on the Front Entrance Enhancement.

Lastly, Amy reported that we received a quote from Palmetto Ceramic Coatings for coating the canal bridge walls for \$37,000. This product is a thick coating that would fill in cracks and would last for 8 to 10 years. It also included pressure washing and scraping the canal bridge walls to remove the leftover vine residue. Jessica stated that she reached out to the Town to see if they would offer any financial assistance with this project, and they responded that they will not be assisting with any of this cost as our request is solely surrounding cosmetics and

not anything structural or safety related. Board members commented that this was too much money to spend on something that would only last 8 to 10 years. Johann recommended asking a regular painter to look at the canal bridges and see if we could use regular paint to have them painted, he said he would reach out to the painter that painted his house and see if he could do the canal bridges. This option would be much cheaper than a continued maintenance cost of the coating from Palmetto Ceramic Coatings.

**IDC Liaison Report:**

Julie stated there have been 289 agenda items throughout this year. She noted that there are 55 outstanding jobs, and that the IDC has closed out 22 jobs at year end.

She also stated that Dana is working to simplify IDC applications while adding checklists to help applicants prepare their packets and the IDC in their review.

**Covenants Committee:**

No formal report was presented.

Eric expressed his gratitude to Tom for his leadership and guidance throughout his time on the Board over the past 2 years. He also thanked Jessica and Mary for all of their hard work and consistent follow up throughout the covenants process.

**Secretary: No Report**

**Board of Appeals: No Report**

**Other Business:**

There being no further business to come before the Board of Trustees, the meeting adjourned at 8:20 pm. Next meeting is the Annual Meeting on January 27, 2021.

Respectfully submitted by \_\_\_\_\_

*Julie Hussey, Board Secretary*