

THE LAKES PROPERTY OWNERS ASSOCIATION, INC.
Board of Directors
MEETING MINUTES
Monday, April 8, 2024 at 6:00 PM
The Lakes Office: 400 Waccamaw River Rd. Suite E

CALL TO ORDER

The meeting was called to order at approximately 6:00 pm by Chris Ophardt.

- Michele Ferrante led the Pledge of Allegiance and Moment of Silence

Public Notification of this meeting has been published, posted, and distributed following the principles of transparency.

ROLL CALL

Chris Ophardt, Stan Fortune, Michele Ferrante, Jack Price, and Carla Wessells were all present for the meeting. A quorum was met.

Approximately 20 owners were also present at the meeting.

ADOPTION OF AGENDA

- **Motion** to adopt the Agenda after review and addition to Consent Agenda Item “Add Chris Hanover to Safety & Security Committee” (CO). With no objections, the Agenda was adopted.

ADOPTION OF THE MINUTES FROM SPECIAL MEETING OCTOBER 27, 2023

- **Motion** to adopt the Minutes (CO) with one correction. With no objections, the Minutes were adopted.

REPORT OF OFFICERS

- **PRESIDENTS REPORT** President gave an overview of Amazing Blades landscaping schedule – will be on site on Tuesdays each week. Mulch applied. They are scheduled to repair ruts on Waccamaw River Rd. /Santee River Rd; paid by trucking company insurance.

Soliciting. Contacted companies soliciting in The Lakes.

LITUS Meeting. LITUS is a paper document company when it comes to invoicing and billing, and all Lakes POA records. They do not digitize our records. We will be picking up our documents in the next week and then request a monthly records hardcopy update.

Volunteers. Easter Egg Hunt was a success. Thanked Michele and her committee.

Election Committee Update. Jeri Mathur is nominated to be committee Chair. One board member application received today. Calling for more volunteers!

- **SECRETARY-TREASURERS REPORT** The Secretary-Treasurer gave an extended report to the board for period ending February 29, 2024. The report is submitted to the record.

Bank account cash balances:

Operating Account: \$285,825.80

Reserve Account: \$167,835.28

Compliance Escrow Account: \$151,574.25

Road Maintenance Reserve Fund investment account consolidated balances:

Edward Jones CDs: \$283,000

Office Lease. Plan to Meet with Guignon Investments (landlord) to discuss how they determine CAM fees, property taxes, and utilities.

REPORT OF COMMITTEES

- **ACC** – Pat Higgins has been nominated for the ACC Chair. *Oral statement:* Pat provided an overview of his background and introduction to the Board, then summarized Tom Fontanazza's April 3rd ACC Committee Meeting Minutes: *In attendance were 4 members, new member George Caban, Pat, Tom, and Sal Guli. Andrew and Bob were absent. New business 12 projects approved. Variance request will be considered tonight. Old business, basketball backstop.*
- **Finance and Budget Committee** – Stan Fortune, Board Liaison. Bob Paolillo has volunteered to this committee. Committee is preparing for May meeting. Need additional business-minded volunteers. The report is submitted to the record.
- **Stormwater Management Committee** – Stan Fortune, Board Liaison. *TLC* has Saluda and White as the same lake on monthly pond report. *Oral statement:* Carp fish stocking \$12 ea. @ 20 per acre estimated \$16,000, need to look at getting "shell crackers" fish soon, stated pond dredging for 3 ponds will be approximately \$275,000. The report is submitted to the record.
- **Road Committee** – Jack Price, Chairman – Striping damage project proposal has changed to include striping all of Waccamaw to Meadow Woods and Cooper River Rd. The report is submitted to the record.
- **Governance Committee** – Carla Wessells, Chairman – Completed a Records Files Naming Convention and a Records Retention and Destruction Policy for board consideration. The report is submitted to the record.
- **Election Committee** – Chris Ophardt, Board Liaison – no report to submit to the board.
- **Maintenance Committee** – Ken Ferrante, Chairman – Created a maintenance step-by-step reporting process and reported maintenance tasks performed. *Beautification* purchased reflective vests and grabbers to pick up garbage (\$60.40). Confirmed 2024 FY budget for Maintenance is \$10,800, Beautification is \$1,800. Spring planting event upcoming. The report is submitted to the record.
- **Community Engagement Committee** – Michele Ferrante, Chairman –Eleven (11) homeowners have volunteered for the committee. All have signed a confidentiality policy, statement of conflict of interest and ethical principles. The report is submitted to the record.
 - Social Events: Easter Egg Hunt was held on March 30th – 48 children and their families attended. Lots of positive feedback. **Upcoming Events:** 2nd Annual Art in The Park September 14; Halloween Party and Chili Cook Off October 19; Holiday Event with Tree Lighting December 14.

- Office & Welcome: Hours Mondays 4-7 pm, Thursdays 4-7 pm, and Saturdays 9-11:30 am. New Welcome Packets being developed, adding a children's page. Creating a "Welcome Basket". Encourage activities and groups to use the office for gatherings.
- Newsletter: New format, name and layout. Quarterly publication. Debi O'Dell will assist with the newsletter and reach out to local businesses for advertising opportunities, new homeowner offers and maybe event sponsorships in the future. Determining how many homeowners need a mailing vs digital version. On track to get June printing completed.
- First Committee Meeting scheduled April 11th at 4:00 PM with all volunteers.
- **Safety and Security Committee** – Ken Ferrante, Chairman – Chris Hanover joins the committee to manage the Speed Trailer. Purchased keys for office, speed trailer, gate and garage (\$81.94)
 - Budget: There is no line item budget set for this security and safety; however there is a utility cost (HTC) for the security camera links (\$5,000).
 - Wildlife: Reached out to USDA. Awaiting service agreement and payment information. Goose round up procedure form provided to BOD. Volunteers will be needed.
 - School Bussing Plan – Chris brought this up and referred to the committee and will provide point of contacts.

The report is submitted to the record.

CONSENT AGENDA ITEMS

Items Originating from the President

1. Approval of the Amazing Blade Estimate for \$600 to fix damage caused by the Moving truck along Waccamaw River Rd using the \$600 insurance funds from the moving company.
2. Approval of the October Annual meeting minutes.

Items Originating Stormwater Management Committee

3. Approval of the nomination of Larry Stevens and Kenny O'Dell as Stormwater Management Committee members.

Items Originating from the Finance Committee

4. Approval of the nomination of Bob Paolillo as Finance and Budget Committee member.

Items Originating from the Community Engagement Committee

5. Reimbursement of \$371.77 for a new Epson Printer/Scan/Copier for the office

Items Originating from the Architectural Control Committee (ACC)

6. Approval of ACC recommendation from minutes on cemented basketball hoop on the side of the driveway for a home on Cowan Place.
7. Approval of ACC Worksheet Line 47 - roof solar power for a home on Edisto Ct
8. Approval of ACC Worksheet Line 43 - patio for a home on Waccamaw River Rd.
9. Approval of ACC Worksheet Line 40 - Bulkhead for a home on Santee Circle.

10. Approval of ACC Worksheet Line 33 - Driveway Addition for a home on Saluda River Rd.
11. Approval of ACC Worksheet Line 32 - Generator for a home on Saluda River Rd.
12. Approval of ACC Worksheet Line 30 - Patio for a home on Saluda River Rd.
13. Approval of ACC Worksheet Line 29 - Patio, Driveway Ext. for a home on Saluda River Rd.
14. Approval of ACC Worksheet Line 27 - Hot Tub for a home on Reedy River Rd.
15. Approval of ACC Worksheet Line 22 - Driveway / Walkway for a home on Guilford Loop
16. Approval of ACC Worksheet Line 14 – Patio for a home on Guilford Loop once deposit check is received.
17. Approval of ACC Worksheet Line 3 –Patio for a home on Black River Rd

Items Originating from the Safety and Security Committee

1. Approval of the nomination of Chris Hanover as Safety and Security Committee member.

Motion to adopt the Consent Agenda (CW), seconded and carried.

EXECUTIVE SESSION

At 6:44 PM, a **Motion** was made to enter into Executive Session (CW), seconded (MF), and carried. The Board of Directors left the room for discussion.

At 6:51 PM, the Board left Executive Session and the Meeting resumed. Chris spoke to the owners in attendance to “give a quick summary of executive session. The board authorized me to contact a couple of HOA/POA contract specialty lawyers.”

APPOINTMENT OF COMMITTEE CHAIRS

- **ACC**

Motion to approve Pat Higgins as Chairman of the Architectural Control Committee (CW), seconded, and carried. To be approved by the members in the May member’s meeting.

- **Election Committee**

Motion to approve Jeri Mathur as Chairman of the Election Committee (CW), seconded, and carried.

Dog Waste Stations.

- **Motion** (MF) to authorize the Maintenance Committee to remove two (2) dog waste stations, one at Lake Murray and one at the Lakes Park by the Gazebo. After discussion, and with no objections, the motion carried.
- **Motion** (MF) to authorize the sale of the three (3) dog waste stations that are not in use, and with no objections, the motion carried.

GOVERNANCE COMMITTEE CHARTER

- **Motion** (CW) to adopt the Governance Committee Charter as submitted.

Discussion: Chris asked, “Just from my understanding of committees, when they make a decision, where do those decisions have to go?” Carla replied, “To the board.”

With no further discussion, the motion carried.

RESERVE FUND INVESTMENT POLICY

- **Motion** (MF) to adopt the Reserve Fund Investment Policy as submitted to the board by Secretary-Treasurer in the March board meeting, seconded, and carried.

PROPERTY MANAGEMENT SERVICES

- **Motion** (MF) to approve the property management services request for proposal (RFP) and questions for prospective management companies, seconded and carried.

PROPERTY MANAGEMENT SERVICES

- **Motion** (JP) to authorize the treasurer to change the following bank accounts:
 1. Compliance Escrow Account ending in 0802 from a non-interest bearing checking account to a Money Market Account earning 4.15% APY;
 2. Operating Account ending in 0687 from a non-interest bearing checking account to Business Interest Checking Account;

The motion was seconded, and after discussion, the motion carried.

STORMWATER MAINTENANCE RESERVES – BANK ACCOUNT

Review by Secretary-Treasurer to board of directors regarding commingling of lake and drainage reserve funds with road reserve maintenance funds. Prior allocations estimated to be between \$30,000 and \$60,000 commingled with road maintenance reserves. Requested to open the Stormwater Maintenance Account with the allocated funds. Rebuilding our Banking assets so there is no more confusion, no commingling, and they match up with budgeted line items.

Action Item: Secretary-Treasurer refers this to the Finance and Budget Committee to determine allocations to “Lakes and Drainage” for the Stormwater Maintenance Reserve Fund Bank Money Market Account.

Action Item: Take to the membership in the May Members Meeting.

OPERATIONAL CONTINGENCY ACCOUNT

- **Motion** (MF) to authorize the treasurer to open an Operational Contingency Account, seconded and carried.

Discussion: To fund operations when there is a shortfall. To be funded with interest income from bank accounts, quarterly.

- At 7:25 PM, for medical reasons, Jack Price left the meeting. The **Quorum** is intact.

FUNDING THE CONTINGENCY ACCOUNT

- **Motion** (MF) to authorize the treasurer at the end of each quarter to transfer all interest earned from accounts held at the primary bank into the Operational Contingency Fund Bank Account until it is fully funded with three months' contingency funds; transfer thereafter into a Stormwater Maintenance Reserve Fund, seconded, and carried.

CPA SERVICES

- **Motion** (SF) to authorize the 1st Vice President and Secretary-Treasurer to identify and interview a new CPA with the board making the final decision for taxes and auditing purposes, seconded, and carried.

Discussion: Our current CPA has been authorized to prepare the 2023 Tax Returns and Audit.

ACC VARIANCE REQUEST

- **Motion** (CO) to deny variance for River Village property on Hatteras River Rd. to place the rear fence within the 10-foot Lake Easement on top of the bulkhead, seconded (MF), and carried.

Discussion: Former ACC Chair, Bob White, noted that the process for variance requests has changed from prior boards. This board has decided to hear ACC Variance Requests in regularly scheduled board meetings. The ACC committee made a recommendation to deny the variance and the owner was not present.

AUTHORIZE REQUEST FOR BIDS

- **Motion** (MF) to authorize the Stormwater Committee to get estimates from a Civil Engineer/ Drainage/ Stormwater Firm to develop plans for Lake Seneca's Weir and related drainage issues and road damage, seconded, and carried.

Discussion: Carla asked Chris if we have a Chairman yet. Chris advised yes, from March. Carla corrected that we did not vote to approve a chair for this committee or the Finance and Budget Committee as it did not come before the BOD in March or in this meeting. Requested the board address this before the meeting adjourns.

Chris offered information to the board regarding the Lake Seneca Weir. Stan advised that the weir does not meet current county standards. Carla asked who was hired to perform the work for RS Parker. Debbie Wolcott offered that there have been three (3) weirs have been involved in this process. Suggest the board reach out to Mike Healy and Frank Murkowski to get the specifics. Carla suggested that the board receive details on future inquiries and repairs so that future boards will not have difficulty in determining what was done. Stan states that the plan is to bring this up to county standards. Michele offered to forward background emails.

STOP SIGNS

- **Motion** (MF) to authorize the Road Committee to get an estimate for installing stop signs at the intersection of Saluda River Road and Enoree Court, seconded, and carried.

Discussion: This will be a three-way stop T intersection. There is a stop sign at Enoree, so two signs will need to be ordered and installed.

FENCES IN THE COMMUNITY

Review by Pat Higgins, ACC Chair, discussing the current fencing application conflicts with our CCR&Es. Chris suggests we have the POA Attorney review. Bob White offered an entertaining historical perspective. In summary, we have a longstanding precedent of extending fences on the side of homes.

Action Item: This will be added to the May board meeting after attorney review.

- **Motion** (SF) moved that until we consult the attorney to find what legal ground we are standing on that we don't approve any, but we don't deny any.
- **Motion** (MF) then proposed an amendment to the Motion, which was "to work on the fencing issue and reach out to get legal feedback ASAP." The **Amended Motion**, as proposed by (MF) was seconded, and carried.

Discussion: For the moment, the ACC must deny the fence.

Jeri Mathur makes a recommendation, which becomes the following motion:

- **Motion** (MF) to communicate to the owners by email bulletin that any fence request will need to comply with our current CCR&Es. At this time the ACC form is being revised. Anything outside of that will be considered after we have a legal opinion on what can be done, seconded and carried.

Action Item: Chris will craft a message from the Board and send out to the community ASAP and remove the form from Frontsteps.

HOMEOWNER COMMENT PERIOD

Issues commented on:

- Lake Easements and Common Areas
- Storage of Records
- Thanks to Pat and Jeri for stepping up
- Owner's Treasurer's Report
- Official Communications channels
Chris offered to clarify to community what are our "official communications channels" after the board has determined what channels it will use.
- Community Engagement Committee working on getting member's contact list updated, working on the email bounce rate.

- What is the reserve funding level currently, how are we funding the reserves?
Treasurer states the quarterly member's meeting report will clarify accounts and provide concise, easy-to-understand information for all homeowners.
- LITUS*
 - Communications. Need to get a better handle on response time and response policies for owner follow up communication.
 - LRAA pool management.
- Basketball Hoops.
Not addressed in our CCR&Es so as long as it is on the owner's property and not within an easement, it's okay.

ADJOURNMENT

There being no other business to come before the Board, the meeting was adjourned at 8:26 pm.



Carla Wessells, Secretary-Treasurer

Note: times are approximate.