**SNEE FARM COMMUNITY FOUNDATION**

Board of Directors Monthly Meeting

April 20, 2021 – Virtual Meeting – 6:00 pm

MEETING MINUTES

**President Cain called the meeting to order at 6:08 pm.**

**Board members present:** Adrian Cain, Katie Brennan, David Lane, Bob Ogilvie,

Jenny Hilton, Jeremy Burnham, Mario Rasgo

**Absent:** Jeff Kline, Jodi Daniels

**Minutes approved:** March Monthly Meeting Minutes approved electronically.

**Invited guests:** Ashley Fitch, Property Manager, Ravenel Associates

 Nopporn Kichanan, Landscape Architect, SF resident

**President’s Report: Adrian Cain**

Good evening and thank you all for joining us this evening. We are going to investigate going back to in-person meetings for the month of May, how we can do this safely while meeting CDC guidelines. Please stay tuned.

I am continually impressed by the effort that this Board brings to the service and improvement of our community. Thank you to my fellow Board Directors.

Zoom protocol read to audience.

I would like to call this meeting to order and ask if the Board had a chance to review the minutes from the last meeting. If there are no changes, I ask for a motion to approve the March meeting minutes. *The Board unanimously approved the March Monthly Meeting Minutes.*

Many of this Board have been very busy since we last met, and this evening we are going to run through several important reports.

I will kick us off with my President’s Report. Last month we discussed an inquiry that our Manager received from a prospective buyer, asking if our community had a restriction on the number of dogs. During this request, the prospective buyer disclosed that she had eight show dogs. To my knowledge, no further details were communicated.

Article IX, Section T of the AMENDED DECLARATION AND RESTRICTIONS FOR SNEE FARM COMMUNITY FOUNDATION, INC. indicates and I quote “Dogs, cats, fish, and birds, in reasonable numbers, which are customarily kept as pets are allowed on lots. All animals on property must be restrained and not allowed to become a nuisance or annoyance to neighbors.”

Article XIV, Section A of the ADAR, the Foundation has the “right to enforce, by any proceeding at law or in equity, and of the provisions of (the ADAR).”

During our March meeting, we heard several concerns from homeowners regarding the resolution that this Board passed defining “reasonable” as four dogs. At the request of these homeowners, Katie Brennan, Jenny Hilton and I met with Kelsi Futeral, Kelly Shymanski, and Karen Barker to hear their concerns and discuss next steps. Following this meeting, we met with our attorney and have been working to craft a thoughtful board policy that I will read this evening.

As a compromise, the Board will replace our resolution with a board policy, and I will read it fully to enter this into our minutes:

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|  | **RESOLUTION OF THE BOARD OF DIRECTORS OF SNEE FARM COMMUNITY FOUNDATION, INC.** **Policy Regarding Application of Restriction on Dogs**page1image946376080 |

The undersigned, being the Board of Directors of SNEE FARM COMMUNITY FOUNDATION, INC. (the “Board” and the “Foundation,” respectively), do hereby consent, agree, authorize and resolve as follows:

WHEREAS, pursuant to Article IX, Section T of the AMENDED DECLARATION AND RESTRICTIONS FOR SNEE FARM COMMUNITY FOUNDATION, INC. recorded at Deed Book W320, at Page 001 of the Charleston County Register of Deeds (the “ADAR”), “Dogs, cats, fish, and birds, in reasonable numbers, which are customarily kept as pets are allowed on Lots. All animals on property must be restrained and not allowed to become a nuisance or annoyance to neighbors;” and

WHEREAS, pursuant to Article XIV, Section A of the ADAR, the Foundation has the “right to enforce, by any proceeding at law or in equity, any of the provisions of [the ADAR]; and

WHEREAS, the Board has been contacted by potential buyers in the neighborhood to determine what number of dogs is considered “reasonable’ and “customary” pursuant to the foregoing ADAR restriction; and

Whereas, at this time, based on the questions and comments received by the Board, there is only a need for the Board to create a policy to interpret and apply the ADAR’s pet restrictions with respect to the number of dogs that is “reasonable” and “customary;” and

WHEREAS, the Board desires to adopt the following policy regarding the Board’s position on the interpretation and application of the ADAR restrictions on pets, and specifically, as to the number of dogs permitted, in order to provide notice to the membership and potential members of the community; and

NOW THEREFORE, the Board hereby adopts the following Resolution regarding the Board’s policy on the interpretation and application of the ADAR restrictions on pets, and specifically, as to the number of dogs permitted:

1. The Board’s interpretation of Article XIV, Section A of the ADAR is that no more than four (4) dogs is a “reasonable” and “customary” number of dogs that may be kept as pets within the community.
2. The Board’s interpretation of Article XIV, Section A of the ADAR is that a dog being kept as a “pet” shall mean and include any dog kept for more than three (3) months, including those dogs kept for the purpose of breeding, sale, or fostering purposes.
3. The Board hereby resolves that the Board will not take any enforcement action to restrict the number of dogs kept as pets by any Owner within the community, so long as the number of dogs does not exceed four (4).
4. The Board reserves the right to grant variances or exceptions to the ADAR restriction and this policy based exigent and/or temporary circumstances upon written request of an Owner (such as the temporary residence of a puppy litter, foster dogs, or other temporary arrangements). Owners must obtain prior written approval before any variance will be recognized.

This Resolution is not intended to modify or amend the terms of the ADAR, and specifically the

language of Article IX, Section T of the ADAR.

The Board reserves the right to adopt, repeal, or modify the foregoing Policy at any time.

Capitalized terms used herein shall have the same meaning as set forth in the ADAR or Bylaws, unless otherwise defined herein.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_. (“Effective Date”), by the UNANIMOUS vote of the then current Board of Directors of SNEE FARM COMMUNITY FOUNDATION, INC.

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I understand that there may be questions. To provide ample opportunity to hear from anyone interested in commenting, I will deviate from our normal procedure to provide the opportunity prior to our final vote for questions and comments. Do I have a motion from the Board for the approval of the policy as written?

*A motion was made and seconded.*

At this time, I will open the floor to questions and comments. Please keep in mind that you are limited to two minutes. Upon reaching your time, you will be asked to cease your comments and we will move onto others.

*Kelsi: I expressed concerns less about the policy or the desire to limit the number of dogs in this community to four, and more with the way this board is going about it, which I don’t believe is in compliance with the ADAR. The ability of this body to interpret the ADAR, that is what litigation is for and that when you try to enforce the ADAR with something that somebody disagrees with, that is when we have issues and people can contest it in court. The power that this board has to interpret the ADAR in policies has to do with the hearing process and the ability to assess and collect reasonable fines and penalties for violation of the ADAR. It does not give you the authority to unilaterally amend Article IX, Section T. Subbing the word reasonable for a number four is an amendment. It is not an interpretation. An interpretation would be you fining somebody for having five dogs because you believe it is unreasonable and us litigating that in court. I believe that in order for the board to pursue this line of action, you must pursue Article… pursuant to the bylaws… with an annual meeting or a special meeting with more than two thirds of lot owners present or voting by proxy. Otherwise, I believe this is outside of your powers as it doesn’t deal with just enforcement of policies or of the ADAR as defined. Thank you.*

*Kelly: I am very disheartened by this motion. As someone who fosters, I am on a board of a local animal rescue. The fact that we have to get a written documentation for any exceptions, I feel is extremely limiting, being that we were essentially asking for permission from, no offense, people who are not animal behavioral experts. You have myself, Kelsi and Karen Barker who have all fostered for many years, who are all very familiar with animals and animal behavioral issues and this is very limiting on what we can do to support our community and our volunteer efforts. You didn’t say anything about how long it would take to approve something like that, which is a question I have because I can get a call asking me to take a dog that night. It’s very concerning to me that this is something we’re going over because of an issue that was never an issue, somebody who wanted to move in. We don’t even know that their dogs would have been unreasonable and a nuisance. Thank you.*

*Karen: I just want to echo what Kelsi said. I believe this board is exceeding their authority. I believe that they are substituting the reasonable with the number four. Though you are calling it a policy, you are actually amending our ADAR by substituting that word reasonable with four. You also including in your policy that you can fine the 900+ homeowners in this community without giving them notice. There was no notice that we were discussing this topic in the email that went out and you’re doing it without a vote. So you are in violation of our ADAR. It needs to be by a special meeting or an annual meeting where the homeowners are allowed to vote, not just the Board about changing the terms in our ADAR. And I’m honestly distraught, and it’s not because I do not think four might be a reasonable number, I have two, maybe four is reasonable, I’m distraught because you are silencing our vote. You are removing the ability of the homeowners to even have notice that this is happening and you are unilaterally enforcing your opinion on our governing documents. So I’m not in agreement with this “policy” and I sincerely hope it is not recorded. Thank you.*

Adrian Cain: Is there anyone else who would like to speak on this. We certainly welcome any comments. Turning to the Board, does anyone have any comments or questions? Hearing none, I will call for a vote. All in favor please designate by saying aye and by showing a thumbs up. *One abstain. Motion carries.*

Thank you for all your comments and please know that this Board takes a great deal of time and effort to listen to the community as we pass these types of policies.

My final order of business before we move onto our officer reports. I am saddened that Jeff Kline has indicated that he will no longer be able to serve on the Board. He and his wife have decided to move back to Philadelphia, where they are from. We all know that selling a home in Snee Farm is quick and expensive…for the buyer… and Jeff’s timeline is quick.

I am pleased to say that we needed to look no further than someone who has been an active servant to the Board and the community, Mario Rasgo. I would entertain a motion to nominate Mario to serve the remainder of Jeff’s term and step into the role of Treasurer.

*A motion was made and seconded to elect Mario to fill and serve the remainder of Jeff’s term. Motion passed unanimously.*

*A motion was made and seconded to elect Mario as Treasurer of the Board. Motion passed unanimously.*

Now onto our officers’ reports.

Thank you all for joining us this evening. We look forward to seeing you in person next meeting.

**Landscape: David Lane**

Open Items

1. Street lights still not working – two on Garden Way island, one at Indigo Cut.

Ashley has reached back out to L&M Electric to gather clarification.

1. 1191-1198 Moss Bluff

Closed Items – none

Current Projects

1. Beaumont berm fence – Reece to have land cleared by May 3rd, with construction to begin immediately after
2. Message signs to be replaced at entrances – Nopporn to give update

The options and designs will be shared with the community for feedback. The plan is to make the message boards coordinate with the entrance signs. There are some DOT restrictions that may cause limits in what can be done.

Pending Projects

1. SF Parkway lighting – All quotes received, minus trenching in islands
2. Loyalist/Plantation “triangle-circle” re-landscaping
3. Re-sod main entrance
4. Enhance main entrance plantings (annuals and perennials)
5. White wash front entrance bricks?

Upcoming Projects

1. Plant replacements
2. Utility box screening at end of SF Parkway (after fence is built)
3. Mulch, pine straw (in the next few weeks)
4. Spring annuals

**Maintenance: Bob Ogilvie**

1. Whipple Road Fence
* I walked the fence and took photos. Very little deterioration was noted. The fence will hold up for several more years, before needing a fresh coat of Snee Farm Green paint.
* At least two of the gates were found to be gaping open. Each gate has a chain with locks. It was determined that keys are held by Mt. Pleasant Water Works, Dominion Energy and Snee Farm. The Snee Farm key is now in my possession.
* The land in back of the fence is a public utility easement. At some point it will need to be determined if we want to request Dominion Energy to clean that space up of limbs, etc.
* The gaping gates were secured by Ravenel Associates Maintenance with a wood cradle on either side and a short 2x4 slid into place. Gates look good for now!
1. Gazebo
* Three quotes for pressure washing and painting have been obtained by Ashley. We have chosen Ralph Dandridge Painting, LLC. They had the lowest quote with the most detail with cost at $3275.00. (The other quotes were $3400 and $3800.) Ashley is arranging an on-site meeting with Dandridge, Ashley and myself to clarify the project. The gazebo will be painted two coats of white, and the decking gray.
1. Street Lights
* I reported several public street lights not working, giving the pole number for each to Ashley. I note that the street light at Indigo Cut, that belongs to SF, is still not working.
1. Law Lane road bump
* This was reported to be between two drainage holes. The plan is that this will soon be smoothed out.
1. Drainage Ditch along golf course
* I walked the drainage ditch beginning in back of Spyglass Point, where I live, all the way to Casseque Province that runs in back of Plantation Lane, Loyalist Lane and Governors Road. I made a photographic record of debris and partially blocked drain pipes that originate on Spyglass Point, Plantation Lane and Loyalist Lane. I reported this to TOMP and included a pdf and videos. Here is the email reply:
* *Mr. Ogilvie,*

*I am in receipt of the information you have submitted to Mr. Funk for our review. Due to some federal deadlines, I have not yet reviewed your PowerPoint, but I have been walking the ditches of Snee Farm for 20+ years, so I am familiar with the layout and operations. We have it flagged for review this week.*

*I am sharing with you the property plat for the area that identifies no public easements on this drainage channel section. The channel (without a full property survey) sits on residential parcels or golf course, as do a number of the channels around the course. Throughout the community there is a connection between private and public ownership, including the Town, SCDOT, the golf course, the HOA, and in some cases residents. There have been multiple discussions with different course owners, boards and residents that we are happy to refresh!*

*Hillary Repik*

*Stormwater Division Chief*

* I plan to follow up by contacting Hillary Repik to request the result of the refresh promised and review of the document I sent. Probably, we cannot get anyone to take responsibility for that ditch as well as the others. The good news for the ditch is that after the last downpour it is flowing very well.

**Architectural Control Committee: Jeremy Burnham**

The ACC has been fairly busy lately. We’ve had 25 requests for the month of March and 15 to date for April. It’s a busy time of year, when people are working on projects. There are about 4-5 requests I should be able to address by the end of the week.

The Snee Farm Gardens section is doing lots of improvements. There have been 4 requests in the past 10 days for nice updates to some homes. There is a lot of good work that is being done.

Just to make everyone aware mobile homes, travel trailers, pull-behinds are not allowed in Snee Farm.

**Communications: Katie Brennan**

Adrian: I want to give a shout-out to Katie Brennan and Heather Evans raised a question about the usage of the gazebo, which prompted a conversation with this Board about we can better improve communication and usage of the gazebo, especially with Bob’s work to create some enhancements. Katie and Heather have agreed to co-chair a task force to come up with a set of recommendations of how we can use the gazebo more fully throughout the neighborhood. If there is anyone interested in serving on this task force, please let us know.

Katie: We are looking for ideas to enjoy the gazebo and landscape seasonally and engage the homeowners throughout the neighborhood.

1. Graduation Signs

I will send out an email to the community to ask for first and last names of the graduates, with a **due date of May 15th**. This will allow enough time to get the information to the printers to create the banner.

Jenny: Last year the Board made exceptions for graduation signs because of Covid. This year in lieu of signs in yards, *which are a violation*, the Board is going to be purchasing a banner for a congratulations for all of the graduates. This will be displayed as a community-wide sign until July 5th.

*Question: Where would the sign be posted? With multiple entrances, a banner at each entrance would be needed to make a real impact. If the goal is to prevent people from putting signs in their yards, I’m not sure one banner will be enough.*

Jenny: We’re considering just one banner and displaying it at the main entrance off Hwy. 17.

1. TJ and I were talking about how much yard work everyone is doing right now and how we’d like to give the homeowners a break from the policy of not putting debris on the curb before Monday afternoon. This was discussed and the Board agreed to grant this exception through May 3rd.

*Question: It may be good to revisit the rule itself of when yard debris can be hauled out to the curb. Most people do yard work on weekends and it seems that being able to haul debris out to the curb on Sunday afternoons would be reasonable. This does not include garbage cans.*

Adrian: This is a perennial question in response to an imperfect ADAR.

**Restrictions: Jenny Hilton**

1. Overnight Parking

We have had a good feedback and response to this issue recently, resolving a couple situations.

1. Graduations signs

Signs in yards are not allowed per the ADAR. If you place a sign in your yard, you will be receiving a letter.

1. We have seen fewer violations and homeowners seem to appreciate the more relaxed approach to siting violations. Ashley has communicated with a few homeowners regarding their specific concerns.

**Property Manager’s Report: Ashley Fitch**

Financial **–** March 31, 2021

 Bank Balance: $702,418.03

 Reserve Balance: $59,319

Variance Report:

* Income saw a positive variance of $594 for the period due to income received from Working Capital of $1200. There were 6 closings processed in this period. Additionally, the HOA received miscellaneous income from the Country Club for pond service and violation fines billed to the owners.
* Total operating expenses for the period were under budget by $3,947. This was due to the following:
* Admin. Expenses realized an overall positive variance of $2,856 due to less than budgeted legal expenses and no bad debt realized in this period.
* Overall landscape budget showed a positive variance of $4,284. All line items showed positive variances and there were no budgeted tree maintenance expenses this period.
* The maintenance category was the only category showing a negative variance this period. This was due to the electrical repairs to the entrance lights expensed and the gate and gazebo repairs.

Delinquency Update:

Total delinquent as of 3-31-2021: $39,391.84

There are 16 total delinquent accounts with 11 of these with balances over 60-90 days. Statements have gone out to all delinquent owners. The next step for theses owners will be to file alien on the account to secure the debt. Manager will discuss with the Treasurer to get approval to proceed.

Action Items:

* Boundary survey has been completed for the Beaumont fence, and David Lane has met with the landscaper and fence rep. to stake out the fence line
* Electrical repairs have been completed at the entrance. Still awaiting schedule on the one area – Project Manager is out due to death in his family
* Manager noted 12 ACC requests since last Board meeting
* Dandridge Painting has been chosen to repaint the gazebo. Bob Ogilvie and Manager meeting onsite with the contractor this week
* Continuing to monitor habitual enforcement violations
* Manager has provided quotes to Landscape Chair, David, for boring and additional uplighting on SF Parkway (in process)
* Manager provided specs of the mailbox to Board to post on the website.

**MESSAGE BOARD UPDATE – Nopporn Kichanan**

I have been working with the Board on a design for the new message boards at each of the four entrances, a design that is a little more substantial, a little larger in size, detailed in a higher quality way. We are also looking at different locations, potentially, that will improve the message signs legibility and safety. We need to review the work, before sharing it with the community.

**Finance Report: Adrian**

I can quickly give the Finance Report since Mario was just elected Treasurer tonight.

Expenses and Revenues are in line with expectation as we close the first quarter.

We are at the point where we are going to begin assessing interest and fines for homeowners who are delinquent in paying their 2021 assessments, of which there are about 81. This is fairly typical compared to previous years. Notices have been sent out, after the Board waited an extra month more than they are required to wait before sending notices.

Jeff and Ashley have met recently. Jeff, Mario and I have met to do the transfer of responsibilities of Treasurer to Mario.

**NEW BUSINESS – Homeowners’ Comments**

*Question: What are the dates for being able to haul debris to the yard outside of the usual policy on not before Monday afternoon?*

**Jenny and Katie: Homeowners will be able to haul debris to the curb any day through May 3rd.**

*Question: If the issue regarding more than one banner for the graduates is a financial issue, I would be glad to help raise the money among homeowners so that our graduates can be recognized at all four of the entrances.*

Adrian: Kelsi, thank you for your kind offer and your thoughts on that. We will circle back to you on where we land on that.

**The meeting was adjourned at 7:13 pm**