

## ACA General Meeting

September 24, 2015

Meeting Minutes: Meeting was called to order at 7:00 pm

Members Present: Norman McDonald (P), Jimmy Hahn (1<sup>st</sup> VP), Katherine Bourne (T), Sharon Sanders (Sect), Bob Veitch, Jason Simmons, and Glenn Sweatman

Attending: 21 attendees at meeting

Guest Speaker: No guest speaker

---

### General Business

- a. The minutes from the June 25, 2015 General Meeting was read by Sharon Sanders. A motion was made to accept the minutes, it was 2<sup>nd</sup>, all were in favor - none opposed, the motion was carried and accepted as read.
- b. The treasurer's report was presented and read by Katherine Bourne. A motion was made to accept the treasurer's report, it was 2<sup>nd</sup>, all were in favor - none opposed, the motion was carried and accepted as read.

### Unfinished or Old Business

- a. Storm Water Draining System – This has been ongoing since April 7, 2014. The issue is alleviating the flooding problem on Botany Bay Court and Old Dominion Drive. This area was specifically funded with \$255,000 that was set aside by the county. Approximately one week prior to the General Meeting, Councilman Bailey, the county administrator, and the director of public works reviewed the pond and the intersection of Botany Bay Court and Old Dominion Drive. It went no further beyond that. Nothing else was mentioned. However, at the last county meeting, the county attorney was asked whether the county should pay for the remediation of the pond. He, in turn, asked the question - Did Dorchester County make a commitment to that project? With the answer being yes, (with 3 witnesses and Norm taking pictures), he said if the county made a commitment, then they have to live up to it. With Botany Bay Court and Botany Bay Blvd. having already been funded, Norm's question was...Where did that money go?
- b. Sterling Forest Entry Lattice - There was a reading in the minutes of the prior meeting of where we allotted extra funds to finish the project at the entrance of Sterling Forest for painting. We had an initial estimate that those repairs would be \$350.00. Extra funds were allocated for a total of \$600.00 for repairs because we had to replace a lot of wood. That job is done and now completed.

- c. Archdale Entrance Landscaping – The original rocks delivered were too small and we needed something bigger to protect the sign. For \$2,000.00 the stones that are there now were delivered, the old boxwoods were lifted out, and for little more of around \$300, the debris was hauled off to the trash disposal site. We now need to come back to general membership for more money for landscaping. This will be brought up at a later meeting because the landscaping game plan has not yet been determined. This hinges on whether we could get water and a meter. Ted Hucks spoke with someone at the main office at the water company on St. Phillips Street. He searched for a meter, and found that there is not a meter in place for us. Ted was told that we could put in a meter at the Archdale entrance sign and tap into the fire hydrant. This would not be a problem, however there would be a cost for tap and impact fees. The tap fees are \$500, the impact fee is \$2,590, and there's also a \$30 account origination fee – totaling \$3,120 for a meter to be put in place. There would also be additional costs if we were to install an underground irrigation system. We would need a back flow preventative device, which we would have to pay a plumber to install, and it would have to be inspected once a year by a water department testing facility, which costs. In the absence of the water meter, we have been looking at plants that thrive in very little water. Further discussion was made on various types of plants that may work.
- d. Speed Humps – The third reading of the ordinance had little resemblance of original ordinance. It was written by the division of public works. A new ordinance is being redrafted, so it is back in committee for a rewrite. The old ordinance is still in place, but is not being applied. County council would like to pay 100% for speed bumps as in the cities of Summerville, Charleston and North Charleston. The county should not charge the HOAs, so it is back in committee.

A question from the floor: What's the current ordinance and why can't we just do what it takes under the current ordinance to get the speed bumps put in? Ans: The current ordinance says to get a petition signed by the residents of that street, come up with \$750 (fair share), and the department of public works would install the speed humps. It goes on to say that if they decide they've made a mistake, they would remove the speed bumps and the association would be out the \$750. The speed bumps are raised 3" off the street and are the poured style. The other types, which are bolted down, are considered temporary speed bumps, and the director of public works is not fond of that type. Another question was raised as to who would put it in front of their house. Ans.: They will be placed at the director's discretion.

- e. Delinquent Accounts – We have already passed a resolution to go after people who are delinquent in assessments. The number of dollars of delinquent monies is \$95,486. The old attorney, who Norm spoke with, exited and did not do anything because we did not give him anything to do. We had a lot of errors that have since been resolved. Now we are on firm ground with knowledge of who owes what. Norm had a letter from a law firm, who he met with earlier in the week, which gave a dollar amount to retain their services. Norm was asking for a motion to use \$2,000.00 to retain the law firm. He explained that legal fees could run from \$10,000 to \$11,000, which is about 10% of what could be recovered. There are 10 HOAs under the umbrella of Archdale Civic Association. Some vary with regards to the requirements of its

residents, and all of the covenants do not read the same. There are different scenarios in different sections of the neighborhood. A comment was made from the floor: What would it take to have a blanket covenant? Ans: It would take a given percentage of each person who lives in each specific section of Archdale to sign an acknowledgement that they are going to come under new restrictive covenants. It would have to be done for all of the neighborhoods. With that being said, Norm went on to explain that a contract would have to be signed with the law firm, along with an initial retainer is \$2,000.00. The law firm is Koontz and Mlynarczyk. One of our Archdale residents, Michael Harrington, is an attorney with the law firm. Mr. Harrington explained the use of the retainer - the firm will generate a report detailing the right every homeowner has and analyze how much of the money owed can realistically be collected. The firm's report will also include the relevant statutes pertaining to each case. The rates for billing are \$200/hr for partners; \$175/hr for associates; and \$115/hr for paralegals. An estimate of legal hours needed were not provided with Norm's letter from the law firm, however Mr. Harrington stated that \$2,000.00 is an outside figure, meaning, a high estimate, which cannot be exceeded without getting authorization. The issue of the cost of drafting letters to residents were raised. Mr. Harrington said that would be a negotiation issue with the partners, who are the owners, and who make the pricing decisions. A motion was made to move forward, it was 2<sup>nd</sup>, all were in favor - none opposed, the motion was carried by majority vote.

### **New Business**

- a. "Over Layment" of Entrance of Dorchester Road – "Over Layment" means the whole thing will get repaved. Sandy with the Dept. of Transportation said they were bringing equipment out because the job order had been approved for repaving the turn lane between Archdale Blvd, and Bosch. The work order had just been approved, and was moving forward. There was no start date given.

### **Discussions/Comments from the Floor**

The Police Patrolling – they wrote 1 warning and approximately 30-35 traffic citations for speeding and running stop signs. They patrolled twice, and have 4 more patrols to go.

Someone asked about the wood stakes with orange tape running down Archdale Blvd, on the right between Waverly Apartments and the condos. No one knew what they were there for.

A motion was made to adjourn, it was 2<sup>nd</sup>. The meeting was adjourned at 8:03

Next General Meeting will be Thursday, December 3, 2015.