

Association of Sea Pines Plantation Property Owners  
Meeting Minutes  
May 9, 2007

The May meeting of the Board of Directors of the Association of Sea Pines Plantation Property Owners was called to order at 3:00 p.m. in the CSA main conference room.

1. Roll Call

Present:	Jim Young Audrey King	Don Carlson John McLauchlin	Kathy Carter Sam Pruett
Absent:	Paul Aikman	Mike Hellman	Fred Wynn
Staff:	Cary Kelley Jeanne Pearse	William Leitner	David Henderson
Guest:	Tom Hagoort		

2. ASPPPO Administrator's Report

a. Property Report List- Mr. Henderson gave an update on the progress made with the homes on the list. There are four properties that are not taking any corrective action and litigation may have to be started in order to get their property cleaned up.

One of the board members asked Mr. Henderson to follow up on a complaint regarding a tree house.

b. Plantation Managers' Meeting - Mr. Kelley reported on the Plantation Managers' meeting held earlier today. Mrs. Carter had also attended the meeting as a guest. One of the topics discussed at the meeting was the Town's Debris Management Program. Mr. Kelley distributed a copy of a memo from the Town's Chairman of the Disaster Recovery Commission.

It had been relayed to all the managers that the Town would push the debris to the roadsides (on all Hilton Head's roads), then come and make sweeps to remove the debris piles until all their funds were expended. Any remaining debris removal would be the property owner's responsibility. The Town had moved it's \$12 million in funds originally set aside for beach re-nourishment to a Disaster Recovery Reserve fund. This reserve fund will also collect interest and the Town was looking for other ways to fund

it.

Mr. Kelley summarized the report by explaining that the Town was prioritizing and dividing the services equally to everyone. The estimated dollar amounts for debris removal in the report were on a 30% +/- basis. One key element is the location of the debris management locations within the private communities. The number of times the debris has to be moved makes a big difference in the total cost. Currently, our locations are the Heritage Farm and the Lawton Stable. Mr. Kelley will be updating the MOA with the Town to add additional sites in the next couple of weeks.

A copy of the questions submitted to the Town regarding disaster recovery and the Town's responses had been included in the board package. This was briefly discussed.

c. Montessori School Temporary Structures - Mr. Kelley said he received a legal opinion from legal counsel that the only Sea Pines covenants that apply to the school's property is the 1974 Covenants. In the 1974 Covenants, there is nothing stating that temporary structures are prohibited, that particular clause is in the 1970 Land Use Covenants. A copy of the opinion was distributed.

3. Minutes - Mr. Pruett made a motion to approve the April 19, 2007 meeting minutes as amended. Mr. McLauchlin seconded the motion and it was unanimously passed.

4. Financial -

a. Membership/Revenue - The April financial statements were reviewed. ASPPPO's membership has risen to 82% of those who are eligible to join. Mr. Leitner has printed out the names of those who had not joined.

Mr. Carlson said that he contributed the membership increase to the two timely mailings that were done. He suggested to do another statement as a "third final notice" to these people. The board members would review the list of non-members and include a personal note to the ones they knew and with whom they felt comfortable doing this.

b. Legal Expenses - The McNair Law Firm's bills covering the Sonberg litigation have been submitted to the Legal Affairs Committee for review.

5. Referendum Status

The referendum ballots had been mailed on April 19<sup>th</sup>. Mr. Carlson asked if everyone had received their information, he was concerned because he had not receive his yet. All the other board members had received their packages. Mr. Carlson will stop by the CSA office and obtain a package.

Mr. Kelley said that Robinson Grant has counted the ballots received so far and approximately

96% have voted in favor of the referendum.

## 6. Committee Reports

a. ARB Liaison Committee - Mrs. Carter said the ARB had voted on and approved the Sea Pines Beach Club parking lot improvements. The ASPPPO Board members did not think the plans should be approved for several reasons, some of them were: a long range plan was not in place; there was not enough input received from the adjoining residential neighbors; not enough research had been done on the impact of traffic; there was no research on the impact of drainage in the area and the possibility of nuisances such as noise and lighting had not been considered. The ASPPPO Board felt the Sea Pines Resort had ignored their resolution and request to have a long range facility plan.

Mr. Carlson said he had met with Mr. Birdwell and when confronted with some of the negative comments that ASPPPO had received, Mr. Birdwell expressed shock because this was the first time he had heard of any problems. Mr. Pruett suggested a meeting be held with Mr. Birdwell and present a list of problems to discuss.

Mr. Carlson said he had received more correspondence on the Beach Club renovation and distributed a letter from Mr. Domenico DeSole, who is presently engaged in litigation with the ARB on another matter. Mr. DeSole is against the encroachment agreement that the CSA Board approved for the Beach Club Parking lot and feels that the plans for the renovation of the parking lot is too extensive. Mr. DeSole also feels the CSA Board did not act responsibly when considering the plans for the improvements.

Mr. Carlson said the 1984 Hotel Settlement Agreement states that "The Company, with the advice and consultation of ASPPPO and the Property Owners Advisory Board, shall establish a new parking plan for the Turtle Lane Beach Club site which will include restricting use by residents and guests of the adjacent Monarch Interval Ownership Project." The ASPPPO Board had not been consulted.

Discussion was held and Mr. Pruett made a motion that the ASPPPO Board correspond with the CSA Board and ask them to rescind the encroachment into beach walk open space to The Sea Pines Resort. The motion was seconded by Mr. McLaughlin and was passed unanimously.

The ASPPPO Board decided to hold a workshop session to meet with all the Class A representatives of the ARB and discuss their motion that approved the Beach Club parking lot changes.

More discussion was held on the ARB's approval of the Beach Club Parking Lot renovation. Mr. Pruett made a motion to ask the ARB to reconsider their vote approving the Beach Club Parking Lot renovation due to the wording of the 1984 Hotel Settlement Agreement stating that ASPPPO would be consulted on the plan and the question about the Resort's ability to expand the Monarch's easement's usage being within its restrictions. Mr. McLaughlin seconded the motion and it was unanimously passed.

b. Communications Committee - Mrs. King said everyone seemed pleased with the work the new layout person was turning out. The layout cost has decreased from \$800 to approximately \$275 per issue. The cost of postage is expected to rise and the printer will be contacted to see if some savings could be made by folding and tabbing the newsletter instead of using the flat mailing rate.

The Board members commented on the improvements to the newsletter and how many compliments had been received since the upgrade.

Mrs. King also said she was concerned about the lower number of lectures available at the Community Center this past Spring. Mr. Jim Carroll, who had previously expressed interest in volunteering to organize a series of lectures is willing to work on organizing this Fall's lectures if he has help. It was suggested that Mr. John Deleba could assist him.

c. Community Outreach - In the board package, Mr. Pruett had included an updated roster of the POA Presidents with their e-mail addresses. They plan to meet again on June 11, 2007.

d. Density Unit Count - A copy of the report was included in the board package.

e. Legal Affairs Committee - Mr. Pruett said the LAC had recommended that litigation against the owners of 16 West Willow Oak should be started. They had the house deeded under one owner, but the house was actually part of investment group that was renting it out on a commercial basis. The LAC also recommended to use a local litigator. The LAC was asked to research attorneys and come back with a recommendation of which one to use.

f. Town and Gated Communities - Mrs. Carter said seven of the nine plantation managers responded to her letter inviting board members to meet. Mr. Kelley is scheduled to host a plantation managers meeting next winter and she will invite board members from other plantations to attend. She feels this will allow the board members to exchange views and hold discussions on the different issues and problems everyone has and how they are handling them.

7. Board Member Comments

Stop Work Order - Mrs. King asked about a home on Spinaker Court that was not finished. Mr. Kelley said that the Town had placed a stop work order on the property. He will check with Mr. Rabon, the ARB Administrator, and insure that it is followed up on.

8. President's Comment's

a. June Open Meeting - Mr. Carlson said the agenda would include the evacuation process and asked the board members to think about other items for the agenda.

9. Adjournment

The next meeting will be an open meeting and is scheduled for Thursday, June 14, 2007 beginning at 2:00 p.m. in the library of the Providence Presbyterian Church. The open portion of the meeting will begin at 3:00 p.m.

With no further business, the meeting was adjourned at 4:50 p.m.

Respectfully submitted,

Audrey King  
Secretary