

Association of Sea Pines Plantation Property Owners  
Meeting Minutes  
June 13, 2006

The June meeting of the Association of Sea Pines Plantation Property Owners Board of Directors was called to order by President Williams at 2:00 p.m. Because of the large attendance at the last open meeting, this meeting was being held in the Library of the Providence Presbyterian Church, as the church's Sanctuary offered more seating room.

1. **Roll Call**

Present:	David Williams	Jim Young	Bob Bartlett
	Don Carlson	Kay Morton	Sam Pruett
	Audrey King	Paul Aikman	

Absent: Fred Wynn

Staff:	Cary Kelley	David Henderson	William Leitner
	Jeanne Pearse		

Guest: Pat Jenkins

2. **ASPPPO Administrator Report**

A copy of the covenant enforcement report was included in the board package. The board members reviewed the report and discussed the problems. Mr. Henderson reported that four of the ten homes listed have been corrected since the date of this report. One of the homes on the list may require legal action to bring the home into compliance.

Lengthy discussions were held regarding property owners who run commercial ventures from their homes; vehicles with commercial lettering and ladders on top of them and kayaks stored on the dunes. Mr. Kelley said there is nothing in the covenants to cover ladders on top of vehicles and the Board would need to set a policy that staff would then enforce. Messieurs Henderson and Kelley will continue to follow up on the issue of Kayaks being stored on the beach at Lands End. Several issues need to be clarified before proceeding any further.

Mr. Henderson said there have been 50 covenant violation complaints received in 2006, most have been resolved and he is continuing to monitor 2. In 2006, there have been 16 less complaints received than in 2005.

3. **Minutes** - Mr. Bartlett made a motion to approve the meeting minutes of the May 9, 2006 meeting as amended. He asked that the three stipulations be added to the motion regarding the Legal Advisory committee. Mr. Pruett seconded the motion and it was unanimously passed.

4. **Financial Report** - Mr. Leitner reviewed the May financial statements with the Board members. Membership is at 72%, a second notice to join ASPPPO was mailed out on May 18, 2006, and this mailing usually brings in more members.

The amount of expenses over budget on the Newsletter line was discussed. Mr. Leitner said that the printing costs of the ASPPPO letter and covenant revision package was included in the amount. He will give a breakdown and separate out the items.

5. **Committee Reports**

a. **Communications Committee** - Mrs. King said that articles on today's meeting and the CSA & ASPPPO meeting would appear in the next issue.

b. **ARB Liaison Report** - A lengthy discussion was held on the number of huge investment homes being built in residential areas and used as vacation mini-hotels. Mr. Young also reported that construction inspections and variance request forms were not being done as stated in the ARB's guidelines. Issues regarding third story homes; notification to property owners adjacent to new construction being expanded and communications between dissatisfied property owners with the ARB and CSA were discussed. The question if adequate Directors and Operators Insurance was available for the ARB members had been investigated and was found to be sufficient.

It was relayed that the Legal Advisory Committee recommended that Mr. Williams use caution if the DeSole litigation was brought up during the meeting. Mr. Williams is also a member of the ARC who is named as a party in the litigation and the lawsuit should not be openly discussed.

c. **Covenant Enforcement** - A copy of the ASPPPO Administrator's report was included in the Board package and was discussed earlier in the meeting.

d. **Density Unit Count** - A copy of May's report was included in the Board package.

6. **Open Portion of the meeting**

a. Disaster Recovery – Mr. Williams began the open meeting by introducing Jay Harter, Emergency Management Coordinator for the Town of Hilton Head. Mr. Harter gave a slide presentation on the Disaster Recovery process. He explained the evacuation process while emphasizing the need to leave the Island as soon as possible, preferably before a mandatory evacuation order is issued. Re-entry, clean up and other useful information were also given.

b. Covenant Revisions – Mr. Williams said the CSA Board had voted to separate out the Disaster Recovery portion of the covenant revisions from the others to hasten the negotiating process and present them to the property owners through a referendum.

c. ARB Issues - Mr. Williams stated that the ASPPPO Board and the ARB are cooperatively working together to resolve some issues that have risen. He asked if anyone had any comments or suggestions, to write them down on the cards provided at today's meeting or send in a letter.

The open portion of the meeting was adjourned and a question and answer period followed.

7. **Meeting Reconvened** - The Board reconvened their regular meeting in the Library of the Providence Presbyterian Church at 5:10 p.m. Mr. Aikman was not present for this portion.

a. Issues - Discussion was held on the DeSole litigation. It was the consensus of the ASPPPO Board that it should not support the DeSole litigation.

The Sea Pines Plantation residents made it clear to the ASPPPO Board that they have serious concerns with what is happening to Sea Pines' community with the large homes and homes that are out of character with the neighborhood. They feel we are getting away from the traditions that made Sea Pines an attractive place to live. These large homes, which are designated single family dwellings, are creating another problem for the neighbors in that they are rented to multiple families on a short-term basis. If this activity becomes offensive to the neighbors, then we have created a covenant violation requiring ASPPPO action.

The ASPPPO Board hereby approves and issues the following resolution to the ARB and ARC:

In the interests of the Sea Pines residents, the ASPPPO Board requests action to pursue remedies to resolve the complaints received. Specifically:

- ASPPPO believes the ARB should perform inspections throughout construction per ARB Guidelines to insure approved plans are being implemented and to address neighbor complaints concerning contractor actions.
- ASPPPO believes the ARB should deny approval for large homes that overpower the neighborhood, that fall outside the Guidelines for ratio of covered area to lot size and are inconsistent with the character of the surrounding area. Lot price or location should not be a factor in issuing a variance to the Guidelines.
- ASPPPO believes there should be a longer period than 10 days for neighbors to review proposed plans and give their written input, which input will be given due consideration; in addition, these neighbors should also be given notice of changes to the approved plans.
- ASPPPO believes there should be an increased number of neighbors, more than those within 100 feet adjacent to the subject property, who should be notified

and given a chance to review plans and give input.

- ASPPPO believes the ARB should adopt procedures that are more open to those to whom they are providing a service. Both the applicant and the neighboring property owners should have the right to meet with the ARB in situations involving conflicting views.
- ASPPPO believes the ARB should provide specific written documentation about all variances granted, said documentation to be maintained in a permanent file.
- ASPPPO believes it should continue with an ARB Liaison Committee to visit periodically with the ARB, particularly those members appointed by ASPPPO and CSA Boards, as a means of keeping them informed of property owner opinions.
- ASPPPO believes the ARC should revise its by-laws if need be to authorize it to contract with CSA to have CSA's Executive Vice President manage ARB administration.
- ASPPPO believes the ARC should take whatever action necessary to get into a position of authority to instruct the ARB on matters of policy, procedures and guidelines.

The motion was made by Mrs. Morton, seconded by Mr. Pruett and was unanimously approved by the ASPPPO Board.

b. **Covenant Revision Negotiations** – The Disaster Recovery issues were discussed. It was relayed that the negotiating team should not commit to the dollar amount of the square footage that commercial entities should pay as their annual assessment. They are only to negotiate Disaster Recovery issues. Mr. Williams felt that the amount of the special assessment the commercial entities pay needed to be determined as part of the Disaster Recovery covenant changes. A figure of .73 per square foot for a special assessment had been proposed by Sea Pines Company.

#### 8. **Adjournment**

The next meeting will be held on Tuesday, July 11, 2006, at 3:00 p.m., in the CSA Board Conference Room. With no further business the meeting was adjourned at 5:55 p.m.

Respectfully submitted,

Audrey King  
Secretary

