

**HARBISON COMMUNITY ASSOCIATION**  
**MINUTES TO THE MEETING OF THE BOARD OF DIRECTORS**  
**August 28, 2018**

The Harbison Community Association Board of Directors held a Regular Meeting on Tuesday, August 28, 2018. Board Members present were Mr. Hank West (President), Mrs. June Cannon (Vice President/Secretary), Mr. Ozzie Nagler, Mr. Terry Helsley, Ms. Jamie Sellers, Mr. Tom Brower, Mr. Stan Seabrook, Mr. Andy Peach. Absent: Ms. Julie Lucas. Association Staff Members in attendance were Mr. Dave Grove, Mr. Ray Cloutier, Ms. Betty Brooks, Mr. Jeremy Webb, Mrs. Danell Gunter. Twenty-two Residents and/or Guests attended.

A quorum being present for the meeting, Mr. West called the meeting to order at 6:03 pm.

**Approval of Minutes – Board Meeting – June 27, 2018**

Resident James Orlick objected to some wording in the “Old Business” section that he interpreted to mean that only a few people had objected to the proposed schedule of fines and clarifications. It was agreed to clarify that section to show that while only two written objections had been received, some other residents had voiced their objections and/or concerns in previous meetings. Following discussion and correcting the spelling of several words, Mr. Nagler moved the Minutes to be approved, Mrs. Cannon seconded and the Motion was passed with a vote of 6 for, 0 against, 3 absent at time of vote (Mr. Brower, Mr. Seabrook, Ms. Lucas).

**New Business**

Mr. West opened the session by stating we wanted to give everyone a chance to talk but please remember to give consideration to others – by limiting your comments to five minutes or less. Mr. Nagler stated that he would like to make a statement summarizing the action that had been taken up to this point on the Covenant Clarifications. Covenant enforcement helped to preserve and enhance property values, which was very important to all owners of property in Harbison. Based on suggestions/comments from several Residents, Mr. Nagler addressed seven specific areas:

1. Bare spots in yards – when observed, would be evaluated in relation to the entire landscaping of the yard; in some cases, bare spots could be covered with mulch/pine straw or landscape rocks and be very attractive.
2. Appeal Board – if a fine is imposed or if a Resident objects to other requirements to cure covenant violations, there will be an Appeal Committee established where the Resident can come and voice his/her concerns. No Staff Member will be on the Appeal Committee.
3. Research – Staff members had researched other Associations as to their requirements; HCA’s history of various covenant issues; and developed the clarifications.
4. DDRC – has the authority under the Current Declaration of Covenants to make reasonable rules regarding the interpretation and enforcement of provisions in the Declaration, and we believe what we have put forth is very reasonable and takes into consideration the best interests of the Owners.
5. The proposed Schedule of Fines is not excessive. In fact, some of the research that the Staff did showed that our fine schedule was very low – compared to other Associations.
6. Liens are filed only against the property. If an Owner did not pay a covenant violation fine, the Association would go to the Magistrate Court to seek payment.
7. We have been – and will continue to be – reasonable with respect to enforcing the covenants.

Mr. West stated that imposing fines – for covenant violations – was not a revenue source for the Association – in fact, it will probably cost us more to impose a fine than the dollar amount obtained, but we need compliance to help protect the property values in Harbison.

Residents attending the Meeting voiced concerns about the following:

1. Westgrove Court – vacant house had tree debris/trash/overgrown grass, etc., and it seemed to be getting worse. Resident wanted the entire street to be cleaned up – and covenants enforced.
2. Woodcross Lake – vegetation and other debris were not removed from one of the bridges after a storm; vegetation growing in the Lake – wanted removed if possible.
3. Bare Spots in yards – there were many yards with bare spots or areas with no grass – but some homeowners may not be able to afford new grass. (Mr. West reassured the audience that the Association would be reasonable – we have been and will continue working with each owner in trying to resolve issues).
4. 101 Timbertrace – two old cars have been in the driveway for years; covers placed on cars periodically but they blow off; owner lives in another country; covenants not being enforced.
5. Elderly residents may not be able to afford repairs – can the Association help? Older people need to be given a break.
6. Hamilton Park – resident continues to leave her trash can out (after garbage pick-up); covenants not being enforced.
7. HCA Budget showed a large increase in wages for 2018 – why?
8. Positive Reinforcement – it was suggested to the Board that in lieu of a system that was punitive (imposing fines) that we try “positive reinforcement” methods.
9. Volunteers – some residents do this already in helping their neighbors but it is not organized. Can HCA organize a volunteer group who would assist some older people who cannot afford or perform the work? The Board was asked to look into a volunteer group at Irmo High School. It was thought that the members get community service hours for volunteering and perhaps this group could cut the grass or do some work for elderly residents.

(Note: The Board and Staff addressed these concerns from residents as they were asked. While there were some residents present who were opposed to a fine schedule, there were others present who expressed an urgent need to have the covenants enforced. Dave Grove stated – like paying yearly assessment fees, most residents comply, but there are some who do not and will not even talk to us – so we take them to court.)

One resident thanked the Board for their volunteer work and stated, “Let us help you to help us,” – Mr. West commented – come to the Board meetings, come to Member Input meetings as we want to know your thoughts – your opinions.

### **DDRC Report**

Mr. Nagler presented the DDRC Report:

- I Love Nails, signage approved – 131 Harbison Blvd., “The Shoppes on Harbison Hill Center” (Jimmy John’s Sandwiches, Mattress Firm, et. al)
- Wells Fargo Bank, free standing ATM approved – 331 Harbison Blvd.
- Homeowner, solar panels approved – Hamilton Park Dr., (Hamilton Park area by Midlands Tech)

### **RDRC Report**

Mr. Cloutier presented the following RDRC Report:

- Paint shutters & front door approved, Salvia Ct – “Forest 11” area (off Broad River Rd), 07/05/18

- New shingles approved, Tawny Branch Rd. – near Piney Woods Rd., 07/09/18
- Faux wrought iron fencing approved, Timberhill Ct., “Archers Courts” area, 07/16/18
- Paint shutters approved, Chinquapin Ct., - off Chinquapin Rd., 07/17/18
- Extensive landscaping approved, Greenbow Ct., - off Crossbow Dr. near Harbison West 08/13/18

### **Old Business**

D. Gunter gave the Board an overview of our successful Summer Camp. Over 85 children attended and many favorable comments have been received. It was a 10 week structured camp that exposes the kids to various indoor-outdoor activities – and fun games. The Harbison Swim Team – under the leadership of Peggy Mueller (and D. Gunter) was equally successful – and the Swim Team won several prestigious awards in competition with area swim teams: (1) Sportsmanship, (2) 8 & Under Splash, (3) 10 & Under Splash. The Sportsmanship Award is voted on by competing teams! This was the first year the Harbison has won the Sportsmanship Award.

Jeremy Webb mentioned that the Community Center was closed one week in August for maintenance projects to be completed. He described the work projects that had been completed. Besides painting, cleaning, pool maintenance inside the Center, he mentioned outside projects such as trail repair, landscaping of common areas.

Betty Brooks and Ray Cloutier updated the Board on the proposed “Gentlemen’s Club and Steak House” and activity surrounding the applicants’ request for a license to serve alcoholic beverages. It was noted that the proposed location is not in the area covered by HCA Covenants but it is close – and numerous residents have indicated their opposition by signing protest forms.

### **Finance**

Dave Grove discussed the Association’s finances and re-emphasized that the 2018 Assessment Rate for single family residences is the same as it was in 2004. Meanwhile – the cost of supplies and the cost of operating a business had definitely increased during the past 14 years. He emphasized that the HCA Board and Staff had done a good job during the past years of managing the Association in spite of increasing costs. Currently, the Association had over \$1.3 M in a local bank, composed of Operating and Reserve Funds – but he cautioned everyone to not jump to conclusions that the Association had a lot of funds. The Reserve Fund is similar to a Savings Account, and is held primarily for the purpose of paying for major repairs. Funds in the Operating Account are used to pay for normal operating costs. Most of the projected revenue for 2018 had already been collected so funds in the Operating Account would be used to pay expenses for the remainder of 2018 and for 1-2 months in 2019, until new funds arrived. Projections for 2018 year-end are that Revenue will exceed Expenses.

### **Executive Session**

Mr. Nagler motioned that the Board move into Executive Session to discuss legal matters. Mrs. Cannon seconded, and the motion passed with a vote of 8 for, 0 against; 1 absent (Ms. Lucas). 7:29 pm

Mr. Nagler motioned that the Board reconvene Open Session, Mrs. Cannon seconded, and the motion passed with a vote of 8 for, 0 against, 1 absent (Ms. Lucas). 9:15 pm

Mr. Peach motioned that the proposed Clarifications/Restrictions to the existing rules pertaining to Covenant Enforcement be approved as presented by Staff; however, further discussion would be needed to clarify the composition and authority of the Appeal Committee, on the proposed Schedule of

Fines that specific \$0.00 amounts be established in lieu of a range of \$0.00 - \$0.00. Ms. Sellers seconded, and the motion passed with a vote of 8 for, 0 against, 1 absent (Ms. Lucas).

**Adjournment**

Hearing no additional business, Mrs. Cannon made a motion that the meeting be adjourned, Mr. Helsley seconded, and the motion passed with a vote of 8 for, 0 against, and 1 absent (Ms. Lucas). 9:20 pm

June Cannon  
Vice President/Secretary