

THE GATHERINGS

BOARD OF DIRECTORS REGULAR MEETING MINUTES

Date: June 23, 2020

Time: 6:00 p.m.

Members Present: Kris Kronlein, *President*; Judy Hadley, *Vice President*; Abbey Wells, *Secretary* via phone; Ellen “Judy” Eastman, *At-Large*

Members Absent: Larry Parks, Jr., *Treasurer*

HTA Staff Present: Doug Skelly, *President, High Tide Associates*, via phone

As a Courtesy to Others, Please Turn Off All Cell Phones and Pagers during the Meeting.

1. Call to Order

The meeting was called to order at 6:02 p.m.

2. Freedom of Information Act Compliance

Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and The Gatherings Horizontal Property Regime Master Deed & By-Laws, the South Carolina Nonprofit Corporation Act, and the South Carolina Horizontal Property Act requirements.

3. **Approval of Agenda** – The agenda was unanimously approved.

4. **Approval of Minutes** – Minutes of the Regular Meeting held on May 26, 2020, were unanimously approved.

5. **Appearance by Members (Unit Owners)** – Todd Offen (see transcript attached)

6. Unfinished Business

a. Lagoon, Fishing and Wildlife Rules & Regulations – review and vote:

Outsiders have been coming into the community and fishing in The Gatherings lagoons. Residents will be encouraged to ask outsiders to leave, and if they refuse, call the police. The Board voted 3-1 to add Fishing & Wildlife Rules & Regulations.

7. New Business

a. Landscape Contract - Amend contract with C&C Landscaping to:

- 1) Remove blowing off of decks – residents will be responsible for blowing/sweeping off of their own decks/porches;
- 2) Mow only once a week and at least 24 hours after a heavy rain;
- 3) No longer maintain flower pots inside the pool area;
- 4) Concentrate on 4-way stop and the front entrance flower bed at Salt Marsh Drive and US-278; and
- 5) Dig out errant Palmetto sprouts in vacant lot between 19 & 22 Salt Marsh Drive and inside the pool area planting beds.

Board unanimously voted to approve above.

b. Transfer Fee - Board voted 3-1 to institute a Transfer Fee equal to a 2-month regime fee for the sale of a property.

c. Rental Fee - Tabled for further discussion. Suggestion for a one month regime fee once a year for units being rented, to cover excessive repairs and damage from rental units to Common and Limited Common areas.

8. Announcements

Next regular meeting to be held Tuesday, July 28, 2020 at 6:00 p.m. with Executive Session to be held from 6:15-7:00 p.m.

9. Adjournment

Board unanimously agreed to adjourn meeting at 9:20 p.m.

Approved Date: **July 29, 2020**

Approved by
Kris Kronlein, *Board President*

Submitted by
Gail DellaRosa

Board of Directors Meeting June 23, 2020

Appearance by Unit Owners: Todd Offen, 56 Pine Burr Rd. West, asked for an explanation as to why a barrier was put up blocking the turn into the Bridge Center. The conversation went as follows:

TO: The Executive Session is only for the Board?

KK: That is correct. It is a closed session.

TO: I did not know that. I just wanted a little bit of clarity on how situations passed (garbled but I think “while we were gone”) and exactly what you guys (Board Members) do. I think you’re doing a great job on how the property looks, and there are very few things I really care about. I’ve been a property owner there for 21 years now, and some changes have been good, some bad. Whenever I see something that affects me personally or affects my family, I think the Board should kind of take into consideration the lives of the people, such as towing the cars situation. I’ve been parking the same cars in the same spot for 20 years and have had 4 cars towed from in front of my house ([documentation found that only one vehicle has been towed in the last 10-years and the vehicle was not parked in front of Mr. Offen’s unit, 56 Pine Burr Rd West, nor did it have a parking permit](#)). What is the benefit of that to the HOA, the Board, the regime or to the community? Because, I’ve always gotten the same cars back and parked them in the same spot. So I’ve never really understood that. Your goals and our goals are the same. Then you tow my car ([the Board does not tow vehicles, a security company follows the Parking Rules & Regulations recorded with the Beaufort County Register of Deeds. Mr. Offen’s vehicle was towed after a couple warnings and non-compliance by security.](#)), and I pay several hundred dollars to get it back. Then the next day I park the same car in the same spot. But that’s not the issue I came for. I came to figure out why you blocked the road (it is a driveway through a parking lot). Was there a vote by the Board? Do you have the minutes of that vote?

KK: Yes, the vote by all Board Members is from the Executive Session on March 24, 2020.

TO: I was told there were only one or two people involved in the decision.

KK: No, that is not correct. It was a vote by the full Board on Tuesday, March 24th. Actually, the vote took place after a month and a half of deed research, questions, and sending everything to an attorney. It was not done without time and research.

TO: What is the goal of the road blocking?

KK: Our goal long-term is to make it (TG) better for all unit owners to have a safer ingress and egress. The County and Bridge Center do not want to work with us, so from the information we were able to gather as far as deeds, and rights, and easements, and then sending it to Meredith (Bannon, attorney) to make sure it was allowable. When she told us she did not see anything that would keep us from doing that (placing a barrier), she also agreed it would probably bring the County and The Bridge Center to the table quicker. Really though, in essence, although it did irritate more people (residents) than expected, it actually achieved the goal. Now we are in negotiations with the County and The Bridge Center. We’re not here to aggravate our unit owners. Our goal is to actually make everybody’s life better. We want a safe entrance/exit, which does not include driving through a parking lot. My son was driving through the parking lot and had a car back right into him. It’s not a road, it’s a driveway through a parking lot.

JH: Now we have buses stopping in the right hand lane that you can’t pass because there are people being loaded and unloaded in the middle of the road, and the (Bridge Center owner) had no right to rent out that property. I don’t know if you remember back in 2009/2010 when they started paving back there, I was told the County spent \$1,300,000 paving that road to give The Gatherings a safe trip to the traffic light. Really, is that what we have there? Not any more we don’t. It’s a place for the buses to stop. We object to that. It’s no longer safe and no longer ours.

KK: I’ll be honest with you, our final goal if you want to see the end is to somehow give them all of Salt Marsh Drive and TG have our own entrance/exit onto Buckingham Plantation Drive.

TO: Ok.

KK: Where we go out the end of Pine Burr Rd. West before it does that curve, and we would have our own entrance, exit off Buckingham Plantation Dr. and not have to worry about dealing with commercial vehicles, and trucks, and where we have a safe road for our residents.

TO: Is that possible?

KK: We're working on it. We're looking at doing a land swap. Not Anolyn Court, but there is another back part of the drive where there is a little strip of land that lies next to that commercial property. It's actually the Bridge Center's. We are in the process of gathering information. One of the things we are going to be doing is a traffic volume study so you will be seeing cords across Salt Marsh Drive at US-278, and at the entrance to where that driveway behind the Bridge Center is. The roads are made for a certain volume. We suspect the volume is far greater than what the road can handle; hence you may have noticed over the past couple of years we have had significant issues with pot holes. If you stand on the speed bump at TG 4-way stop, and look at Salt Marsh Drive in both directions, you can actually see the entrance(US-278) side with road rivets and being significantly lower from all the traffic, than the side of Salt Marsh Drive past the 4-way stop. The barrier wasn't put into place to hurt anybody. We are working so hard to make TG a better and safer place for all of our residents.

TO: Those posts(rebar pins) that were put in the ground looked like they weren't going anyplace soon.

KK: That's nothing. Those are just pins for wheel stops and come in and out easily.

TO: I just think that something like that directly affects the safety of the people. I came out on Saturday morning to make a left turn to get to work, and then I had to go to US-278 where 6 lanes of traffic are moving at 50/60 mph.

KK: Think about this, you're only crossing 3 lanes of traffic, and the speed limit posted is 45 mph. It's the same idea if you're coming and turning left into the neighborhood from HHI, you're still crossing 3 lanes of traffic to make a left hand turn. When you come out of the neighborhood, you're crossing 3 lanes of traffic to make a left hand turn. I see no difference.

JH: Waiting for the light (at Moss Creek) to turn makes it easy.

KK: I personally never use Bluffton Parkway, so I cannot speak to that. My son pulls all the way out because he was hit in the parking lot and doesn't like driving through there with all the cars parked and the traffic.

TO: So you think it's safer to pull out onto 278?

KK: I think it depends on what you're used to. I was able to get information to all accident reports on US-278 between Buckingham Plantation Drive and the first bridge beginning with 2014, and no one has ever had an accident making a left-hand turn onto US-278 since 2014.

TO: I see cars smashed out there (rear ended) coming from the traffic light.

JH: When they paved that road(driveway behind the Bridge Center), it was supposed to be a temporary fix until they could fix the intersection at US-278. That was 10 years ago.

TO: It would be a good idea when you come across a property owner to tell them not to freak out and that the posts are temporary for a week or two. When I see a construction crew with a jackhammer and concrete (correction: one man contractor, no jackhammer or concrete), I think they are not temporary.

KK: You're right. The owners should have been notified before they were installed. Unfortunately, they were installed much sooner than expected and on a Saturday, so we didn't have the ample time to send a notification out before the barriers were installed.

TO: Who was the guy who was there when I was talking to you(Judy Hadley)?

JH: His name is Mark from Carolina Striping.

TO: The guy in the dress shirt (Kent Eddy, Bridge Center Manager) said there are \$5,000 in law suits against The Gatherings.

KK: That would not be correct. I wouldn't go believing hearsay. There is no lawsuit. If there is a lawsuit, it will be from TG against the BC.

KK: Let's just flip this and look at it from a different view. Instead of thinking about how TG put up barriers, let's think about that we(TG) have no easement agreement to access that back driveway behind the BC. If one day they(BC) decided to block that off, TG would be in the same situation, no access. Nobody from TG would be able to make a left hand turn, or use that to turn out to Buckingham Plantation Drive in a safe manner or in a way they thought was safest for them. That's the other thing, we don't have any rights so they could do anything they wanted, and we would have nothing to say about it. We have to address that issue.

TO: I understand that, but its like (garbled) taking 2 steps back to hopefully take 2 steps forward.

KK: The goal was to get them to the table, and that's exactly what has been done.

TO: So you accomplished your goal because the other side freaked out.

KK: That's exactly what it did.

TO: I don't know how many TG owners freaked out because of it. Someone came out and said TG had to get this out of here, and a TG owner said, "We want it out of here too." If you had a vote of 100 property owners, you'd probably lose 90 to 10 or 95 to 5.

KK: You know what they say, "Sometimes you have to put up with a little bit of pain to get what you want." No pain, no gain. Our goal is looking long-term, not short-term. What we have tried to do in the past year and a half to two years with getting some resolution has not worked, and with trying to get some solution to the egress/ingress issue. So we tried something different.

TO: You probably would have gotten the same response to what you did if you said, "This is what the Board voted on, there's nothing you can do about it, we're installing this barrier and you're not going to be able to make a left turn." (It would have been better to say, "Our goal is to work with Bridge Center to get a new easement, a safer easement for all of us, but temporarily it is a hindrance to and convenience to us, but for the time being use 278. We'll get this taken care of and keep you updated as to how it's going to work out."), instead of saying, "Oh, you can't make a left turn today."

KK: Although late, there was an email letter sent out explaining the situation.

TO: But it didn't have a conclusion to it as to how long it would take. A month, a year or indefinitely? That is what I was thinking.

DS: Did you have anything else?

TO: That's pretty much it, other than to touch again with the car thing. It worked out, but I just don't understand why it has to be ----- . It seems like every time a new Board comes in, there are new parking rules ([Parking Rules & Regulations were enacted under this current Board in 2018, after numerous unit owners and residents had been complaining of the parking situation in the community for over 6 years](#)). I just feel there is something wrong with having a property owner's car towed when the car is personally registered to the property owner, it has insurance, and it has current tags and is being towed from the spot assigned to it ([The vehicle is a "Commercial" Van and was not towed from an assigned parking space for that Unit Owner. It was parked in a non-numbered space on another street](#)). I feel the rules should apply to the non-numbered spot. If a friend comes over, I feel it is an overreach to come out and tow someone's car.

JH: Was it there overnight?

KK: The Board passed the Parking Rules & Regulations back in 2018 per the By-Laws. They're filed with Beaufort County Registrar of Deeds (ROD). We did it because on the flip side we had more parking complaints about no parking regulations, than we have had with the parking regulations. Especially from the Cottage units where you live as well, and where there was no assigned parking for Unit Owners and residents, which was a huge problem. It used to be a free-for-all, which didn't work. The raised 2-story homes have garages and driveways and available parking that they do not have to fight for, and yet we are all paying the same regime fee. We went back to the 1988 assigned parking schedule that was in place the first years of development for this community, where there was 2-assigned parking spaces for each Cottage unit. Somewhere in the last 10/12 years when the roads were resurfaced, the numbers for the spaces were not put(painted) back on, as a previous Board Member had her own agenda to mark as many vehicles as she wanted, where she wanted. The community was designed and assigned that each Cottage unit is to have two (2) vehicles per unit. As time goes on if you're not enforcing that, people have more vehicles, and there is not enough parking for everyone, which displaces many Cottage Unit Owners, and becomes a real issue for their own daily livelihood. We had heard so many complaints from Unit Owners and residents about parking, something needed to be done. Is it perfect? Absolutely not. The published Parking Rules & Regulations filed with Beaufort County ROD, is what TG security follows. There is no bias, they are not specifically targeting anyone. If someone receives a violation or is towed, then they are in violation of the Parking Rules & Regulations. He(security guy) has over 50 properties he monitors in a week, remembering regular or specific vehicles is not what he does. He is only looking for violations.

TO: I've been parking the same white van in the same spot for 10 years. It's only recently that I've gotten a sticker that I've been trying to get for 10 years ([TG has only had stickers/vehicle parking permits for 2 years, not 10](#)). So now I have a sticker, but I still got towed and had to pay \$200 to get the same car back ([the vehicle was towed once when no vehicle parking permit was affixed to the vehicle](#)). Did this accomplish

anything? Yes, I got a sticker finally. But I still park in the same spot. Is that a win for anybody? But I do appreciate you guys. I know it's a hard job. My father is president of his HOA, and he's very familiar with how thankless it is. I would like a copy of the minutes.

KK: I will see about the Executive Session minutes. All of the approved minutes are available to any Unit Owner and are on the High Tide Associates website, under The Gatherings webpage, at the top there is a link to the HOA documents. It has all the documentation, and you can browse through all of them.

TO: (Left the meeting)

Everyone said their Goodbyes.

KK = Kris Kronlein

JH = Judy Hadley

DS = Doug Skelly

TO = Todd Offen

TG = The Gatherings

BC = The Bridge Center