

**MYRTLE TRACE HOMEOWNERS ASSOCIATION  
CONWAY, SOUTH CAROLINA**

BOARD OF DIRECTOR'S MEETING – July 15, 2009

**CALL TO ORDER:** The meeting was called to order by Board President Tom Gray at 9:00 a.m.

**ATTENDANCE:**

Board Members present were Sheilah Reynolds, Tom Gray, Tom Dovey, Jack Von Deck and Cathy McElroy. Committee Members present were Pat Hosford – Architectural Review Committee and Lyle Kershner - Property Committee. Also present were Nancy Murphy from the Past Presidents Council, Jim Wilkison, Dan Seeds and Lee Besemer. Guests present were Frank McElroy, Jim Connelly, Marion Bogle, Bill Bogle, Amy Hyatt, Joan Riggs, Carole Laga, Julie Miller, Marilyn Wilson, and Chris Terhune

Tom Gray requested that all cell phones be silenced for the duration of the meeting.

The Board honored the memory of deceased resident Tom Dolan of 205 Cedar Ridge Lane.

At this point, Tom Gray asked the guests to introduce themselves and addressed the issue of incidents which had occurred on Boxwood Drive. Tom started the discussion by reading his opening statement concerning the situation. At the conclusion of this statement, several of the guests spoke concerning the fear and unrest which has resulted from the incidents on Boxwood and described the recent event which had occurred. Amy Hyatt stated that the most recent incident started because of the noise created by the work required to replace the roof on her house which apparently caused the man next door to threaten a roofer and the owner's wife with a butcher knife. The offender was subsequently handcuffed by the police and taken to jail.

Several residents of Boxwood, and some residents who do not reside on that street, expressed their disappointment in the lack of action taken by the Homeowners Board as a result of these incidents. All present agreed that the events had been escalating in severity and that it was a very volatile situation.

Several Board members explained to the guests that there is nothing they can do concerning the criminal actions but they can charge the owner of the house with violation of the covenants since the homeowner has disturbed the peace and safety of the community by renting to the parents of the offender. The parents in turn have allowed the offender to live in the house. A letter has been sent to the homeowner and if there was not reply or action taken by July 21, our lawyer would be in touch with that homeowner. As far as the criminal charges are concerned, it is in the hands of the police department and the Homeowners Board's hands are tied.

Marion Bogle expressed a desire to see an amendment to the covenants concerning a situation like this and stated that she would draft up such an amendment and submit it to the Board.

The Board emphasized to all guests present that no one is to confront any of the offenders involved and that if there is any disturbance of any nature, no matter how small, the police must be called. At that point the guests departed from the meeting and the regular meeting agenda began.

The draft minutes of the June 17, 2009, meeting were reviewed. **Sheilah Reynolds moved and Jack Von Deck seconded that the minutes be accepted as submitted. All were in favor and the motion passed unanimously.**

#### ACTIVITIES COMMITTEE

Since there was no meeting of this committee held this month, there was no report submitted.

#### ARCHITECTURAL REVIEW COMMITTEE

Pat Hosford presented the minutes of the ARC from their meeting of June 22.

Pat reported that all matters listed in the Old Business section of the report had been resolved except the matter of the white drip strip which is still pending.

Letters have been sent to the two homeowners listed in the complaint section concerning unkempt property.

Pat talked about the use of artificial grass in Myrtle Trace. The ARC has examined artificial grass supplied by AGL and a presentation was made by the company to the ARC. After thoroughly investigating all details of this product, the ARC endorses its use and requests approval for its use by the Board. All appropriate ARC request forms would still be required for any project. **Jack Von Deck moved and Cathy McElroy seconded that the two-tone artificial grass surface supplied by AGL be approved for use on homeowners properties in Myrtle Trace. All were in favor and the motion passed unanimously.**

**Sheilah Reynolds moved and Jack Von Deck seconded that the ARC report be accepted as submitted. All were in favor and the motion passed unanimously.**

#### PROPERTY COMMITTEE

Lyle Kershner gave a review of the Property Committee Report from their meeting of July 14.

Lyle reported that there is an unusually high water usage situation at the pool and he is investigating. The center posts in the cement steps going into the water have been secured and the railing is now safe for use by those using the railing for support in exiting the pool.

Lyle reported that a drainage problem exists at the opposite end of Cricket Court from where a drainage problem was recently corrected. **Tom Dovey moved and Cathy McElroy seconded that this drainage problem be resolved in a similar manner in which the problem at the other end of Cricket Court was resolved. All were in favor and the motion passed unanimously.** Lyle stated that he will get Al Hardee involved in this project and will explain to him that this is work over and above what is covered in our contract that he will be paid extra for this job, as well as any other job which is not covered in the contractual scope of work. Dan Seeds said that he would reemphasize to Al Hardee the need for him to submit bills for extra work not included in his contract.

There is a need for an automatic watering system for the gardens at the clubhouse. **Tom Dovey moved and Cathy McElroy seconded that the Board approve the installation of an automatic watering system for the garden areas at the clubhouse. Four were in favor and the motion passed with Sheilah Reynolds abstaining.**

Lyle reported to the Board that space was created in the storage room to store 2 additional, large round tables without eliminating 2 large rectangular tables.

There was a discussion concerning tag sales in Myrtle Trace and the problems caused by lack of parking and excess traffic caused by these sales. Several possible solutions were discussed such as same side street parking and/or policing being provided by the homeowner or contractor running the sale. Sheilah Reynolds said she would call the contractor most widely used for these sales and discuss the possibilities with them.

Concerning the drainage problem at the residence on Candlewood, the homeowner has agreed to pay up to \$300 for the materials to install 3 catch basins along the roadway at his property to correct the problem. Al Hardee will do the work and an extra work item and will submit his bill to the Board. **Sheilah Reynolds moved and Tom Dovey seconded that the drainage problem at the residence on Candlewood Drive be taken care of with help from the homeowner. All were in favor and the motion passed unanimously.**

**Tom Dovey moved and Jack Von Deck seconded that the Property Committee report be accepted as submitted. All were in favor and the motion passed unanimously.**

#### BOARD OF DIRECTORS TREASURER'S REPORT

Tom Dovey reviewed the Treasurer's Report with the Board.

**Sheilah Reynolds moved and Cathy McElroy seconded that the Treasurer's Report be accepted as submitted. All were in favor and the motion passed unanimously.**

#### UNFINISHED BUSINESS

- A. Gates: Jim Wilkison, representing the Gate Committee, gave a progress report. He stated that the gates are ready to go and all phases of the operation have been tested with successful results. The soft opening of the gate operation would be Friday, July 17, at noon and, assuming that it will all go smoothly, the gates will be in operation from that time on. The Board extended thanks to Jim and the entire crew involved in the installation of the gates for a job well done.
- B. Ad Hoc Committee: Pat stated that the state requested the formal names of the plants which are planned on going in and she provided them with the information they requested. The Committee expects to hear from the state in the next few weeks concerning the encroachment permit.
- C. Notices in Homes that are for Sale: Cathy McElroy presented a notice to be placed in a plain picture frame and placed in a prominent spot inside a home that is for sale. This notice includes a welcome statement and information concerning homeowner's dues and restrictions involved in owning a home in Myrtle Trace. **Sheilah Reynolds moved and Tom Dovey seconded that the notice be accepted as revised and that Cathy McElroy be reimbursed for the expenses involved in making up these notices and placing them in frames. All were in favor and the motion passed unanimously.**

- D. Communications Committee: Sheilah Reynolds distributed a notice to be placed in the News and Views. This notice is a thank you to the gate project team for a big job very well done.
- E. Other: Sheilah Reynolds reported that there have been a few complaints concerning lighting, dumpsters and noise at Wal-Mart and the complaints concerning lighting and dumpsters were dealt with promptly by Wal-Mart management. The noise from trucks backing up is an OSHA regulation and could not be changed. She stated that Wal-Mart continues to try to be good neighbors.

**NEW BUSINESS**

- A. Correspondence: A letter was received from a homeowner suggesting that attention be given to various vehicles which park on Myrtle Trace Drive while performing services in the community. The homeowner suggested that traffic could be increased with the opening of the gates and a bad situation could exist. The Board will reply with a letter to the homeowner that consideration will be given to this suggestion once enough time has passed to evaluate the traffic situation.
- B. Situation on Boxwood: This matter was discussed at length and letters submitted by residents on Boxwood, including a petition signed by 12 residents, were discussed. The Board has sent a letter to the owner of the home in question and has informed them that they are in violation of the covenants by renting their home to people who are threatening the peace and safety of the community. The homeowners have until July 21 to respond to this letter, at which time the matter will be placed in the hands of our lawyer.

**Tom Dovey moved and Jack Von Deck seconded that the meeting be adjourned at 11:50 a.m. All were in favor and the motion passed unanimously.**

Respectfully Submitted,

Lee Besemer