

SVHOA Board of Directors Meeting Minutes

Wednesday, December 13, 2023, 9am, Zoom

Present:

Sam Benen, Treasurer

Kevin Kelly, President

Suzanne Lyman, Secretary

Rana Singh, Vice President

Kim Van Horn

Michelle Johnson, Director of HOA Operations

Tara

Susana Darcy

Rodger Traynor

Establish Quorum/ Call to Order

Quorum established and meeting called to order at 9:10 AM

Approve Agenda

Agenda approved unanimously

Opening Comments:

Susana Darcy spoke about the various flowers and shrubs that have been neglected and she proposed setting aside \$5000/year for a garden specialization company to oversee the maintenance of these plantings and the necessary pruning. The board has already spent a lot of money on these gardens. She stated that this should be someone other than Ruppert. She believes

that the care of these plantings is outside of their specialization. It would be better to have someone who specializes in gardens to maintain these.

Kevin wanted to know why Ruppert cannot maintain the gardens, as it is their contract. Susana thinks Ruppert is good at big things and that a company that specializes in gardens would be best. The consensus was that Ruppert should be given the opportunity to remediate the gardens and that someone should provide guidance to them. It was noted that when the gardens were originally planted, there was no provision for their maintenance. This was not part of the budgeting process. Tara suggested that we meet with Ruppert. Susana said that a lot of the plantings have died and that Ruppert has not been maintaining them. They need to go back and replant. Kim suggested possibly asking Ruppert to designate someone to oversee these plants. Kevin said we need to give Ruppert a list of concerns. Michelle stated that Ruppert's contract states that it would maintain plants. Susana suggested that we at least hire Caroline (garden designer) for \$500 to make a list to communicate the work that needs to be done to Ruppert. Sam suggested that if Susana can help save money on the ponds, then perhaps we could hire a gardening company. Kevin mentioned that we need a liaison, possibly someone in the parks committee, however Susana said there are no professional garden designers on that committee. Susana thinks we need to spend \$500 for Caroline to come and make the list of what needs to happen and then give that to Ruppert and see if they would comply. Susana believes strongly that Ruppert does not have this expertise. Suzanne wanted to know if we could find out how much Ruppert charges for the planting care and how much a gardener would charge. There was some support for this from Rana. Kevin wanted to know if we have created something that we cannot maintain, but Susana said we had some low maintenance things in the design. Kim wanted to table the discussion and take it up at the January meeting. Kevin stated that we need a list of where Ruppert is failing and communicate this to them. We decided to take this under advisement.

Susana also discussed the pond repairs, specifically the pond between Brookgreen and Parkview Crescent and suggested a contractor to replace the outlet pipe in pond 3. This contractor might be less expensive than the quotes Millhouse has already received. Dragon Fly would dig out pipe and replace it. Allen Reimer is a stormwater engineer and had a similar problem at his HOA. They put a liner in the pipe and it was 1/10 the cost of replacing it. Dragon Fly said slip lining would be about the same cost as replacing the pipe. Michelle would welcome any other company that specializes in the pipes to bid on the project. It was suggested to also ask Travis for a quote because he has expertise in this area.

Rodger studied Ruppert's contracts and it did not have Southern Village on the contract. He believes that there is almost nothing in the contract on the scope of their work. New contracts should say Southern village and should be signed by Southern Village. Michelle stated that there was scope in the contract.

Committee Reports

Townhomes

Westend Townhomes Flores Contract

Mr. Flores had previously, via an email, agreed that if he were awarded the Westend contract he would also agree to use electric leaf blowers starting in June for his other SV contracts. He was sent an email partly in Spanish, asking him to commit to this, and he has not replied. Others in the neighborhood have noted that Mr. Flores thinks it is too expensive to commit to using electric leaf blowers for all of his SV contracts. Sam did not think we should make the use of electric leaf blowers by Mr. Flores for his other single-family homes contingent on the contract for Westend, but rather that the rules for the use of GPLB will change anyway. Rana stated that we should start with the Westend townhomes. Kevin and Michelle both think that it is overreaching to ask Mr. Flores to commit to the use of electric blowers by June 24 for all of his other contracts in Southern village. Sam thought we need an email from Mr. Flores stating that he would commit to electric leaf blowers. There was a vote on the existing contract for Westend and Kim noted that she did not vote in favor because there was not a clause in the contract for committing to using electric leaf blowers for Mr. Flores's single-family contracts. The contract was approved by 4 members.

Sustainability

GPLB ban vote

There was a vote on the adoption of the amendment to ban gas-powered leaf blowers with 4 yes votes and one abstention. Kevin abstained because he believes that this ban is an extremely contentious item and, while he supports it, he abstained out of respect for those people who have other opinions about the ban.

There was further discussion about how many sub-associations have voted for the ban. Suzanne informed the board that there are 6 yes votes, 2 no votes and 4 sub-associations remain undecided. Sam indicated that he is in favor of a voting deadline and that we have the ability to do weighted voting. The 4 undecided sub-associations could be counted as abstentions. Sam believes that if there are 6 to 2 in favor and SVHOA pays 85% of the annual dues, that would constitute a pass. Kevin noted that we have had volumes of communication to the sub-associations and much community engagement and that we have to call the vote at some point. Sam made a motion that the voting by all of the sub-associations ends at the end of this year. This was passed unanimously. Sam noted that 6 to 2 is more than 75% plus we have the dues (85%) in our favor. Kevin stated that this should be shared with all of the sub-associations that have not yet decided and Suzanne said she would communicate with them. We need to be transparent about which ones have already voted. Sam said that if we have a majority of yes votes and over 90% of the dues that is in the spirit of what we are trying to do to ban GPLB. We need to give people the opportunity to get their ballot in and then discuss this at our January board meeting. Kim wanted to add that if any of the 4 undecided sub-associations don't vote by the end of December, they will be considered abstentions. Suzanne noted that we have 4 signed

documents and that she will sign the SVHOA document, but that we are still waiting on the document from Copperline. Rodger has communicated with them.

President reports

Ponds

There are major repairs required for the ponds including pipe replacements and dredging. Rana will reach out to other contractors for the pond repairs and Susana also has some contacts she is willing to share. Michelle asked for an extension for completing to April 1st for the first phase of repairs so that we can get the dues that come into our account in March. Suzanne sent a proposal for the scope and timeline for repairs going out to 2026 and it was agreed that this proposal covers all of the needed repairs. In the communication, Suzanne noted that there is only a delay of 3 months from the deadline for the repairs. She stated that we should present this proposal to Ernest from the Town of Chapel Hill. Kevin thought we would be fine with the plan because it shows that we are actually taking action. There was a meeting with Tim Grady from G2 Designs and Ernest from Chapel Hill prior to the board meeting, and it was noted that the town of Chapel Hill mostly reserves fines for entities that are unresponsive. Kim stated that if there is some backup of water due to leaks in the pipe that Chapel Hill may fine us. There was a unanimous vote in favor of presenting the proposal to Chapel Hill (i.e., Ernest). The proposal is as follows:

On or about April 1, 2024:

Replace outlet pipe at pond 3
Dredge pond 4

On or about April 1, 2025:

Replace outlet pipe at pond 2
Dredge pond 3

On or about April 1, 2026:

Dredge pond 1

Michelle will communicate with Ernest. Kim wants the email to include the fact that all of the pruning and trimming has been completed. It may also be that in 2026 we will need to dredge pond 2 as well, but it was decided that we should leave this out of the proposal for now as it didn't fail the current inspections and we will have 2 additional inspections by 2026.

Land separation rights

This procedure separates the land from the sale of the home and the new homeowner would lease the land from the company that owns it. Kevin noted that the process to prevent this from occurring in Southern Village would be the same as passing the amendment banning gas-powered leaf blowers, that is, an amendment would be required. Groundly holds the house in

question and is attempting to sever the land from the sale of the home. The house is still on the market. Kim said they are trying to make the house marketable and Kevin said, “that is marketing hogwash”. The lease for the land could be changed at any time but this depends on the language in the contract. Kevin raised the question of where does the lease of the land intersect with the lessors’ participation in the HOA? Does the company pay the HOA dues? What if there is a problem, e.g., drainage concerns, with the land? Kevin’s goal is to gather and circulate information about this to the board members and ultimately to the residents of SVHOA. Sam is also not in favor of this “predatory” practice, and Suzanne suggested that we could just use weighted voting to create an amendment prohibiting this practice in Southern Village. Kim said this makes sense. Kevin would like to get a packet of information together to circulate to the homeowners including the townhome owners. The property in question is currently being leased by someone and Michelle was asked to find out who is paying the homeowner dues. We could make it financially difficult by asking for higher fees for dues thus make it difficult for the company to maintain the land. The listing price of the house was \$915,000 and Groundly paid this price. The owner of the home may not have known that they were selling it to this entity. The concern is that others will start to do this transaction in order to sell their home and get their list price. Kevin will take the steps for putting a packet of information together for the first communication to the residents and will provide this to the board for any changes.

Parks

Paths for parks

In the original plan for the corner parks there is a path behind the gathering shelter. The town said that if we use grit, we would also need to use metal borders. This was not in the original plan for the parks and would cost a substantial amount. It could just be a dirt path, or Ruppert could use mulch. Kevin recommended that we leave it alone and maybe a natural path will form. There was a unanimous vote to do nothing at this time.

New Business

Michelle said that the annual meeting is in February and we need to decide if we want a hybrid meeting as we did in 2023. This would mean sending out a packet of information and a ballot and having the ballots returned prior to a zoom meeting in which people can ask questions. Kim moved that the ballot be sent out and we have a zoom meeting for the annual meeting in February and a board meeting in January. This was passed unanimously, and Michelle will coordinate the date for the January board meeting. Kevin suggested using Doodle.com to help with scheduling. Suzanne mentioned the ad hoc budget committee and suggested meeting around 4 times next year. The budget committee should look at items detailed in the reserve study, e.g., playground equipment for \$30,000 and painting of the townhomes. We also need to plan for future pond repairs.