

SVHOA Board of Directors Meeting

Thursday, January 11, 2024, 10am, Zoom

Establish Quorum/ Call to Order at 10 AM by Kevin

Present:

Kevin Kelly, President

Sam Benen, Treasurer

Suzanne Lyman, Secretary

Kim Van Horn, member

Rodger Traynor, community member

Approve Agenda:

Agenda was unanimously approved

Open Comments:

Rodger Traynor-Rodger was asked specifically about the need for a contract for Flores Landscape for their work for Westend. He stated that we need a contract for any vendor in a business-like manner and that we need a basic agreement.

Board Reports

President

Ponds:

The Town of Chapel Hill approved the 3-year pond repair proposal. On or about April 1, 2024, the outlet pipe at pond 3 will be replaced and pond 4 will be dredged.

Pond Repairs Proposals 2024:

Dragonfly Contract:

Replace outlet pipe at pond 3: \$77,000
Dredge pond 4: \$21,000

Triangle Ponds:

Replace outlet pipe at pond 3: \$63,160
Muck out only at pond 4: \$34,410
They also recommend dredging at a later date.

Foster Lake and Pond Management:

Pipe replacement: \$86,970

Kim would like to get another quote from Lloyds on dredging (they do not do pipe replacement) and suggested NC Building Company which only provided their hourly rate. Michelle will try to get more concrete numbers from them. Kevin would like for any contract to include a “not to exceed” clause. It was stated that the Town of Chapel Hill would inspect the work after it was completed.

We have until April to settle on a contract.

Kevin would like to know the difference between muck out and dredging.

Three companies all said that lining the pipes would be more expensive than replacing them.

In addition to the imminent pond repairs, annual pond maintenance is required for the purpose of mowing, cutting limbs and cleaning debris from the ponds. Dragon fly also submitted a separate proposal for this work (\$13,000) which includes annual maintenance, seasonal mowing and annual inspection and Kevin wanted to know what Ruppert would charge.

Annual General Meeting:

Michelle proposed emailing the AGM packets to homeowners by January 19. A draft of the AGM packet was prepared by Suzanne. Kevin agreed to write the prologue and Sam agreed to submit his updated biography for the open seat. In

addition, Michelle agreed to send a notice of the open seat to all Southern Village HOA homeowners. The format for the AGM would be similar to last year where homeowners could submit written questions prior to the meeting and then we could use the zoom meeting to answer them. A board meeting would follow the AGM. It was decided that officer positions would remain the same.

Ballots would be due by February 9 and the Homeowner Zoom would take place on February 13, 2024 at 6:30 PM

Separating Land Rights from house sales:

Kevin sent an email prior to the meeting outlining his concerns about this practice and the negative impact on the Southern Village community. This is primarily due to the fact that the out of state landowner would not necessarily share the same values as Southern Village. Kevin was seeking approval from the board to engage our attorney to determine what our options are regarding this issue. The board voted unanimously to approve this, and Rodger Traynor also offered to consult.

Treasurer:

- 1) Sam noted that \$150,000 was withdrawn from the \$600,000 reserve funds to cover operating costs and that these monies would be replaced after the annual assessments accrue in late March.
- 2) Ad hoc finance committee: This committee was loosely formed in 2023, but it did not meet. Sam suggested that the committee be limited to the original members (Sam, Kim, Suzanne and Rana) and meet by reply all email. Any member could ask for information and Sam would act as a liaison with Michelle and Tara to obtain records and distribute them to the committee members. If any decisions are made within the committee, they would then be shared broadly with the full board, Michelle and Tara. The first item for the committee to consider is the approval of the November financials and Sam would send an email regarding this to the committee. Kim also mentioned that we need to focus on the Reserve Study. She also expressed concerns about how financial decisions were handled at the end of 2023 because the 2024 budget decisions were time sensitive and as a result somewhat rushed.

- 3) New contracts committee: Sam has expressed a desire to form a contracts committee due to the size and scope of some of the contracts submitted to Mill House Properties and the lack of legal expertise within our current board. Rodger Traynor agreed to serve on the committee and also suggested that Sam write an email that Michelle could send to the homeowners seeking individuals with expertise in law, engineering, architecture, HOA management and landscaping to offer to volunteer. Since this proposal allows individuals outside of the board to view our contracts, a vote was needed. The formation of this committee was unanimously approved with Rodger being the first volunteer. Rodger made a point of stating that he is not a licensed attorney in North Carolina and cannot offer “formal” advice. Rodger pointed out that while Ruppert and Flores agreed in principle to use electric leaf blowers, it was not written into the contracts.
- 4) Westend Townhome Flores Contract: Rodger could write a contract for Mr. Flores to sign for work on Westend based on the Ruppert contract as a model. Michelle stated that Ruppert was told they did not get the Westend contract and Mr. Flores was told that he did get the contract because we wanted Flores to continue to take care of the landscaping that they recently put in at Westend. Suzanne pointed out that in Mr. Flores’ first email, he agreed to use all electric leaf blowers for all of his Southern Village clients by June 2024, but in his second email with the proposed work for Westend, he did not include that. This discrepancy will be addressed in the contracts committee.

Committee Reports

Parks:

Tetherball at corner park: This was in the initial parks’ proposal for the corner parks. Michelle sent 3 options in an email prior to the meeting. It was agreed that the commercial option was best suited and its cost is \$679. This falls below the threshold required for a vote so the decision was to just go ahead and purchase the equipment and install it.

Care of the new plants: Susana Darcy brought this up at the last meeting. It was decided to table this for now.

Drainage at path close to Parkview Crescent: Susana Darcy provided Michelle with a photo of the drain which she states gets plugged up and queried whether it could be slightly moved to prevent this. This might necessitate moving it onto a homeowners' property. It was decided to just have Ruppert clean it out. Kevin mentioned that when it was originally placed, it was probably put there for a good reason.

Sustainability:

GPLB Ban: As of the date of this meeting there are 6 firm yes votes by sub-associations to ban the use of gas-powered leaf blowers. There are 5 no votes with one of those possibly switching to yes. Rodger was asked to speak about the prospects for this initiative. He said there were 2 choices:

- 1) Scrap the amendment to ban gas-powered leaf blowers
- 2) Look into weighted voting

Among other things he stated that we in Southern Village are contractually bound to the Declarations and the Declarations have an unambiguous mechanism for amending the covenants. Suzanne made a statement that we can vote by weighted voting but that we don't have to. Sam stated that we don't need to vote today. We could amend the SVHOA bylaws. Suzanne stated that this would require a quorum and that a majority of the quorum would need to vote in favor of an amendment just affecting the SVHOA. Kim mentioned that the townhomes are already taken care of because their landscaping is done by Ruppert which agreed to use electric leaf blowers. Sam suggested that there are 4 options:

- 1) Abandon the effort to ban the use of gas-powered leaf blowers
- 2) Amend the SVHOA by laws
- 3) Weighted voting in which SVHOA (due to representing 85% of the annual dues) would vote to ban gas-powered leaf blowers in all of SV
- 4) Amend the Master Declarations to ban gas-powered leaf blowers for single-family homeowners only.

Sam will communicate with Suzanne and Rodger as to the questions to put to Mr. Edlin, the attorney. We do not know if by amending the SVHOA bylaws we could impose fines.

New Business:

There was a unanimous vote to allow Scroggs Elementary to use the soccer field near the pool for their fundraising event.

Adjourn:

Kevin thanked everyone for their hard work and the meeting was adjourned at 12 PM