

SPRINGFIELD HOME OWNER ASSOCIATION
Board of Directors Business Meeting
6/11/2024

Called to Order 1:00 p.m.
Meeting Adjourned 3:10 p.m.
Location: Pool

BOARD OFFICERS PRESENT: Anne Marie Grimmer-President; Gary Ofenloch-Vice President; Ruth Mellon-Treasurer; Jim Montgomery-Secretary; Thomas Houlihan- Member At Large

BOARD OFFICERS ABSENT: Carole Roberts, Frank Saunders- Member At Large

COMMITTEE HEADS PRESENT: Gray Ransom-Finance, Robert Nasto-Pool, Doug Ellison-ACC, Helena Steere-Social Co-Chair, Barbara Houlihan-Food Drive

COMMITTEE HEADS ABSENT: Barbara Smullen-Website, Margaret Ransom-Welcome, Rich Shanaman-Beautification, Becky Saunders-Social Co-Chair

GUESTS: Marimac Montgomery, Larry and Ellen Cook, Bill McCarthy, Ralph Hunter

MEETING MINUTES

Meeting called to order at 1:00 p.m. by Board President Anne Marie Grimmer

OLD BUSINESS

AGENDA ITEMS	DISCUSSION	ACTION
MINUTES	Motion to approve Minutes from May 14, 2024 made and seconded.	Approved by vote 5-0
Introduction of Board Members	Anne Marie Grimmer introduced the Board Officers present.	Noted
201 Covey Point	All identified ACC violations have been abated. It was determined the HOA does not want to expend any more funds to maintain the appearance of the property. The management company is responsible for maintaining the yard. Motion was made to have volunteers pressure wash the house and fence as needed to maintain the neighborhood appearance. Motion was seconded. Gary Ofenloch and Tom Houlihan volunteered. Bill McCarthy asked, "Do they owe any money to the HOA?" Gray Ransom supplied the response: Yes, 2 and half years of dues, attorney and associated fees. However, it is unlikely we will recover these funds as we are last to recover any surplus from the sale of the house. The new owner is not responsible for outstanding monies owed to the HOA.	Noted Noted Noted Approved 5-0 Noted Noted
Trespassing to Fish	Larry Cook reported no further incidents of anyone fishing without permission. No warning needs to be given as they are taking resources. The homeowner is advised to call the police. Installing No Trespassing signs around the lake or at the entrance was discussed.	Noted Noted

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	The Board feels that it is unnecessary since warning and notice is not required.	Noted
Doorknobs at pool	Robert Nasto provided a quote of \$120 to purchase 4 doorknob and deadbolt sets for the pool facilities. Motion was made and seconded to proceed with replacing the pool doorknobs and dead bolts on 4 doors.	Noted Approved 5-0
Board Policies	<p>FINANCE POLICY REIMBURSEMENT FOR ITEMS USED FOR PERSONAL and HOA BUSINESS</p> <p>The Board expects to reimburse any resident in full for any authorized item purchased by that resident for HOA use. In order to be reimbursed for the item purchased, the resident must submit the original receipt to the Finance Committee Chairman.</p> <p>The Board recognizes that there will be times when a resident will seek reimbursement for an item that was used not only for their personal use, but also used for HOA business.</p> <p>An example of this might be (but not limited to) printer ink and or printer paper.</p> <p>Since the HOA does not have a dedicated printer, the HOA relies on residents to use their personal equipment. The HOA does believe that any expense incurred by its residents, that resident needs to be compensated.</p> <p>When a request is made for reimbursement of such an item the resident needs to report the percentage of usage of that item which was used for HOA business.</p> <p>As an example, the cost to replace the ink cartridge used by the resident was \$50.00. The resident believes that only 30% of the ink was used for HOA business, Therefore the Resident should only expect to receive 30% of the cost of a new ink cartridge, which in this example would be \$15.00. The remaining 70% was used for personal use or \$35.00. The resident will receive a reimbursement check for \$15.00</p> <p>A motion was made and seconded to approve this policy. A discussion clarifying this policy that items purchased and used 100% for authorized HOA business or projects will still be reimbursed 100%. This policy only applies to authorized use of supplies that are used for both personal and HOA business.</p> <p>POLICY ON BOARD OFFICERS VISITING RESIDENT’S HOMES on OFFICIAL HOA BUSINESS</p> <p>Board Members when on official HOA Business will be accompanied by another Board Member, Committee Chairperson or Committee Member in order to speak to a homeowner. Exception will be made delivering documents to all our residents. Example: Covenants, Ballots, etc.</p>	<p>Noted</p> <p>Noted. Motion carried by vote 5-0</p> <p>Noted</p>

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	Motion was made to approve this policy as written. Motion was seconded.	Motion carried by vote 5-0.
Mail Center	Standardizing the numbers was discussed. The local Postmaster must approve the style and size of the numbers used. It was suggested to change the numbers of the package boxes to the letter designation of the section the box is in plus the box number. Example: A1-1, B1-1, 1-2, etc. This is to alleviate confusion of which 1-1 or 1-2 box the key goes to and it would allow us to clean up the written number on the boxes as the letter designation for each section is already at the top of each section. Ruth Mellon will contact the local Postmaster to get guidance.	Noted Noted
Records Destruction	Jim Montgomery and Gray Ransom took 65 pounds of records for destruction to Ship-It on May 19 th for destruction by Shred-It on May 20 th . Cost to shred documents was \$1.00 per pound for a total of \$65	Noted
NEW BUSINESS		
Alligators	Feeding alligators is illegal. SCDNR encourages individuals to be safe around alligators by: Do not allow feeding of ducks, turtles, or fish as this can indirectly feed alligators, causing them to lose their natural fear of humans. SOUTH CAROLINA NUISANCE ALLIGATOR MANAGEMENT A Guide for Home Owners & Property Owners Associations is available for review. What is a nuisance alligator? Alligators at least 4 feet in length that present an immediate threat to pets, livestock, property or humans are considered "nuisance" alligators. If you walk near the water and an alligator comes straight toward you, especially if it comes out of the water, it is a nuisance alligator that needs to be reported. In many cases they have lost their fear of humans. This can be caused by feeding alligators (intentionally or unintentionally) or other reasons. Alligators will bask on banks to warm their bodies. An approaching human should cause these alligators to retreat into the water. However, an alligator may be considered a nuisance if it leaves the banks of the pond to spend time near homes, livestock pens or other structures. Frogs, snakes, turtles, fish, ducks, geese and swans are common prey for alligators. An alligator feeding on its natural prey doesn't make it a nuisance. Ensure you walk your pets on a leash to maintain control of your pet, pets are naturally curious and may approach an alligator. An alligator may confuse your pet as a food source. Alligators have a keen sense of smell. In areas around alligator sightings, it is wise to keep pets in the house or away from the pond for a few days, during which the alligator will move on. It's not uncommon for alligators to be attracted to top water fishing lures or	Noted Noted Noted Noted Noted Noted

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	<p>floats. And this activity does not constitute a threat to humans. Most alligators can be easily scared away from fishing lures. It is best to stop fishing for a few days to allow the alligator to move on. If an alligator repeatedly follows watercraft and or maintain a close distance without submersing may be considered a nuisance alligator.</p> <p>If you suspect a nuisance alligator, contact a Board Member. We will investigate and if needed contact an alligator removal expert.</p> <p>Jim Montgomery presented the state law, in part, on Alligator Management Program. Section 50-15-500 (C) It is unlawful to feed, entice, or molest an alligator except as permitted under state and federal law. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than one hundred and fifty dollars or imprisoned for up to thirty days, or both. The magistrates court retains jurisdiction over this offense.</p> <p>(D) A person who hunts, or takes an alligator, or allows an alligator to be hunted or taken, or possesses or disposes of alligator parts, except as allowed by this section and the implementing regulations, is guilty of a misdemeanor and, upon conviction, must be fined not less than five hundred dollars nor more than two thousand five hundred dollars or imprisoned for up to thirty days, or both. The magistrate court retains jurisdiction over this offense. In addition, the court may order restitution for any animal or part of an animal taken, possessed, or transferred in violation of this section.</p> <p>The HOA provided literature to educate its homeowners on alligator behavior and what is a nuisance alligator. The Do's and Dont's of dealing with alligators.</p> <p>It was suggested to have SCDNR provide an education class for our Association at no cost. Motion was made and seconded. Motion carried. In accordance with our By-Laws there was a quorum of a majority of the Board of Directors present and a majority of the Officers present voted yes</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Vote was 3 yes and 1 no.</p>
<p>Cost to remove alligator</p>	<p>Jim Montgomery made a motion and it was seconded: If any homeowner contracts an animal control agent or company to remove a nuisance alligator they will be responsible for all associated costs and any remediation of property damaged during the removal.</p> <p>The HOA is responsible for determining if an alligator is a nuisance and having it removed using its depredation permit. The HOA Board of Directors must ensure the alligator is taken in accordance with state law and SCDNR regulation. If an alligator is taken by a contracted alligator control agent or other person(s) on behalf of a homeowner, its guests or tenants and not by the HOA the HOA is not responsible for the costs associated nor assumes any liability that the alligator was taken in accordance with state, federal laws or SCDNR regulations.</p> <p>For alligators taken by alligator control agents contracted by the HOA: A previous</p>	<p>Approved by vote 4-0</p> <p>Noted</p> <p>Noted</p>

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	<p>Board of Directors approved splitting the cost of alligator removal with the homeowner that reported the alligator. Some homeowners may be reluctant to call to have an alligator removed if the alligator is subsequently removed from another homeowner's property and is no longer a nuisance to them. A question was made if that is enforceable or legal. Opinions divided. The Board will seek legal advice.</p> <p>The question is the legality of splitting the costs with the reporting homeowner or is the HOA solely responsible for the costs associated with contracting the removal using its depredation permit? Does the HOA have legal recourse in sharing, recouping the costs with a reporting homeowner, guest or tenant? A survey of the Board of Directors and those present on this matter was divided. The matter is tabled for further investigation.</p> <p>Motion: To post an Alligator Warning Sign at the entrance by the mail center. Motion was seconded.</p> <p>According to SCDNR some of the roles of Property Management or Owners: Make decisions regarding alligators within community boundaries. Post warning signage.</p> <p>The Board of Directors did not want to post signs up around the retention pond as alligators are a threat to all residents within the community. To limit signage the motion was made to post 1 sign to warn all residents.</p> <p>Vote taken.</p>	<p>Noted</p> <p>Tabled</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Motion carried by vote 4-0</p>
Feeding Waterfowl	<p>Horry County Code of Ordinances Chapter 4 ANIMALS AND FOWL Article III. MIGRATORY WILD FOWL Section 4-33 Reads:</p> <p>(a) No person shall feed, cause to be fed or provide food for domestic or migratory waterfowl in residential areas of Horry County</p> <p>(b) No person shall create or foster any condition, or allow any condition to exist or continue, which results in a congregation or congestion of domestic or migratory waterfowl in residential areas of Horry County</p> <p>Migratory waterfowl is defined as: Ducks, geese, and swans native to North America</p> <p>Domestic waterfowl is defined as: Non-native ducks, geese, and swans not retained in agricultural operations.</p> <p>Feed or Feeding is defined as: The act of or furnishing of food or other substance that is essential for the growth or maintenance of waterfowl.</p> <p>The Board of Directors requests all homeowners not to feed the ducks, swans, fish, or turtles or other domestic or migratory waterfowl. Feeding them can also unintentionally feed alligators creating a nuisance alligator.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>
Right of Easement	<p>The following apology was read by Anne Marie Grimmer:</p> <p>The Board Members are allowed to enter through the easement. The right to do so is not taken lightly. I want to apologize for not letting our neighbors know that we would be doing so in pursuit of determining the nature of the alligator currently in our lake. Our unannounced visit should have been avoided. We</p>	<p>Noted</p>

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	<p>should have notified each of you with at least an email or posting to the bulletin board. I am sorry for the disturbance our action caused and want you to know we will seek to do better in the future.</p> <p>The covenants provide a right of easement to ensure the maintenance of the retention pond. The Board of Directors maintains that maintenance of the retention pond includes the maintenance of nuisance wildlife on or around the common property and easements. This is a safety issue and it is imperative we have access for Board Officers, or those hired by the Board of Directors to investigate the presence of alligators to determine if we are dealing with a nuisance alligator and if needed have the alligator legally taken from the lake/retention pond.</p> <p>The Board received an email from a community member objecting to accessing the easement without requesting his OK.</p> <p>A community member rose and angrily voiced his disagreement with anyone having access to the easement to control nuisance alligators. He expressed his opinion that control of nuisance wildlife is not maintaining the retention pond and the covenants addressing the access to easements is not applicable. He said he was reporting the Board of Directors to various law enforcement agencies. He threatened to shoot the Secretary or anyone else entering the easement on his property to control nuisance alligators and stated he has the right to do so.</p> <p>The Board of Directors will seek legal counsel addressing concerns on the legality of the right to access the easement and the threats.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>
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COMMITTEE REPORTS

COMMITTEE	DISCUSSION	ACTION
ACC	Doug Ellison submitted report on homeowner projects status. Home Improvements as of 5/10/2024: 200 Covey Point Ct.: Application 5/15/2024, Application approved by the ACC 5/19/2024 and approved by Board of Directors on 5/25/2024	Report filed Noted
	1088 Vestry Dr.: Application 5/7/2024, Application approved by the ACC on 5/18/2024 and approved by the Board of Directors on 5/25/2024	Noted
	1139 Lampwick Lane: Application 5/18/2024, Application approved by ACC on 5/19/2024 and approved by the Board of Directors on 5/25/2024. Final Inspection was completed on 5/29/2024	Noted
	1155 Lampwick Lane: Application 4/10/2024, Application approved by the ACC on 4/12/2024 and approved by the Board of Directors on 4/14/2024, Final inspection completed on 5/19/2024	Noted
	334 Chastain Ct.: Application 3/1/2024, Application approved by the ACC on 2/29/2024 and the Board of Directors on 2/29/2024	Noted

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	<p>The Board President Anne Marie Grimmer received an email from a concerned community member about adding ACC rules that require approval from the ACC and Board of Directors to do maintenance like replacing side garage doors or repainting shutters.</p> <p>Motion was made to allow regular maintenance that does not change the exterior physical appearance without need of ACC or Board of Directors approval. Motion was seconded.</p> <p>Discussion ensuring only maintenance that does not change physical appearance be permitted.</p> <p>Vote was taken on the motion.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Motion carried by vote 4-0</p>
Beautification	<p>Rich Shanaman emailed committee report. Anne Marie Grimmer read the report.</p> <p>Decorated mail center and pool area for Memorial Day on March 22nd. These decorations will remain up in observance of Flag Day and Independence Day. Thanks to Jackie Shanaman and Kevin Gendron for their assistance.</p> <p>Due to not putting mulch down, the gardens at the entrance and mail center were sprayed for weeds. The pool area will be sprayed in the coming weeks.</p> <p>Rich Shanaman has approved the purchase of supplies from the Beautification budget to install exposed aggregate concrete at the mail center. This will eliminate loose rocks from getting kicked around and stop weeds from growing.</p> <p>Doug Ellison and Jim Montgomery volunteered to work on this project</p> <p>Doug Ellison had already installed the forms earlier this year and will spearhead the completion of this project.</p>	<p>Noted and Filed</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>
Covenants/Bylaws	Nothing reported	Noted
Finance	Gray Ransom submitted May's Financial report.	Report Accepted, Filed
Food Drive	Barbara Houlihan reported: June 14 th bags will be picked up	Noted
Pool	Nothing new to report. Quote provided for doorknob and dead bolt sets under old business.	Noted
Social	Helena Steere reported: The Hot Dog Extravaganza on May 25 th was a great success (almost 60 community members attended). Thanks goes out to everyone who helped put the event together. A special thanks goes to Karen Morello for the incredible Hot Dog Station.	Noted

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	Our Wednesday Wake-up on June 5 th was well attended. About 16 community members were there. Many of our committee members brought wonderful treats. The book exchange was displayed. Thanks to everyone who helped. The next Wednesday Wake-Up and Book Exchange will be July 3 rd . The Ice Cream Social Event will be July 17th	Noted Noted Noted
Welcome	No report	Noted
Website	No report	Noted
NEXT MEETING: Will be Tuesday, July 9th, 2024, at 1 p.m. LOCATION: Pool, weather permitting.		
Motion to adjourn was made, seconded. All present voted to adjourn. Meeting adjourned at 3:10 p.m.		

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ADDENDUM

6/13/2024

<p>Right of Easement and cost of alligator removal</p>	<p>Ruth Mellon, Anne Marie Grimmer, Jim Montgomery had a telephone meeting with our attorney Colin Jewel to address the concerns of access to the easement areas and costs associated with alligator removal.</p>	<p>Noted</p>
	<p>During this conversation, he expressed his legal opinion that maintaining the common areas is the sole responsibly of the HOA. Furthermore, it is in his legal opinion that maintaining nuisance wildlife in and around the common areas is maintenance of the retention pond/lake and is the sole financial responsibility of the HOA.</p>	<p>Noted</p>
	<p>The Covenants establish easements, the right to enter for the purposes the easement area is reserved, and for the maintenance of the retention pond and other common areas.</p>	<p>Noted</p>
	<p>Therefore, we cannot in his legal opinion charge half the cost to remove the alligator to any of our neighbors. It is also his legal opinion that we have the right to ingress and egress the easement areas for the purpose of maintaining the retention pond to include the maintenance of wildlife within that common area.</p>	<p>Noted</p>
	<p>Due to the urgent nature of this matter, we held an email meeting to vote on this matter.</p>	<p>Noted</p>
	<p>Motion: The HOA is responsible for the cost to maintain the common areas including the removal of nuisance wildlife such as alligators. Any action taken by the HOA Board of Directors to contract the removal of nuisance animals including alligators from the retention pond and common areas will be the sole financial responsibility of the HOA. Motion Seconded.</p>	<p>Motion carried by vote 7-0</p>