

Berry's Pond/The Shores Annual Homeowner's Meeting Minutes February 23, 2023 Middle Tyger Library

❖ **Revised 3-12-2023 Added response from SJWD to question re water primrose.**

Present: Jeanne Posey, April Emory, Barbara Light (LPM))
2023 Annual Meeting Tentative: Tuesday, February 20, 2024

The HOA annual meeting was called to order by Jeanne Posey at 6:33 pm on Thursday, February 23.

Attendance: There were 14 households in attendance with 2 proxies received, insufficient for a quorum.

Minutes: The minutes from last meeting (held September 29, 2022, postponed from February 11, 2022) were read and approved after correction of date typo.

Budget: The cash flow report as of 12-31-2022 was distributed and the actual income/expenses vs budgeted were reviewed.

Beginning Balance \$11,208

Ending Balance \$14,715

The 2023 budget was distributed and reviewed.

New Business:

- Projects under consideration for 2023:
 - New entrance sign. Funds (\$4,000) have been budgeted and we have a few ideas but are running into delays getting costs quotes from contractors due to their workload.
 - Pressure wash brick walls. Funds (\$300) were budgeted and the work has been completed.
 - Mulch on median and near brick walls. Funds (\$375) were budgeted and the work is complete.
- AT&T has contacted Light Property Management regarding holding a neighborhood appreciation event. This event will be their way of answering any questions we have about Fiber Optic network, including speeds and costs, they will also address any issues left over from the wire installation process.
- A new light was put up on Victor Hill, and the cost is included in the 2023 budget. Duke bills us by the light pole.
- Take away from September Meeting – Can we have the sheriff's department set up a speed trap. They will not, but they did offer the option of placing one of their electronic speed signs to register drivers speed. They will let us know when this will be put in place. It will not stop speeders but will make them aware of their speed. This is all being done with our neighborhood children in mind.
- Take away from September meeting: Speed bumps – we cannot install our own as the county will not maintain our road if we do.

Nominations:

- The board had accepted Amanda King offer to serve on the board.
- Patrick Mullen offered to serve on the board.

Discussion

- Q.** What is the reason for the insurance mentioned in the budget?
- A.** This covers any damage to the sign or brick walls in the neighborhood. It is also liability insurance should any homeowner sue the directors or officers.

- Q.** There have been instances of coyotes being caught on trail cameras. Can anything be done?

- A. Pictures and address of where the photos were taken can be sent to Light Property Management. They will contact the Department of Environmental Enforcement.
- Q. What can be done about the mess at the vacant house located at 737 E. Victor Hill? A tree from this lot has fallen on the neighbor's fence. Items such as used kitty litter, and other forms of trash have been dumped in the back yard of the vacant home. Who is responsible for maintaining and cleaning this up? Who will make sure the grass is mowed during summer?
- A. If possible please take pictures and send to Light Property Management. They will contact the county and the homeowner. If you would contact LPM when the grass needs mowing they will contact the county will look at it and mow and bill the homeowner. LPM will also send a welcome package to this new homeowner who raised these issues.

Q, There has been talk of late fees. What is the schedule of late fees?

- A. A monthly late fee of 15% of the dues was instituted with the revised Covenants in 2017. They were first charged in 2018.

Example: Dues are due on 2-15. If not paid a late fee is charged. It is charged monthly until the dues are paid. If 2023 dues are not paid on 2-15-2023, and are unpaid as of 12-31-2023, the total owed to the HOA would be: \$400.00 made up of dues of \$160.00 and late fees of \$240.00*

The late fees would continue into 2024 if dues unpaid.

*[(15% of 160) for 10 months] = [\$24.00 x 10].

Q. Why are 50% of the late fees received by the HOA paid to Light Property Management?

- A. At the time the late fees were instituted it was decided to reimburse LPM for the extra work involved with the late fees and also a way to keep the management fees at the current rate

Q. Why is the land behind the brick sign no longer maintained by the HOA.

- A. It was explained that this land is not HOA property. If it had been maintained in the past it was not being done at the direction of LPM or the HOA. The land is the property of the homeowners.

Q. Is the boat on HOA property?

- A. No. When the boat was placed by the builder, Pima LTD., the homeowner at that time agreed he could put the boat and mooring post on their property. Both have been there since.

Q. Is there public access to the pond?

- A. We will have to research to see if any land is deeded as public access with in the neighborhood. An initial review shows each lot along the lake shares a property line with the neighboring lot. Meaning no land is set for public access. However we will confirm. We did look at SJWD website and Tygerberry landing website. **The following is from SJWD website:** *SJWD Water District has no public ramp at the present time and permits are available or sold only to adjoining property owners. Currently private access is available through a launch fee through Brown's Bait Shop. They charge a fee to access the lake and SJWD is not affiliated with them. You are able to access the lake there, but we do not maintain the ramp or facility since it is privately owned.*

This is from Tygerberry Landing website: *Tygerberry Landing on the South Tyger River at Berry's Pond in Duncan is open to the public thanks to a partnership between the Tyger River Foundation, SJWD Water District and Spartanburg County Parks Department.*

Q, Is SJWD clearing water primrose from Lake Lyman, will they clear our pond?

- A. Jeanne has contacted SJWD and will post an answer on Facebook and the Website when it's received.

❖ **Reply received from SJWD lake warden on 3-9-23: As of right now there is no plan to bring the harvester to Berrys Pond. We will continue to monitor this spring and reevaluate as needed if it becomes problematic.**

Q. Can I keep chickens in my back yard?

A. No, per the **covenants Section VIII. 1.** No animals, livestock or poultry of any kind shall be raised, bred, pastured or maintained on any Lot except household pets which may be kept thereon as pets for the sole purpose and use of the occupants, not for any commercial use or purpose

Q. Can I have a vegetable garden in my back yard. The way my house is situated it is partially visible from the street.

A. Yes, based on the covenants, as long as the garden is kept neat as a garden, there is nothing saying there can't be a vegetable garden.

Covenants section V.8.a: *Maintaining their grass, hedges, shrubs, vines and plants of any type on any Lot or portion of the Property shall be trimmed and shall at regular intervals be mowed and be in a well-groomed appearance.*

Q. Did the homeowner who is installing that building behind his house get Architect approval?.

A. Architectural Approval is required before any building can be installed. The homeowner in question It sent in a form and it was approved. The metal building has been in place prior to the 2017 covenants.

Q. Can a homeowner put non-Christmas wreaths at Christmastime on our entrance sign.

A. Without a quorum being present no vote can be taken. However, a poll was taken of the homeowners present at the meeting. Consensus was a homeowner may put wreaths on our sig.

Meeting take away:

JP - Check with SJWD re water primrose.

LPM/BOARD confirm whether there is a public access to the pond in the neighborhood.

LPM – Check with county regarding the vacant house at 737 E. Victor Hill. What can be done to clean up garbage in yard. The crawl space is open leaving it as a danger to area children. Can county do anything?

HOMEOWNER TAKEAWAY: If you see coyotes and have pictures on your cameras, you may send them to Light Property Management at **(864) 585-2525** or by email: lpn@lightpropertymanagement.com

Meeting adjourned at 7:30

Respectfully submitted
Jeanne Posey
BPHOA Secretary

February 27, 2023