

## Rose Dhu Creek Plantation POA

### Board of Directors Meeting

January 19, 2023 6:00 PM

#### Gathering Place

1. Call for attendance / December Meeting Minutes: Clay Bomgardner, President; Art Carapola, Treasurer; Greg Harrold, Vice President; Todd Guenther, Secretary; Ryan Stefonick, Trustee.

Residents in attendance: Al and Ann Wynn, John Ussery, Sharon Bomgardner, Sam Weatherly, Matt Weatherly, Serenity Burzawa, Fred Wallace, Sandra DiSanto, Mike Collins, Elena Carapola, Kassie Williams, Brenda Mars, Brian Hahn, Steve and Evan Page, Andy and Karen Guth, Sabine Dowlaty

Art Carapola made a motion to approve December's meeting minutes, Greg Harrold seconded and all approved.

2. Treasurer's Report- Art Carapola:

As of the end of December, there was \$47,048 in the Operating account at Coastal States Bank, \$60,005 in ARB and builder compliance deposits, and \$191,780 in the two Capital accounts. The 2023 Annual dues were billed in mid-December for a total of \$208,500 which are posted to deferred assessments on the balance sheet. The annual dues will be recognized as income in 2023 at the monthly rate for \$17,375. Finance charges (1.5%/mo.) are and will be applied to past due accounts. Statements are emailed/mailed each month to all members with balances unless they elected the two-pay option in which the 2nd installments will be due on/before 06/30/22. At the end of December, one member has not paid the 2022 administrative fee along with a portion of the accrued interest for late payment of dues. We finished December with a positive variance of \$225 and the year with a positive variance of \$35,818.

Todd G motioned to approve, Clay B seconded and all approved.

3. Committee Reports

- a. Security- Carapola: Art will no longer be providing fobs for the current gate security system because it will soon be replaced and new fobs or "clickers" will be assigned, 2 per household. Additional clickers will be available to purchase at cost. The back gate is still not communicating wirelessly so the school bus schedule is still active. This opens the gate for a few hours in the morning and afternoon. A down payment has been sent in to the new security provider TSC and work is in the planning stage.
- b. ARB- Greg H: Greg reports there are no new housing starts but all current builds are progressing as expected. A slab concrete pour on a property across from the Gathering Place caused a minor traffic jam. Cement trucks may have been driving over the bridge which is only rated for 20 tons. Clay requested the ARB notify the Board if any incidents like this are likely to occur in the future.

- c. Beautification- Serenity B: Serenity met with the new landscape maintenance company BrightView about upcoming plantings in front of the front gate and about improving the irrigation. They said they are only responsible for repairing sprinkler heads they damage. However, plantings and irrigation changes can be had at additional cost.
  - d. Maintenance- Clay B: Clay met with and contracted an electrician to add surge suppressor at the back gate. The cost will be \$1,800 and will save time and money in the future by protecting the sensitive electrical components required at the gate. The front gate was inspected and found to be reasonably protected from power spiked and lightning strikes.
  - e. Social Committee- Sandra DiSanto: Sandra commented that the Christmas party was a success with many positive comments. She mentioned that for future party menus a few residents were asking for gluten free choices. Sandra stated that she is resigning from chairing the committee and said Marla Guenther is taking over the Social Committee for 2023.
4. Spectrum Presentation – Cable Provider: Art C. invited and introduced Spectrum Sales person Chris Gibbons. He spoke about his company and stated that they are willing to expand into our community if there is enough resident interest in changing over to Spectrum from Hargray. Up to this time Hargray has had a virtual monopoly within the greater Bluffton area. He stated that there would be a need to install an infrastructure underground consisting of fiber-optical data transmission of up to 1 Gigabyte of service speed which has not been available up until recently for residential customers. Chris asked for more information such as the number of homes within RDCP. Art will provide this information to help Spectrum Sales and Engineering to assess whether it would cost effective and practical. He stated at least 20% of the community would have to show interest to move forward. Engineering request from Spectrum to follow. Art will be taking the lead in representing RDCP.
5. Page Miniature Cow Request by Stephen and Evan Page: In anticipation of a heated discussion Clay began by stating “No matter what, we will keep discussion civil and respectful.” This issue is regarding the fact that the Pages brought in 2 miniature cows as pets onto their property.
- Stephen Page began by reading a letter he wrote to the Board for this meeting. (This letter will be attached as exhibit 1 at the end of this report.) He said he thought raising cows would be fun and educational for his 3 children. He takes full responsibility. He knows now he made a mistake. He reached out to the Equestrian Center for a solution. And he wants to “set the story straight.”
- A. He stated that he never consulted an attorney and didn’t think his interaction with the Board was threatening.
  - B. He said he felt when he communicated with the Board they were “hostile.”
  - C. Although one of his emails to the board stated he records all phone calls with members, he defended his actions by saying he is a good person.
  - D. He then gave a challenge to the Board saying “keep honest”.

- E. To influence the decision of the Board, the Page's created a petition for residents to sign to "keep the babies." They also went on the RDCP Facebook to plead for support. He told the Board to respect a petition.
- F. Evan Page submitted the petition with 29 resident signatures. A couple residents helped the Page's get these signatures by setting up a drop box.
- G. After the Page's were finished, some residents spoke up. Sebina Dowlaty was first saying she signed the petition because she likes animals but stated that cows are very different from horses regarding upkeep, waste odor and grazing. She appeared to back off her initial support for allowing livestock in the plantation.
- H. Ann Wynn emphatically stated her objection to the cows or livestock in general saying "if we wanted to live with livestock we would have stayed in Colorado."
- I. John Ussery said as next-door neighbors (to the Page's) he's ok with the cows.
- J. Mike Collins said regardless what the Town of Bluffton said, cows are not considered a pet.
- K. Clay B. told of what occurred in December 2022 when Stephen Page planned to petition the Town of Bluffton at the town council meeting to give him a waiver for the cows regardless of the local ordinances prohibiting livestock. However, he pulled the request the day before the meeting.
- L. Stephen P stated that the male cow was now castrated as he had no plans to breed them. He also stated that the cows have been seen by a veterinarian who suggested a few things for the cows.
- M. Art C. asked that the Page's confirm that they live at 11 RDCP Drive in the red barn as their primary residence. Stephen Page confirmed that 11 Rose Dhu Creek Plantation Drive is their primary residence and they live there full time. Art asked if they plan to build a house where the front pastures are currently located and what their plan was for the cows once the pastures are gone. Stephen stated that he intends to build a house in the front pasture for their permanent home.
- N. Ryan S. stated "I joined the Board to be a voice for the community" Ryan was trying to intercede and mend fences and asked the residents to try and make this a good year.
- O. Art C. stated that if we as a community were to allow these cows, we were walking a "slippery slope" and opens the door for others to ask waivers to get other livestock such as pigs, sheep, or goats. Bringing cows in could be seen as lowering our standards and affecting reputation and property values.
- P. John Ussery stated that if we deny this request then the Board needs to do a better job policing other residents who have ducks and chickens on their property. Art stated he is unaware of any ducks or chickens here.
- Q. Fred talked about a proposal submitted 3 years ago to allow chickens on a limited basis and used that as an example of how to submit a petition / proposal to change the by-laws. The proposal was never followed up and forgotten. John Ussery stated that he knows of 4 or 5

homes that have chickens. Art C told him he is free to submit a complaint to the POA Board if he knows of violations to the covenants and objects to them.

- R. After the discussion died down Todd G. called a vote for the record by making a motion to disapprove the cow pet waiver request. All 5 Board members voted to deny the waiver request. Expecting that outcome, Stephen Page stated that the cows will be removed from his property by February 7, 2023.
- S. John Ussery made a statement after the vote that he felt that the POA Board had not had the courtesy to look at the petition before voting on the waiver.

6. Annual Meeting Planning

- a. Agenda: Clay stated that the Annual Meeting Agenda was in final draft stage and will be ready for the annual mailing.
- b. Package Preparation: Clay directed Todd and Ryan to get with our accountant Beth Ann Julseth to ensure all necessary mailings were available and up to date. Ryan was tasked with providing her the 3 Board opening applicants applications.
- c. 2021 Meeting Minutes which are needed for a vote at the Annual Meeting were lost when a hard drive crashed. Art C. was going to recreate this document if a backup cannot be found.

7. Security System Status: Art C stated that the contract for a new system to be installed in 2023 had been signed by both parties (RDCP and TSC). A deposit check from RDCP has been paid to initiate work. We expect an installation schedule to be forthcoming. Both the front and the back gates will get all hardware and electronics replaced. The entry system at the pool / GP gate will be upgraded as well. Each household will receive 2 fobs free of charge. He was not sure whether the HomeLink system in all modern cars will work. Proximity cards will be given out for access into the pool / GP. Resident information database will need to be updated very soon to work accurately with the new system. There will be a 1-year warranty with the installation and we will be offered a warranty extension at our cost when the manufacturer's warranty expires.

On January 9th Art ordered fobs which will take about one month to receive. The back gate will be the first to receive the new actuators. New rules for vendors and residents need to be created. We need to develop a plan with the residents in mind to include a tutorial on operation as well as how to deal with frequent and infrequent vendors. Art will hold a meeting within a week to discuss. Art restated that in addition to the one proximity card per household, personal keypad codes are needed as are friend (non-resident) codes.

The entry systems at both gates will be upgraded with a video screen which will alert residents of visitors. These will be linked to resident phone numbers as they are now.

Sebina D. said the Equestrian Center will continue to be a problem because they hand out their limited number of codes to all their customers and visitors. This is an ongoing, big problem. Art said that will be addressed in the meeting further saying we need to work with Rebecca Warth, the manager of the Equestrian Center. Art said entry access will still be easy but much more secure.

8. New Items: Nothing recorded.
9. Executive Session to be held after the adjournment of the public meeting.
10. Adjournment: Clay made the motion to adjourn, Greg seconded, all members approved.  
Meeting adjourned 7:15pm.

<b>Rose Dhu Creek Plantation POA Inc</b>	
<b>Balance Sheet</b>	
<b>As of December 31, 2022</b>	
<b>Assets</b>	<b>December</b>
<b>Operating Funds</b>	
1000 - CSB Operating #7161	47,047.75
1001 - CSB ARB #7179	60,005.02
<b>Total Operating Funds</b>	<b>\$ 107,052.77</b>
<b>Reserve Funds</b>	
1002 - CSB MM Capital #7187	141,779.50
1003 - CSB Capital #4142 NEW	50,000.00
<b>Total Reserve Funds</b>	<b>\$ 191,779.50</b>
<b>Accounts Receivable</b>	
1500 - Accounts Receivable	208,636.81
<b>Total Accounts Receivable</b>	<b>\$ 208,636.81</b>
<b>Other Current Assets</b>	
1600 - Prepaid Expenses	2,102.25
<b>Total Fixed Assets</b>	<b>\$ 2,102.25</b>
<b>Fixed Assets</b>	
1700 - Land	57,090.05
1705 - Security Equipment	45,746.55
1706 - Beautification Projects	14,580.00
1707 - Lighting Projects	7,805.00
1708 - Rear Gate	4,132.38
1799 - Accumulated Depreciation	(38,782.32)
<b>Total Fixed Assets</b>	<b>\$ 90,571.66</b>
<b>Total Assets</b>	<b>\$ 600,142.99</b>

<b>Rose Dhu Creek Plantation POA Inc</b>	
<b>Balance Sheet</b>	
<b>As of December 31, 2022</b>	
<b>Liabilities</b>	<b>December</b>
<b>Accounts Payable</b>	
2000 - Accounts Payable	5,630.42
<b>Total Accounts Payable</b>	<b>\$ 5,630.42</b>
<b>Deposits Held</b>	
2505 - ARB - Deposits	60,000.00
<b>Total Deposits Held</b>	<b>\$ 60,000.00</b>
<b>Prepaid/Deferred Assessments</b>	
2510 - Deferred Assessments	208,500.00
<b>Total Prepaid Assessments</b>	<b>\$ 208,500.00</b>
<b>Long Term Liabilities</b>	
2520 - RDC Amenity Deposits	250.00
<b>Total Notes Payable -Long Term</b>	<b>\$ 250.00</b>
<b>Total Liabilities</b>	<b>\$ 274,380.42</b>
<b>Owners Equity</b>	
3000 - Owners/Reserve Equity - Prior Years	251,673.12
3005 - Land Value Basis Adjustment	29,471.00
<b>Total Owners Equity</b>	<b>\$ 281,144.12</b>
<b>Net Income/ (Loss)</b>	<b>\$ 44,618.45</b>
<b>Total Liabilities and Equity</b>	<b>\$ 600,142.99</b>

## Exhibit 1 attachment- Statement from the Stephen Page family

Dear Rose Dhu community,

Although we have lived here for less than a year, we love this community. We love the neighborhood. And despite what you might have heard, we love the horses and all the other animals that live here, including the donkey.

I truly thought these two little cows would be “fun” for the neighborhood and fun pets for my kids to grow up with. What was supposed to be fun, has been everything but. I looked around and saw multiple homes with chickens, horses, and then a donkey on the property of an ARB member and I genuinely did not think these two little cows would be a problem.

I take full responsibility for bringing the cows into Rose Dhu without speaking to the board sooner. I have formally apologized in an email for this. I know now that getting approval before we had purchased them and they had arrived would have been ideal. Unfortunately, they were already en route by the time I had notified the board and there was no reasonable way to change that. They demanded numerous times for us to remove them from our property. I connected with Rebecca at the equestrian center to see if she could help me find a location and I personally reached out to numerous people asking if they were able to hold them, but the issue was finding someone who could bottle feed these cows 2-3 times a day. Therefore they have not been moved.

We realize that although this is our opportunity to formally request a waiver for the cows to remain in our pasture, the majority of the board has already made their decision. I’m here tonight to address something much bigger than cows... In this process, there has been misinformation, lies, and gossip that has caused neighbors to pin up against one another. Things have been said about me and my family that are not true. This is divisive behavior. Anyone is welcome to call me directly or stop by and have a conversation. I encourage you to ask yourself why? If you have concerns, why not call that neighbor directly? Call me directly? Why create a culture and an ecosystem that tears people apart... neighbors apart?

I want to address some misinformation that has been spread through the community.

**Fact number one: There has never been an attorney on any email, phone call, or meeting where we have threatened to take legal action against anyone with horses.** We have not threatened anyone on the board with legal action. NOTHING has ever been said in regards to trying to get rid of horses. EVER. In fact, we love the horses. My kids love the donkey.



**Fact number two:** I have communicated this to the board: I am and will record every phone call and meeting with board members and ARB members here forward. I have been told by one board member per his email, that this is "hostile and unwarranted." What he may see as hostile, we see as a necessary act of accountability. There have been too many inaccuracies in communication and in speaking to other residents of Rose Dhu, this seems to be habitual.

We strongly believe that a POA and ARB are beneficial to any/all communities. However, the responsibility of these individuals is to represent the community as a whole and to uphold the community-wide standards without bias. To not use their position for personal gain or let their personal opinions hinder them from representing the community as a whole. This is not how our board currently operates and this has been made abundantly clear to me and my family in our current situation.

For those of you seeking truth, I am happy to provide you with every email & text that has been communicated. I am happy to have a conversation with you in person or over the phone. I would even welcome you to come by my house at 11 Rose Dhu Creek Plantation Drive.

*My encouragement to the neighborhood is this:* Speak directly with your neighbors. Nothing will tear this community apart more than spreading inaccurate information. One positive thing that has come of this, is that we have been able to meet more neighbors in the last few weeks than we have in months of living here. We are incredibly grateful to have had the opportunity to meet you and we are hopeful that if you ever have issues with us or anyone in our family, you will come directly to us, as uncomfortable as that may be.

*My challenge to the board is this:* Seek to represent the neighborhood as a whole. Your job is to put aside personal bias and opinion, to be an outstanding example to the community. If you are unable to do so, you are not qualified for this position.

The cows will be removed by February 7<sup>th</sup> as this is the soonest the hauler can get here. Thank you.