

**Regularly Scheduled Meeting
CDPOA Board of Directors
May 14,2024 | 2:00 pm - Small Dining Room, CARC**

Board Members Present: Virginia Baird, Jo Gable, Diana Manly, Karen McAlister and Jerdone Davis

Board Members Absent: Webb Smathers and Nancy Palisin

Committee Chair Present: Eldon Blust (Cable TV), Anne Snider
(Communications)

POA Members Present: John Warner, Shelby Quattlebaum, Wendy Longo

Call To Order - Chairman Baird: The meeting was called to order at 2:05 pm. A quorum was declared based on the number of Board members present.

Approval of Minutes - Chairman Baird: Upon motion duly made and seconded, the Board approved the minutes of the Board meeting on April 9, 2024.

Treasurer Report - Jerdone Davis: The Treasurer Report, in the form of CDPOA Board 2024 Expense Budget, is attached hereto as Exhibit A and incorporated herein by reference.

Committee Reports

ARC Committee Report - Karen McAlister, Chair: Karen McAlister, along with John Warner, the new property owner of 40 Hickory Way, submitted and recommended to the Board for approval renderings for the plans to build a new residence on the lot. The detailed plans are on file with the ARC Committee. By motion made and duly seconded, the Board accepted the recommendation of the ARC Committee and approved the building plans and application for 40 Hickory Way.

In addition, Karen reported that four homeowner applications were received and recommended to the Board for approval, as follows:

Jo and Paul Gable - 404 Downs Boulevard: Replace garage door in same type and color more similar to existing trim

Terri Crocker - 332 Kendra Place: Replace roof shingles in same color

Lois Torlina - 335 Kendra Place: General maintenance repairs to outside boards

Bill McGraw - 7 Birch Lane: Replace mailbox post in brown color

By motion made and duly seconded, the Board accepted the recommendation of the ARC Committee and approved the above applications.

Common Properties Committee Report - Nancy Palisin, Chair: Nancy submitted to the Board the Committee Report, a copy of which is attached hereto as Exhibit B and incorporated herein by reference. The Board took the following actions in response to the Committee's report:

Overhanging Limb Removal. By motion made and duly seconded, the Board voted to remove from the POA website the language regarding the right of a property owner to cut a neighbor's overhanging limbs.

Woodland Walk Erosion. By motion made and duly seconded, the Board accepted the Committee's recommendation and voted to approve the \$2,101.33 expenditure to Ryan Smith for the whirlpool and creek cleanup.

Communications Committee Report - Anne Snider, Chair: Nothing new to report.

Social Committee Report - Diana Manly, Chair: Diana reported that twenty-two people attended the May First Friday gathering hosted by Virginia Baird and Karen McAlister. The June gathering will be hosted by Marsha and Eldon Blust. Sixty-two (62) members attended the POA Spring Dinner. Because of the condition of the piano and the scheduled entertainment, the Committee paid \$180.00 to have the piano tuned. The entertainment from our talented neighbors was wonderful.

Cable TV Committee Report - Eldon Blust, Chair: Eldon submitted to the Board the following Executive Summary along with a more detailed Report, a copy of which is attached hereto as Exhibit C and incorporated herein by reference. All POA members are encouraged to read the attached report to the Board. Eldon has graciously offered to assist individual homeowners with questions, and the Board will continue to monitor and report on this matter.

- **Community Cable TV ("CCTV") service will become significantly more expensive in 2025 .**
- **The terms Vyve Broadband ("Vyve") as offered for the renewal of its relationship with CDPOA are not compatible with the needs of the community.**
- **It is recommended that the Board direct the discontinuance of CCTV effective December 31, 2024 at it June Board meeting.**

Rental Committee Report - Cindy Horton, Chair: In Cindy's absence, Anne Snider presented the following report to the Board:

302 Downs Boulevard: The Committee is reviewing a six month rental request and a copy of the Lease. The City permit is valid through July 1, 2024.

7 Little Lane: The approved lease for this property expires on May 31, 2024, although the City permit is valid through August 31, 2024. Cindy has made numerous efforts to determine who is now handling this rental for the property owner and has reached out to Foothills Property Management several times with no response. If anyone has any information on how to reach the property owner, Malinda Bates, please contact Cindy.

503 Downs Loop: The family of Della Kline are looking for good renters if anyone knows of someone interested.

620 Downs Loop: Committee received and approved lease through December 31, 2024. The City permit expires July 31, 2024.

12 Birch Place: Committee approved lease expires June 30, 2024.

Old Business - Virginia Baird: Chairman reported that the second scheduled presentation on fire safety by the City of Clemson Fire Department will basically be a repeat of their first presentation but anyone who still has questions is encouraged to attend.

New Business - Virginia Baird: Chairman recognized Wendy Longo who raised the question of the POA instituting some restrictions to the existing rental policy to help maintain property values and insure we maintain our status as a neighborhood of residential property owners, to the extent legally possible. The Board will continue discussions on this point. Any input from members of the POA is encouraged.

Wendy also requested any financial support the Board could provide to help maintain the median on Bayberry Lane for expenses such as mulching and spraying. The residents along Bayberry have undertaken this project on their own and have done the plantings so far and watered the plants with their residential hoses. CARC does cut the grass within the median. The Board took this under advisement.

Respectfully submitted,

Marion Sieffert
Asst. Secretary

| GDPOA Board 2024 Expense Budget | | | | | | | | | |
|--|----------|--------------------|--|-----------------------|------------------------|---------------------|---------------------|---------------------|--------------------|
| | | 2024 Budget | | January 2024 Expenses | February 2024 Expenses | March 2024 Expenses | April 2024 Expenses | Total 2024 Expenses | Remaining Budget |
| EXPENSES | | | | | | | | | |
| Administrative: | | | | | | | | | |
| Insurance | | \$3,165.00 | | \$0.00 | | | \$0.00 | \$0.00 | \$3,165.00 |
| Attorney | | \$2,000.00 | | \$0.00 | | | \$0.00 | \$0.00 | \$2,000.00 |
| Tax prep | | \$500.00 | | \$0.00 | | | \$0.00 | \$0.00 | \$500.00 |
| Accounting Fee | | \$1,200.00 | | \$0.00 | \$200.00 | \$100.00 | \$100.00 | \$400.00 | \$800.00 |
| Copies/Stamps/Envelopes | | \$2,000.00 | | \$69.26 | \$152.90 | \$34.70 | \$269.50 | \$526.36 | \$1,473.64 |
| Website | | \$1,600.00 | | \$0.00 | | | | \$0.00 | \$1,600.00 |
| Social | | \$1,166.00 | | \$0.00 | | | \$180.00 | \$180.00 | \$986.00 |
| Other | Projects | \$544.00 | | \$0.00 | | | \$0.00 | \$0.00 | \$544.00 |
| Total Operating Expense: Administrative | | \$12,175.00 | | \$69.26 | \$352.90 | \$134.70 | \$549.50 | \$556.86 | \$11,618.14 |
| Property: | | | | | | | | | |
| Irrigation Water | | \$450.00 | | \$57.85 | | \$23.09 | \$42.97 | \$123.91 | \$326.09 |
| Mowing | Contract | \$18,000.00 | | \$1,500.00 | \$1,500.00 | \$1,500.00 | \$1,500.00 | \$6,000.00 | \$12,000.00 |
| General Property Maintenance | | \$11,000.00 | | \$0.00 | | | \$650.00 | \$650.00 | \$10,350.00 |
| Total Operating Expense: Property | | \$29,450.00 | | \$1,557.85 | \$1,500.00 | \$1,523.09 | \$2,192.97 | \$6,773.91 | \$22,676.09 |
| TOTAL OPERATING EXPENSE (TOE) | | \$41,625.00 | | \$1,627.11 | \$1,852.90 | \$1,657.79 | \$2,742.47 | \$7,880.27 | \$33,744.73 |

(EXH. A)

Clemson Downs POA
Common Properties Committee Repo^
May 14, 2024

Overhanging Limb Removal —

Follow-up with Ann Sullivan (Newton Law Firm) 4/24/24 regarding "Tree Cutting Protocol"— She has checked with other real estate attorneys within and outside of her firm, finding no one who has encountered a case requiring tree trimming or removal protocol. She will continue to research SC case law on the subject.

FYI: Per CPC member Larry Reamer, it was discovered that Frequently Asked Questions on POA website refers to the right of a property owner to cut neighbor's overhanging limbs as long as it is done from performing property owner's side. (How was this established?)

Pines Along Property Line by the Gazebo —

Now that the property line has been established by surveyor, ivy cutting and debris removal can take place.

Woodland Walk Erosion —

Ryan Smith's whirlpool and creek cleanup proposal for \$2,101.33 (attached) was approved by the Common Property Committee at the 5/3/24 meeting. The original proposal was clarified to state that the creek clean up would "make the area look as clean and free of debris as possible from the whirlpool all the way up to the bridge". The CPC recommends that the POA Board approve the \$2,101.33 expenditure for this project.

CPC also approved a sign for the whirlpool area fence stating:
"WARNING - UNSTABLE CREEK BANK - STAY ON THE PATH"

Woodland Walk Mulching —

A donation check for \$150 and thank you note was sent to CCC coordinator Hank Uzzell in appreciation for their volunteer help in spreading the mulch. Thank you to Alisse Craig and Jane Hamilton who helped Nancy Palisin spread the remaining pile to the Bayberry entrance area. Clemson student and previous POA volunteer Aaron D'Silva is working on the remaining mulch at the culdesac end of the Woodland Walk.

Meeting with certified arborist Kyle Young —

Nancy Palisin met with licensed arborist Kyle Young on 4/29/24 for his opinion regarding the joined Sweet Gum trees at the edge of the creek on common property abutting 600 Downs Loop, which was brought to our attention in writing by Carol Golightly. Kyle recommended removal of both due to the severe erosion under these trees at cost of \$1650.

The worry of the CPC is that the remaining bank will fall into the creek just as the, opposite-side did when trees were removed from that property.

Irrigation Leak —

Although mentioned verbally at April Board meeting, for the record it is being entered into this report that an irrigation pipe leak along the sidewalk to the gazebo next to 17 Downs Loop was discovered on 4/5/24. Ryan Smith located the leak under the sidewalk and repaired it.

(EVH BPI)

ESTIMATE

Prepared For

Clemson Downs HOA
500 Downs Loop
Clemson, SC 29631

Ryan Smith

PO Box 42
Central, South Carolina 29630
Phone: (864) 314-9449
Email: ryans7738@hotmail.com

Estimate # 222

Date 04/05/2024

Description

Total

| | |
|---|------------|
| Clean up and create pathway for water diversion and cleaning of whirlpool | \$2,101.33 |
|---|------------|

Clean out the whirlpool removing all trash, debris and other items.

Clean and remove as much of the flipped stump from the creek. Cut out as much of the root system as possible.

Open up cavity between stump and currently open area. There is water leaving the area to the left side of the stump, open that up giving the area two egresses of water movement.

Make area look as clean and free of debris as possible from the whirlpool all the way up to the bridge.

Make sure silt is able to flow and wash rather than build up in any of the new areas

| | |
|-----------------|-------------------|
| Subtotal | \$2,101.33 |
|-----------------|-------------------|

| | |
|--------------|-------------------|
| Total | \$2,101.33 |
|--------------|-------------------|

(EXH. B p2)

CLEMSON DOWNS PROPERTY OWNERS ASSOCIATION

COMMUNITY CABLE TV COORDINATOR
Eldon Blust

REPORT TO BOARD MEETING FOR MAY 14, 2024

As of May 1, 2024, there were a total of 75 paid CCTV subscribers. Roughly 55% of the residences in Clemson Downs subscribe to CCTV, with each residence having an average of two TVs connected.

In 2024, CCTV has two cost components:

- An Annual CCTV Fee for "content/programming" collected by Clemson Downs Property Owners Association ("CDPOA") as a single payment of a \$480.00.
- Additional charges billed directly by Vyve for equipment that averages \$10.00 per month.

Looking forward to 2025 Vyve has offered new terms for the renewal of its relationship with CDPOA:

- The cost for "content/programming" that would need to be collected by CDPOA will increase \$480.00 to \$600.00 provided the community maintains a total of 74 subscriptions. (If there are fewer subscriptions, the cost per subscription will be higher.)
- CDPOA must commit to collect this Fee and maintain 74 subscriptions throughout 2025 and 2026 (i.e. for two years; a commitment by CDPOA to pay Vyve \$88,800.00).
- Once agreed, there will be no adjustments made by Vyve if the number of subscriptions drops below 74. CDPOA will be required to make up from general funds the difference between what it pays Vyve and what it collects from its subscribers.
- The additional charges billed directly by Vyve for equipment is unlikely to change.

To put these terms in context, at the end of 2023 there were 77 CCTV subscribers. 13 of these subscribers did not renew their CCTV subscription for 2024. However, 11 new subscribers have been added in 2024 making the total of current subscribers 75; a net reduction from 2023 of 2 subscriptions.

- It is not possible to reliably predict now how many of these 75 current subscribers will renew for 2025 and 2026 (i.e. will actually pay \$1,200.00 in March, 2025 when the Annual CCTV Fee is collected).

- CDPOA therefore would assume the risk of making up for uncollected Annual CCTV Fees at a rate of \$1,200.00 for each subscription that went unrenewed.

Although the terms Vyve has offered to renew its relationship with CDPOA might be suitable for a commercial organization where the subscription demand is fixed over a long period of time (like a hotel with a fixed number of room) or where there's a marketing/sales operation to create additional demand, the terms are not compatible with the needs of the "affinity group" residents of small subdivision operating as a not-for-profit organization.

It is the recommendation of the Community Cable TV Coordinator that at the June 2024 Board Meeting the Board directs that CCTV be discontinued as an offering effective December 31, 2024 allowing current subscribers a transition period to other services through February 28, 2025.