

NEWPORT PROPERTY OWNER'S ASSOCIATION ANNUAL MEETING

SATURDAY, January 19, 2018 10:00-11:15 AM

PRESENT: Tim and Mary Thompson, Steve and Phyllis Wilson, Frank and Brenda Grand, Dennis and Adrienne Lesko, Bob and Judy Lentz, Tyler Hill, Gordon and Caroline Buswell, Helen and Jim Nazzaro, Chris and Shannon Cockrell, Paul Gorenflo, John and Pam Thompson, Ed Smith, Robert Hicks, Bob Barretto, Jeff and Diane Hanft, Buzz and Debbie Foster, Mike Bartley, Heather and Landen Vahjen, Mr. Cassidy (attorney for Mck), Jim and Denise Medford (presenters/guests)

- 1) Tim Thompson welcomed everyone and thanked the Medfords for the use of their facilities. He then acknowledged the recent death of board member, Dennis Davenport and praised the many years of work that Dennis provided in pursuit of paving Backwater Road as well as his many contributions to the work of the board over the past 5 years. A donation was made to the Amyloidosis Center, Boston University School of Medicine.
- 2) The 2017 annual property owner meeting minutes were approved as distributed last year.
- 3) The financial report was distributed to property owners. SEE ATTACHED The current balance is \$105,666.43 (which includes a \$50,000 CD that will come due in August, 2018). These funds have been accrued to be able to finance any legal action and other costs needed for getting the road paved as well as maintain Newport.
- 4) Tim announced that our meetings are informational currently and therefore a quorum is not needed. Tim also announced we have hired a law firm in Greenville. Mr. Lana Simms will be our attorney. By-laws have been drafted and are currently being reviewed by the board members and our attorney. Replacement of the open board position will be deferred until these by-laws are finalized.
- 5) Tim stated that paving the road has been the board's number one priority. Steve Brown, Chairman of County Council was invited to attend our meeting. Mr. Cassidy, attorney for Mck, joined us in this meeting. The road status remains stalled. In a review of the past year's activities, Tim indicated he had appeared before the County Council in September, 2017 and communicated our frustration in the failure to finalize an agreement. Tim communicated our reluctance to pursue legal guidance but willingness to do so if the County Council is unable to finalize an agreement. He asked the County Council to consider eminent domain as an option. Tim reported that the latest attempt of an agreement would be the following: Fletcher Lawrence has agreed to free up his property if Newport POA will allow him to tie into our utilities at Lot #1. We have agreed with the caveat that once he sells any lots, he must require those property owners follow our CCRs and pay dues as required to Newport POA. Negotiations with Mck who owns the property from the pump house to the Newport gate is being worked on. The County Council received a bid of \$307,000 for paving the road according to county specs based on that estimate. We have suggested that the county pay 25% of the cost, Mck and Newport POA split remaining costs (Mck to pay 65% of this portion and Newport to pay 35% of this portion). Mck would be expected to pay ½ of their amount over a 10 year period with the other ½ being due as a balloon payment upon sale of the property or at the end of the 10 year period. Newport property owners would be asked to pay their amount through a tax district over a 10 year period at the rate of \$143 annually. We are pushing against the county liability to get this done since they were non-compliant in their own requirements to have paved road access to each development. We would want the county to pave the road so that they are required to maintain the road in the future.
- 6) Many changes/improvements have been completed over that past year

- a. Safety and security
 - i. Replacement of stolen signs and broken stone frame
 - ii. Blockage of back roads for entry
 - iii. 6 new street lights added for a total of 18 currently
 - iv. New signage for stocked ponds
 - v. Gated entry being explored
 - vi. Newport POA email address being sought
- b. Beautification
 - i. Boardwalk damage repaired by lot owners
 - ii. Kayak Pond and Fish Pond stocked
 - iii. Compliance with CCRs being pursued
- c. Maintenance
 - i. PVC piping for ponds repaired
 - ii. Beaver problems being controlled
- d. Property Liens
 - i. One additional lien filed (filed when dues owed exceed \$2500); currently 11 active liens
- e. Home and lot developments have increased from 10-14 homes completed – additionally 4/5 lots are in various stages of development –
 - i. 1 new home under construction (lot 5/6)
 - ii. 1 additional home to be initiated in January (lot 41)
 - iii. 1 lot cleared to be developed soon (lot 28)
 - iv. 1 lot being explored for sale/development (lot 8)
- 7) By-laws have been drafted and are being reviewed by the Newport POA attorney. Clarification is needed for defining a “member in good standing”.
- 8) Updates on Stoney Point amenities were discussed by Jim and Denise Medford. With respect to road maintenance when entry has been gated, Jim discussed that Stoney Point dues are \$950/year and that they retain a reserve fund of \$25,000 each year for road maintenance. Road maintenance is the responsibility of the POA when gate entry is required. Currently our internal roads are owned by Mck and maintenance would be their responsibility. Mr. Medford also indicated that Stoney Point has a boat storage option available to Newport property owners for \$250/year to include boat and trailer storage.
- 9) Property Owner Comments
 - a. Mike Bartley reported that “Break on a Lake” will open in April, 2018.
 - b. Heather Vahjen announced that Connect Link Greenwood has several events scheduled and is asking for volunteers

NEWPORT PROPERTY OWNER'S ASSOCIATION ANNUAL MEETING

SATURDAY, FEBRUARY 18, 2017 10:00-12 NOON

PRESENT: Tim Thompson, Steve and Phyllis Wilson, Frank and Brenda Grande, Dennis and Adrienne Lesko, Bob and Judy Lentz, Steve and Tyler Hill, Gordon and Caroline Buswell, Greg Schuth, Scott Brady (guest), Dennis and Sandra Davenport, Helen and Jim Nazzaro, Chris and Shannon Cockrell, Paul Gorenflo, John and Pam Thompson, Jim and Denise Medford (presenters/guests)

- 1) Tim Thompson welcomed everyone and thanked the Medfords for the use of their facilities. The reading of the 2016 annual meeting minutes were dispensed with but remained available for all to read.
- 2) Tim discussed the origin of the Newport POA and its founding in 2012. Four board members were put into place. In August, 2016, Board Member Riley Bailes died. Tim talked about Riley's dedication as a board member and the impact of his loss and publicly thanked him for his service posthumously. The remaining board members have continued to conduct the work of the board since that date. The board is now recommending that we seek 5 board members for the future. To that end, Tim moved the names of Steve Wilson and Dennis Lesko be considered for these open board positions. The POA members were asked to vote on this motion. Motion approved.
- 3) Tim reported we currently have \$98,643.37 in our account. The additional funds have been accrued anticipating the need for road pavement or any legal action needed to accomplish this goal. Annual tax reports from 2015 were available for review as well as the checkbook for current expenses. Tim indicated we pay \$320/month for lights, \$70/month for gas lanterns and \$795/month for maintenance of the common grounds. The board continues to repair property damaged despite the fact that these expenses should be handled by Mck so that we can maintain the beauty and aesthetics.
- 4) Tim stated that paving the road has been the board's number one priority. Steve Brown, County President was asked to attend our meeting but was unable to do so due to family conflicts. Steve sent the following report to Tim. Mck's attorney has been the hold-up. Steve has sent an email to Mck to 'ride his attorney hard' to achieve a timely review of the documents needing to be signed. Steve says this has been a very slow process and he will continue to push as much as possible with the goal of getting the road paved this year. The cost of the road is projected to be \$307,000. Once all parties have agreed (Mck being the lone hold-out at this point), the county will set up a Tax District. Originally it was thought that the cost for the property owner would be \$125/year for 10 years but that has been revised to \$185/year for 10 years. The only other option that the county has would be to declare eminent domain on the property to move forward. The county does have a liability to get this done due to the error they made originally in allowing a development to be built without paved access. The only remaining option that the Newport POA has would be to sue the county to get this road paved. We have been patient with the county because they have worked long and hard to reach this point, however, Tim has suggested that the board will decide on a calendar deadline and if paperwork has not been signed by all parties by that date, we would pursue legal action. The board would like to consider lowering the annual property dues but have been reluctant to do so knowing a lawsuit might be required to get this issue settled. POA members verbalized concerns for emergency services equipment negotiating this gravel road. Mck does not pay POA dues on the properties that they own and the board has been reluctant to assess them because we are trying not to alienate them as we continue to work on getting the road paved. Tim was concerned that Mck

could change the covenants since they own a controlling part of the property but if they are not dues paying, they have no rights to revising any of the covenants. The board will discuss securing the same attorney that Stoney Point uses (McCabe Trotter out of Columbia) since their attorney is familiar with MCK and securing them to assist us would be cost effective for us.

- 5) Safety/Security – Tim discussed the recent vandalism of the main road signs (x2 costing a total of \$1625 to replace) as well as the Newport street signs that were damaged or stolen. The Sheriff's department placed a tag reader for a period of time but have since removed it. The board is looking into the cost of purchasing a tag reader for additional security but the expense and maintenance of the data is quite costly.
- 6) Beautification – again, a tree fell on the boardwalk but the lot owner has made the necessary repairs
- 7) Landscaping contract continues
- 8) Sprinkler system has been repaired. All pumps have been repaired, All PVC piping to the pumps have been replaced. When the pumps are turned on, they pump water to the Fish Pond and the overflow goes to the Kayak Pond and that overflow goes back to the lake. This system allows all water areas to be filled and maintained. The pumps are turned off during the winter months to prevent freezing in the pipes. The board is considering stocking both the Fish Pond and the Kayak Pond. Mike Bartley continues to help us destroy any beaver dams in these areas. The shanty on the Fish Pond has received weather damage to the roof tiles. Bob Lentz is securing a bid for repair of this roof.
- 9) Liens – there have been 11 liens placed, two satisfied and one additional lien being anticipated in 2017.
- 10) Tim asked the property owners if they would be okay with him billing annually for property dues. All in attendance were agreeable to this change which Tim will begin in 2018.
- 11) Property owners comments
 - a. Request was made for more lights along the paved roads to make walking at night safer
 - b. A request was made for a boat slip and marina to be built. The Medfords showed a rendering of the original plan for Newport that showed a marina with 36-48 slips. These slips had been permitted originally but it is unknown for how long those permits remain active. The board will follow up on this information.
 - c. A boat storage yard was originally planned to be built on the other end of the railroad tracks that would have to be accessed from Trestle Road. Jim Medford indicated as paying members of the club, property owners from Newport could rent storage space in the space where Stoney Point's maintenance shed is located.
- 12) The business meeting was closed and the Medford's were invited to share information pertinent to our membership in the Links and the amenities they provide as part of our membership.
- 13) Steve Wilson asked if each person in attendance could introduce themselves. With no further business, the meeting was adjourned by Tim Thompson at 12 noon.

**NEWPORT PROPERTY OWNER'S ASSOCIATION ANNUAL MEETING
SATURDAY, FEBRUARY 6, 2016 10:00 – 12 NOON**

PRESENT: Tim and Mary Thompson, Riley Bailes, Dennis and Sandra Davenport, Bob and Judy Lentz, Steve and Phyllis Wilson, John and Pam Thompson, Dennis and Adriane Lesko, David Tuteral, Bill and Sharon Reid. Guests: Jim and Denise Medford (Stoney Point HOA), Toby Chappell, (County Manager) and Kim Clark (Realtor for Mck Properties)

- 1) Tim Thompson (President) thanked the Medfords for providing space for our meeting. He then reported the current financial balance is \$66,989.49. These changes have occurred in 2015:
 - a. Street signs have been ordered for Phase II. Mike Bartley is maintaining the roads in Phase II. Six street lights have been ordered at a cost of \$25/light/month (4 in Phase I and 2 in Phase II).
 - b. The damaged boardwalk has been repaired and power washed. Fallen and leaning trees have been removed at the expense of the property owner. Illumination lights are being planned to be installed on both Newport signs – the one at Stoney Point has to have an electrical source installed first. The Newport entrance sign has an electrical source so only installation of the lights will be required for this area.
 - c. Both pumps for the lower and upper ponds are malfunctioning. The PVC piping on the lower pond is broken and will need to be replaced as soon as possible prior to the raising of the lake water level. Bids are being sought for these repairs.
 - d. Common ground landscape maintenance is being provided by Tommy Blackmon. Contract has been signed for one year with a 60 day cancellation notice requirement.
 - e. CC&Rs need to be reviewed and revised. The board will be completing this task in the upcoming year.
 - f. Mike Bartley has been working with Mck to bid a boat ramp in Phase II and to eventually have a floating dock.
 - g. Once Backwater road has been paved, the board will begin to look at a policy for board elections and term limits.

- 2) Toby Chappell, County Manager, reported for Steve Brown who was unable to be present at this meeting. Following several meetings with Mck, County representatives, Fletcher Lawrence, Tim Thompson and Jim Medford, a concept agreement has been reached to pave Backwater Road. Fletcher Lawrence has agreed to give the easement back to the county to pave in exchange for the rights to tie into Newport Utilities for the lots that he hopes to sell in the future. Mck owns 2/3 of the property in Newport and members of the Newport Property Owners Association own 1/3. Toby reported that two special tax districts would be formed. One tax district would be exclusively for Mck in which a lien would be placed on the property owned by Mck for their

share of the cost and satisfied as lots are sold. The second special tax district would be developed for those individuals who own property. The individual property owners would be assessed approximately \$125/year for 10 years (this amount is a projected assessment and subject to change once the final costs have been determined). Toby believes this arrangement must be approved by 75% of the fee holders to allow the tax districts. MCK approval would account for 66% and the remaining 9% would need to come via approval of individual property owners. Toby indicated he would need to verify this with County Council. The expected timeline would be: two months to complete preliminary surveying and prework, send out bids in June with the hope to begin paving in September with completion of the job before the end of the year. There are always concerns for unexpected complications such as MCK selling, etc. that would stop the process. It is imperative that we as property owners approve the special tax district agreement once finalized to prevent a different complication to this plan. Jim Medford reminded everyone about the risk/benefit balance scenario – this plan benefits MCK to increase the value of their holdings as well as benefitting Mr. Lawrence by increasing the value of his land. All are in agreement with the concept. One legal document still needs to be drawn up and signed to prevent the risk of attorneys for each party going different ways. As yet, there is not a signed document. This is our “one bat at the plate – it must be a home run”!! There are four new businesses in Greenwood --- Columbo Energy, Colgate, the city Industrial Complex and a company from the Midwest. There are many encouraging signs of growth in the community. There will be a Capital sales tax on the November referendum. It is called the “Penny Tax”. It will bring in \$80 million in 8 years for reinvestment. There are 5 committees being developed for this – a) lake b) parks and recreation c) economic development d) infrastructure and e) fire and safety hazards. Jim Medford encouraged all to vote in support of this referendum in November.

- 3) Jim Medford provided an overview of the Links at Stoney Point since we are all members and therefore have access to amenities. His presentation included dining options, fitness center, tennis courts, swimming pool, spa on the green and pro shop. Medfords have owned the Club for the past 6 years. 2015 was a banner year for many reasons. They continue to provide the LPGA Symetra Tour (1 of 25 stops) but have expanded it to include an official Hall of Fame Legends Tour with 24 golfing legends participating. The purse has been increased to \$250,000 making it the largest purse on the Symetra Tour. Attendance in 2015 was 14,000. The Links donated \$280,000 to many charities in the Greenwood making the total \$525,000 donated in the past 2 years. The Greenwood economic impact of the tour in 2015 was \$2.5 million.

Jim further reported that the Links will maintain the current dues level for the next 3 years making it a total of 8 years with a raise of dues. Jim then reported he has agreed to build a cart path between Stoney Point and Newport with solar lighting. The path will be 8 foot wide and there will be a small bridge to cross a small river area. It will begin at the #2 hole box and end in the vicinity of Headwater and Newport Roads.

NEWPORT HOMEOWNERS ASSOCIATION ANNUAL MEETING

SATURDAY, JANUARY 24, 2015 10:00 – 12 NOON

PRESENT: Tim and Mary Thompson, Riley and Ellen Bailes, Dennis and Sandra Davenport, Bob and Judy Lentz, Steve and Phyllis Wilson, Frank and Brenda Grand, Bert Harbin, John and Pam Thompson, Jimmy Chandler, Kerry Carrington, Heather Vahjen (Howe), Ed Smith, Holly Sanders, Jim and Helen Nazzaro, Bill Reid. Guests: Jim and Denise Medford (Stoney Point HOA), Steve Brown (County Council President) and Kim Clark (Realtor for Mck Properties)

- 1) Jim Medford provided an overview of the Links at Stoney Point since we are all members and therefore have access to amenities. His presentation included dining options, fitness center, tennis courts, swimming pool, spa on the green and pro shop. Medfords have owned the Club for the past 5 years. 2014 was a banner year for many reasons. They partnered with LPGA with a 10 year contract to provide venue for the LPGA Symetra Tour (1 of 25 stops). Many course improvements were made in 2014 to comply with contract requirements. The tournament was very successful in every way –economically it brought \$3 million in business to the area. 2015 is the 5th anniversary of the club – the LPGA Symetra Tour will be held on 5/4 – 5/10/15, a new Bogey Patio Cover will be installed, reciprocal memberships will be available with NWTF for hunting and lodging, Shag lessons are available and Ladies Luncheon with speakers are scheduled. The Links has been voted best golf course for the past two years. Jim Medford notes that the Links provides added property value to Newport homeowners and selling incentives to those looking at properties in Newport.

Connect Lake Greenwood provides opportunities for Chamber activities on the lake. HGTV recently filmed all areas on the lake to be aired in February on Lake Front Bargain Hunters.

- 2) Tim reported the current bank balance is \$45,934.02. Pending expenses include a) repair pump because the PVC piping has been shattered so the pump is malfunctioning b) care of common areas c) liability insurance and d) gas for entry lights. The boardwalk is in disrepair however earlier estimates were \$6,100 prior to some additional damage done so this is being deferred at the present time. In the future, the developer should cover some of these expenses. Starting in October, 2015, we can consider assessing the developers for the areas they own.
- 3) Jim Nazzaro developed our website – www.newportongreenwood.com We also have “Next Door” as an app for your Smart Phone.
- 4) Mck Properties –the developers are two gentlemen from Florida who purchased land rights for Newport/Stoney Point –their names are JC McKinney and John Lydon and their company is Mck Properties. The first filing of the bankruptcy purchase was in August, 2014 followed by a 30 day grace period and the final filing in the county occurred in October, 2014 making this their official ownership transfer date.

- 5) Dirt Road – most significant concern to date is the need to pave the dirt road. Only 18 feet is currently owned by the Developers as part of the recent bankruptcy purchase; 36 feet is required. Fletcher Lawrence owns most of the remaining 18 feet and he has agreed in concept during a meeting with Jim Medford with swapping his portion in exchange for the right to access some lakefront property owned by him that he would like to develop with 10 lots/homes and have access to sewer and infrastructure utilities (there is capacity for this additional load). Jim presented this proposal to the developers and they seemed agreeable to allowing this to happen. They have acquired an attorney (known by Tim Thompson) but as yet have not begun this action. Jim Medford is agreeing to provide a cart path through this same area at the #2 hole that would then allow easy access to the Links for Newport residents. Tim will continue to monitor this situation through the attorneys. This agreement with Fletcher Lawrence and the developers must occur before the additional land can be acquired by the county for future paving.
- 6) Steve Brown, chair of the County Council, offered the county's perspective. He assures us that the Newport Subdivision is on every Council agenda (every two weeks) and he asks for a progress report at every meeting. He will continue to support us since we are in his district and will do his best to resolve the road concern. He also reported on Lake Greenwood activities which included lights on the railroad bridges, completion of the Lake Greenwood Master Plan, and meeting with Laurens County to talk about a water treatment plant of their own. Steve will continue to put the dirt road as a priority so the county can obtain ownership and determine the plans for paving.
- 7) NEXT STEPS FOR ROAD PAVING: find ways to convince the developers to see the increased value their land would have if the road were paved. Increasing their land value is in their best interest so they can gain financial benefit when they 'flip' the purchase. It is not believed the developers have intentions of developing the land but instead to gain financially with a resale at some point. A meeting with developers, Fletcher Lawrence and County Council is needed as the next step to make progress on this issue.
- 8) Kim Clark is the Realtor hired by the developers. She had spoken with John Lydon the previous night and he said he recognized that something needs to be done with Newport to assure emergency equipment can get to us. She assured those in attendance that the developers are determined to raise the property value of that which they own. They are starting with Stoney Point since it is so well developed with amenities and infrastructure benefits.
- 9) Tim Thompson informed the group that lots #1, #8, #23, #36, #37, #163 and #172 are lakefront lots that are currently for sale. Lot #163 will be up for auction by Cornerstone Bank in the near future.
- 10) QUESTION AND ANSWER PERIOD:
 - a. WHAT ABOUT THE BOARDWALK? Boardwalk will eventually go to a Marina so it behooves the Developers to repair the damaged area. Stoney Point has a policy that if a

tree endangers or damages a home or property, the lot owner is given 30 days to resolve the problem. If the lot owner does not correct the concern, the HOA makes the repairs and puts a lien on the lot owners property. Heather Vahjen is willing to help with this concern in any way she can.

- b. Tim Thompson reported he intends to place liens on lot owners who are greater than \$2000 in arrears on dues
- c. ENFORCING CCRs – Tim stated we are trying to enforce the CCRs to the best of our ability. Some issues were in place prior to the formation of the HOA.
- d. CAN DEVELOPERS CHANGE THE CCRs? - since the developers own more than half of the lots in the plan, they would have control on changing the CCRs if they wanted but the Realtor says they are not interested in CCRs – they are interested in raising the value of their property.
- e. ARE THERE UTILITIES TO THE UNDEVELOPED PROPERTIES? John Thompson indicates that the original developer would have to have provided platted properties in order for original investment therefore he feels quite certain the utilities are there.
- f. ARE DETACHED BUILDINGS ALLOWED? Tim asked for individuals with these kinds of concern to contact the board for the board to determine on a case by case basis. Garages are not considered detached buildings.
- g. WHAT FEES WOULD DEVELOPER HAVE TO PAY FOR THE LAND THEY OWN? A fixed raw acreage fee is required according to Jim Medford. They can be assessed this amount following their one year grace period which ends in October, 2015. This is a delicate issue and should be negotiated based on our desire to build a positive relationship with the developers.

Tim Thompson thanked everyone for coming and also thanked the Medfords for the use of the library for a meeting room and for their support and assistance in the work we are trying to accomplish.