



TOWN HALL MEETING
January 14, 2023

AGENDA FOR NEWPORT TOWN HALL MEETING

Jan 14, 2023

Financials

Architectural Committee

2023 Update (What's New)

Survey Results

Supplemental Declaration-Phase II

Boardwalk

Front Gate

Boat Ramp

Common Areas

Adjourn

NEWPORT TOWN HALL MEETING

POA Current Financial Status

- Current Balances
 - \$102,877 Checking
 - \$103,885 CD Reserve
- STD
 - Current Account Balance approximately \$15,789

NEWPORT TOWN HALL MEETING

2023 Financial Forecast

- Anticipated Income
 - POA Checking \$6,300
 - STD \$56,260
- Anticipated Major Payments
 - Gate—approximately \$42,000
 - Boardwalk---\$40-60,000
 - Rebates from ACC fees---\$16,000

NEWPORT TOWN HALL MEETING

Architectural Committee 2023

- Homes and lot development have increased to 31 Homes
- Architectural Committee supporting growth of Newport
- ACC Guidelines under review

NEWPORT TOWN HALL MEETING

Five homes completed

Lots: 26, 28, 172, 175, 177.

Seven homes under construction,

Lots 15, 20, 21, 55, 144, 171, 170.

Eight owners have indicated their intent to build.

Lots 1, 17, 18, 19, 31, 34, 54, 166

Lots sold.

None since Annual Meeting.

Three lots / one home for sale.

Lot 36, 38, 49, 177 (H)

NEWPORT TOWN HALL MEETING

SURVEY RESULTS

	Amenities – TOP 10			
TOP 10	Amenity	Position	Weighted score	Total Votes Received
1	Entrance Gate	1	62	28
2	Boat Ramp	2	43	17
3	Walking Trails	3	28	13
4	Marina	4	23	10
5	Pickleball	5	19	10
6	Trailer Storage	6	17	10
7	Pool	7	14	7
8	Boat Storage	8	11	7
9	Dog Park	9	7	5
10	Other	10	7	3

ANNUAL NEWPORT POA MEETING

GOVERNING DOCUMENTS

CERTIFIED TO BE A TRUE AND CORRECT COPY AS TAKEN FROM AND COMPARED WITH THE ORIGINAL ON FILE IN THIS OFFICE

Sep 27 2019
REFERENCE ID: 406900

**STATE OF SOUTH CAROLINA
SECRETARY OF STATE
NONPROFIT CORPORATION
ARTICLES OF INCORPORATION**

Mark Hammond
STATE SECRETARY

FILED IN BLACK INK

Pursuant to Section 33-31-202 of the South Carolina Code of Laws, as amended, the undersigned corporation submits the following information

1. The name of the nonprofit corporation is Newport Property Owners Association, Inc

2. The initial registered office of the nonprofit corporation is 709 Swing About
Greenwood Greenwood South Carolina 29649
City County State Zip Code

The name of the registered agent of the nonprofit corporation at that office is Tim Burke
Print Name

I hereby consent to the appointment as registered agent of the corporation

Tim Burke
Agent's Signature

3. Check "a", "b", or "c" whichever is applicable. Check only one box

a. The nonprofit corporation is a public benefit corporation

b. The nonprofit corporation is a religious corporation

c. The nonprofit corporation is a mutual benefit corporation.

4. Check "a" or "b", whichever is applicable

a. This corporation will have members

b. This corporation will not have members

5. The address of the principal office of the nonprofit corporation is 709 Swing About
Street Address City State Zip Code

6. If this nonprofit corporation is either a public benefit or religious corporation (when box "a" or "b" of paragraph 3 is checked), complete either "a" or "b", whichever is applicable, to describe how the remaining assets of the corporation will be distributed upon dissolution

a. Upon dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or to the corresponding section of any future Federal tax code, or shall be distributed to a public purpose. Any such assets to a state or local government, for a public purpose. Any such assets, not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated

070308-0003 FILED 03/08/2007
NEWPORT PROPERTY OWNERS ASSOCIATION, INC
File Fee: \$25.00 ONLINE
Mark Hammond South Carolina Secretary of State

ARTICLES OF INCORPORATION

0819-346-431

20060011457
BACOT & PRIGETT LLC

STATE OF SOUTH CAROLINA)
COUNTY OF GREENWOOD)
DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS,
EASEMENTS, LIENS AND CHARGES OF
NEWPORT

20060011457
Filed for Record in
GREENWOOD COUNTY SC
JANUARY 2006
10-17-2006, At 01:54 PM
RECEIVED
Book 1002 Page 263 - 263

Space Above For Recording Purposes Only

This Declaration is made on the 2nd of October, 2006, by SCN Newport Land Development Company, I.L.C., a South Carolina limited liability company, hereinafter referred to as "Declarant."

WHEREAS, the Declarant is the owner of certain real property located in Greenwood County, South Carolina, more particularly described as follows:

See Exhibit A

WHEREAS, the Declarant intends to develop on the Property residential and resort communities and Declarant is desirous of maintaining design criteria, location, plans, construction specifications and other contents including but not limited to boundary setbacks to assure the integrity of the projects; and

WHEREAS, the Declarant has caused or will cause The Newport Property Owners Association, Inc., a corporation organized under the nonprofit corporation laws of South Carolina, to be formed for the purpose of providing a nonprofit organization to serve as the representative of the owners and residents with respect to the administration and the enforcement of all covenants, conditions, restrictions, easements and charges contained herein; all items created hereby; the creation, operation, management and maintenance of the Common Areas, and any Limited Common Areas; the operation, management and maintenance of any leased property; the assessment, collection and application of all charges imposed hereunder; and the promotion otherwise of the health, safety and general welfare of the owners and residents and the preservation of the values and amenities; and

WHEREAS, each Purchaser of a Lot will be required to construct and maintain a fence therein in

Greenwood County, SC - Document# 2006-1-11457 1/21

DECLARATION & COVENANTS

20060011457
Filed for Record in
GREENWOOD COUNTY SC
JANUARY 2006
10-17-2006, At 01:54 PM
RECEIVED
Book 1002 Page 263 - 267

STATE OF SOUTH CAROLINA
COUNTY OF GREENWOOD

BYLAWS OF NEWPORT PROPERTY OWNERS ASSOCIATION, INC. (Declaration recorded in Deed Book 1002 at Page 263)

These BYLAWS OF NEWPORT PROPERTY OWNERS ASSOCIATION, INC. (the "Bylaws") are made on the Execution Date (hereinafter defined) by the Board of Directors (the "Board") of the Newport Property Owners' Association (the "Association").

WHEREAS, SCN Newport Land Development Company, LLC, (the "Declarant") did record that certain Declaration of Covenants, Conditions, Restrictions, Easements, Liens and Charges of Newport, dated October 12, 2006, and recorded October 17, 2006, in the Office of the Clerk of Court for Greenwood County in Deed Book 1002 at Page 263, (as further amended and supplemented the "Declaration"); and

WHEREAS, the Declarant never adopted Bylaws for the Association after incorporation; and

WHEREAS, the Declarant has abandoned, relinquished, and voluntarily released all its rights reserved to it in the Declaration; and

WHEREAS, the Board of Directors believes it to be in the best interest of the Association to adopt the following Bylaws pursuant to the South Carolina Nonprofit Corporation Act (S.C. Code Ann. § 33-31-206), and to record these Bylaws pursuant to the South Carolina Homeowners Association Act (S.C. Code Ann. §§ 27-30-110 to -170).

NOW THEREFORE, in accordance with the foregoing, the Association does hereby adopt and record the following Bylaws for Newport Property Owners Association, Inc.

After recording, please return to:
McCabe, Trotter & Beverly, P.C.
P.O. Box 212089, Columbia, SC 29221
File No.: 20698.3

BYLAWS

Documents Available online:
www.newportonlakegreenwood.com

6879-346-437
cut B

STATE OF SOUTH CAROLINA)
) SUPPLEMENTAL DECLARATION OF
) COVENANTS, CONDITIONS,
COUNTY OF GREENWOOD)
) RESTRICTIONS, EASEMENTS, LIENS
) AND CHARGES OF NEWPORT PHASE II

200700008635
SP

200700008635
Filed For Record in
GREENWOOD COUNTY SC
INGRAM ROOM
08-10-2007 At 03:49 PM.
RESTRICTION 11.00
Book 1058 Page 236 - 240

Instrument Book Page
200700008635 1058 236

Space Above For Recording Purposes Only

This Declaration is made on the 8 of August, 2007, by SCN Newport Land Development Company, LLC, a South Carolina limited liability company, hereinafter referred to as "Declarant."

WHEREAS, the Declarant previously placed a certain declaration of covenants, conditions, restrictions, easements, liens and charges upon the Newport development (the "Declaration") which are recorded in the Office of the Clerk of Court for Greenwood County, and are incorporated herein and made part and parcel hereof by reference.

WHEREAS, the Declarant intends to further restrict the use of lots 162-181 (inclusive) being situate in Phase II of the Newport development as shown in Exhibit A in the following ways.

WHEREAS, a unique feature of some home sites within the Newport development is that there will be common area boardwalk constructed and owned by the Declarant appurtenant to the above mentioned lots to be used by the property owners of lots 162-181 (inclusive) for docking and mooring. The board walk is intended to be and shall remain common area, as defined in the Declaration, for ingress and egress to Newport amenities and other common areas by members of the Association, but the docking and mooring privilege is reserved for the property owners of lots 162-181 (inclusive).

WHEREAS, the privilege to dock and moor personal water craft to the boardwalk will be

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200700008635 1058 237

designated for the use and enjoyment of the property owners of lots 162-181 (inclusive) only, and such available space to dock and moor personal water craft on the board walk shall equal the distance of the property owner's back lot line, and the mooring area markings of the Declarant, it successor or assign, shall be final. Personal water craft shall be defined as vessels normally operating on a lake the size of Lake Greenwood, not in excess of twenty-four feet (24). The Declarant reserves the right to make such exceptions on a case by case basis. All personal water craft are to be kept and maintained in good working order and condition. In the event a personal water craft is not maintained or is abandoned, the Association reserves the right to place the vessel in a designated boat storage area. Written notice will be sent to the address on file where tax notices are mailed by the county authority describing the action to be taken and requesting the owner take action within ten (10) days. If no action is taken within that time, the Association will place the vessel in a designated boat storage area. The Association disclaims any and all liability for any damage to the vessel after written notice is given to the last known address.

WHEREAS, The Association disclaims all liability for any damage that may occur to personal water craft or persons, whether on the board walk, attached to the board walk or otherwise.

WHEREAS, the costs of maintenance, excess insurance and any other costs of the boardwalk shall be born by the Association;

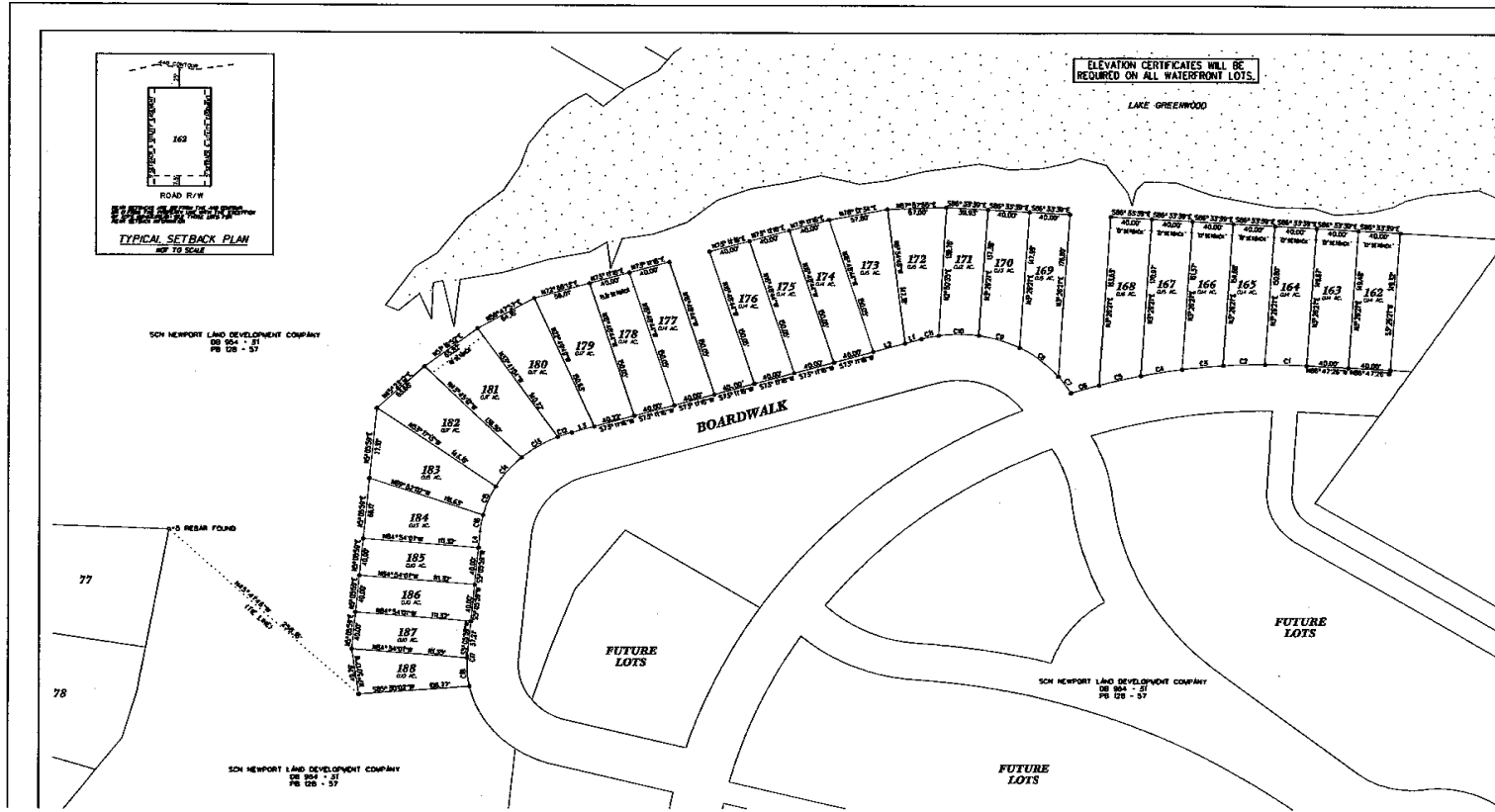
WHEREAS, the property owners of lots 162-181 (inclusive) shall pay annual supplemental assessments determined by the Association to defray the costs of maintenance, excess insurance and the privilege to moor a personal water craft to the boardwalk. These supplemental assessments shall be due and payable as of January 1, 2008. The initial annual supplemental board walk assessment shall be in the amount of Three Hundred and No/100 (\$300.00) Dollars. The annual supplemental board walk assessment shall be determined on an annual basis by the Board of Directors of the Association, or the designated committee thereof, in conformity with section 5.3.A of the Declaration. The annual supplemental board walk assessment shall be a maintenance assessment in all respects under Article V of the Declaration.

IN WITNESS WHEREOF, SCN Newport Land Development Company, LLC, a South Carolina Limited Liability Company has caused this Declaration to be executed this 8 day of August, 2007.

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EXHIBIT A (Lots 162-181 (Inclusive))

Instrument 200700008635
Book Page 1058 240



Greenwood County, SC - Doc. ID: 2007-8635

NEWPORT TOWN HALL MEETING

The Boardwalk

IAW the Supplemental, Declaration of Covenants, Conditions, Restrictions, Easements, Liens and Charges of Newport Phase II, Dated 08-10-2007

1. Key Provisions of Supplemental
 - a. Common Area Boardwalk constructed and owned by the Declarant (SCN)
 - b. Intended to be and shall remain common area
 - c. Used for ingress and egress to Newport amenities by members of the Association
 - d. The Property owners of lots 162 – 181 shall pay annual supplemental assessments to defray the costs of maintenance, excessive insurance, and privilege to moor a personal water-craft to the Boardwalk.
 - e. Initial annual supplemental boardwalk assessment shall be in the amount of \$300/lot (lots 162–181) for 2023.
 - f. Assessments shall be a maintenance assessment in all respects.
2. Status
 - a. IAW the Supplement the Boardwalk is a Common Area and therefore the Association is responsible to maintain.
 - b. An assessment has determined the Boardwalk is in need of repair.
 - c. The Board has put the work out for bid.
 - d. Concept: The Boardwalk will be repaired by the Association and any future maintenance will be supported by the annual assessments of Lots 162 – 181.

NEWPORT TOWN HALL MEETING

OPEN ISSUES

FRONT GATE

IAW the Declaration of Covenants, Conditions, Restrictions, Easements, Liens and Charges of Newport,
Dated 10-17-2006

The Association has a right to install the gates on the road which it maintains. Article V, Section 2 of the Declaration provides that the assessments are to be used for promoting “health, safety and welfare of the residents of Newport”. Further, it is clear that a security gate was originally part of the development scheme as Article VIII, Section 19 of the Declaration provides that “The Association will decide when and if the Security Gate is to be manned.”

NEWPORT TOWN HALL MEETING

Front Gate

Current Status:

1. Mr. McKinney: Objects to the Front Gate Installation
 - a. Stated the Front Gate would be detrimental to his best interests.
 - b. Contacted Lakelands Garage Doors:

“To be clear, you are not authorized to enter onto my property, and in particular are prohibited from installing the proposed gate without my written permission. If you do proceed, any work that you might do will be subject to removal, as well as any other remedies available.”
2. Front Gate is on hold pending a final legal review by the Association attorney.
3. Outcome Options (In Priority of Preference).
 - a. Option 1: Mutual negotiations with both parties
 - b. Option 2: Attorneys work out an agreement recognizing both Mr. McKinney’s and the Association’s best interests.
 - c. Option 3: Outcome determined by legal authority.

NEWPORT TOWN HALL MEETING

Boat Ramp

1. FROM Mr. McKinney: “The Boat Ramp is similar to the Club amenities. The Club was never owned by the Association, nor was it ever anticipated to be. The Club has since been sold to an individual owner who continues to charge a Mandatory Fee. Our Covenants Exhibit B, state that “with the completion of the Newport Pool Complex, your dues are expected to increase.... This raises the question of whether the Club has an obligation to provide the Newport Pool Complex. In any event, it is clear from the Covenants that future amenities were planned to be privately owned, and a fee charged for their use.”
2. The “Club” referred to is the Links at Stoney Point. The Boat Ramp and the Club are two separate issues. The membership requirement for the Club is documented in the Declaration and the boat ramp is not. The comment “your dues” refers to a future increase in the Newport POA dues.
3. Mr. McKinney has invested \$90,000 in the land and ramp improvements and believes he should be compensated suggesting the Association can pay over-time using the Special Tax District option. Having a boat ramp and marina are highly desirable the Association appreciates his initiative. However, the Association did not request the boat ramp and this type of expenditure would require a vote by the owners on this type purchase.
4. Currently, Mr. McKinney has not established criteria for using the ramp.

NEWPORT TOWN HALL MEETING

Common Areas

IAW the Declaration and Covenants, Conditions, Restrictions, Easements, Liens and Charges of Newport, Dated 10-17-2006.

1. The Association is required to maintain the Common Areas
2. Problem: Except for the Roads used by the Association and the Park Area, and now the Boardwalk, there is nothing in the Declaration or County records that specifically identifies any common area. The respective amenities were to be in the Common Areas.
3. IAW the Declaration, on April 1, 2012, all common areas [and amenities] were to be turned over to the Association. This never happened and shortly after SCN Development (the Declarant) was in foreclosure.
4. Therefore, the Landscaping, Streetlights, maintenance of the two ponds have been done from the generosity of the Association and not because they are designated as Common Area functions.
5. Mr. McKinney requests the Association maintain all the Common Areas, to include the area between the Boardwalk owners and the wooden boardwalk, because he believes they are in fact Common Areas, which all belong to him. However, as stated above, none except those indicated are definable as common areas.

Proposal to Display Flags in Newport

Allows Newport an opportunity to create an “Avenue of Flags” to show their pride and patriotism by displaying the American Flag in front of their homes on 5 holidays per year.

Participation by each property owner is voluntary.



Display Flags in Newport--Details

\$50 per year for one flag

- Proceeds donated to local charities as decided by Newport POA

3' x 5' flag on 10' pole
displayed by curb

Displayed on five holidays:

- Memorial Day
- Flag Day
- Independence Day
- Labor Day
- Veterans Day



Display Flags in Newport--Details

Flags displayed at dawn and picked up at dusk (depending on weather)

Steel flag sleeves will be installed one foot off the curb of property

- Flush with ground and capped when not in use
- Location marked on curb by small painted dot or line

The flags, poles, and sleeves remain property of Newport POA

- Single contact will be responsible for placement, pick-up, and storage of the flags

Property owner responsibility:

- Advise in placement on the flag sleeve to avoid sprinklers and utilities

CONESTEE DAM

Built in 1892 to last 50 years, this Dam is now 130 and is the biggest danger to Lake Greenwood.



CONESTEE DAM. . . ENVIROMENTAL TIME BOMB!

- FACTS:

- BUILT IN 1892 . .585 FEET ACROSS, 28 FEET TALL, & UP TO 10 FEET THICK, 80 YEARS PAST EXPECTATION
- HOLDS BACK 2.8 MILLION TONS OF TOXIC WASTE

- IMPACT IF BREACHED:

- FISHING AND ALL WATER RECREATION ON LAKE GREENWOOD WILL CEASE
- DRINKING WATER FOR GREENWOOD COUNTY WOULD BE CONTAMINATED
- ALL WATER AREAS WHICH ARE FED BY LAKE GREENWOOD WOULD BE CONTAMINATED
- "If the dam breaks, this lake, the ecology, the water supply and pretty much everything downstream from the lake, Columbia and Lake Murray and beyond will be affected."
- PROPERTY VALUES WILL DROP DRASTICALLY

- SOLUTION:

- BUILD A SUPPORT DAM COSTING \$48.5 MILLION.

- PROBLEM: NO ONE WILL TAKE RESPONSIBILITY

- NOT A QUESTION OF IF, BUT WHEN . . .

- WHAT CAN YOU DO: **SPEAK UP. . . . DO NOT BE SILENT. . . CONTACT CITY-COUNTY-STATE-FEDERAL**

NEWPORT TOWN HALL MEETING

Upcoming Events

1. Jan 21st: Lake shore clean-up. Start at 9AM, meet at the Headwater median area.
2. February: Newport Wine Walk (Exact date & details to be confirmed)
3. June 10th: Annual Owners meeting. 9AM, at the Club.



QUESTIONS

ANSWERS

NEWPORT TOWN HALL MEETING

- MAILING ADDRESS:

NEWPORT P.O.A.

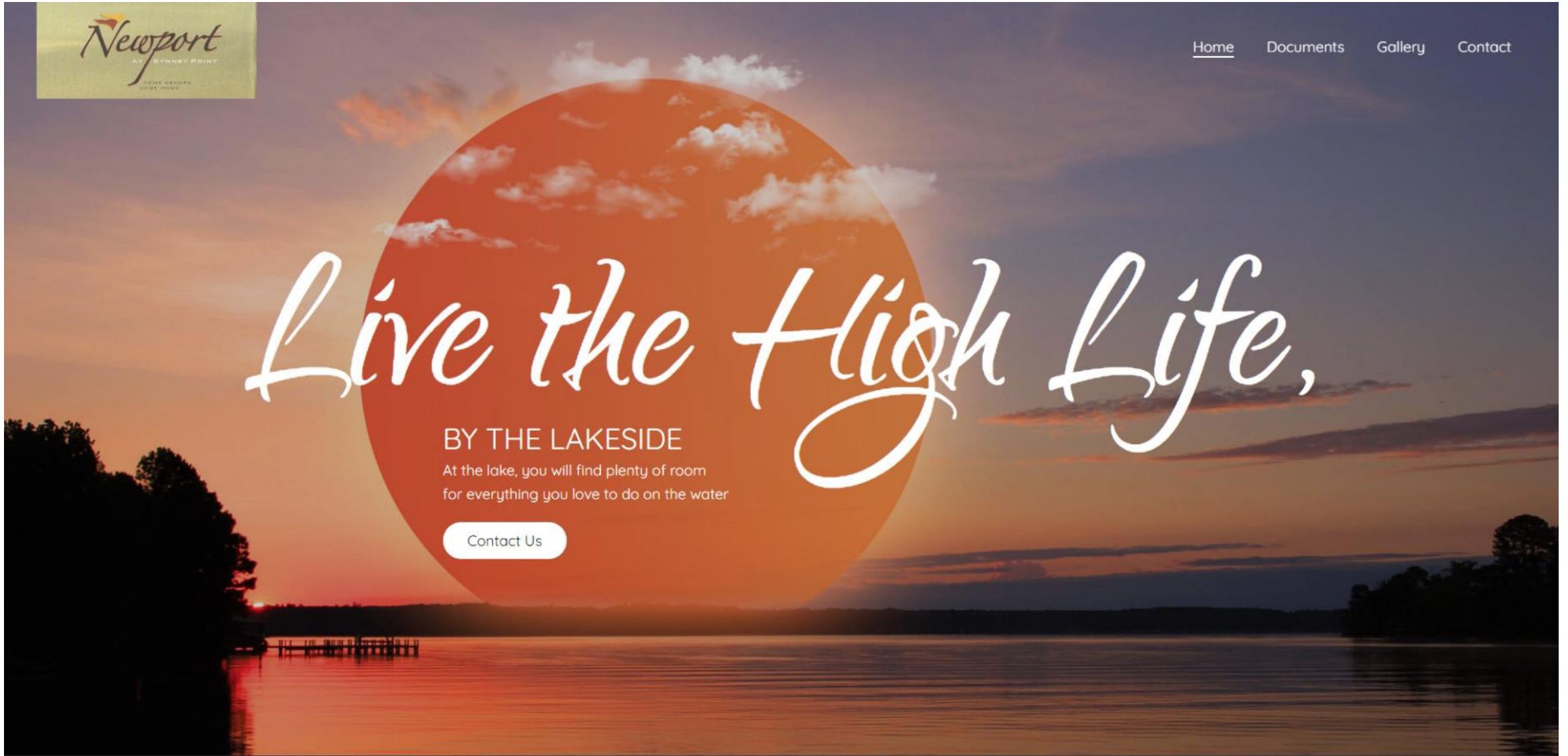
PO BOX 49214

GREENWOOD, SC 29649

- PRIMARY COMMUNICATION IS THROUGH EMAIL---VERY IMPORTANT THAT YOU HAVE CHECKED / VERIFIED YOUR EMAIL ADDRESS BEFORE YOU DEPART TODAY.

- WE ARE HERE TO SERVE, SELFLESSLY, WORK FOR YOU

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AT STONY POINT
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BY THE LAKESIDE

At the lake, you will find plenty of room
for everything you love to do on the water

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