

Mixson Assembly Board Meeting
March 7th at 6pm. Location: 4617 Scout Alley

1. Call to Order- 6:15pm
 - a. Introduction of Mixson Row Members -
2. Final Motions to Amend Business
3. Review of February 13th Minutes - reviewed and accepted with one edit 6:19
 - a. Review
 - b. Discussion
 - c. Questions
 - d. Motions
4. General Updates - 6:20pm
 - a. Shifting Manale bids to a formal Landscape Architect based on more complex requirements than initially assessed. Will require substantial edits and changes based on their professional input. Acceptance of previous amount (\$9000) will hold pending new assessment. Will likely need to address projects in series of phases based on scope of proposal and prioritization.
 - b. Avery Avenue forwarded to the city for review (check w/Trever on details)
 - c. City attorney is reviewing documents for original scope of agreements for parks ownership and maintenance. City of North Charleston should be second insured on all documents.
 - d. For pocket parks and homes, still reviewing ownership and assessments. (check w/Trever on details)
 - e. Roots and Shoots bid was \$8k per space, so much, much higher than what Manale can provide.
 - f. No further updates on Dominion audit or CWS audit.
 - g. Trever identified cost to add new tree to association as approx. \$700-\$800. Identified 37 unplanted areas in the neighborhood that were originally allocated for trees.
5. Legal Recommendations/Followup
 - a. Trever is proposing new contract for Sean O'Connor to include Lien and Foreclosure collections. Would not benefit association to bring in outside collection agency vs using Sean's services. Fee is \$250 per demand letter. Not paid until debt is paid. Will require a motion later.
 - b. Can continue with no retainer and pay hourly, or switch to retainer. Currently would not make much difference and hard to really identify when it would be beneficial. Stephen proposed keeping at hourly for now until we have longer-term data on how much we are regularly using his services.
 - c. Motion by Stephen to maintain existing contract with Clarks and O'Connor and add their collection services, but with no retainer, passed at 6:36pm.
 - d. Stephen asked question re: splitting fees. Trever explained that we are responsible for all fees until a situation reaches arbitration (i.e. if a hearing is not sufficient). In that case, association and homeowner will be billed separately.
 - e. Review of letter to homeowners regarding the identified multi-unit properties. 6:43pm.
 - i. Sean will be reporting these to the city in an attempt to get them split into two TMS numbers (would not change their taxes, just split into two bills).
 - ii. Because this issue was not identified until after our election and after the special assessment was sent, Trever suggested not levying the special assessment to these additional units. They would receive a full assessment for 2024.
 - iii. Stephen suggested reaching out to the homeowners to discuss in person and Trever agreed.
 - iv. Motion to assess these units (not including prior special assessment) for their 2024 dues of \$1,026 per newly-discovered unit and to accept the letter written - raised by Stephen at 6:50pm. Seconded by Keegan and passed unanimously at 6:51.
 - f. Review of letter to homeowners who were originally assessed as part of Phase 1 / Section 1 of the neighborhood but have since been found to be in Phase 3 / Section 2 at 6:52pm
 - i. Reviewed formal definitions of Phases 1, 2, and 3 as given by Sean.
 - ii. These homeowners will see their assessments raised by \$50/year. They will also not be permitted to use the spaces in the alleyway.
 - iii. Suggestion raised to confirm these definitions now but delay notification/assessment of homeowners until 2025 assessment.
 - iv. Stephen raised motion to approve the language in the letter to the homes on Avery Avenue to be billed as single-family homes starting 2025, at 7:00pm. Motion passed 7:00.

6. Treasurer's Report - 7:02pm

a. Review

i. Overview

1. See addendum provided by Stephen, titled "Mixson Assembly 2023 & Q4 2023 Expenses"
2. Charleston County 2023 Taxes of \$20,443.31 were not included in original budget because the amount had not been included in prior budgets or documentation.
3. Additionally incurred \$1,758.39 in unexpected maintenance expenses.
4. Add-backs were approximately \$16,000

ii. Special Assessment

1. Currently at 11.03% delinquency for Special Assessment as of 2/29/2024 (approx. \$10,681)
2. Question from Trever - do we need to levy another special assessment to cover the difference? Stephen suggested no - amount budgeted to reserve in 2024 should be sufficient to cover any shortage going from 2023 into 2024.

iii. Annual Assessment

1. See addendum provided by Stephen, titled "Profit & Loss"
2. Substantial cost for closing out Yellowstone contract (\$58,256)
3. Net income \$236,459
4. Current balance (as of 3/7/2024): \$233,877.32

iv. Delinquency Report

1. Special Assessment delinquency is currently 7.88% (\$7,179)
2. Annual Assessment delinquency is currently 12.33% (\$42,336)
3. Several delinquent homeowners have payments pending or are on approved payment plans

v. Actions to Collect Outstanding Debt

1. M. R. - paid but refusing to pay \$90 fee. However due to CCRs, his payment for assessment first went to that \$90 fee and thus he is \$90 in arrears on his annual assessment.
2. J. S. - paid the annual dues but not special assessment. However due to CCRs, his payment for assessment first went to that \$327 special assessment and thus he is \$327 in arrears on his annual assessment.
3. As of Monday the 11th, we can begin assigning late fees of \$10 to the past-due Special Assessments and Annual Assessments. Stephen suggests that, given how much time has passed, all remaining unpaid dues and assessments should be all pursued comparably at this point.
4. Late fee will be applied to both Special Assessment and Annual Assessment separately.
5. Trever - Motion to add \$10 late fee to both Special Assessment and Annual Assessment separately and re-submit all invoices to homeowners (excepting those on payment plans) on Monday March 11th, 2024. Passed unanimously at 7:23pm
6. Agreed to table motion to pursue collections on unpaid assessments at the 30-day mark until next board meeting in April.

vi. Reserve Study - discussion at 7:28pm

1. A 1-year study would afford the association insight into expenses, governance, etc.
2. At the advice of the Treasurer of the association, we will not accept the bid until we are confident we have the funds.
3. Global Solutions Partners is proposing a 3-year reserve study for \$10,457.50 (paid half up-front and a quarter the next two years). Year 1 would include study and site visit, second year would include an update with no visit, third year would be a second update with an additional visit. This should give us a full and comprehensive overview of the health of the association and where we should aim. This reserve study will guide our actions going forward. E.g. if they identify a critical need for additional assessments for the health of the neighborhood, the board would use that to inform our actions while also seeking to apply said suggestions in a way that is the most amenable to homeowners.
4. Rationale for pursuing this study: Trever has found, in his extensive research, that many expenses and maintenance costs are substantially higher than initially anticipated. Study will identify both up-front costs and long-term maintenance costs necessary to maintain and grow neighborhood amenities and infrastructure. Goal of protecting both home values in the community as well as the quality of life within the community for all residents.

5. Trever put forward motion to accept bid from Global Solutions Partners, contingent on confirmation from Treasurer that Mixson Assembly can accommodate cost. Treasurer confirmed budget and seconded motion. Passed unanimously at 7:37pm.
- b. Discussion
 - c. Questions
 - d. Motions
7. ARB Documents and Resolutions - 7:38pm
 - a. Review
 - i. Reviewed past motions and resolutions with attorney re: 1st resolution affirming past actions by prior board and 2nd resolution approving initiation fees and capital contributions are all good.
 - ii. Resolution 3 - Escalating fines for CCR violations. See attached packet for details. Will not entail inspections, rather will require homeowner reporting with supporting evidence. Motion to adopt Resolution 3 put forward and passed at 7:42pm.
 - iii. Resolution 4 - Maintenance standard and Interpretations. See attached packet for details. Clarifies section 9 of the CCRs for homeowners. Will not entail inspections, rather will require homeowner reporting with supporting evidence. Motion to adopt Resolution 4 put forward and passed unanimously at 7:44pm.
 - iv. Resolution A - Second read of Policy Regarding Short-Term Rentals and Non-Compliant Rentals and associated fines. See attached packet for details. Edits provided by attorney, reviewed by Board. Motion to adopt Resolution A. Passed unanimously at 7:49pm.
 - v. Resolution B - Policy regarding Compliant Rentals (both short- and long-term). Clarifies that even compliant rentals must follow governing documents and city ordinances. Sets fine structure as well. Motion to Adopt Resolution B. Passed unanimously at 7:50pm.
 - vi. Resolution C - Policy Rental Compliance and City of North Charleston Governance. Clarifies that board policies will follow both CCRs and City of North Charleston Governance, and will report violations accordingly. See attached packet for details. Any rental approval terminated by the city will also be terminated by Mixson Assembly. Motion to adopt Resolution C. Passed unanimously at 7:53pm.
 - vii. Resolution D - Policy Regarding Long-Term Rentals and Non-Compliant Rentals and associated fines. See attached packet for details. Edits provided by attorney, reviewed by Board. Clarifies that long-term rental residents must follow CCRs. Motion to adopt Resolution D. Passed unanimously at 7:54pm.
 - viii. Review Architectural Review Board Email and Resolution 5 - Updating Fees and Requirements for Architectural Review Board request submissions. See attached packet for details. Motion to adopt Resolution 5 put forward and passed unanimously at 7:56.
 1. ARB Letter and Quick Reference Guide will be sent to residents by 3-15.
 - b. Discussion
 - i. Reviewed Submission checklists and requirement documents/forms for Short- and Long-Term Rentals. Miranda will upload to Dotloop.
 - ii. Need a letter written by Secretary to residents regarding short and long-term rentals, clarify pending resolutions and date of May 1st.
 - c. Questions
 - d. Motions
8. New Bids and Proposals - 8:00pm - Tabled for next meeting.
 - a. Review
 - b. Discussion
 - c. Questions
 - d. Motions
9. Open Discussion - 8:01pm
 - a. Trever clarified that Miranda should not be expected to manage reporting violations to the city/tax auditor/etc. as she also represents residents.
 - b. Regarding STRs, we will follow City of North Charleston policy in terms of timelines, leniency for renters, etc.
 - c. Raised potential issue for larger companies treating fines as "cost of doing business" - will revisit later after we've seen if anyone is doing that.
 - d. Clarified that tax waivers for the parks is designed for the Assembly to put the money that would have been paid in taxes will instead be put towards maintaining and beautifying the parks. Discussed potential future issues that could result from city ownership of parks vs resident control.

- e. Palm Casual presented bid for benches. 4' bench is \$600, Adirondack chair is \$400?? Backyard Retreats charges \$1000 per bench, \$250/chair.

10. Next Meeting Date and Time

- a. Next meeting scheduled - will be scheduled later via email.

11. Adjournment - Meeting adjourned at 8:33pm