

The Refuge at Whitehall HOA

Establishment of the Preservation Lane Maintenance Chair (PLMC)

Action: Create a seat on the HOA board of directors to represent the 10 property owners who share portions of their lots in the form of a Common Access Easement known as “Preservation Lane”.

Purpose: The PLMC will ensure that Preservation Lane property owners have direct and active involvement, communication, responsibility and board-level representation concerning the task of maintaining Preservation Lane.

Rationale: Preservation Lane owners are members of the HOA and therefore abide by the decisions of the community and the board of directors. Removing Preservation Lane maintenance from the board’s oversight, as was requested by a community-wide petition, would create a rift in our community and could potentially lead to decreased property values for all residents should the lane fall into a state of disrepair. Yet the absence of a Preservation Lane property owner in regular attendance at board meetings has created its own level of conflict within the community, hampered maintenance efforts and crippled accurate communication and information sharing. Therefore, in accordance with our Bylaws, Article III, Section 3.16, subsection (n), the board is opting to create the position described in this document. This action directly involves Preservation Lane property owners in maintenance activities, maintains board oversight and enforcement actions, and helps to ensure good communication concerning lane maintenance tasks.

Qualifications: The Preservation Lane Maintenance Chair position will be filled by one of the ten Preservation Lane homeowners in good financial standing with the HOA.

Term of Office: PLMC will serve a 1-year term, with the option to extend for an additional year based on mutual agreement between the Board of Directors and the incumbent. If, at the end of the term, a Preservation Lane property owner is not identified to fill the position, the HOA Board of Directors will decide how best to proceed. As is the case with any board member, selection and removal of PLMC is subject to rules set forth in the covenants and bylaws.

Scope of Responsibilities: The PLMC is responsible for managing maintenance of the road surface of Preservation Lane. The Board of Directors is responsible for managing maintenance of the privacy fence separating The Refuge from other neighborhoods, as well as the fence’s associated greenery and irrigation system. The City of North Charleston is responsible for managing the drainage system below the surface of Preservation Lane.

Maintenance Goal: The goal of Preservation Lane maintenance is to keep the current gravel-based road surface in good operating condition at a reasonable cost as set forth in the HOA’s annual budget process. Any desire to fund and execute maintenance above and beyond existing conditions (ex: fully paving the lane) rests solely with Preservation Lane property owners who must reach a collective agreement on cost and scope of such an effort. The PLMC and the Board may facilitate consensus-building, general discussion and planning for such a goal; but cost, engineering surveys, environmental assessments, etc will be the responsibility of the property owners.

Voting: The PLMC will be a non-voting member of the board. The PLMC may not concurrently hold any other office on the board.

Money Management: As set forth in the community's covenants, all funds for Preservation Lane maintenance will continue to be collected via special assessment from each property owner on the lane. This assessment is in addition to the annual HOA fee. Preservation Lane maintenance funds will continue to be held in a separate account from all other HOA funds. To ensure fiscal accountability, Preservation Lane maintenance expenses will be reviewed by the PLMC and the HOA Board of Directors, and will be issued by the HOA Treasurer.

Duties: The PLMC and the Board will work together to perform the following duties:

- Monitor and report the road's conditions at the monthly RWHOA meeting
- Inform the board of required road maintenance or potential areas of concern
- Research and solicit road maintenance contractors
- Schedule biannual road maintenance
- Develop a maintenance budget
- Recommend annual Preservation Lane special assessment fees to the RWHOA for consideration in the annual budget process
- Monitor and report concern with the neighborhood's privacy fence and landscape which parallel Preservation Lane
- Update Preservation Lane owners of conditions and actions the board is taking to resolve issues
- Receive feedback from Preservation Lane owners
- Other duties as identified