

Archdale Civic Association / General Meeting

Agenda 08/18/2022

Opening

The Archdale Civic Association / General Meeting was called to order at 7pm on 08/18/2022 at North Charleston Fire Department Station 8 by John Trinkl.

Present

From the sign-in sheets (approximately 23 people in attendance)

Approval of Minutes

The minutes of the 05/19/2022 General Meeting were presented for approval. (Available online www.OurArchdale.com/aca/meeting-materials). **Copy at meeting available if needed. Motion to accept the minutes Dale Linker first and Bob Ticknor seconded- any discussion -none all approved and no opposed**

Guest Speaker Kendric Fowler, Senior Animal Control Officer

Dorchester County Zoning official discussed zoning services to Archdale followed by a question-and-answer period. Residents will be allowed three minutes to ask their question(s). Depending upon the number of residents wishing to speak, the Q&A session may be limited to allow ample time for the rest of the meeting. It will be resumed at the end of the meeting if necessary. **Questions and answers are at end of this agenda**

Treasurer's Report

1. Cindy Varnado will present the year-to-date ACA Financial report. (Available as a handout at the registration table and online prior to the meeting). **Treasurer not able to attend and sent an email for statement and ACA. has the printed financial report to pass out.**
2. Membership Update – **close to 55% membership and additional money**
3. **Expenses are over for online payment fees (\$426 dollars), but it is there for convenience to pay**
4. **Special projects expense for buying the signs of \$9551. You can see picture on website**
5. **Appreciate all the people stepping up to help support the special project about \$1,600 to help off-set the costs**
6. **Tracking home sales and about 64 homes have sold in 2022. ACA sending welcome letter to join ACA inc. and some do join**
7. about a little over 400 homes have joined

Old Business

1. Administrative Update – John Trinkl
 - a. **No questions**
2. Communications Update – Krista McCracken
 - a. 5 tools currently used to share information with ACA members and Archdale residents. Please use these and tell others!
 - b. Communication Tools: Website, Newsletter/Email, FB announcements, Reader Board Sign, Archdale Radio. **Archdale Radio will announce garage sales and yard sales and the frequency is 97.5 FM and contact is on website (OurArchdale.com)**

3. Volunteer and Events Announcements—Krista McCracken
 - a. Neighborhood Watch Meeting: Tue Aug 23. **Lt. Andy Martin will focus on threats and intimidation and harassment in the neighborhood**
 - b. Festive Food Truck Thursday: Thu 12/8
 - c. Archdale Bike & Cart Parade: Sat 12/17. **Pink fire truck reserved and possibility to have PD motorcycles front and back for safety. Permit not required and neighbors had spectators and the route was posted.**
 - d. Ideas in the works: Community Yard Sale, Archdale Sip & Stroll
 - e. Would love volunteers to coordinate! **Reach out to info@archdale.com to be involved.- volunteers can help pass out packets information for the parade or become involved in neighborhood watch.**
4. Sign Committee Update – Marty Bescancon
 - a. Update on progress since the last meeting – **6x6x12 posts are in, stacked and drying. Signs and brackets are in along with the wood caps**
 - b. Next steps – **Wood to dry then drilling breakaways and painting the posts and the caps in the next month to six weeks. All kinds of levels of help – passed around a sign-up sheet and for radio listeners – contact the website. Will be hiring someone to install. County wants their signs returned. Locations will be marked, then Call Before You Dig will be notified. This is why it project will be done in small sections. Once the wood sign is up the metal one will come out and the stop signs will go back on. The old wood posts will be removed after the sign project is complete. It was suggested to use Behr fence and deck paint. It was also suggested to predrill holes for breakaway and may predrill for stop signs – should predrill as much as possible. The posts will be four foot in ground and braced until dry. See website to help donate to sign project**
 - c. Sign Sponsorship results – **Donors are listed on the website**
5. Neighborhood Update – John Trinkl
 - a. County repaired a drainpipe between Old Dominion & Palmetto Bluff - **done**
 - b. County removed a large dead tree on the Boulevard, saving ACA a lot of money - **County removed because they own the tree - so ACA did not have to pay - stump was not ground out**
 - c. County repaired a sinkhole on Knightsbridge Dr. – **They did three. Check if properly repaired and call if cones are still out**
 - d. Recent concerns & complaints have been addressed with appropriate County departments – **ACA is working with the correct County officials, following up on concerns and complaints reported to Board and the County**
6. ACA Bylaws Review & Public Comments – John Trinkl
 - a. Bylaws were shared with ACA members in March and will be voted on at the November 17 meeting. No additional comments have been received since last meeting. **The main changes were the deletion of the lien enforcement, which was never allowed or legal and the members will vote in Board members and the Board members will elect officers.**

John Trinkl noted that there has been chatter on Facebook about Archdale becoming an HOA. My comment was less than clear, possibly indicating an HOA was coming to Archdale. That was not my intention. There is a process where the majority of neighbors in each of the eight neighborhoods, (Baker’s Landing has their own HOA and Brookshire has an HOA which they are choosing not to enforce) would have to agree to an HOA. All eight neighborhoods would have to vote and agree to all the rules they wanted or not, plus follow the Dorchester County ordinances.

ACA can barely get over 50% of the homeowners to pay \$50 a year to support ACA, so how likely is anyone going to get 50.1% of homeowners to agree to HOA rules. Whoever is out there wanting this will need to do all the leg work, contacting homeowners, securing signatures, hiring an attorney to write the bylaws, etc., etc. It's a huge undertaking and long story short, it's unlikely anyone is going to do all the work necessary to make Archdale an HOA community. Archdale should embrace the freedom of not being an HOA community, but that comes with the freedom of your neighbors putting up something you may disagree with.

Question - you said Brookshire has an HOA?

Answer – yes, in their covenants and restrictions, Brookshire has an HOA. Look on the website for the HOA for Brookshire.

Question - Can Brookshire start enforcing the HOA?

Answer – No because the Brookshire HOA registration with the State has lapsed

Question - So how can you un-lapse the Brookshire HOA?

Answer - Members of Brookshire would have to form a new HOA association, with at least a President, Treasurer, and Secretary, and file with Secretary of State.

Question - Are there fees to set up the Brookshire HOA?

Answer - Some for the paperwork and drafting the Corporation and the Secretary of State filing has a fee

Question - Do you have to get the majority of the members to activate the Brookshire HOA?

Answer - No, I don't think so, because the covenants and restrictions travel with the land and the HOA is already contained in those documents. Everyone who buy the land in Brookshire are bound by the C&R of the land.

Discussion occurred how to enforce the C&R's in Brookshire. The tent on Roxbury issue comes up and the owner is present and tells her side of the story. ACA tried to have a discussion with her, but she leaves the meeting. Moral of that discussion is that there are two sides to every story, to having an HOA and/or having a Civic Association.

Go to the website under the Resources section to find your Covenants and Restrictions by each neighborhood.

New Business

1. FY 2023 budget will be presented and voted on at the November 17 meeting
2. County has approached ACA regarding the Pond. Updates will be provided as talks progress. - **Owner has passed away and the County is looking at a way to clear up the pond functionality. ACA will keep everyone apprised of this and will not commit to anything without membership approval. County was indicating that they would clean it up and then give it to ACA. We would vote if we wanted it and can afford it (ongoing maintenance and insurance). The pond is up for tax sale and the County is trying to stop selling ponds at tax sells. Public works is trying to help stop this.**

One thing ACA does is cut the grass around the pond, so the land does not go to heck and out of respect for the neighbors. If we did not cut it would be on ongoing battle with reporting and the County serving citations etc.

Call for Nominations: 3 Board members

1. Election at November meeting. **Currently there are three positions open. ACA will reach out to a list of people who expressed ideas to find out their interest in serving on the Board. Anyone you would like to nominate or nominate yourself, please send to info@OurArdale.com. The new bylaws allow for three (per state law) to nine Board members.**

Public Comments

Question about AT&T update

Answer - turned out AT&T only updated old Archdale - so if your neighborhood did not have a hole dug in your yard, you do not have the fiber network. ACA asked for the buildout plan for the remainder of the subdivisions, and two weeks later, nothing from AT&T.

Spectrum will respond if you say that AT&T is in neighborhood, they will lower the price

Question - about trees over the fence and in your yard and you are not allowed to cut the tree or limbs on your side of the fence?

Answer - you can do that if the neighbor gives you approval - it's malicious damage to private property per state law. Also, if it's your tree on their property and the tree owner wants to cut the limbs, you have to get permission to go into the neighbor's yard to get to your limbs. That is the law of trespassing on the neighbor's property.

Question – who has Verizon for cell phones? Reception is awful since 5G network. Verizon will mail a Verizon network extender for your home. Follow up next meeting to see if it works.

Zoning Presentation

John Trinkl – introduction. We have some General questions and five specific questions. The main question is what the process is once reported and how do you find out what happened after you report.

Kendric Fowler is the Senior Animal Control Officer with Neighborhood Services, who's first duty is to enforce the local ordinances for codes enforcement, litter, control, animal control, and mosquito abatement.

Call process - When the call comes into the office it goes through the office administrator who forwards the call to the officers. The calls are separated by zones and summer calls are especially heavy. The calls address examples of feral kittens and overgrown properties. Every call goes into the database and the officers respond as quickly as possible. The officers do try to follow up with the complainant as much as possible.

In Mr. Fowler's area, calls for feral cats and T&R's, which is trap neuter/spay and release. The cat is trapped and brought to Dorchester Paws for neuter/spay and vaccinated then released back to the area of which the animal was picked up. The reason is to control cat populations and stop the spread of diseases.

Question - For housing issues and overgrown grass - how many people are assigned to address these issues?

Answer – two people for the entire county

Follow up **question** - how many people total in the office for Neighborhood Services

Answer – Kendric said seven but there are really twelve – two Codes Enforcement officers, four Animal Control officers, four Environmental Services officers (2 solid waste and 2 mosquito control), one administrative assistant and Director

Question - Is it better to call in or email the issues?

Answer - do both call and email because both emails and phones can be lost in transit. Phone calls are the messages we check every morning and emails are the paper trail.

Question - How often should an issue be recalled back in or emailed back in if the complainant does not see resolution to the issue?

Answer - complainant follow up in two weeks is reasonable

Question - What about unleashed aggressive dogs, barking and animal distress? Do you have to see it?

Answer - there is not a leash law per say but in the case of aggressive or uncontrolled animals, it falls under the nuisance laws, this is where the violations kick in. Report the incident and we do not have to see it; we go off the complaint report. When we respond, our first step is to try to mediate to settle the issue. We are the middle person. We do not just rush out and issue fines. The most important part of a report is the house number for the nuisance laws.

Uncontrolled barking if barking is more than fifteen minutes it may constitute a nuisance. First try to address the issue with your neighbor and if that does not work, feel free to contact us.

Animal in distress, is called a welfare check for the animal to mediate or resolve.

Question about trapping- how long out is the T&R?

Answer - about a month to a month and a half during busy season. You are better trapping the animal and calling us to come service the trap. Traps are not for possums and raccoons. Traps are available within the neighborhood to lend out. If you need a trap, post on Facebook, or reach out to info@ourarchdale.com.

Question - if you are unable to mediate and the issues are ongoing, what is next?

Answer - all the fines are \$500 fine or 30 days in jail.

Question - if the traps are not for possums or raccoons but you think the animal has distemper, who do we call?

Answer - Still call animal control for any injured animal

Question – which department oversees makeshift buildings, how would the owner be notified and what are the steps for not being compliant?

Answer – Building Services has control of temporary structures. All departments work on progress – if the resident show progress the County works with them and with no progress the fine is \$500 or 30 days in jail

Question - how is a person notified of a violation? Is it done in person or by mail or by a notice on the front door?

Answer – They can leave notices or letters on the door but to issue a citation, the person must be physically served. Anyone served a citation is going to court.

Question- Would a welfare check be appropriate for a situation that has been reported several times, maybe mental illness or unsanitary conditions?

Answer - every case is different. The sheriff's department handles welfare checks for individuals. When it comes to addressing other violations, animal control and code enforcement can leave letters on the door. When it comes to serving the citation or criminal charge that does have to be in person.

Question - is there certified mail or anything saying they must respond to the issue?

Answer - any letter left taped to the door is an official statement from the department. Where the statement goes after that...

Question - has anyone tried to determine the circumstance of the people or tried to help?

Answer - it is not lack of compassion for the person that lives there, which is why the question for a welfare check might be helpful.

Question - nuisance laws do they apply just to animals, or does it apply to property?

Answer - Nuisance laws apply to property like overgrown grass and debris. It's called prohibited nuisance under code enforcement.

Question - are the citations or criminal charge records kept

Answer - yes, any citation or criminal charge can be looked up online and are public knowledge and are prosecuted at magistrate court.

Question - does zoning enforce the covenants and restrictions of the neighborhood or just the county ordinances?

Answer - just the county ordinances

For the record, the only people who can enforce the covenants and restrictions (C&R) of the neighborhood are the homeowners because Archdale Civic Association is not an HOA. The remedy to enforce the covenants and restrictions are at the end of the C&R stating resolution is in the courts for any violation of the C&R's.

Many of the C&R's mirrors the county ordinances and Archdale has ten different C&R's and none are the same.

Question - are people allowed to live in a camper on their property in Dorchester County?

Answer - cannot answer

Question - Are Airbnb's or vacation rentals by owners allowed in Dorchester County?

Answer - I think yes, but look it up about short stays

Question - what's your phone number

Answer - I brought my card to pass out

Contact the right person about the right thing, send an email, make the call, follow up and results will happen. ACA is available to help you, but private individuals need to report the issue to the County too. Facebook is not reporting.

Adjournment

Meeting adjourned at 8:25 by John Trinkl. The next General meeting will be at 7p on 11/17/22, in the meeting room at NCFD Station 8.

Minutes submitted by: Rhonda Sweatman and John Trinkl

Approved by: Membership at 11/17/22 General Meeting