



September 20, 2024

Minutes of the Azalea Lakes Homeowners' Association Board of Directors meeting.

A Special Meeting was called and held on Friday, September 20th, 2024, at 3947 Gladiola Court, unit 103. This meeting was called to order at 10:33 am by HOA Board president Virginia Binder for Master Deed and By-Laws amendments and Rules and Regulation changes.

Board members in attendance were:

Virginia Binder, President
Jim Callas, V.P.
Heather Stevenson, Secretary

Jason Ellis, Director-at-large, was not in attendance.

Business Issues

Ms. Binder opened the meeting by informing the BOD members of the results of her meeting with our attorney, McCutchen, Vaught, Gettie & Hucks, PA. The purpose of the meeting was to receive guidance on methods the BOD can use to solicit votes, in a timely, legal manner, to make changes to the Master Deed and the By-Laws and Rules and Regulations. Many owners have requested these changes and we must vote upon them by 11/16/2024, the date of our annual and final meeting of the year.

Namely, the proposed changes would be the following:

Master Deed changes:

A. Chapter XV, Master Deed, page 9, Use Restrictions Applicable to Units, Section A. Line 3, which now reads: "however, there shall be

no restriction as to the length of time which an owner may rent his/her unit",.

Amend Line 3 to read "no owner may rent his/her unit for a period of less than 6 months"

Chapter XXX, page 28, Amendment of Master Deed, Second paragraph, Line 16, which now reads:

"An amendment or amendments to this Master Deed may be proposed by the Board of Directors of the ASSOCIATION acting upon a vote of the majority of the Directors, or by the members of the ASSOCIATION owning a majority of the UNITS in the CONDOMINIUM, whether meeting as members or by instrument in writing signed by them.

Line 16, specifically:

"At such meeting, the amendment or amendments proposed must be approved by an affirmative vote of sixty-seven (67%) percent of the members owning a UNIT in the CONDOMINIUM in order for such amendment or amendments to become effective."

Amend line 16 to:"At such a meeting, the amendment or amendments must be approved by an affirmative vote of fifty-one (51%) of total votes of the association in order for such amendment or amendments to become effective."

Chapter XX, Page 12, Limitation upon Right of Owners to Alter and Modify Units,

Add "All updates/upgrades must be completed by a South Carolina licensed contractor with his/her own insurance. These two requirements must be sent to the property management for proper filings. Any electrical and or plumbing such as but not limited to new water heaters, air returns, dishwashers, laundry appliances, etc., must be inspected by licensed personnel. If upgrading a unit's flooring/covering, such an upgrade to the floor must contain a sound-proof barrier and a water barrier."

Chapter XIX, Master Deed, Page 12, RIGHT OF ENTRY FOR MAINTENANCE OF COMMON ELEMENTS

"Whenever it is necessary to enter any UNIT for the purpose of performing any maintenance, alteration or repair to any portion of the COMMON ELEMENTS, the Owner of each UNIT shall permit the duly

constituted and authorized Agent of the ASSOCIATION, to enter such UNIT and its LIMITED COMMON ELEMENTS, provided that such entry shall be made only at reasonable times and with reasonable advance notice. In that regard, ASSOCIATION, or its designated contractor shall perform monthly service for pest control which will include spraying within each UNIT and each Owner of a UNIT is hereby so notified.

Amend to "Whenever it is necessary to enter any UNIT for the purpose of performing any maintenance, alteration or repair to any portion of the COMMON ELEMENTS, the Owner of each UNIT shall permit the duly constituted and authorized Agent of the ASSOCIATION, to enter such UNIT and its LIMITED COMMON ELEMENTS, provided that such entry shall be made only at reasonable times and with reasonable advance notice. In that regard, ASSOCIATION, or its designated contractor shall perform quarterly service for pest control which will include spraying within each UNIT and each Owner of a UNIT is hereby so notified."

By-Laws Changes:

Additionally, changes to the Rules and Regulations and By-Laws were discussed, specifically the following:

Article II, Page L, Section 11. Quorum.

"Except as otherwise provided in these By-Laws or in the Master Deed or Articles of Incorporation, the presence in person or by alternate of the Voting Members representing more than Fifty (50%) percent of the total vote of the Association shall constitute a quorum at all meetings of the Association. Any provision in the Master Deed concerning quorums is specifically incorporated herein. So long as a quorum is present at the opening of the meeting, business may be transacted until adjournment notwithstanding the withdrawal of enough members to leave less than a quorum in attendance. Further, at any adjourned meeting at which a quorum is present at the reconvening of such meeting, any business may be transacted which might have been transacted at the original meeting notwithstanding the withdrawal of enough members to leave less than a quorum in attendance".

Amend to "Except as otherwise provided in these By-Laws or in the Master Deed or Articles of Incorporation, the presence in person or by alternate of the Voting Members representing more than Forty (40%) percent of the total vote of the Association shall constitute a quorum at all meetings of the Association. Any provision in the Master Deed concerning quorums is specifically incorporated herein. So long as a quorum is present at the opening of the meeting, business

may be transacted until adjournment notwithstanding the withdrawal of enough members to leave less than a quorum in attendance. Further, at any adjourned meeting at which a quorum is present at the reconvening of such meeting, any business may be transacted which might have been transacted at the original meeting notwithstanding the withdrawal of enough members to leave less than a quorum in attendance.

Article VI, Miscellaneous, page 69, Section 6. Amendment. Amend line two (2), which now reads: "Hereafter and otherwise but subject to the provisions hereinafter provided, these By-Laws may be amended only by the affirmative vote (in person or by alternate) or written consent of Voting Members representing sixty seven (67%) percent of the total votes of the association.

"Amend that line with: "Hereafter and otherwise but subject to the provisions hereinafter provided, these By-Laws may be amended only by the affirmative vote (in person or by alternate) or written consent of Voting Members representing fifty one (51%) percent of the total votes of the association".

Rules and Regulations changes:

Add to the Rules and Regulations, the "Fire Safety, HVAC Inspection, Water Heaters, Plumbing Lines and Safety Areas and Compliance", Fire Safety and Unit Inspection form (attached).

Remove from the Rules and Regulations:

Article 1, Page 1, Definitions. **Remove**. Reason: Unnecessarily redundant.

Article 2, Page 3, Sections 2-9, General Use Restrictions. **Remove**. Reason: Covered in Master Deed.

Article 2, Page 4, Sections 12-15. General Use Restrictions, continued.

Section 12: Safety. Reason: Redundant. **Combine** into one section
Section 13: Debris. Reason: Redundant. **Combine** into one section

Section 14: Trash. Reason: Redundant. **Combine** into one section
Section 15: Littering. Reason: Redundant. **Combine** into one section

Article 2, Section 16, Pets and Animals.

Remove the wording "Only owners shall be permitted to have domesticated pets as defined by the Master Deed. No tenant shall be permitted to have or keep any pet in Azalea Lakes; provided, however, those tenants with pets prior to the effective date of the Rules and Regulations adopted on October 20, 2018 will be grandfathered in. No replacement pets shall be allowed for tenants after the death or removal of a pet".

Add "Residents must complete a *pet registration form* and provide proof of current rabies vaccination.

Amend to "No feeding of wild or domestic animals, migratory birds, waterfowl, etc. from decks, balconies or any limited or general common element. As per South Carolina Law.

Article 2, Section 17, Signs **Remove** all wording and **Amend** to read only: "No signs except those required by law or those deemed appropriate by the Property Management and approved by the Board of Directors"

Article 2, Section 18, Temporary Structures. **Remove** Line 2, stating:

"A black metal garden fence, approximately 1 foot in height, may be placed around owners' ground level patio for protection against migratory birds."

Article 2, Section 19, Boats and Trailers. **Move to Article VII, Traffic Regulations and Parking**

Article 2, Section 20, Right of Access. **Remove**. Reason: Covered in Master Deed

Article 2, Section 21, Hazard. **Move to "Fire Safety, HVAC Inspection, Water Heaters, Plumbing Lines and Safety Areas and Compliance"**

Article III, Section 2, Gatherings and Parties. **Remove**.

Article IV, Architectural Control. **Remove**. Reason: Covered by Master Deed

Article V, Contractors. **Remove**. Reason: Covered by Master Deed

Article VI, Leasing. **Remove**. Reason: Covered by Master Deed

Article VII, Traffic Regulation and Parking

Amend. Remove the first paragraph, "The roads in Azalea Lakes are private and have not been dedicated to public use so that the Association can limit and restrict traffic use and access throughout the property at its sole discretion"

Article V11, Sections 1-2 Traffic Regulation and Parking. **Remove.** Covered by Master Deed.

Article VII, Section 3, Motorcycles, Mopeds, Scooters and 4-Wheelers
Article Vii, Section 4, Skates, Skateboard devices, Rollerblades,
Add: Golf Carts

Article VII, Section 5, Parking

Amend by removing all wordage except: "All vehicles must be kept in running condition" and **Combine** with Article VII, Section 6, Vehicle Maintenance. **Add** "Any vehicle in violation is subject to towing at owner's expense."

Article Vii, Section 7, Electric Vehicles **Remove.** Redundant.

Article VIII Section 1, Golf Carts, **Add** Electric Vehicles

Article VIII, Sections 2-3, Golf Carts **Remove**

Article IX, Section 1, Swimming Pools. **Amend** to read: "Rules As Posted"

Article IX, Section 2, Fitness Center **Amend** to read: "Rules As Posted"

Article X, Right To Quiet Enjoyment. **Remove** all wording and **add** "Firearms as per SC Laws."

Article XI, Default And Enforcement. **Amend** all sections to read: "Covered By Master Deed".

The Special meeting was adjourned at 2:35 pm by HOA President Virginia Binder.