

**SHOAL CREEK FARMS HOME OWNERS ASSOCIATION  
BOARD MEETING MINUTES  
FEBRUARY 21, 2019  
400 MILLSTONE CIRCLE  
7:00-10:15 PM**

**Board Members Present:**

Sharyn Dickerson, President- Voting Member  
Ron Sims, Vice-President- Voting Member  
Gary Adcox- Voting Member  
Asa Boynton- Voting Member  
Vicki Robinson- Voting Member  
Janine Durden, Secretary- Non-Voting Member  
Joy Barrett, Treasurer- Non-Voting Member (Present via Telephone)

**Guests Present:**

Carter and Shelley Dodd- Residents  
HOA Member

The meeting was called to order by Sharyn Dickerson at 7 PM.

**I. Approve Minutes.**

**A.** The minutes from the **January 17, 2019 Board Meeting** were presented. A motion was made by Asa Boynton to accept the minutes as written and was seconded by Gary Adcox. All voted to approve the minutes except Sharyn who abstained since she was not on the Board at the time, and the motion carried.

**B.** Sharyn Dickerson then called for approval of the minutes from the **February 18, 2019 "Petitioned Special Meeting"**. A motion to accept the minutes was made by Gary Adcox and seconded by Asa Boynton. There was no further discussion on the issue and a unanimous vote was taken. The motion was carried.

**C.** Ron Sims presented "Corrections to SCF Board of Directors Meeting Minutes Pertaining to the Dodd Properties" (**See Attachment A**). Ron Sims made the motion to approve the amendments to the Board meeting minutes for August 26, 2018 and October 10, 2018 and to post to the website. Sharyn Dickerson seconded the motion. There was no further discussion and after a unanimous vote, the motion was approved.

**II. Informational Meeting Report.** Sharyn Dickerson suggested that although it was not required for minutes to be taken at the "**Informational Meeting**" held in Keystone Court on **January 27, 2019**, she thought it was important to post on the SCF website the timeline document she shared with the members at the meeting. A motion was made by Gary Adcox to post a notice on the website with instructions that a complete copy of the Informational Meeting notes would be released upon a request to Sharyn Dickerson. Asa Boynton seconded the motion. With no further discussion, there was a unanimous vote to approve the posting.

**Action:** Gary Adcox will make the required posts as noted above to the SCF website.

**III. Guest Comments.** The Board was addressed by an HOA member with concerns regarding the commercial farming activity at 535 Millstone Circle. As a lifelong resident of Athens, this HOA member sought out SCF for its beauty and specifically because of its protective covenants. The member pointed to the “no commercial business activity” clause and feels what is now happening in the neighborhood is at minimum a breach of contract. The member stated that at no time during the two-month due diligence property purchase period did anyone disclose that a commercial business had been approved in the neighborhood. The member stated that they had done their research with the covenants but didn’t think the former Board or the Dodd’s did theirs and that the Dodd’s have appeared to work to change the rules after the fact. The HOA member concluded by stating that they made a big investment by purchasing in SCF and is strongly considering a lawsuit against the parties at fault for breach of contract, among other things. The member thanked the Board for hearing the complaint and concerns and left at approximately 7:25 PM.

**IV. Commercial Farm Proposal – 545 Millstone Circle.** Shelly and Carter Dodd joined the Board around 7:30 PM to continue their discussion regarding their commercial farm proposal. They provided a request for 3 hoop houses. **(See Attachment B)** The following questions were asked by the Board members with regards to the hoop houses:

- What are the specifications (thickness, material type, etc.) for the materials to be used to cover the houses? What color will the material be?
- What will be the maintenance schedule for keeping the hoop house covers in good condition?
- What is the size of the houses?
- Where will they be located?
- Will the hoop houses be fixed or moveable?
- How will the houses be anchored?
- How close will the houses be to one another?
- What is the operational plan for the proposed farm?
- How will pests and potentially rotting vegetables be handled?
- What are the environmental impacts the farm will have on the neighborhood lake? The farm will surely use fertilizers that could affect the health of the lake. The proposed farm sits above the spring that feeds the lake. What type(s), how much, and how often will fertilizer be used? Need to identify the baseline health of the lake and monitor over time. Did the previous Board do any studies on the farm’s impact?
- What about sediment from the soil that will inevitably run off the farm and work its way into the lake? What will the farm do to reduce soil erosion?
- How many employees will be working on the proposed farm? Where will they park? Go to the restroom?
- Where will the panel van and other farm equipment be located, and how will it be screened?
- Did the previous Board ask how property values might be affected with the proposed commercial farm?
- Has a business license for the proposed commercial farm been obtained?

Carter Dodd stated that the hoop houses would be constructed by him and would be metal frames with clear plastic covers about 6 mils thick. He stated that maintenance on the hoop houses would occur anywhere from 2 to 4 years. Carter and Shelley provided a proposal showing the sizes and locations for the hoop houses. Carter said that although they can be moved; it is not his intention at this time but could be in the future if the crops needed to be rotated. He said they would be anchored with 24” to 36” deep ground posts and will be 6’ apart. They did not have an operational plan to provide to the

Board but indicated they could provide the Board with it. Regarding pests that might be attracted to a new food source and possible rotting vegetables, the Dodd's said that they did not have a problem with their other farm. The Dodd's said the previous Board did not ask them about environmental issues, but Shelley Dodd stated that she is employed with an environmental company and is familiar with water testing. The Board stated they would like to see data on the current health of the lake, as it would be important to have baseline data. Carter Dodd stated that there would be 3-5 employees working when needed and that there would not be an outhouse on the property and the employees would use their home bathroom. He further explained that his equipment would be kept neat and orderly. Carter and Shelley both stated that when originally considering their proposal for the farm, the previous Board did not ask them about how the farm might affect property values. Carter stated that they do not have a business license at this time, because they were waiting on the Board's approval, but they are registered with the state.

Carter stated that he would also need to drill an electric well on the property for irrigation, but he was not able to give exact location because it is dependent on where water could be found. The depth of the well is to be determined, also.

The Dodd's asked if the Board was going to vote this evening to approve the three hoop houses. The Board indicated that the hoop houses would not be approved independent of a full farm plan that addresses all the questions of the Board which would need to have more detail than the previous position letter/letter of intent turned into the previous Board. Sharyn Dickerson noted that the farm request is just like the home request the Board is considering for the VanCantfort's. The Board will not approve a bathroom this week for them and then a deck three weeks later. The Covenants require a full set of plans be reviewed before considering approval. It is the Board's intent to review the entire set of plans for the proposed commercial farm and have a written agreement that lays out all the terms and conditions, as the Board is not interested in handling this piece meal. The Board wants to be done with this and move on. The Dodd's concurred that they also would like to have all matters with the proposal dealt with.

The Dodd's expressed frustration that the Board would not approve the placement of the three hoop houses, because they claimed they had approval from the previous Board. Sharyn stated that the HOA attorney has provided his legal opinion that the Dodd's do not have approval for the proposed farm because the approval was conditional upon executing a written agreement with the Board, which the Dodd's did not sign and was subsequently withdrawn by consensus of the entire Board on December 5, 2018. The Board's decision is to rely on legal counsel's guidance.

Carter and Shelley stated that the Board's inaction is affecting them financially and asked to be allowed to move a 6' x 10' greenhouse/shed from their Diamond Hill property to 535 Millstone Circle, so they could get some seedlings started. The Board agreed to consider their request and assured them that they would have a formal response letter no later than 8:00 AM on Monday, February 25, 2019. The Board also requested that the Dodd's continue toward having their exact proposal in writing, so the Board may consider it at the next regularly scheduled Board meeting on March 21, 2019. The Dodd's thanked the Board for their time and consideration and left at approximately 8:50 PM.

Asa Boynton stated that the reason the Board is where we are with this issue is because the previous Board was rushed before to make a decision without having all the information.

The Board discussed the Dodd's request for a 6' x 10' greenhouse/shed and its proposed placement. Members noted that other similar structures exist in the neighborhood already, so a precedent had been set to allow such. Asa made a motion to approve the 6' X 10' greenhouse/shed (as depicted in the January 4, 2019 email to Cindy Hickson, Acting President at that time) with placement as shown on the attached map with the understanding that the Board would reserve the right to direct them to paint and /or repair it if needed once it was installed. Vicki Robinson seconded the motion. There was no further discussion. A unanimous vote followed and the motion was approved.

**Action:** Sharyn Dickerson, President, and Janine Durden, Secretary, will prepare a response to the Dodd's conveying the Board's approval of their request to move the 6' x 10' greenhouse/shed to 535 Millstone Circle with the conditions noted in the approved motion.

**V. ARC Plans – 115 Keystone Court.** Sharyn Dickerson presented the ARC/Board with the site plans for new construction of a home at 115 Keystone Court submitted by Dale and Tara Van Cantfort on January 27, 2019. The plans were reviewed with attention being paid to the building requirements as outlined in the Covenants, Article IV.

Gary Adcox made the motion to accept the site plan, building materials and construction schedule with approval of either of the previously stated exterior colors of gray or brown provided by the Van Cantfort's with their request. Final landscape plans will be submitted for separate approval at a future Board meeting. Asa Boynton seconded the motion. There was no further discussion. A unanimous vote followed, and the motion was approved.

**Action:** Sharyn Dickerson, President, and Janine Durden, Secretary, will prepare a response to the Van Cantfort's providing them with the Board's written approval, as required by the Covenants, of their construction plans at 115 Keystone Court

**VI. Covenants and By Laws.** Janine Durden, Secretary, went to the Athens-Clarke County Courthouse to obtain the Covenants and By Laws on file with the Clerk of Court. Janine reported that she was able to obtain a copy of the original 1987 Covenants but that there were no Bylaws filed with the Covenants. Ron Sims agreed to compare the 1987 Covenants found on file at the courthouse with the Covenants posted on the website to ensure they are the same.

**Action:** Sharyn Dickerson stated that once Ron completes the comparison of the Covenants, then she will send an email to the Association notifying them of what the Board found.

**VII. Treasurer Report.** Joy Barrett, Treasurer, reported via telephone the current balance in the checking account as of January 31, 2019 was \$19,733.33. There were no unusual expenses to report.

She has received responses from 42 out of the 81 property owners regarding the 2019 HOA dues. Dues were paid by 40 of these owners consisting of 4 lot owners and 36 residents. There were 2 lot owners who waived their vote and did not pay the 2019 dues. The total dollars received and deposited from the collected dues was \$10,000. That amount is not reflected in the January 31, 2019 balance listed above. These dues were received and deposited after that date.

**Action:** Joy Barrett will send an email reminder to those that have not yet paid as the deadline approaches.

**VIII. Non-Compliance Issues.** Due to the length of the meeting, non-compliance issues in the neighborhood were tabled until the next Board meeting. However, Asa Boynton submitted that he had a resident contact him who was concerned about the shrubs on the vacant lot at 220 Millstone Circle that are encroaching upon the roadway and was asked if the lot could be cleared near the street.

Action: Sharyn Dickerson will call Central Services at Athens-Clarke County to see if they can cut back the shrubs near the edge of the roadway to improve the sight distance issue.

A motion to adjourn was made by Asa Boynton followed by a second by Vicki Robinson. The meeting was adjourned at 10:15 PM.

The next Board meeting is scheduled for Thursday, March 21, 2019 at 7:00 PM. Location TBD.