



THE OFFICIAL NEWSLETTER OF THE FOREST BEACH OWNERS ASSOCIATION, INC.

FALL, 2008

Annual Meeting

Our next Annual Membership Meeting will be held on Saturday, October 4th, 2008 from 10am – Noon in the Parish Hall at St. Luke's Episcopal Church on Pope Avenue. Please plan on attending this very important and informative meeting.

We are scheduled to have invited guest speakers from the Town of Hilton Head Island and the Sheriff's Office to update us on activities during the past year and what is coming for 2009. Our Councilman, John Safay, has advised that he will be present to answer any of your questions or concerns.

As always, these presentations are all in addition to our regular agenda which will review the activities of your Association over the last year, a presentation of our 2007 year-end financial report, an update on the status of our legal affairs, elections of the 2009 Board of Directors and a question and answer session with your current Board Members.

Fireworks In Our Future?

The Association has been on the leading edge of organizing a July 4th celebration on the beach at Coligny Plaza which will include festivities and fireworks for the public. After initial work done in the Spring of 2008, your Board of Directors determined that the funding needed and the short lead time available prior to required commitments precluded any activities this year. Our efforts did, however, prepare us for the work ahead for the 2009 season.

We have qualified as a non-profit entity, which enables the Town to waive the application fees and bonding requirements. We have interviewed several companies that would actually provide the fireworks show for us and have selected the one we feel is the most competitive for our needs, Falcon Fireworks.

We are in the process of preparing the application for an Accommodations Tax Grant from the Town which will partially fund this project. Additional funds are required to bring this endeavor together. The Association WILL NOT use any of your dues monies for this project. This project will be funded through donations and sponsorships from area residents and merchants. This will be a community effort and we strongly believe it will give the Forest Beach area a safer holiday as we envision fewer of our residents, both permanent and seasonal, will leave the area to enjoy the holiday activities.

As with any outdoor activity, this celebration will be dependent on the weather and a weather delay option is being built into the project. Additionally, because we are required to launch any fireworks from offshore, we are in need of an oceangoing barge for this project. (Anyone have one at their disposal?) We have a company in Savannah who has, for 16 years, provided the necessary equipment for the Harbortown celebration, but as with them, they will not guarantee equipment availability. So, we are a little reluctant to use this option unless no other exists.

So, bottom line, we are moving forward with our Independence Day celebration at the beach. Fireworks will hopefully be a part of it. We will also be arranging for military flyovers and hopefully a patriotic band. Other ideas are still being brought up, so the ultimate celebration agenda has yet to be completed.

Look forward to more information in our email notices as work progresses on this great project.

Palmetto Electric Goes Underground

Palmetto Electric has converted over 2 1/2 miles of overhead distribution lines to underground lines in the last year in Forest Beach. Additionally 154 customers who were serviced with overhead lines have been converted to underground lines at a cost of \$1.38 million. Trees are a potential problem during heavy winds and rain to uninterrupted power service and this concern has now been eliminated in these areas. Overall, Palmetto Electric expects service interruptions to greatly improve now that there is less of an exposure to Category 1 Hurricanes, Tropical Storms and high wind events. They remind us, however, that a major hurricane with a large tidal surge would present an entirely new set of problems with flooding, washouts and salt contamination in our underground services. Although it would appear that we have simply traded one set of problems for another, there are clear benefits to us based on historical problems versus those that we can predict, but have not previously experienced.

A Dog Park of Our Own?

Several years ago the Town of Hilton Head heeded the requests of its citizens and offered a small parcel of Town-owned land for use as a dog park located on the north end of the island. Several years later, any worries that the Town may have had regarding safety, noise and sanitation have proved to be unfounded and the dog park has been wildly popular with those who have enjoyed it. So popular in fact that it appears to be time for the Town to expand this service to our end of the Island. South Forest Beach is the most densely populated neighborhood on the Island with many of our residents living in condos and villas. These are obviously the people who need a dog park the most because they do not have yards of their own. Although there are bike paths and the beach, these are usually crowded and difficult to negotiate with a dog on a leash. An open dog park in our neighborhood would be the perfect solution. The Town owns a 4 acre lot on the corner of Cordillo Parkway and De Allyon, and it would be a perfect location. The Association is working with our Concilman, John Safay, in an effort to recommend to the Parks and Recreation Committee to build such a park in our area.

Litigation Update

Well, a year later and we are still winding through the legal process in regards to the Association's case regarding an alleged covenant violation stemming from a structure being built to unapproved plans. The case involving a home on Dune Lane which was built to a set of plans not approved by the Association, and one in which the Association asserts was built too close to a street was adjudicated and the ruling from the court established that the platted street ends that compose the beach accesses in the North Forest Beach area have, through time, been transformed into "park areas" under the covenants. While this was not the position of the Association, we will be able to move forward with consistent ARB reviews for similarly situated properties. Several other issues were also dealt with during this trial including the issue of "Standing" for your Association to bring litigation against a property owner to enforce covenant issues (the court ruled we do have standing), the validity of your covenants (all the applicable covenants are valid and enforceable) the ability of your Association to charge separate ARB review fees and compliance deposits (we do have the ability to charge separate fees for these services).

In another case, the Association is involved in litigation regarding alleged encroachments into a street that inhibit its' use a means of access to the beach. All of the depositions have been taken in this case and we are prepared to go to court and have our case heard. At the time this article was written, the trial in this matter was scheduled for October 14th and 15th. Hopefully we will be able to give you an update at the Annual Meeting on how this case has progressed.

A New Coligny Beach Park

After many years of planning, construction on Phase One of the new Coligny Beach Park is finally slated to begin this fall. Phase One consists of all the space and facilities between The Breakers, the Holiday Inn Oceanfront, and the Coligny Circle parking area. This area is to be cleared of all structures to present a more open view to the ocean and a wider beach access. All of the facilities previously located there will be relocated during Phase Two. This will be in the area between South Forest Beach Drive, Forest Beach Villas, and the Legendary Golf adjacent to Wild Wings in Circle Center. Phase One is expected to be completed by the Spring of 2009.

Phase Two will be cleared of all structures including the miniature golf course and The Smokehouse restaurant. The demolition phase should begin this Fall, 2008, with the construction phase to follow in the Fall 2009.

As you may remember from last year, the Town's original design of the Coligny Beach Park Phase Two included plans for new construction of a retail shopping facility. The Town Public Facilities Committee had voted 3-0 to approve a new retail shopping center to be built in the middle of the new beach park, and at taxpayer expense. This new project would have meant a decrease in the amount of public beach parking spaces available as well as a considerable decrease in the size of usable park space as well. Local merchants also noted that this new venture meant the Town would now become a landlord and would be using taxpayer money to compete against local businesses. The Association and many merchants did not believe this was a proper activity for the Town to undertake and worked with the Town to eliminate this feature from the design.

Members of your board have attended every meeting of Town committees when this new park was on their agenda. We spoke before each committee detailing our objections and let them know the Association would not be overlooked and should be consulted on Town projects in our neighborhood. We explained our position to our Councilman, other Town Councilmen and Town Planners. We made our voices heard and lobbied the Town Public Facilities Committee to reconsider their motion recommending new retail shopping in our beach park.

When the committee took up the motion to reconsider this past July, we had five board members in attendance. All three Councilmen voted unanimously to remove the shopping center from the beach park design. Thanks to our year-long efforts, the Association reversed a 3-0 vote into a 0-3 vote. That is the type of work your Association board does for you that often goes unseen.

Nominations Open

We have five Director's positions expiring at the end of December. Several of our directors have indicated that their schedules will limit the amount of time they can devote to Association activities in the future. We are actively seeking individuals who wish to serve on the Board in the upcoming year. Our terms of service are either one, two or three years. The Board meets every month on the second Monday of the month (except October when we have our Annual Meeting).

In order to serve on the Board, Directors must be property owners in one of the eight Forest Beach Subdivisions (North, Central or South). This is a volunteer position, so there is no compensation. Directors are expected to attend the regularly scheduled Board meetings and be available by email and telephone to conduct Association business as needed. Some committee involvement may be asked of you during the course of the year, depending on the approved activities of the Board. Day-to-day operations of the Association however, are conducted by the Executive Director, who is available to the membership by phone, fax or email most every day of the year.

If you are interested in serving your community, please email (FBASSN@AOL.COM) or fax (843-842-7918) a brief letter requesting that your name be placed in nomination for a position on the Board when elections are held at the Annual Meeting. Please include your contact information (home, work and cell phone numbers, email address, home address and the address of the property you own within Forest Beach). We would request that you also be present at the Annual Meeting to meet the membership present and answer any questions they may have of you as a candidate. As always, nominations will be taken from the floor prior to the election.

If you are interested in running, but have further questions, please feel free to contact one of the current board members.

2009 Dues Remain Unchanged

Your Board of Directors has reviewed our current financial position and our projected expenditures for 2009 and has voted to hold our dues at the current level for the next year. We continue to maintain the lowest property owners' dues on the Island. In order to provide you with the services you deserve and the processes needed to protect your property values your financial contributions to your Association are vital. We recognize in these difficult economic times everyone must be prudent with their resources. The Forest Beach Owners' Association, your voice in the community, is one of the best values in the protection of your investment in the property you have. Below is the 2009 Dues Schedule:

Residence (Primary, Secondary or Rental)	\$85 each
Business	\$85 each
Vacant Land	\$45 each lot
Timeshare Developments	\$45 per unit
Hotel / Motel / Inn	\$15 per room

Email List Continues To Grow

The Association's email list of owners continues to grow. We use this system to notify our members, and interested parties of important happenings within the organization and the community. We send notices of upcoming Board Meetings, the minutes of those meetings, and important announcements concerning the Forest Beach Community. This email list is optional, so you must sign up for it as we will not add your email address automatically.

To become a member of this group, you must request membership by sending a blank email to: forestbeach-subscribe@yahoo.com. Once you join you will begin to receive more timely information from us. Please note that only the Association can post messages to this group, so you WILL NOT be bombarded with SPAM or unrelated communications.

It's Never Too Late!

You can still pay your 2008 Dues payments. If you have not already sent in your check, please do so today. Your dues support your organizations' efforts in maintaining property values through covenant enforcement actions, education, architectural review and community involvement. The 2008 Dues Schedule is as follows:

Residence (Primary, Secondary or Rental)	\$85 each
Business	\$85 each
Vacant Land	\$45 each lot
Timeshare Developments	\$45 per unit
Hotel / Motel / Inn	\$15 per room

Our dues remain the lowest on Hilton Head Island, and our community continues to be among the most active. We need your support, so please send in your dues today!

Payments should be sent to:
Forest Beach Owners' Associations, Inc.
P O Box 6442
Hilton Head Island, SC 29938-6442

License Plates

Forest Beach license plates are available for a donation of \$10 each (payable to the Forest Beach Owners' Association). Patterned after our unique neighborhood signage, the plates are wonderful gifts for friends and relatives who have visited you here on the Island. You can call (843) 785-5565 and arrange to pick up the plates at the Association Office, or, we can mail them to you for an additional \$2 each for shipping and handling. In addition to being placed on the fronts of vehicles, some of your neighbors have found that they make a unique plaque for your house as we have seen several mounted above garage doors and near front entrances.

FBOA Directors Listing

Jack Daly, President
4 Myrtle LN - '08

Sherry Herndon, Vice President
77 Forest Gardens - '10

Debbie Urato, Secretary/Treasurer
13 Park RD - '09

Eleanor O'Key
6 Egret ST - '08

Johnnie Lee Witt
32 Mallard ST - '08

Bob Spear
313 Fort Howell DR - '08

Myra Poplin
1 Egret ST - '08

Doug Felten
17 Bittern ST - '09

Chuck Nelson
31 S. Forest Beach DR #37 - '08

John Snodgrass, Executive Director
2 Sandpiper RD
(H) 842-5331 (O) 785-5565
Email: fbass@aol.com

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What We Do For You

We are frequently asked, "What Does the Association Do for Me?" The answer to this question can be very lengthy and complex, depending on your point of view. However, we will try to provide you some benefit information of Association Membership here.

The Forest Beach Owners' Association, Inc. is the recognized community organization to which the Town of Hilton Head Island looks for input on civic projects. When there is a need for feedback on proposed public projects, your Association is among the first contacted.

We provide covenant enforcement for all of the Forest Beach subdivisions. We will investigate any alleged violations and determine the appropriate course of action.

We inspect and document, then refer, all LMO violations to the Town.

We work closely with our County and State officials, along with the Town on matters concerning our roadways and public safety.

We work with the Sheriff's Office on matters relating to public safety and crime in our area.

We administer the Architectural Review process to ensure compliance with our covenants. This includes the initial review, site inspections and completion approvals. This process also helps ensure that our projects are completed in accordance with the LMO Guidelines specific to Forest Beach.

We review all new commercial signs and businesses as required by our covenants.

We act as a clearing house for all questions from our membership. We are presented with a unique variety of problems, from who fixes street signs, to how do we get the grass trimmed along side the road.

Where appropriate, your Association will also undertake legal action to protect your investment by ensuring that all persons comply with our covenants.

The Town of Hilton Head Island is a limited service government by design, and your Association is here to pick up where they leave off. Without your membership and support, our efforts will be limited.

Suggestions? Questions?

In preparing our Newsletters, we try to cover topics of interest to all property owners in the Forest Beach community, and on occasion, topics of Island wide interest. Many of you have provided positive feedback on the informational value of our Newsletters. We recognize, however, that there is always room for improvement. Our Newsletters are designed to keep you up-to-date on the activities of your Association and present topics of community interest. We always welcome suggestions for topics that you would like to see covered or questions you would like for us to answer. Don't be shy - send them in to us so we can include them in future issues. You can mail, fax, email or telephone us. Let us here from YOU!