

**KIAWAH ISLAND COMMUNITY ASSOCIATION, INC.,  
A SOUTH CAROLINA NON-PROFIT, NON-STOCK CORPORATION**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
ESTABLISHING ACCESS POLICIES FOR THE SANDCASTLE**

A Regular Meeting of the Board of Directors of the Kiawah Island Community Association, Inc. (hereinafter "Association") was duly called by the Board's Chair and conducted on February 5, 2024, pursuant to Article V, Section 1, of the Association's By-Laws at which a quorum of the Board was present.

WHEREAS, by deed dated 4-10-1985, the Sandcastle property shall be maintained and utilized as a Purchased Common Property.

WHEREAS Article I, Section (t) of the KICA Covenants specifies that Purchased Common Properties are to be devoted to and intended for the common use and enjoyment of Type A Members of the Association.

WHEREAS, Article IV, Section 5 of the KICA Covenants, states the following:

Subject to the provisions of these covenants, the rules and regulations of the Association, and any charges established by the Association, every Type A Member shall have a right and easement of enjoyment in and to any property now or hereafter designated "Purchased Common Properties" pursuant to this Declaration. A Type A Member's spouse and children who reside with such Type A Member in "Kiawah Island" shall have the same easement of enjoyment under this Section as a Type A Member.

Purchased Common Properties may, in the discretion of the Board of Directors, be restricted to the exclusive use of Type "A" Members, or other persons may be permitted to use the facility subject to such rules and regulations as the Board of Directors may promulgate. The Board of Directors may establish initiation fees and user fees as the Board of Directors may in its discretion so determine.

WHEREAS, Article IV, Section 6(d) of the KICA Covenants grants the right of the Association, to suspend the rights and easements of enjoyment of any Member or Tenant or Guest of any Member for any period during which the payment of any assessment against property owned by such Member remains delinquent, and for any period not to exceed sixty (60) days for any infraction of its published rules and regulations.

WHEREAS, Article IV, Section 6(e) of the KICA Covenants grants the right of the Association to charge reasonable admission and other fees for the use of the Common Properties, Restricted Common Properties and Purchased Common Properties, and any facilities included therein.

WHEREAS, at a Regular Meeting of the Board of Directors of the Kiawah Island Community Association on February 6, 2023, the KICA Board of Directors voted 6-1 on access policies for the Sandcastle facility. The KICA Board of Directors also committed to monitor the access policies and

review them after the 2023 summer season.

WHEREAS, the Sandcastle User Group, an advisory task force established by the KICA Board of Directors, was asked to review the effectiveness of the access policies after the 2023 summer season and to make recommendations on revisions. These recommendations were presented to the KICA Board of Directors at their meeting on January 8, 2024. Subsequently, the KICA Board of Directors hosted a town hall meeting, both in-person and virtually, to provide KICA members with the opportunity to comment on the proposed revisions.

WHEREAS, the KICA Board of Directors held a workshop on January 23, 2024, in order to discuss the Sandcastle User Group recommendations, review KICA member input and review usage data from the Sandcastle facility.

NOW, THEREFORE, BE IT RESOLVED by the Association's Board of Directors as follows:

The KICA Board of Directors was guided by two (2) principles for the Sandcastle facility:

- The Sandcastle is a member facility.
- The goal is to preserve members' experience versus managing to capacity.

The KICA Board amends and/or restates the following access policies for the Sandcastle facility:

Definitions:

A **Member** is the legal owner of a residential property, For access to the Sandcastle, a member's access includes their immediate household, to include their spouse/partner and their children under the age of 23 years old.

A **Guest** is anyone else – family or friends. A guest does not include a short-term renter of a residential property, as specified in the KICA Rules & Regulations, Section 5:

*The term "Guests" does not include renters, lessees, licensees, timeshare members, vacation club members, or any other person who has paid, bargained, or bartered for the right to use the Member's property on a short-term basis.*

Age Restrictions:

16 years old & older – May check into the facility

16~~8~~ years old & older – May utilize the gym & fitness class areas of the facility

21 years old & older – May utilize the Oceanview Adult Pool area of the facility

The Sandcastle Gym

- The gym is restricted to Members only and their immediate household members, ages 16~~8~~ and older.
- After-hours access to the facility is restricted to Members only.
- ~~From 5 p.m. to the close of the facility, based on usage data, the KICA Board of Directors authorizes the following limited access to the Sandcastle Gym.~~ A Member household may bring (1) Accompanied Guest up to two (2) accompanied Guests to the gym, ages 16~~8~~ and older. A Member must remain with the Guest(s). Guest fees will not be applied.

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- No unaccompanied Guests are permitted access to the Sandcastle Gym.
- There are no seasonal changes to access policies for the Sandcastle Gym.

#### The Sandcastle Fitness Classes

- The fitness classes are for Members and their immediate household members, ages 18 and older.
- Based on usage data, the KICA Board of Directors authorizes the following limited access to the Sandcastle fitness classes. A Member household may bring up to 2 Guests to the fitness classes, based on space available. Guests, ages 18 and older, may be registered for a class by a Member, 24 hours prior to the class. A Member must remain with the Guest(s) during the class. Guest fees will not be applied.
- No unaccompanied Guests are permitted access to Sandcastle Fitness Classes.
- There are no seasonal changes to access policies for the Sandcastle Fitness Classes.

#### The Oceanview Adult Pool

- The Oceanview Adult Pool is for Members and their immediate household members, ages 21 and older.
- Based on usage data, the KICA Board of Directors authorizes the following access to the Oceanview Adult Pool:
  - In Season (Memorial Day weekend through Labor Day weekend)
    - ~~Monday to Friday—A Member household may accompany up to 4 Guests to the facility.~~
    - ~~Saturday to Sunday—A Member household may accompany up to 2 Guests to the facility every day.~~
    - ~~There will be NO unaccompanied Guests in the Oceanview Adult Pool. Members and accompanied Guests, ages 21 and older, may utilize this area of the facility. From 5 p.m. to the close of the facility, there are no restrictions on usage. Members, accompanied Guests and/or unaccompanied Guests, ages 21 and older, may utilize this area of the facility.~~
    - Due to the heavy use of the facility on the July 4<sup>th</sup> holiday weekend, this area of the facility will be restricted to Members and up to 2 Member household Guests, at all hours of the day. Dates of the July 4<sup>th</sup> holiday weekend will be published in advance to the membership.
  - Off Season (Labor Day weekend to Memorial Day weekend)
    - There are no restrictions on usage. Members, accompanied Guests and/or unaccompanied Guests, ages 21 and older, may utilize this area of the facility.

#### The Family Pool

- The Family Pool is open to Members, accompanied Guests and/or unaccompanied Guests.
- There are no seasonal restrictions on the use of this pool.

#### Accompanied Guests

- Accompanied Guests are limited to 8 per day, per Member household. Guests are anyone age 3 or older.

- Guest fees are not applicable if the Guests are accompanied.

Unaccompanied Guests

- Unaccompanied Guests are limited to 8 per day, per Member household. Guests are anyone age 3 or older/
- Guest Fees are applicable for each day, for any Guest, age 3 or older. Guest fees are charged to the Member's account.
- All unaccompanied Guests must be pre-registered online, at least 5 days prior to their guest's arrival at the facility. Guests may be registered for one week at a time. There are no limits on the number of times unaccompanied Guests may be registered each year.
- Unaccompanied Guests will be required to bring a photo ID, to verify their identity.
- Members will be required to acknowledge that short-term renters are not permitted access to this facility. Violations of this policy will result in a 60-day full restriction from the facility for the Member, their immediate family members and their Guests for each violation. Any appeal to this penalty shall be to the KICA Board of Directors.

Guest Fees

- A daily guest fee will be charged for unaccompanied guests, ages 3 and older.
- Guest fees will be charged to the Member account and billed monthly.
- Guest fees are \$10 per person, per day or \$50 per person, per week. In registering unaccompanied Guests, the Member may decide how Guest fees are to be charged.

KICA Management shall determine the date of effectiveness of this policy, provided it occurs no later than April 14, 2025<sup>4</sup>. The effective date shall be communicated to the membership, in advance.

The Chair of the Board of Directors shall sign this Resolution and the Secretary of the Board of Directors shall attest thereto, and this Resolution shall be in full force and effect immediately upon the effective date determined, as stated above. A copy of this Resolution shall be made available to the Association's Membership.

ADOPTED AND DONE, (date)February 5, 2024, by positive vote of the majority of the Board members present:

AYES: 7  
NOES: 0  
ABSENT: 0  
ABSTAIN: 0

KIAWAH ISLAND COMMUNITY ASSOCIATION, INC.

Kevin Donlon~~Gerald McGee~~, Chair of the Board of Directors

Attest:

| Paul Hennessy~~David DeStefano~~, Secretary