

June 3, 2018 Board Meeting Minutes (9:21-11:26)

Board members present:(A. Asby,President; D. Wessel,Secretary; J. Morrissey, Treasurer; S. Satterwhite; R. Oakley, H. Whitworth)

Guest: Kevin Frank, Community Member

- Meeting called to order (Asby)
- A. Asby reviewed primary function of meeting:
 - to address how to proceed with changes to Bylaws and Covenants
 - Stated appreciation to K. Frank for researching this topic for the Board
- Discussion:
 - Bylaws and Covenants need to be redone at some level
 - Current version is from developer
 - Change name to SPHOA
 - Information can be confusing due to point of view: Developer vs HO

Discussion from handout provided by K. Frank:

- Do current BL/C reflect what community wants for HOA?
- Primary reason is to maintain the value of property
- Are we a corporate entity?
 - This would be a non-profit, would need a charter and would not pay taxes
 - Writing a charter is an easy thing to do
 - Talk to previous homeowners and see if we have done this in the past.
 - Is this a requirement for an HOA? J. Morrissey has talked to J. Beard about this; 1 form required.
- Updating CCR
 - More rules; more complicated
 - How do you tell someone "No"?
 - The non-enacted restrictions were good but didn't get moved forward
 - Time period for signs?
 - K. Frank will send out his line/line information to rest of Board
- Bylaws/Covenants (CCR):
 - Bylaws: How you govern the community; how you run a corporation
 - Because these are two different things, there should not be a conflict
 - If you want to change restrictions, this should be outlined in Bylaws. Document for HOA, this is not incorporated. (K. Frank)
 - NC has statute as to how HOA functions (A. Asby)
 - Discussion of NC statutes w/ regard to HOA action
 - HOA modification is a specialized area and finding someone that specializes in this is difficult.
 - Skinner has been used in past and appears to be a good resource moving forward.
 - Biggest hurdle: 100% vote to change or can we use 80%
 - 10 year – 80%
 - 5 year - 100% (S. Satterwhite)
 - Bylaws are required to be recorded; Covenants not required (A. Asby)
- Liens:
 - S. Satterwhite stated he had one prepared by P. Ziesmann and recorded by the county
 - No need to develop a form as we have one from Skinner that will be used going forward

- For October Meeting:
 - Do we need to take a vote to move forward on changes?
 - Not felt that approval is needed to draw up changes (K. Frank)
 - Board members will go through each segment of covenants and write their thoughts. These will be brought together for discussion. A form/document will be developed that utilizes check boxes and allows members to add their comments item by item. Send this out before the meeting to vote on individual items. (A. Asby)
 - Voting: 1 lot/1 vote (K. Frank)
 - How should we look at this? Amend who get to vote by defining what “lots” mean.
 - Should owners of unimproved lots still get a vote?
 - If they pay dues – 1 vote
 - Have to think about reaching out to homeowners to explain what we are doing in order to get them involved.
- Discussion of how to approach covenants at meeting.
 - A. Asby: will state a detailed plan presented in October as to how we will be moving forward
 - It was mentioned that S. Norris no longer wished to be considered to work on the bylaws. It was shared that she had commented that covenants were void when developer relinquished ownership of the community property.
 - K. Frank has expressed an interest in working on this project.
 - H. Trull will contact Warren County to get specific information regarding how covenants are perceived and the procedures necessary to make changes.
 - T. Smith mentioned the possibility of calling a special meeting this summer to discuss with community if necessary.
 - S. Satterwhite expressed that the board should take on this project; assign sections and then come together to discuss
- A. Asby asked K. Frank if he would be interested in continuing to work with the Board on this project (yes). Also asked Board if we should contact D. Hawkins to be involved due to his position as head of Architectural Committee. Concern about NC vs VA codes (S. Satterwhite). K. Frank stated that D. Hawkins has contacts/knowledge outside of VA due to his former line of employment.
- How to proceed:
 - Develop work schedule/who's involved/steps to get accomplished (R. Oakley)
 - Plan in place by October; work on covenants first
 - K. Frank feels that both documents go together. He will work on Bylaws and the Board will work on the Covenants.
 - Use updated version of covenants (K. Frank).
 - With regard to name of association, SPPOA designation found in earlier documents (A. Asby)
 - **Next meeting: Aug. 12 at 9am at the Morrissey's. Alterations for document need to be completed by Aug. 1st.**

10:39 K. Frank participation in meeting concludes

- **Other Discussion:**

- Need a letter sent to M. Dufault regarding yard maintenance (S. Satterwhite)
- **Liens:**
 - T. Winstead (#69 vacant lot). Renewal of lien approaching and will be renewed effective Aug. 1st.
 - T. Winstead had stated he would send checks but none have been received.
 - Invoice for his dues will contain a comment to state that SPPOA wants to work with him to settle this outstanding balance.
- Miller update:
 - No progress reported; have not received any documentation regarding the combining of lots.
 - More than \$9,000 owed
 - Could we send a letter (R. Oakley)
 - A. Asby motions for a course of action with regard to this situation. S. Satterwhite suggests that a Board member meet in person with R. Miller to ask if this process has been completed. He declined to meet with R. Miller stating he did not feel he had the authority.
 - A. Asby and H. Whitworth will make a personal visit to R. Miller to check on the progress of documentation. After receipt of necessary documentation, a new invoice will be sent.
 - S. Satterwhite stated he will not be running for re-election in October.
 - D. Wessel motioned for dismissal and it was seconded.

Meeting adjourned at 11:26

**Next Board meeting will be on Sunday, August 12th at 9:00 a.m. at J. Morrissey's home
Alterations for document need to be completed by Aug. 1st.**