

## Silver Oaks Homeowner's Association – Phase 1

### Board Meeting

9<sup>th</sup> August 2005

#### Location:

Davidson Middle School

#### In Attendance:

Kim Bowman	682-7252	<a href="mailto:phil-dirt@cox.net">phil-dirt@cox.net</a>
Barbara Cole	682-5283	<a href="mailto:franzcole@cox.net">franzcole@cox.net</a>
Darren Etheridge	423-0830	<a href="mailto:detheridge@clerkofcourts.cc">detheridge@clerkofcourts.cc</a>
Ed Santos	682-2911	<a href="mailto:hmd5859@cox.net">hmd5859@cox.net</a>
Margo Vickery	423-0996	<a href="mailto:m Vickery1@cox.net">m Vickery1@cox.net</a>
Johnny Williams	689-4495	<a href="mailto:johnny.williams@cox.net">johnny.williams@cox.net</a>
Mike Zoltek	689-8598	<a href="mailto:mzoltek@anobles.com">mzoltek@anobles.com</a>

#### Absent:

Thomas Calhoun	423-0178	<a href="mailto:tcalhoun@woodlawnbaptist.com">tcalhoun@woodlawnbaptist.com</a>
Jack Hughes	423-0877	<a href="mailto:jackh707@aol.com">jackh707@aol.com</a>

#### HOA Membership Attendance:

44 home/lot owners were present and three homeowners gave proxies.

**6:40pm** Ed called the meeting to order.

#### President's Welcome:

Ed welcomed all to the meeting.

#### Meeting Conduct:

- No board member will speak out of turn, or attack anyone.
- Each board member will have an opportunity to speak or ask question.
- Community will direct all questions to the president of the board.
- Each "speaker" will have three minutes to state case or ask question

#### Meeting Sequence:

- Minutes from last meeting will be read.
- Treasurer's report will be read.
- ARC Issues
- Old Business
- New Business
- Open floor for discussion from community.

#### Minutes:

12<sup>th</sup> July Board Meeting Minutes were approved as read with a comment from Mr. Rice that he plans to live in his house unless he gets a good offer on a sale!

## **Treasurer's Report:**

- Profit & Loss Report Jan – Jul 05 showed a Net Income of \$8,626.39. See attachment 1.
- The Collections Report as of August 9, 2005 showed that we have 18 homeowners/lot owners with unpaid 2005 dues.
- A motion to send out collection letters immediately for unpaid dues was made by Darren and seconded by Kim. All 7 Board members present unanimously approved motion
- The \$1,793.00 listed under Consulting Fee for the Jan –Jul 05 Expense is the amount paid to Chesser & Barr, P. A. for the verbal consultation Ed & Mike had with the association attorney regarding the Dale Rice variance.

## **ARC Issues:**

- Lot 33B Sorrel Ridge Rd has been resubmitted. Action AR committee.

## **President's Old Business:**

- Sprinklers up front have been fixed except for timing. A lightening strike had caused the zones to fuse together. Letter to go to K & R Cuts telling them that 7 sprinkler heads were broken last time they cut up front. Margo mentioned buying doughnuts for those on the edge of the road. Action: Margo.
- Cinderblocks on the lot next to the Bowman's (Lot#38A) and the general condition of the lot needs to be readdressed. A letter/telephone call needs to be made to the owner telling him to get this stuff taken care of. Action: Ed.
- Lighting fixtures for front entrance have been delivered. We do have an electrical contractor but due to hurricane and now rain he has been unable to do the work yet.
- Johnny plans to do the staining on the walkover bridges this weekend. Bridges and street signs have been pressure washed. Action: Johnny. Street signs need new numbers and Silver Oaks decals. Some of them are in bad shape. Action: Ed
- Ed sent letters out to owners of undeveloped lots telling them that their lots should be cut on the 1<sup>st</sup> and the 15<sup>th</sup> of each month. If they don't comply with this by the 3<sup>rd</sup> and 17<sup>th</sup> of each month the Board will have their lots cut and send the undeveloped lot owners bills for cutting. See attachment 2
- Ed went thru Barbara Cole's letter dated June 14<sup>th</sup> and explanatory email dated June 27<sup>th</sup>. See attachment 2 of the July meeting minutes. Most of the items had been taken care off. Mailboxes and lampposts are still a problem due to delay in getting parts or parts not being available.
- Satellite dishes were the next item of business. Ed contacted Jill Graham at Bonezzi and she confirmed that when the Covenants were written Bonezzi was referring to the large saucer dishes that people placed in their yards. Ed then read the FCC OTARD rules, which prohibit local governments, landlords, community associations, or similar groups from restricting a resident from installing and using an antenna that is covered under the OTARD rules. The satellite dishes questioned by Barbara Cole in Silver Oaks Phase 1 fall under these guidelines. See attachment 3.
- Ed then read a letter presented by Barbara Cole from her attorney. See attachment 4. His rendered opinion on satellite dishes was negated by the FCC OTARD rules.
- Ed also read Barbara Cole's attorney's rendered opinion on in ground basketball hoops. He asked the 47 lot owners represented at the meeting if they would be against in ground basketball hoops. Only one lot owner raised her hand. No decision was made as to the process of receiving permission. Open.

- Ed answered another of Barbara's attorney's opinions by saying Barbara is welcome to look at all the association's records anytime except where litigation might be involved.
- Ed then addressed the turmoil that Barbara Cole keeps the board and the neighborhood in. Whenever she cannot accept a board majority decision, she goes out and seeks legal counsel. She is not a team player. The turmoil is affecting the board's moral and their ability to do things. It ties the board's hands and focuses their efforts on Barbara's personal agenda and not always on what is reasonable and right for the neighborhood.
- A homeowner suggested she should be removed from the board and per the Declaration it was determined we had a quorum of 39 homeowners present at the meeting for a homeowners vote. Mike made a motion, seconded by Johnny to have a yes or no vote. Yes, to remove Barbara from the board. No, she stays. Mike, Johnny, Darren, Kim, and Margo were in favor of the motion. A stand up open vote was taken, we had 29 say yes, and nine say no. Motion did not pass because the quorum was not met. Some homeowners/lot owners left before and during the vote process.

### **President's New Business:**

#### **Tabled:**

November vote for changing covenants

Accounting

Yard of the Month

Angie's Block Party Aug 13<sup>th</sup>

Retention Ponds

Variance Issue

#### **Attachments:**

1. Treasurers Report
2. Ed's letter to undeveloped lot owners.
3. FCC OTARD rules.
4. Letter from Barbara Cole's attorney, dated August 9<sup>th</sup> 2005.

No formal meeting adjournment was made.

Next meeting Tuesday September 13<sup>th</sup> 6:30p.m.