

SANDRIDGE COMMONS PROPERTY OWNERS ASSOCIATION

SANDRIDGE COMMONS SPECIAL MEETING MINUTES

Date/Time: December 29, 2020, 6:00pm

Location: Gainesville Civic Center, Sidney Lanier Room

Call to Order: Meeting was called to order by Dee Lee of Norton Property Management, on behalf of the Board of Directors

Mr. Lee gave a brief overview of the YTD financial statement and reminded the association that the reason for the meeting was due to a special agenda and because of the request of the homeowners who petitioned for the meeting. Mr. Lee invited Allison Conley to address the group to cover the topics represented in the special meeting agenda that was mailed to homeowners. He also indicated that we would be electing 3 new board members.

Allison began by thanking everyone for gathering to represent our community and stated that she would like to address the current status of the community, concerns of homeowners, including parking, and electing new board members. Allison discussed the following issues at length and invited community input or questions on any items. Allison stated that she was speaking from her own findings and observations, as well as concerns from fellow neighbors.

Allison's report:

- The board did not hold an annual meeting in 2020.
- Minutes were never distributed from the November 2019 annual meeting.
- Minutes from meetings prior were vague and allow for little follow up. Many people in the community have felt that their voices have not been heard and that their concerns are overlooked and ignored because things are never followed up on.
- The board has not put positions up for re-election, as is called for in the by-laws. Members elected to fill a term, where the previous member resigned, is only for the remainder of the term. Board members continued to serve beyond the terms for which they were elected. Therefore, the only person that should remain, with a year left on her term, is Maria Longoria.
- On May 24, 2018, the membership brought a motion forward to vote on the use of a management company. The result was an overwhelming majority of the membership voted that they did not approve of a management company due to the large expense. A year later, the board entered into a contract with Norton Community Management, against the wishes of the community.
- Lack of communication: members of the association are never notified of what is going on, minutes are not submitted, PO Box was closed causing all communication to flow through NCM, who decides if your concerns are worthy of presentation to the board, emails are not addressed in a timely manner, if at all. The board is not handling anything at this point and our neighborhood is completely controlled by Norton Community Management.
- Allison stated we are a community and things should never be this way. We should have a directory, we should know each other, and we should work together for the greater good of our community. Our community should not rest in the hands of one person who has no stake in our community. It should never be an 'us vs them' situation with the Board of Directors.
- The lack of response to homeowners concerns and emails is unacceptable. Many owners have correspondence and questions that have been ignored for two years or more.
- Haphazard decision-making and promulgation of rules is concerning. No one in the community was asked about the recent letter we received regarding parking. As always, the community is never consulted, and decisions are made by three - four board members. That decision alone shows there is no interest in addressing the parking issue at large.
- Decisions should never be made without some consultation to find out what the community wants. We should never be forced to pay for something that none of us agree with, such as a parking lot that is designated for guests only, when we can't even accommodate the numbers of cars of the actual people who own homes in our community. A community should work together and make democratic decisions that are in the best interest of, and that meet the needs of, the majority of owners.

- Letters to owners about parking, the condition of their residence, etc. should never be demeaning or rude. We are neighbors, and if there is an issue, we should be able to discuss it freely and identify a solution without being verbally harassed, especially when those letters revolve around made up rules that are not established in the association covenants and by-laws.
- Allison stated that as a community, we are paying a management company that we did not want, to write letters that are based on made up rules, and that are so grammatically incorrect that it's embarrassing. The parking letter contained 10 grammatical errors and typos. That is inexcusable for a service we are paying for.
- Allison explained to everyone that the board publicly praised Cook Construction and their contractors, but let them leave the neighborhood without finishing items such as resurfacing the parking areas, developing the common area parks, putting up privacy fences, etc, all of which were promised to us.
- Allison shared that the community financial status that has been completely handled by Norton Community Management is a concern. A breakdown of financial concerns are as follows:
 - Our community has paid \$26,000.00+ this year to New Leaf Landscape and they consistently do subpar work.
 - Four power bills were paid in November; however, we paid a payment every other month of the year, including an extra \$1683.00 payment in May. The question was posed as to what this money was actually paid for. Why the extra payments? Why 4 payments in a month?
 - Mr. Lee from Norton addressed this question saying that he was merely speculating but usually that would mean that the bill was received and usually took a week to pay and mail a check and in the meantime another bill arrived, so that ultimately 4 bills arrived at once. Mr. Lee also speculated that the power company may not have sent us a bill and he didn't know they were due and wouldn't pay until they are received and that the mail often isn't delivered in a timely manner. Allison reminded him that the mail is often a day or two late, but not enough to cause 4 months of bills to be delivered within days of each other Mr. Lee agreed to research the issue and respond to Allison via email to justify the additional bills paid. (Following the meeting, after contacting Mr. Lee numerous times, one of the bills paid in November has yet to be explained, and the additional \$1683 paid, included back payments and an additional \$675 required deposit for non-payment as our bill had not been paid in over 4 months under the management of NCM.)
 - There are no financial statements posted for April.
 - Our YTD financial statement shows that we have paid Norton late fees in the about of \$205.+. Why are these bills being paid late?
 - Mr. Lee stated that those were not late fees for our bills being paid late, but his contracted portion of the late fees we collect. He is getting 50% of all late fees that are paid by homeowners. Allison suggested that this be clarified on the monthly statements so that it is clear to homeowners who view these statements.
 - We contract for Norton to manage our community. Yet, in addition to the service fee and portion of late fees, we are also being charged for stamps, paper, and envelopes. We also pay a letter-writing fee for the harassing, grammatically incorrect letters being sent to owners. The charges for these items for 2020 are as follows: \$234 for letter writing, \$124.80 for postage, paper and envelopes, a sign fee for \$90, and \$65 for extra trips to the community. It seems that every action is an extra cost and not included in the monthly fee we are charged for management.
 - Mr. Lee responded that those items were all ancillary costs stipulated in his contract and he was entitled to those fees. He also clarified that each trip was a \$65 dollar fee, but he had been lenient and only charged us for one additional trip.
- The bank account was overdrawn in July of 2020. The board and management company pulled \$10,000 from our reserve account, without any notification to the community.
- We paid Beau Whitmire \$5800 of those funds. This line item never appears on the YTD statement and does not reflect what it is for. Allison speculated that it was for work for drainage issues; however this item was never officially confirmed in the financial statements.
- We are barely breaking even with the funds we are taking in and paying out just for basic expenditures. The \$5000+ per year that is paid to Norton would go a long way in helping to pay for unexpected repairs and would possibly keep us from having to raise our HOA dues just for necessities.
- The question was raised (and unanswered) as to how we are picking and choosing which projects we take on and which ones we ignore, as most requests from owners seem to be ignored.
- Norton also charged us a start up fee in the amount of \$200 last December.
- It was reported that the Norton Management Company's website states that for Mr. Lee to attend a community meeting, he charges an hourly rate.
 - Mr. Lee stated that he was not charging the community for attending this meeting but stated that he had a lot of things in his contract that kept him from being abused by a community.

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- Allison suggested that we obtain a board who is willing to represent themselves and not hide behind a management company and be willing to lead us as a community of friends and neighbors who are helpful and caring rather than a couple of people making decisions that go against the wishes of the membership.
- Allison asked for clarification for the 3 open board positions. Mr. Lee misquoted the by-laws saying that some positions were for three years while some were only for two. Allison corrected him stating that the by-laws were written that way for the first year after the Declarant released control to the association, and after that, each term was to be set at 2 years allowing for an ongoing rotation of 3off/2on and vice-versa, for all board members. Mr. Lee stated that the board had chosen to "reset" and serve varying terms in order to get back on a rotation from several situations where board members had resigned. Allison clarified that the by-laws state that anyone elected to represent a board member who resigned was only elected to complete the original board members term and not additional time. The board cannot just decide to serve longer terms. Mark Lester and Joyce Wilson both should have been up for re-election in 11/2018, but continued on for another year. Deborah Hood and Carla Turpin's positions expired in 11/20 and Maria Longoria's position would be up for re-election in 11/2021.

Allison made a motion that we stop and elect new board members and said that she hoped to see people elected that would work with the community at large. Jackie Mauldin asked what the usual procedure for nominations entailed. Allison explained that in the past we had taken nominations from the floor, confirmed that the person was willing to accept the nomination, and then we voted by a show of hands. Allison said that Norton had come prepared for a paper ballot vote, and unless someone objected, she was fine with that procedure. Mr. Lee said that he preferred the ballot procedure to allow for a paper trail.

- Mr. Lee interrupted the nominations and asked to address the community regarding some of the issues that had been brought up. The information Mr. Lee shared is as follows:
 - The HOA is not a democracy and leaders are chosen to represent the community and that has been done.
 - The management company does more than write 3-4 checks per month, they advise the board on covenant issues and they also share their experience, which is much more than any experience Mrs. Conley has.
 - The management company serves as a third party arbiter to be the bad guy so that everyone can get along as Mrs. Conley has suggested. People don't always behave in a neighborly way and when that happens it requires that someone be ugly to them, which is the job of the manager. "I was hired to be the third party bad guy."
 - We have already called the city about adding new parking spaces at the entrance and the city has assured us that will not be approved.
 - As far as addressing the sinkhole and parking, the board is working with a company called Ray Engineering to do a reserve study to see what challenges are foreseeable in the future with roads and compare that to our assets to see what we will need to charge for HOA dues in the future. That puts the decisions in a third party's hands as the board does not have the experience necessary to make those decisions.
 - As the community management, we advise the board on issues such as landscaping, insurance, etc. Landscape is a continuous problem regardless of the company. We have priced this with other companies and New Leaf is always the best price. The board always goes with the best price, as there's not a lot of expendable income.
 - The payment to Beau Whitmire for drainage issues is included in the \$26,000. paid to New Leaf. (This has since proven to be incorrect.)
 - The payment to Beau Whitmire, which was not a budgeted expense, was what caused the overdraft and the need to take money from reserve.
 - When it comes to repairs, the squeaky wheel gets the grease and eventually you run out of money.
 - As far as deferring the meeting, the board chose to delay the meeting and the covenants say they can have an annual meeting at the time and place of their choosing. The board pushed the meeting into the new year, in hopes of more CDC guidelines, as we could have had 100 or more people present. While HOA is important, it is not life or death.
 - Melissa Kulowitch stated that most of the new owners moved in in May and June and none of them had been contacted. They all had to call and ask for copies of the covenants. She suggested it would have been nice to receive a welcome letter and copies of the covenants. Mr. Lee said that he always sent welcome letters and that they had been sent. Allison asked for a show of hands of those who had received covenants and a welcome letter. While most

new residents were in attendance, not one person had received said letter. Mr. Lee insisted he mailed them and again said that it must have been a mail issue, as the post office doesn't often recognize new addresses.

- Mark Lester stated that most everything presented was not true and contained a lot of misinformation and that the positions were not put up for re-election because it was difficult to get people to serve. Allison stated that she had copies of all minutes and agendas that had been sent out and documentation to back up everything she presented and that anyone in the room was welcome to review the documents at any time. Mark insisted that a statement be on record that the majority of everything presented was misinformation. Mark also stated that the board decided to serve various terms because they were all elected at once. Allison again explained the by-laws and stated that four positions should be up for election.
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- Allison reviewed the need to elect a new board who is willing to terminate the management company and keep our funds in house. She stated that we do not have the funds to address issues in our neighborhood because of the exuberant fees we are paying. Mr. Lee encouraged the community to beware about in-house management because, "Who is watching the money? Norton Community management is licensed and bonded." Mr. Lee reminded everyone that they would have no recourse if their money should disappear under local management.
 - Allison again suggested that we move forward with nominations for the new board, because there were current questions as to how the funds have been handled by the actual management company. Allison asked for clarification as to whether we would elect 3 or 4 new members. Mr. Lee asked Joyce Wilson if it was ok to have 4 positions available, Mrs. Wilson indicated that it met her approval and Mr. Lee stated that we would move forward with elections for 4 members. Allison requested that we put that decision in the hands of the community. After some discussion by the community, Mr. Lee asked for a show of hands of homeowners who felt that 4 positions should be elected to serve a 2 year term each. Maria Longoria would remain on the board as the 5th member with one year remaining on her term. The show of hands indicated that the majority agreed.
 - Mr. Lee agreed to moved forward with the election of 4 board members. Mr. Lee indicated that Deborah Hood had already been nominated for an additional term and asked Joyce Wilson if she would like to be nominated. She declined. Nominations were taken from the floor and are as follows:
 - Kathy Moore nominated Allison Conley.
 - Anthony Shoemaker nominated Palmer Loggins.
 - Jackie Mauldin nominated Bob Carlyle.
 - John Whitmire nominated Alison Evans.
 - Allison Conley nominated Chris Jones.

The nominees spoke to introduce themselves and stated why they would like to be elected to the board. Mr. Lee asked everyone to vote for 4 people and the elected individuals would decide the positions they will hold. Mr. Lee asked Joyce Wilson to assist him in counting the ballots and asked Quest McKinney to serve as an observer of the count. Mr. Lee, Joyce Wilson, and Quest McKinney left the room to proceed with the count. Allison suggested that we use this time to introduce ourselves to each other. Each homeowner shared their name. Allison stated that if she was elected she would like to see us create a community directory, a community website, and/or a Facebook page, have a yearly community get together, etc. Allison asked neighbors to share what they would like to see for our community in the future. Eric Larsen asked about privacy fences for the new units. Deborah Hood said that the board had priced fencing for the new units and that all seven homeowners would have to agree to pay for the cost of the fence since the builders did not provide fencing.

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- Mr. Lee returned and announced that the newly elected board members would be: Allison Conley, Bob Carlyle, Palmer Loggins, and Chris Jones.

Allison stated that the new board would be in touch and the meeting was adjourned.
