

## **Sassafras Mountain Estates Property Owners Association Annual Meeting, May 14, 2011**

The annual meeting of SMEPOA was held at Fire Station #8, 2996 Monument Road, Jasper, Georgia, at 10:30 AM. All nine board members were present, being Mike Moran, president; Jeff Kirves, vice president; Bonnie Lovejoy, secretary; Mark Buchheim, treasurer; Dennis Leath, road chair; Anita Jolly, Clayton Preble, Pat Davis and Jerry Carter. Herman Clark, attorney for the Association, was also present.

Mike called the meeting to order with a welcome to all. The secretary certified that there was a quorum of at least 10% of the 188 lots, having received 20 proxies, and there being 26 lots represented by attendees. Mike indicated that there were copies of the previous year's minutes and financial reports at the meeting and available for inspection. Mike thanked the board and other owners who have volunteered their time and efforts to the community this past year.

Mike reported that a document is currently being executed to terminate the Additional Covenants from the 83 lots which were submitted to them. Those 83 owners have been given the opportunity to sign the document, which will then be recorded in the Pickens and Dawson county court records. These 83 lots will therefore remain under the Original Covenants only, and no longer under Additional Covenants. Mike stated that the Original Covenants run with the land, and remain on all of our lots. Bonnie reported that 64 signatures have been received, 7 more are believed to be on the way to us, and the remaining 12 have not yet responded to the several notices. Herman urged the board to attempt to contact those 12 again.

Attorney Herman Clark gave a legal update, explaining the removal of the Additional Covenants. He said that the developer's 18 different versions of the Original Covenants still stand on all 188 lots in Sassafras Mountain Estates, as determined by the individual deeds on the lots. He stated that the Association and the board continue as a volunteer organization, with no legal powers, as ordered by the Pickens County Superior Court and the Georgia Court of Appeals. He explained that the Walter Gould lawsuit against SMEPOA was settled with a payment from our insurer, State Farm.

Mike said that the Sammy Hawkins lawsuit against SMEPOA and individual board members is still pending, and we will depose Mr. Hawkins in June. Mike said we will need to decide how to proceed as a subdivision for the future.

Treasurer Mark Buchheim reported that we received only about \$20,000 last year in voluntary contributions from owners, which is a big decrease from past years. His proposed budget illustration shows the amount of road maintenance the board can accomplish at various levels of income from contributions. The board has contracted for resurfacing to be done this month on seven tenths of a mile of Lower Sassafras, since it was next in the continuing 7-year road plan, and Lower Sassafras is the oldest of our surfaces. Mark acknowledged that there is concern among owners about legal costs. He said that we had to defend ourselves against the legal attacks by the two owners who sued us. He said we need to be legally protected and defended. The defense and the settlement have been, and continue to be, covered by our previous liability insurer, State Farm. He said that we now have insurance with a different insurer.

Road Committee Chair Dennis Leath said that we all have a responsibility to take care of our roads. He thanked Kris Lovejoy and Mike Jolly for voluntarily mowing this year and again using their own machines. They, along with Dennis, will continue mowing until the end of this fiscal year, June 30, 2011.

Mike called for a show of hands as to how many owners would desire mowing to continue for the new fiscal year 2011-2012. The response was overwhelmingly in favor. Mike asked for any objections and none were heard. Dennis introduced Cindy Koehler's son Jerry and said that Jerry will have equipment for snow removal next winter. Jerry will seek donations to help with his expense, and will have an explanatory flyer posted on our website, [www.smepoa.com](http://www.smepoa.com). Dennis stated that there is a serious need for shoulder work to be done soon on Upper Sassafras, including fill dirt, to maintain its safety.

Mike introduced the nominees for board positions. The nominees spoke briefly to introduce themselves. Mike called for nominations from the floor. Dennis nominated Connie Delwadia, who said that she would like to work together to make a plan for the future. Motion to close nominations was made, seconded and carried. Herman reviewed the proxies, and Mike entertained a motion that we accept the 5 nominees by acclamation. Andy Gothard so moved, with a second by Amelia Broussard. Motion carried unanimously for these 5 board members: (new) Barbara Betts and Connie Delwadia, and (re-elected) Mark Buchheim, Jeff Kirves and Pat Davis.

Mark gave a Powerpoint presentation showing graphs and explaining the need for every owner to participate in the maintenance of our roads. He said that \$550 will be the requested contribution for the new fiscal year beginning July 1, 2011. He will prepare a letter to go out during June. Andy Gothard moved that the budgets be accepted by acclamation; a second being heard, motion carried with 2 NO votes cast. Ballots were collected for the records.

Wildcat Community Chair Clayton Preble showed off the new fire station where the meeting was being held, and everyone admired the newly refurbished fire truck. He said that homeowners have received large reductions in their insurance premiums due to the reduction of our fire rating from Class 10 to Class 5. He said that a large team of mountain residents have been extensively trained and are now serving as fire/emergency support personnel. He said the Wildcat Community, an organization of our mountain communities which exists to promote fire safety and to support the fire station, will be holding a fundraiser to buy a \$35,000 4-wheel drive vehicle. Clayton introduced Firewise Chair John Edwards, who then gave his report. He said that Firewise is an initiative to help homeowners help themselves to protect against fire in the urban/wildland interface. John provided a handout about building a defensible space around our homes.

Mike thanked everyone for working together for the good of the community. He urged us to reach out to help foster cooperation within the subdivision. He invites everyone to use the website, [www.smepoa.com](http://www.smepoa.com) for communications.

There being no further business, the meeting was adjourned at 12:20 PM.

Submitted by Bonnie Lovejoy, Secretary

