

Frequently Asked Questions

Why was Sassafras Mountain Estates Property Owners (SMEPOA) formed?

SMEPOA was formed for the purpose of taking responsibility for the upkeep and maintenance of the roads.

In a letter dated February 15, 2002, George E. Nowack Jr., a partner in the well-respected law firm Weissman, Nowack, Curry & Wilco, P.C., mailed to each property owner a notice regarding the formation of a Property Owners' Association. Included with the letter were "A Declaration of Additional Covenants" (the Additional Covenants) and "Bylaws". In his letter Mr. Nowack stated:

"At the time you signed the contract for the purchase of your lot at Sassafras Mountain you agreed to execute additional documentation acknowledging the obligation to become a member of an Association and pay assessments for the maintenance, repair, and replacement of the Common Property (consisting almost entirely of the roads within the development). The Additional Covenants is the document which I have prepared on behalf of the Developer and the Organizing Committee that will satisfy that obligation."

At the time of this letter, Weissman, Nowack, Curry & Wilco, P.C. represented the original Developer.

Following the Nowack mailing and after numerous meetings, a significant number of property owners joined by signing the consent form included with the letter, and the Sassafras Mountain Estates Property Owners Association Inc. (SMEPOA) was formed. Subsequently, the Developer transferred ownership of and responsibility for maintenance and upkeep of the roads to SMEPOA.

Have the Bylaws been changed?

The Bylaws were developed and transmitted with the February 15, 2002 letter from George Nowack. These were the original Bylaws and have not been changed.

Why are budgets prepared?

The Declaration of Additional Covenants and Bylaws (Additional Covenants & Bylaws) require the board to annually review the conditions and needs of the roads and prepare budgets to address those needs.

How are budgets prepared?

The board prepares an Operating Budget and Capital Budget (Budgets) each year to meet the needs of the roads, and submits those Budgets along with a recommended Assessment to the Members.

Why are the roads private roads?

At the inception of the development, the developer agreed with Pickens and Dawson County that the roads in the subdivision would be private roads.

How is the amount of the Assessment determined?

The Budgets drive the recommended Assessment. The Assessment is an amount necessary to meet the needs of the roads, with consideration for the immediate as well as future needs.

How are Assessments approved?

The annual Assessment is the amount recommended to the Members by the Board to achieve the needs identified in the Budgets. If accepted by the Membership, the resulting Assessment is invoiced to all property owners. The Budgets are approved for an annual period. The Budget and Assessment is approved unless disapproved by a majority of Members.

Who votes to approve the Budgets and Assessment?

Members of SMEPOA in good standing vote on the Budgets and Assessment.

How does a property owner become a Member of SMEPOA?

Pursuant to the Additional Covenants and Bylaws, in order to be a Member in SMEPOA, you must first consent in writing, which is then recorded in the appropriate county real estate records. Once you have consented, you become entitled to one vote for each Lot that is subject to the Additional Covenants. Your right to vote allows you to vote on, among other things, the Association's annual Budgets and Assessment.

Where can I get a Consent Form?

The Consent Form can be obtained at the SMEPOA website www.smepoa.com . Complete the Consent Form and turn it in to any Board Member or mail to SMEPOA at PO Box 1611, Jasper, GA 30143.

Why should a property owner become a Member?

As a Member in good standing, you are entitled to vote for Board Members and on the Budgets and Assessment. If you are a property owner who has paid your Assessment, you may not vote unless you are a Member. As a property owner accessing your property from SMEPOA roads you are obligated to pay the assessment. The assessment is the same for members and non-members of the association. Since property owners usage of the roadways creates a duty to participate in the upkeep of the roads, it is in your interest to become a Member.

How does a Member become a Board Member?

By getting involved and demonstrating to a Board Member that you want to help improve our community. In addition you also must stand for election at the Annual Meeting. The Board also has option to appoint a Member to serve the remaining term of a vacant board seat.

What are the benefits to property owners of improving the roads?

Properly maintained roads enhance property values. In addition they are safer, improve appearance, and promote community pride.