



PO Box 19722  
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**DRAFT 2021 HOA ANNUAL MEETING MINUTES**  
**(To be submitted for Approval at the 2022 HOA Annual Meeting)**

September 23, 2021  
Riceville Fire Station Outdoor Pavilion  
2251 Riceville Road, Asheville, NC  
28805

**Attendees:**

The HOA Board of Directors:

Mark Jordan, President  
Kirsten Kern, Vice-President  
Brad Allen, Secretary  
Art Mandler, Treasurer  
Mike Newton, Member

In addition, a total of 50 Lots were represented, either in person (44) or by proxy (six), constituting the highest active participation at an HOA Annual Meeting. In addition, several Lot Owners not present observed the proceedings in a listen-only, non-voting mode via Zoom.

**HOA President Mark Jordan Called the meeting to Order at 6:30 p.m.**

- Establishment of Quorum: Secretary Brad Allen declared that a quorum was present, per the HOA by-laws, allowing the meeting to proceed.
- Introduction of HOA Board Members: Mark Jordan introduced the current board members and noted that Treasurer Art Mandler, whose three-year term is expiring, is not standing for re-election and will be stepping down off the Board after the meeting. Both Mark Jordan and Mike Newton, whose terms are also expiring, are standing for re-election.
- Meeting Guidelines & Sovereign Oaks Values and Principals Statement: Vice-President Kirsten Kern referred attendees to the Statement of Values & Principles contained in the meeting information package. The statement was developed by a committee of HOA volunteers and presented to the full HOA at last year's Annual Meeting. Kirsten also reminded attendees that questions or comments during the committee reports should pertain to the topic of the report. There will be a period at the end of the meeting for other topics of interest to be brought up. Commentors should limit their remarks to three minutes with responses or follow-up comments also limited to three minutes.
- Approval of 2020 Annual Meeting Minutes: Brad Allen presented the Minutes of the 2020 Meeting. They were approved without change or comment.

- Introduction of Committee Chairs, Committee Reports & Call for Volunteers: Mark Jordan introduced HOA standing Committees and the following provided reports to the attendees.

### **Trails and Landscape Committee – Joe Stelpflug**

#### **Current membership:**

Julie Brown, Jim Hoer, Mark Jordan, Matt Kern, Joe Stelpflug, Dave Werle.

Thanks to Dace Reinholds for her past service and leadership!

#### **Landscape Maintenance Contract**

- Contract was renewed with Laurel Crest Landscaping.
- Scope of services includes:
  - Mowing: common areas, frontage of undeveloped lots, Greenhouse Trail, lower portion of Musterfield Creek trail, Cemetery trail area.
  - Front entrance: lawn care, turf aeration, weed control, pruning, mulching.
  - Drain maintenance: drainage swales and culverts at entrance and both sides along Wandering Oaks Way.
  - Off season ride throughs – checking for storm damage, debris on all common areas and lot frontages (in lieu of mowing).

To complement the work being done by Laurel Crest, resident teenagers have been engaged to work on a couple of projects: cleaning up the retention basin areas (as required by County ordinance) and maintaining the Musterfield Creek trail.

#### **Projects**

- Front entrance: moved some plants that were overcrowded, and divided and re-planted others.
- Reworked path, adding wood chips, from Wandering Oaks Way down to Greenhouse.
- Re-surfaced Musterfield Creek trail (by bee hives) to correct erosion problem.
- Cleared upper Musterfield Creek trail.
- Cleared trail heading to the swimming hole on Bull Creek.
- Greenhouse area: weeding (Greenhouse sub-committee).
- General trail maintenance.

#### **Facilities Committee – Mike Newton**

- Mike described the scope of the Facilities Committee responsibilities includes fixed structures such as the Treehouse, Greenhouse, front gate area, stormwater infrastructure and roadways. Major projects this past year included adjustment and repair of the front gate, maintenance of the stormwater impoundment retention ponds, necessary in preparation for the county inspection which is expected to occur in October, and repair of road shoulders along Wandering Oaks Way. Reinforcing the front gate was performed by Mike Newton and road shoulder repair was performed by HOA member Matt Kern, using his Bobcat to spread road bond gravel along the road shoulders. Both projects performed by these HOA members saved the HOA significant money. Mike indicated the facilities committee needs volunteers “willing to get their hands dirty,” pointing out that 14 HOA member volunteers who repaired the footbridge over Bull Creek

after spring floods three years ago saved the HOA approximately \$14,000 compared with having it repaired by a contractor.

**Greenhouse Committee – Amanda Galvin**

- Members include Harry Koolen, Kirsten Kern, Nancy Hoer, Art Mandler and Georgia Case. The Committee had tasked itself with coming up with a plan and vision for what the space can be used for long term. The Committee concluded that it has more potential for the neighborhood as a social space rather than as a horticultural facility. However, the shutdown of social gatherings due to the Covid Pandemic put implementation of that vision on hold. The Committee has used the interim to develop the landscape around the Greenhouse and continue to work on the long-range vision.
- Thanks are due to Matt Kern who spread wood chips and sowed grass around the area; Kirsten Kern for sourcing inexpensive Adirondack chairs to add more outdoor seating and organizing a volunteer effort (Art Mandler, Artie Miller, Chuck Hinson, Kirsten Kern) to stain them; Nancy Hoer and Amanda Galvin for cutting and removing multiflora and opening up a trail along Musterfield Creek; Roger Gauthier for donating the “Little Library” house adjacent to the Greenhouse. The Committee is also planning a neighborhood plant swap organized on Slack.

**Design Review Committee (DRC) – Harry Koolen**

**Lot Status Update  
As of 10 September 2021**

<b>Houses Currently Under Construction</b>	<b>14</b>
<b>Lots That Have Started the Design Review Process</b>	<b>6</b>
<b>Inactive Lots [of which for sale]</b>	<b>22 [5]</b>
<b>Houses Occupied [of which completed since Sept. 2020]</b>	<b>57 [11]</b>

- The Committee includes three volunteer HOA members (Harry Koolen, Margot Ammidown, Mike Newton) and two professional paid members (Aaron Wilson, architect; Jerry Snow, landscape architect) as well as a non-voting paid DRC Coordinator, Valerie Hale.
- Over the past year the DRC has averaged six to seven site visits per month or nearly 80 sites visits for the whole year and has also handled numerous interim requests which did not require site visits. The DRC anticipates a similar level of activity in the coming year.
- Harry encouraged HOA members to check out the upcoming tree giveaway sponsored by Asheville Greenworks.
- He encouraged HOA members to reach out to the DRC if they have a question about whether a contemplated landscaping or exterior building change needs DRC review.

## **Social & Communications Committee – Evie Edwards**

- Committee Members: Julie Brown, Evie Edwards, Amanda Galvin, Sally Klippel, Art Mandler and Catherine Stelpflug
- The Social Committee was hopeful for a return to regular neighborhood gatherings in the second half of 2021. We were able to have the following events but have delayed any future ones that necessitate being indoors:
- \*In June we hosted the food truck Cici's Culinary Tour. These trucks have minimum amounts they need to sell or we make up the difference. The community doubled the minimum, purchasing \$1100 in food making it an easy no cost event.
- \*In July the book club resumed. It meets every other month, rotating hosts and moderators. At this time these meetings are taking place outdoors.
- \*In August we brought in Sunshine Sammies, a local company that crafts delicious ice cream creations. The expense for that event was \$265. Thanks, Lisa Davis, for the suggestion!
- \*Also in August, Amanda Galvin organized a nicely done outdoor wine tasting event featuring her BIL who owns Authentique Vin. The expense for this event was roughly \$125.
- \*In September the book club met for a second time, and we had hoped to hold the inaugural Wine & Appetizer Club event. This has been put on pause for a while until we feel more comfortable meeting indoors again.
- \*In the works (covid permitting) is our annual Halloween Extravaganza featuring a haunted greenhouse. We are also hoping to be able to organize a Holiday Cookie Exchange.
- For 2021 we have spent less than 15% of our \$1500 budget.
- On the Communications side of the committee, Amanda Galvin creates a monthly newsletter featuring minutes of the monthly board meeting, upcoming events of interest, as well as any other topics to be shared by neighbors. Watch for those in your inbox and reach out to her by the 1st Wednesday of the month if you have something to add to the newsletter.
- Also, not necessarily related to the committee, Amanda and Rebekah Owings have spent much time reworking the Sovereign Oaks website to make it more user friendly. Many thanks to them for their efforts to resurrect this underused communication tool.

## **Adopt-a-Road – Moe Davis**

- Mark Also called on Moe Davis to update attendees on the “Adopt a Road” clean-up effort which Moe has spearheaded for the Sovereign Oaks Community in concert with adjacent neighborhoods of River Run and Holly Hill. Moe reported that the first Saturday clean-up, conducted in June, was well attended and declared it a success. Because of a strong turnout among all the participating neighborhoods, it only took about one hour. He said a second clean-up date is scheduled for Saturday, Oct 9. More information will be forthcoming.

**Treasurer's Report 2021, Road Repaving Fund Discussion, Presentation of Proposed 2022 Budget – Art Mandler & Mike Newton**

- **2021 Review (through August, 2021)** – Art Mandler: Currently estimated revenue for 2021 will achieve ~99% of projected Revenue. Expenses for the full year 2021 are projected to come in below the approved spending level of \$117,360 for the full year. Lower spending is due to several factors including lower legal costs than budgeted and lower facilities maintenance and repair due to delayed repair of the Greenhouse. He also noted that significant savings have been gained by the volunteer activity of HOA members as highlighted in the Committee reports and called out in particular the contributions of Mike Newton and Matt Kern. The projected surplus for 2021 of \$71,400 is being added to the road repaving fund, bringing the total of that fund to approximately \$700,000 at year end 2021.
- **Road Repaving Fund Status:** Art also noted that several HOA members had inquired about “off-loading” the maintenance of roads within Sovereign Oaks to Buncombe County. In order to do that, the existing roads within Sovereign Oaks would have to be repaved and widened to be brought up to county standards and the front gate removed before the county would accept them as public roads. Art also noted that, hypothetically, if the HOA were to stop funding this account, the cost for road repaving would likely exceed the amount currently set aside, making a one-time repaving assessment necessary at some point in the future.
- Mike Newton provided an update on the current status of roads within Sovereign Oaks and estimated repaving costs, making the following points:
  - Sovereign Oaks contains approximately four miles of roadway and the cost of bringing them up to county standards is approximately \$250,000 per mile or \$1 million total.
  - The HOA was granted \$60,000 by the developer Ananda LLC when the HOA was turned over to residents in 2018.
  - The most current estimates for the cost of a major repaving is currently in the range of \$910,000 to \$940,000. It is assumed that the costs will rise with inflation, mostly on the labor side rather than for materials.
  - The major repaving work is still a few years off and, if done correctly, should last 15 to 20 years with normal use.
  - The longer it takes to finish out the construction within Sovereign Oaks, the more funds will accumulate for repair and repaving after the period of heavy construction traffic ends.
  - With 20 lots either under construction or in design review and an additional 22 lots undeveloped and inactive, it makes no practical sense to begin major repaving at this point since future heavy construction equipment traffic will degrade the roads further.
  - The current strategy is to make necessary repairs as need and reinforce shoulders to minimize edge damage from truck traffic.

## Presentation of 2022 Budget

- A question was asked about the \$5,500 line item for donations. Art explained that \$5,000 goes to the Warren Wilson Trail Maintenance Fund and \$500 to the Riceville Volunteer Fire Department.
- Charly Remsen thanked the current Board for continuing the practice of accumulating surpluses to fund future repaving costs, noting that he is aware of several HOA communities which have little or no repaving funds and face very large assessments. He encouraged future boards and the HOA membership to continue to support this policy.
- Tim Owings moved that the proposed budget be adopted. David Stark seconded. The 2022 proposed budget was approved as presented; 49 in favor, one opposed.

## Election of Board Members

- Description of Election and Final call for Proxies: Brad Allen explained that three board terms are expiring and two candidates have declared their intention to run, for three-year terms as noted on the printed ballots; Incumbents Mark Jordan and Mike Newton. The election is to the Board, not a specific Officer Position on the Board. It is up to the Board to choose its officers. Brad asked if additional proxies that had not been presented were in attendance. No additional proxies were presented.
- Request for nominations from the floor: Mark Jordan called for Nominations. Evie Edwards brought four names forward, John Cunag (41 Hawberry Court), Angela Hawk (51 Trail Top Drive), Javier Samayoa (Lot # 56), and Jason Thomas (53 Wandering Oaks Way). John and Angela declined to run. Jason and Javier agreed to stand for election.
- Brief statements of nominees: Each of the four candidates (Mark Jordan, Mike Newton, Javier Samayoa and Jason Thomas) made brief statements. Mark noted he had enjoyed serving over the past three years, appreciated the opportunity to serve the community and hoped that the HOA membership would support his continued service on the Board. Mike said he wants to continue on the Board and the DRC to help guide the process of building out the community during the active building phase Sovereign Oaks is currently undergoing. Javier said he is a project manager by background, which he thinks will be useful as a board member. He and his wife are planning to start building next spring and are looking forward to getting more involved in the community and getting to know their neighbors better. Jason said he is both a musician and lawyer by training. His legal work is in administrative law, not HOA law, which he said would be helpful to the Board in helping establish and maintain solid processes and providing clear communications. He also noted he is planning on voting for Javier, which drew a good laugh from the attendees.
- The vote was tabulated, but due to fading light, a final tabulation was postponed. Subsequently, it was determined that the vote totals were as follows:
  - Mike Newton; 49
  - Mark Jordan: 46
  - Javier Samayoa: 27
  - Jason Thomas: 27

[Following the Annual Meeting, the board reached out to both Javier and Jason offering to conduct a follow up run-off ballot. Jason withdrew and conceded, leaving the board seat to Javier, who accepted. The Board accepted Jason's gracious withdrawal and statement of support for Javier. The Board ratified Javier Samayoa, Mark Jordan and Mike Newton as duly elected to serve three-year terms on the HOA Board.]

**Open Discussion:** While the vote tabulation was taking place an open topics discussion ensued and the following items were brought forward by HOA members and discussed:

- Tim Owings mentioned that prolonged and recurring instances of a neighbor's dog being held outside and barking has been a source of continued disturbance. He asked that the Board consider some form of noise ordinance as part of the HOA Covenants. The Board will discuss the issue.
- Andrea Paskow pointed out that nails and debris left on the road by building contractors have caused tire damage. The HOA/DRC needs to remind builders to clean up the road surface at their building sites and not leave nails and screws on the road. The DRC will follow up with a reminder to builders.
- Matt Kern observed that the Greenhouse is not really conducive for meetings and such and suggested that the HOA consider tearing it down and building something more suitable for our needs, such as a pavilion with a fireplace. The Board will discuss the issue with the Facilities and Greenhouse Committees.
- Nathan Owings raised concerns about traffic speeding through the neighborhood. Mark Jordan reminded attendees that the speed limit within Sovereign Oaks is 25 m.p.h. and said it is entirely appropriate for HOA residents to say something to drivers, including construction crews as well as neighbors, reminding them to slow down.
- Evie Edwards pointed out that the Board is made up of volunteers who are working for the benefit of all HOA members in an unpaid capacity. She suggested that residents who have an issue with the Board or DRC should try to resolve questions expeditiously, and not dominate board time with personal issues that take Board attention away from the interests of all HOA members. As an example, she said instead of sending a 30-page email message to the Board requiring significant time to review, HOA members with concerns should meet face-to-face with the board to discuss their concerns.
- Artie Miller brought up the issue of dog owners not cleaning up after their pets and asked that they do so to keep Sovereign Oaks clean and pleasant for all.
- Bret Applebaum asked that the BOD look into improving accessibility at the front gate by making the key pad easier to reach by extending the pad further into the road and improving the light on the key pad. The Facilities Committee will look into the issue.

**Adjournment:** The meeting was adjourned at 7:40 p.m.