

Sovereign Oaks HOA Board Meeting Minutes

Date: 10.30.24 (Approved)

NOTE: This is a special called meeting in order to deal with the damage from the major storm - Helene that occurred on September 27, 2024

Board Members Present

President: Beth Kainic

Vice President: TBD

Treasurer: Sam Cooke

Secretary: Catherine Stelpflug

Director: TBD

Sam Davis

Josh Sindy

Additional HOA Members Present: Richard Ehert, present remotely, only during his presentation of an idea

Others Present: None

Meeting Called to Order: 7:00 pm

Meeting Adjourned: 9:14 pm

Executive Session: (none)

Next Meeting: Thursday, Nov. 12th, 2024, Regular Meeting

Topic	Notes	Next Steps/ Person Responsible
Helene Repairs	<p>Bridge to Sindy/Velhmesis lots suffered major damage to the west retaining wall and paved approach to the west side of the bridge during the September 27th Helene flooding of Bull Creek.</p> <p>Quotes from: Josh has obtained two quotes for the bridge retaining wall and approach repair</p> <p>-The High Country Grading & Development quote was a much higher cost, but it may be due to actually doing more work but that has not been made clear or provided in writing, however, they may not be able to get to us for many months. More information on exactly what this contractor will do is being gathered.</p> <p>-Ted Innman with Cold Mountain Siteworx Tree removal included (verbally included bc it must be removed) Can get to us right away.</p> <p>Quote includes removal and reuse of support blocks from stream. If any of the blocks are not reusable, an additional expense will be required. Also, we will be approving a 16% contingency fund.</p>	

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Includes:

- Backfill for retaining wall
- Tree removal included (verbally included bc it must be removed)
- Adding rip-rap

(All of this, and more, is in the original approved engineering design plans.)

Sindy's will present both quotes to FEMA

How it will be paid for:

Half up-front, could begin next Monday. Would be complete within 3-5 days.

Cold Mountain Siteworx is the same contractor who worked with the original builder of the bridge.

Additional Items that will be required to clean up:

Remove the extra asphalt that slid into Kim Spense's property (it is not HOA requirement, but could be done while the heavy equipment is here, and it did come from HOA maintained property, so it should be taken care of by the HOA).

Remove the tree that blocks road repair.

John Gardner (the original bridge engineer) checked all four foundational pillars and those look fine.

Board Discussion:

Given what we know, experience with some of the persons offering services, and the urgency of owner access to their property, are we ready to move ahead with Cold Mountain Siteworx? As long as the information we have been given is confirmed with Cold Mountain Siteworx, then we are ready to move forward.

Motion: I motion we approve Cold Mountain Siteworx as the contractor to repair the bridge to the Sindy/Velhemisis properties with the contingency that,

All work will be completed in compliance with original approved engineering design plans.

Motion: Beth

Seconded: Catherine

For: 4 (Josh recused himself from the vote.)

Against: 0

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<p>Helene Repairs</p>	<p>Ask question of our HOA attorney Q - What is the legal requirement of the HOA with these repairs? We want to be sure we are making the correct moves in what we are overseeing and in what we are paying from HOA monies.</p>	
<p>Ehert Video Call</p>	<p>Presenting Idea for how the HOA can cover the cost of this bridge repair.</p> <p>Richard Ehert, SO owner/resident and attorney who has handled similar claims for clients, brought forth an idea for the BOD to consider.</p> <p>Richard suggested that we each use our personal homeowners policies to pay for the bridge repair.</p> <p>The BOD would put out a vote for a special assessment for X dollars (the amount estimated in the final approved quote). HOA members would be notified of the option explained below.</p> <p>Property owners could choose to, or not to, make a claim on their personal insurance to cover the special assessment incurred due to damage caused to common property by a natural disaster, or simply pay the assessment out of their pocket.</p> <p>Richard noted that according to the law:</p> <ul style="list-style-type: none"> - Insurance companies cannot legally increase your rates bc of a claim such as this (bc it is a natural disaster in NC) 	
<p>BOD Discussi on of the proposal</p>	<p>Discussion:</p> <ol style="list-style-type: none"> 1. This is fairly complex, and with all the unknowns and a general dislike of HOA assessments, what Richard proposed is unlikely to be what people would want to choose. 2. The cost will not be completely certain until the work is done, there are still unknowns until they begin and see the shape things are in. 3. Those with only lots do not have homeowners insurance on this land. 4. Special assessments make a property look risky to potential buyers, so we want to always keep these to a minimum, and we already have the money in our HOA funds to cover this, because we have been very responsible with the collection and use of our HOA funds. <p>Motion: Do we put a special assessment to a vote to explore this idea? Motion: Beth Seconded: Sam C. For: none</p>	

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	Against: 5	