

Minutes of the May 16, 2021, Ellerslie Place HOA Special Meeting via Zoom

The meeting was called to order by Jonathan followed by prayer. Jonathan announced that we met the requirement for a quorum with 33 Builder proxy votes (Attorney Hargrove) and 85 attendees via resident proxies and those on the call and apologized for scheduling conflicts and Zoom issues that preceded the meeting. Jonathan then provided some “ground rules” for the meeting stating that he expected all attendees to be courteous and not disrespectful to those on the call and asked those in attendance to use the “raise your hand” icon to ask a question or make a comment and to remain on mute until called upon.

Jonathan shared agenda and asked for any additional items other than those which were provided by residents who read the agenda on Next Door. There were no additions and a motion to accept the minutes (made by Dwight Williams) and second (Richard Burton). The motion to accept the minutes as presented passed. (Agenda was previously shared on Nextdoor)

The agenda that was approved is as follows:

Ellerslie Place Home Owners Association Meeting Agenda (May 16, 2021)

Call to Order and Welcome

Establish Quorum (Requires 40%)

- Builder's Lots (33)/Residents (248)
- Quorum Establishes with **112 Votes (33 Builder + 79 Residents)**

Adoption of Agenda

Old Business:

- Minutes of Last HOA Meeting (March 15, 2019)
- Year in Review (2019-2020)
 - Status of HOA
 - 2019 & 2020 Financial Report (For Information Only)
 - Profit/Loss and Balance Statements
 - Total Unpaid Dues 2020 and earlier

New Business/Reports:

- HOA Financial Status (As of May 15, 2021)
 - Bank Balance
 - Accounts Receivables
 - Dues Paid to date
- Current HOA Issues
 - Board of Directors and HOA Committees
 - Outsourcing of HOA

Community Developments/ Updates: TBD

- Ellerslie Volunteer Fire Department
- Ellerslie Park Construction

Questions & Concerns

Adjourn Meeting

The meeting continued as listed on the agenda.

The 2019 Minutes were read by Cody Morgan, EPHOA Secretary and accepted as information.

Jonathan Griffin then began discussing the 2019 and 2020 financial reports and began answering questions about the Financial Reports (which were shared prior to the meeting on Next Door). While responding to the questions, the Homeowners at 115 Bridle Path (Tyler and Emily Hanson) interrupted and argumentatively accused the HOA of trespassing on their property without consent. Jonathan attempted to explain the situation but was repeatedly cut off and unable to speak. After many unsuccessful attempts to have a constructive conversation with the Hanson's, the EPHOA Secretary (Cody Morgan) was asked to temporarily mute them and verify if they were current on dues and explained you must be current to be a part of HOA discussion. Cody initially stated they were not current, but then corrected that they were indeed current. The Hanson's were allowed to speak but continued to be argumentative and disruptive and based on the request of residents attending the meeting to mute them, Jonathan directed the EPHOA Secretary (Cody Morgan) to permanently mute them to continue the meeting.

Several residents asked what led to the HOA intervening and remediating the property and Jonathan described the unsafe conditions that the unkept property at 115 Bridle Path has posed to neighbors. Additionally, Jonathan explained that the Covenants of Ellerslie Place Subdivision prohibit nuisances in the neighborhood and require that yards be maintained. Jonathan explained that The Hanson's failed and refused to maintain their yard in 2019 and 2020 to the point that the grass was several feet high in the front yard and the back yard was overgrown with weeds and Shrubs to the point that the slides and trampolines that were in the back yard were only discovered when the area began to be cleared. Additionally, Jonathan informed the residents that the property was overrun by rodents, reptiles, and other dangerous vermin. When asked about the procedures that led to the HOA intervening, Both Jonathan and The EPHOA Attorney, Travis Hargrove explained that the homeowners had received formal correspondence from the EPHOA Board of Directors (BOD) and from the office of Finley Law Firm, where Attorney Hargrove practiced. After no response to the correspondence, The Hanson's and their mortgage company received a demand letter and was given 30-days to bring their property in compliance. Once the 30 days expired, Attorney Hargrove in coordination with Harris County gave the approval for the HOA to remediate the property. After over two weeks of work, the property was brought back into compliance at a cost of \$11,600. Jonathan further explained that the Hanson's have threatened litigation, but Attorney Hargrove assured the HOA that he had no grounds for a suit.

Several neighboring homeowners attested to the condition of the home and were appreciative of the action taken by the HOA.

Cody Morgan then presented status of dues received and the number of unpaid dues resulting from the invoices mailed to the residents on March 1, 2021. Cody stated that approximately 80% of the dues had been paid. Jonathan encouraged residents to mail their dues and remind their neighbors to pay.

Jonathan then discussed the need for volunteers to fill positions on the EPHOA Board of Directors and other committees such as the Neighborhood Watch. The positions requiring volunteer support was previously posted on Next Door and discussed during the meeting. The HOA had failed in three consecutive years to fully fill the positions. Volunteers were requested but we were unsuccessful at filling the EPHOA Board of Directors (BOD) positions. At that point, attorney Hargrove briefed the requirements under Georgia Law and stated that without the constitution of a Board of Directors and other required positions, either the HOA would need to be dissolved or seek outside management.

There was discussion on the consequences of the HOA being dissolved and the impact to the residents. After the discussion it was decided that dissolution of the HOA was not desired. Jonathan asked Attorney Hargrove what the action would be that we needed to take since we failed to fill all the required positions and Attorney Hargrove stated that He and the Board of Directors would need to hire outside management.

As a result, Jonathan informed those in attendance on the ZOOM Special Meeting that the board had previously discussed hiring an outside management company to take over operational duties of the HOA and based on the Direction of Attorney Hargrove, Jonatan notified the residents that the Board of Directors would begin a Management Company search with the intent to hire a Management Company to work on behalf of the EPHOA Board of Directors to execute the Operations Requirements. Jonathan also asked for at least three (3) or four (4) residents to volunteer to assist in the search.

Jonathan called for the Harris County and Ellerslie representatives who were invited to give remarks and updated at the meeting. However, no updates were provided from the Ellerslie Volunteer Fire Department or on Ellerslie Park because of none of the representatives attending. Jonathan did encourage the payment of the dues to the Ellerslie Volunteer Fire Department.

Jonathan then opened the floor for Questions and concerns. Questions were asked about the repair or replacement of the fences, signs and power to third entrance; noting that at the previous EPHOA Special Call Meeting, funds were approved for power to the third entrance (\$2500.00) and the HOA approved a Special Assessment of annual dues plus 15% (approximately \$140.00 assessment of every resident) to make necessary repairs within the sub-division pergolas as well as an increase in dues if the EPHOA Board of Directors determined it was necessary. Jonathan acknowledged the approvals but clarified that an increase in dues had to be approved by the residents in accordance to the Bylaws and it would require a Special Meeting to be held. Jonathan acknowledged the things that needed repair and informed the HOA that Dwight William's was in the process of getting estimates for the repairs. After ensuring that there were no more questions etc., the Zoom EPHOA Special Call meeting was adjourned at 5pm.