

## Apalachee Heritage Home Owners Association 2013 Annual Meeting

### MINUTES OF MEETING

**Date:** March 5, 2013      **Time:** 7:03 pm to 8:47 pm

**Location:** Dacula High School common area, 123 Broad St., Dacula, GA 30019

**Attendees:** All of the HOA board members (John Hembree - President, Hugh Crossman – Secretary, Jim Foran –Treasurer (acting), Rommell May – First Vice President, Nate Robinson – Second Vice President) , Darren Thurmond of Atlanta Community Services, 50 Apalachee Heritage homeowners representing 38 properties as per the sign-in sheets.

**Agenda:** The purpose of this meeting was to serve as our annual HOA meeting as required in our bylaws. (The full agenda is attached as Addendum A below)

#### **1. Meeting was called to order at 7:03 pm by John Hembree.**

After welcoming everyone to the meeting he introduced the new board members as a result of the passage of our bylaws amendment which increased the board to 5 members – Rommell May and Nate Robinson. Jim Foran has come on the board to replace Gary Gravlin who resigned on January 1<sup>st</sup>, 2013 due to work conflicts.

#### **2. Hugh Crossman was called to read the minutes from last year's annual meeting on March 13, 2012.**

He asked for a motion to dispense with the reading of the minutes in light of the fact that they have been available on line for the past year and in the interest of saving time and moving ahead with more important agenda items. There was such a motion and a second for the motion. There was no discussion. There was a voice vote with a majority of yes votes and no nay votes were recorded so the motion carried and the minutes were not read.

#### **3. Darren Thurmond of Atlanta Community Services gave the treasurer's report and property managers report.**

At the end of 2012 the operating account balance was \$18,572 and the money market account was at \$68,134 for a total of \$86,707. We are about on track with last year concerning the rate of collection of annual association fees for 2013 at this time. As of today, the operating account has a balance of \$132,741 and the money market account is at \$71,862 for a total cash on hand of \$204,603. There is approximately \$56,000 left to collect in 2013 dues.

Last year was a pretty successful year in terms of collections. Between the work of the attorneys and ACS over \$35,000 in judgments were collected on past accounts. We spent a considerable amount of money in legal fees to do that – about \$29,000. But all legal fees are added back to the account balance and become part of the judgment. We did recover \$12,000 in legal fees last year. Legal fees is the only line item that went over budget in 2012. It has been bumped up slightly in 2013 to \$15,000 and we do have more accounts to turn over to the attorneys at this time. We ended 2012 under budget on all other line items.

Q – Are you at liberty to say how much was collected last year? A- We collected about \$183,000 out of a budget of \$189,000 and the \$12,000 in legal fees collected is an indication of how many judgments we got in our favor.

We also had success in dealing with some foreclosed homes in finding assets which we could go after when a judgment was in place and this is pretty rare.

Late fees of 10% hit the accounts today. When the pool opens this is another big collection effort so make sure your neighbors understand to be able to use the pool their fees will have to be paid up.

Q- What happens as far as collecting the fees goes when a home is foreclosed on? A – The bank is responsible for everything from the date of FC forward and the homeowner everything from that date backward. Once the bank holds the title then the debt becomes a personal debt so it is no longer attached to any collateral so it becomes hard to go after it. The other problem is the banks drag their feet because they do not want to be the title holder of record because they only want responsibility for as short a time period as possible. They also do not want a bunch of bad debt on their books so they don't want to own the home. The association often comes

out the loser in these situations. It is also tough to get the banks to do routine upkeep on the homes while it is in FC. The good news is, once they move forward with the FC they usually have a home buyer lined up which means the home will be occupied soon thereafter and the dues will begin to be collected again.

Q – Why does there appear to be such an increase in the landscaping budget in 2013 over 2012. Pine Straw for instance was \$495 and now it is \$8,800. A – There was actually a reduction in landscaping expenses in 2013. Hugh will go over those numbers later.

#### **4. Hugh Crossman began the process of nominations and introductions of the board candidates.**

The election agenda item has been moved up this year to allow for time at the end for some other things that may require some time. According to our bylaws, it is the duty of the secretary to administer the election for board members. The process of nominating candidates who would like to run for a seat on the board is now open. There are 5 applications on hand from candidates who have already declared themselves as such and those are from the 5 incumbents. There have been no other applications turned in at this point.

He wished to thank Gary Gravlin for his many years of service on the HOA's board.

He explained the possible pathways that the election process can follow:

1. If we end this agenda item tonight with only 5 declared candidates then there will not be an election because the 5 will be elected by acclamation since they are running unopposed.
2. If there are more than 5 candidates in the race then an election will be held in which case there are a few directions that can go:
  - The election could fail to achieve a quorum (25%) which means there would not be a result. It would be a null election and the current incumbents would retain their seats.
  - One or more declared candidates could be found not to be in good standing with the HOA and therefore would be eliminated from running. If that elimination was to result in the slate being reduced to just 5 candidates then the election would again be decided by acclamation.
  - The 3<sup>rd</sup> possible outcome is we have an election, a quorum is achieved and the 5 top vote getters make up the new board.

A motion was made to close the nominations at this point. It was rejected as being premature since others had not been given adequate opportunity to come forward yet.

Q – What is involved with being on the board? A- That is a bit complex and there is not a simple answer. We administer and operate the amenities, take care of landscaping in the common areas, try to see that the neighborhood is kept up, look after the financial well being of the HOA, interface with Darren quite a bit. It is fairly time consuming. A lot of time is spent fixing problems – like the fire we had last summer. All that damage had to be fixed. It also depends somewhat on what office you may hold in addition to being a board member. Offices and board membership are really 2 separate things as defined in our bylaws but in practice we combine them because it would be nearly impossible to find 9 people – 4 office holders plus 5 board members – to serve. Plus it just works out better in a practical sense to have them combined.

Another motion was made to re-elect the current board by acclamation immediately.

Q – Do we even have a quorum at this meeting? How can we decide anything without a quorum? A - We don't have a quorum and so we cannot decide anything tonight. But we can finish the process of nominating candidates tonight. If, as a result of this process, only 5 candidates emerge then it will have decided itself. The need for a quorum is eliminated. If we leave this agenda item with more than 5 candidates then an election will be held in which case a quorum will be necessary. What we are in now is just the process of nominating candidates and a quorum is not needed for that. But this process cannot go on and on indefinitely so it will end when we leave this agenda item tonight at this meeting.

Lawanica Lamb then declared herself as a candidate which made the number of candidates running for a seat on the board six and thereby an election will be necessary. Originally it was thought that if only the 5 incumbents were running that just the 3 new board members who were unfamiliar to everyone would speak to introduce themselves. Now that there are 6 candidates everyone will get a minute or so to speak and we will go through the list of candidates alphabetically starting with myself (Hugh Crossman).

Summary of candidate Hugh Crossman's comments:

- Served on the board for 3 years – lived in Apalachee Heritage for 6+ years.
- Puts a lot into being on the board & enjoys doing it and would like a chance to do it again.
- Has no personal agenda at work or hidden motivating factors. Only motivated by what is best for the majority of home owners of Apalachee Heritage and the Association.
- Stands behind everything the Board has done & all decisions for past 3 years. Wants the Board to be fully transparent.

Summary of candidate Jim Foran's comments:

- Moved with wife Ann to Apalachee heritage in August of 2011 from Nashville.
- Started in Augusta in medical supply distribution business and relocated many times in 30 years each time being involved in some way with an HOA. Has seen good ones & bad ones. A strong HOA helps to keep home values up, promotes tranquility and involvement.
- Wants to help out & will be retiring next month & so will have the time.
- Has 3 grown kids – 2 living in Gwinnett and 1 in Atlanta.

Summary of candidate John Hembree's comments:

- Looking forward to seeing the landscaping improvements get done.
- Most other projects have been completed. We have changed management companies and pool companies and now we have a new landscaping company.
- Would like the opportunity to stick around and see how this all works out.

Summary of candidate Lawanica Lamb's comments:

- Retired police captain from Miami – 22 years in law enforcement.
- Has done a lot of community policing including implementing crime watch programs.
- Has lived here since 2007. Has twins in college.
- Would like the chance to get more involved with the community.

Summary of candidate Rommell May's comments:

- (directed to Lawanica Lamb) You are not messing up the voting. You are doing the right thing & what everyone should be doing & what I encourage others to do which is to get involved.
- Sales professional with General Electric for 13 years..
- Loves this community and began getting involved a couple years ago..
- Main focus has been the 4, 5 or 6 social events throughout the year and also trying to encourage people to spruce up their homes through the contests held recently.
- Likes to see kids get involved with pool activities and so forth and is all about families. "If you're for families then you're for me".

Summary of candidate Nate Robinson's comments:

- Fairly new to the neighborhood – moved in 18 months ago.
- Has enjoyed serving on the board even though his tenure has been brief.
- Wished to give credit to John & Hugh for all of their efforts which often go unnoticed.
- It seems that fate is at work because he intends to step down from the board and withdraw his name from consideration due to his increasing work load and travel requirements so this would allow Ms. Lamb to assume his seat since we would be back to a slate of only 5 candidates again.

With this turn of events, being now back to 5 candidates if nobody else declares themselves a candidate then we have eliminated the need for an election. No other candidates came forward and the nomination process was closed. This essentially closes the election also since there is no opposition and the 5 declared candidates are elected by acclamation – Hugh Crossman, Jim Foran, John Hembree, Lawanica Lamb and Rommell May.

Q- What about the assignment of positions? You have not said anything about that. A – Offices will be assigned by the board in the next few days. How that is to be done and the rules governing that are all stipulated in our bylaws which are available on our web site.

Q – Once that is done, will it be published? A – Yes, it will be in the next newsletter, possibly in a mailing & emailing as well as on our web site.

#### **5. Hugh Crossman discussed the list of completed and planned/pending projects and landscaping issues.**

Please notice the flyer from “Addresses of Distinction that is printed on the back side of the agenda. This is the new name of Crenshaw Quality Products who got bought out so it is now a bigger operation. You can get parts matching what we have as our neighborhood standard from them or they will come out and do the work for you. They have a mailbox refurbishment for \$125 which includes cleaning and painting the post, a new mailbox and a new number plate with new numbers. Please tell your neighbors about them if they should ask and this flyer is available on our web site.

One thing that we did last year as a collaborative effort was to stop the movement to expand Briscoe Field. Many people said this was a big waste of time and that it was a “done deal” and they would do what they were going to do regardless of what the citizenry seemed to want. But contrary to that thinking, through attending meetings, writing emails, and having our voices heard we were able to stop this. This is the 3<sup>rd</sup> time this movement has been promoted and it is probably the one that got the most momentum. It may come back again so we need to be ready to mobilize and do this again if necessary. If you took part in this effort then give yourself a pat on the back.

If you do a bit of analysis of these items on the list you will see that many of them are either expenditures to replace or repair items that have been stolen or vandalized or to implement measures to prevent this from happening. We are all stake holders in this and we all own 1/420 of all HOA property. It is up to us to be observant and maintain vigilance and not to be afraid to act. If you see something that does not seem to look right just call the police. If you call the non-emergency number which is 770-513-5000 you probably will not get through to anyone. I have called it many times and never reached anyone. Just call 911. Please call the police first and not me. That just wastes time and the HOA Board or officers do not have any more law enforcement powers than you do.

Another thing we accomplished in 2012 was to pass our bylaws amendment to increase the size of our board from 3 members to 5 members. It was difficult to do and took 2 years but we were determined to stick with it until we got it done. Our HOA is better off due to the successful passage of this change because a 3 member board is just not enough people to do everything that needs to be attended to in a neighborhood of 420 homes - or more correctly 419 homes + 1 vacant lot. The amendment was filed on March 30<sup>th</sup> and we were able to bring on the 2 new board members in late August – Early September.

We also changed our landscape maintenance contractor this year which was a pretty big concerted effort. We are now under contract with Russell Landscape Group which is a big outfit but they are based right here, in fact

right off of Jim Moore Rd. They have a stellar reputation and they bring a lot of landscaping expertise and knowledge with them to the table. They are responsible for Hamilton Mill so if you have seen how that looks then that I think lends support to our decision to go with them. They are very open and responsive and easy to communicate back & forth with unlike what we were previously used to. Overall we think we will be getting better services, more services, more timely delivery of services, and better communications and responsiveness. The contract with Russell is actually \$380 less than with our previous landscape contractor for the same items. Addressing the previous question about budgeting for landscaping – we are now breaking it out differently than before. There are 4 basic line items and the first 2 are combined – that is the base landscape maintenance contract at \$18,720 and detention pond maintenance at \$5,400 which is what you see as the \$24,120 landscape maintenance contract figure. Then there is pine straw at \$8,800 which allow for 2 applications of pine straw of an estimated 800 bales each. That is \$5.50 per bale installed which is industry standard. Having this as a separate line item allows us to adjust this if necessary. Another thing we can do is try to put a colorant and preservative treatment on our pine straw which makes it look better, you need less of it, and it will last longer – so it actually can save money. The last item is seasonal planting which used to be included in the single lump sum but is now broken out as a separate line item. At \$3,760 it allows for 2 plantings per year at \$1,880 each. This is based on 396 sq. ft. of beds at \$4.75 per sq. ft. which, again, is industry standard. While we're on the subject of beds, what we hope to do this spring, so this will be happening very soon, is to reshape our beds into a better design. We are going to do away with some beds that are not really working that well or not at a focal point and add that space back into some of the existing beds that are at focal points. We hope to be able to make these beds “pop” which they are not doing now by putting a more vibrant layered design in. If we keep the square footage the same there won't be any added cost. The beds in the center island at Dacula Rd. are so small that they don't do much and the same thing goes for the bed on the right hand side as you go out. Why is it even there? We will be doing something similar at the Fence Rd. entrance so this will all be going in about mid April.

Q – It still seems that overall, landscaping expenses have gone up. A – not the maintenance contract. That has gone down by \$380. Landscape improvements is a separate item. It was last year and it still is this year. Last year we budgeted \$10,000 for improvements and this year we have \$6,000 in the budget for improvements.

Landscaping improvements that should be happening fairly soon are:

- 1) Irrigation testing and repairs to our 4 irrigation systems – 2 entrances, the pool and the tennis area.
- 2) Expansion of focal point beds
- 3) Enhancing look of corner lot at Kelman & Gran Heritage where woody juniper understory looks unsightly.
- 4) Turf improvement, ground cover planting, island expansion to tree drip lines
- 5) Hill at the pool – probably fall project depending on financial position after pool season
- 6) Pool entrance – knockout roses should probably be moved due to thorn hazards & replaced with something more benign since a lot of people pass right by this area going in & out of the pool.

The following items on the planned/pending section will be done in the next 2 months or so: #2, 6, 9, 11, 13, and 18 (please see addendum B below).

The last thing to bring up is the email list. If you are not on it please join it. We are able to do so much with it and with no expense & only a little bit of effort. We can do not only routine things with it but also respond to emergency updates very quickly. We have had 3 lost dogs which we were able to put back with the owners via email. So what if it was your dog? Or suppose it was your kid? We can only make this effective if we have as many people on it as we can get. Right now it is at about 200 and I thought quite frankly it would be higher than that by now.

Q – Why are we spending the money on new cards? Are we updating the system or something? A- no it will be the same system it is just time to get new cards. It has been 3 years since we issued them and by now the database for this software has become pretty messy and hard to deal with. In the past cards have been issues every year. We stopped doing that and decided to manage the lock software ourselves. If we brought a locksmith out to do this it would cost us \$125 per visit - \$50 service charge plus \$15 per lock x 5 locks = \$75. So

by extending the life of these cards for 3 years and managing the locks ourselves we have saved a lot more than this \$1,500. But it is time to do a reset and start with a clean slate because it is too confusing to deal with the database the way it is now due to all the lost cards & new homeowners that have moved in and been issued new cards which necessitates deactivating all the old cards. It makes it difficult to manage.

Q – Why is the salt water pool option being considered? What are the advantages? A – The main reason would be because people tend to like it better. It has a better feeling on your skin than chlorine does. It leaves your skin feeling a little more luxuriant whereas with chlorine you feel like you just took a bath in chlorine. It is also a little cheaper to operate. But to recover the cost of converting it would take a long time. The cost of repairs can also run more since this equipment is somewhat proprietary whereas what we have in our pump room now is more generic and therefore cheaper. At least this is what our pool company has been telling us.

Q – what is the rate of return on this? How long until you recover the cost of converting. A – I don't know exactly but I am told that it is not worth it at this time. Q – Is it like 5 years or longer? A – I think it is longer than that right now. Eventually the cost of things like this will come down as it becomes more common though and it will be more cost effective.

Q – Will Russell be responsible for the trails and will they be doing more with them. I'm specifically referring to some areas that have washout problems like along Stockbridge where the storm drain comes out and also where the Heritage Oaks Circle detention pond comes out. A – Those areas could probably use some maintenance but a lot of water goes through there and there is no way to avoid that. That's where it has to go. Russell is not under contract to fix stuff like this. They will go in there and do some work for us but not something like this. That is why we have the \$1,000 line item in the budget. We would probably go to them first to see if they would do it and at what cost but we don't have to use them to do it.

Q – Who has responsibility for maintaining the trails. Has that been assigned to someone? A – nobody really has that responsibility or is under contract to do that. If things need attention there we would have to meet and decide what we want to do and then get a quote from someone. Q – does anyone walk the trails to see what is needed and what the condition is? A – I walk the trail 2 or 3 times a week if the weather is good.

Q – I notice this item about clearing up the vacant lot eyesore on Kachina. Why doesn't the HOA get the builder, Ryland, to do it? A – Ryland is long gone and that lot belongs to an individual now which is why our hands are somewhat tied as far as what we are able to do. We have gone in there and weed whacked it just because it gets to looking so bad but I wouldn't say we've done a stellar job at cleaning it up. Q – Why does the HOA have to do it? A – because it won't get done any other way and it just gets to looking so bad that somebody has to do something and if we don't then it won't get done. We just do what we can to improve it as best we can. And we have had to do this in a lot of other instances as well, like these FC'ed homes for instance. That is why we have the budget item called "Yard Upkeep – Homeowner" at \$200. That is to cut yards that just get to looking so bad that something has to be done. DT added that we do charge back the homeowner when we do this and try to recover these costs.

Q – On the approach to the yellow trail due to the recent clearing work done on behalf of the county for their sewer easements it is now very muddy there from all the back & forth foot traffic. Is there any chance we can address that? I know where we can get some free mulch but we'd have to get it back in there. A- Yes I saw that the other day and it is very muddy and a bit of a mess. I don't know what we can do about it yet. Also, what I have written is somewhat cryptic concerning the washout area on the yellow trail. BCG stands for Buford City Gas because they have a gas line running under there. They said they were going to fix that but so far they haven't done anything.

Q – There is some utility work being done along Dacula Rd. that has left our entrance a bit of a mess. Do we know who is doing that and what we will be doing to fix it? A – That is being done by a contractor for Buford City Gas putting in a new gas line. When we met with Russell last week we took a look at that and when they are completely done and we see what condition they have left it in we will know what we have to do to fix it.

Q – How do we go about making a suggestion for a project that we would like to see done? A – There is no real set procedure for this. We have talked about having a page on our web site that is like a response page or a

survey page like “what would like to see done?”. But presently that doesn’t exist so just send it in an email to [webmaster@apalacheeheritage.com](mailto:webmaster@apalacheeheritage.com) or [secretary@apalacheeheritage.com](mailto:secretary@apalacheeheritage.com).

Q – Does the board have any connection to the county regarding getting potholes fixed? A – No, the board has no more ability to influence that than you do. I think you are probably addressing the area on Stockbridge that is beginning to come apart again. That’s due to all the water going down through there. That needs to be resurfaced really. The only thing you can do is go on the county’s web site and report it. You will never be able to get through to an actual person. DT added that the more people that report it the faster it is likely to be attended to. HC then gave out the number for code compliance – 770-513-5004 – another similar situation – the more people calling in to report an issue the more likely it will be prioritized higher and get some attention.

HC finished his comments as there were no more questions from those in attendance. JH added that the pine straw figure is based on an estimate and could go higher or lower when it actually gets done. We are also trying to reduce the amount of pine straw required by putting in ground cover where that may be a better solution.

#### **6. Rommell May was called upon to speak about upcoming events and other announcements.**

Our social committee consists of Cynthia Gambarota and Kindell May. Kindell is expecting and the baby is due in 20 days so this committee could really use your help. They do a great job and we thank them very much for it.

- The egg hunt will be at the pool on March 23<sup>rd</sup> at 11 am sharp. It is usually over in about 5 or 6 minutes so make sure to be on time. There will be an Easter bunny there for photos.
- The deadline for turning in names of graduates and their schools for our banners will be April 12<sup>th</sup>.
- Our community wide yard sale will be April 26 – 28 so make your decisions now about what you have that you may want to sell.
- We will be distributing new cards at the pool on the evenings of May 9<sup>th</sup> and 14<sup>th</sup> and around noon on May 11<sup>th</sup> to all who are eligible.
- On May 18<sup>th</sup> we will have our pool opening event which is a pretty robust event so please come out for that.
- On June 29<sup>th</sup> we will have our July 4<sup>th</sup> parade and BBQ. I think John (Whetstone) will be preparing the BBQ again.
- The ARC will have a spring yard contest similar to the Fall Dorr contest and the Winter Wonderland contest that we had. We found we had a great deal of participation for those contests and we are a very competitive neighborhood with over 200 homes competing. We gave out a \$50 first place prize and \$25 for 2<sup>nd</sup> and 3<sup>rd</sup> place as well as a “family pack” that was donated by Riverside Pizza to the honorable mention home.
- We hope to bring back “adult night” at the pool this year also.

If you would like to help out with the social committee events there are volunteer forms over on the sign in table so please fill one out and turn it in.

Q – Is the graduation banner for high school only or is it also for college graduates? A – It is for both. Q – Is it only for spring graduates or also for fall graduates? A – If it is 2013 just submit your name and your school name.

#### **7. Nate Thurmond came forward to present his discussion on the pros vs. cons of a rental cap amendment. (this is an impromptu change to the agenda order as Nate was to have followed Jim Foran originally) ( see handout – see addendum C)**

The Board has discussed the idea of what is called a “rental cap” because in today’s economy we need to do what we can to best protect our home values. This would limit the number of homes that can be rented at any given time. Usually this is stated as a percentage and the “sweet spot” as a percentage seems to be somewhere between 10% and 30%. 10% in Apalachee Heritage is equal to 42 homes. The positives are:

- Maintain home values.

- Equal stake as home owners. Companies come in as a business and this is a “Homeowners Association” and not a “Business Owners Association”

Q – Do we know how many homes are being rented at this time? A – About 50.

- Maintain appearance standards in the community – pride in ownership is what makes homes look their best.
- This would separate us from some surrounding communities that do not have a rental cap and so further promote homeownership here. It would eliminate or at least limit “for profit” homeownership here.

Some of the negatives are:

- We need to reach 66% of votes approving this measure for it to pass. Once that was done it would apply to everyone and all homeowners would have to comply whether they voted for it or not.

Q – How do you prevent a business from buying in here? A – You cannot really prevent a business from buying a home in here but if there is a rental cap in effect that might make it less desirable for them. DT added that by stipulating in the amendment that a new buyer could not rent their home for a year or 2 years that would turn away those buyers that are solely interested in property as rental. Q – But how would they even know that to comply with that. DT – It is very enforceable and it happens every day. These conditions are part of the disclosure at closing.

Q – There is also a standard percentage threshold above which you cannot get a standard loan on a home.

- The rental cap existence can create an “us vs. them” scenario.
- It could affect dues collections.
- It could affect the number of vacant homes in the neighborhood.

Q – Is there a preponderance of rentals that have what would be considered a substandard appearance – that detract from the neighborhood? DT – yes there is a trend in that direction.

#### **8. Jim Foran followed to speak about what it would take to amend our covenants to limit rentals.**

Renters have no vested interest in the community or in doing improvements. The board is concerned with the appearance of our community. Landlords may be interested in just coming in making a few cosmetic improvements, pocketing some quick money and doing a quick flip and getting out. To go forward with this will be a major effort but this will improve our neighborhood & have a positive impact.

(A show of hands for all in favor of supporting this measure was asked for and a majority of hands in the audience went up in support.)

We intend to follow up with an online survey that will be sent out via email to those on our email list and also referenced in our meeting follow-up letter. If enough support is identified then the board will meet with our attorneys to ensure the amendment is worded correctly and to determine the level we need to reach for approval. Is it 2/3 of all homeowners or about 280 or 2/3 of all eligible voters which is a much lower number at around 225? We will also have to set a time period in which to get this done. The longer we wait the more difficult it will become as more property becomes rented.

We will need a lot of volunteers to promote this and canvas the neighborhood. A door to door campaign may be needed. We hope to have ballots ready when the new pool cards are handed out. After passage, the president and the secretary will have to sign the necessary documents and the attorneys will then file the amendment with clerk of Superior Court in Gwinnett County.

Q – What percent will it be set at? A – The survey will help to determine that.

Q – How do you know if the property is rented or not? A – Now the property owner provides an alternate address and then we know. With the passage of this amendment a lease agreement would have to be presented to ACS for approval.

Q – Couldn't this all be bypassed and circumvented to avoid the restrictions? A – Yes but it will eventually be discovered and then fines can be imposed.

JH added that most of our security problems at the pool in the past have seemed to be predominantly from tenants living in rented homes.

Q – What can be done about all the roofs that are around with the black stains on them? It is very unsightly. A – This is one of the items we write up on our drive through inspections. It can be remedied with a roof cleaning service because it is basically mold. Taking care of this will increase the life of your roof. It is a chemical wash under low pressure. DT will supply a list of companies that do this. Q – Could we get a volume discount? A – Maybe – you'd have to see what can be worked out.

JH added that the rental cap amendment will come with some legal expenses. We did not incur any legal expenses with our bylaws amendment because it was so simple and did not impact anyone. This will be different and we do not have any funds budgeted for this in the 2013 budget.

**9. There were no other questions or comments. The meeting was adjourned at 8:47 pm. No future meeting was scheduled at this time.**

**Action items resulting from this meeting:**

No	Assigned to	Details
1	All residents	Complete Rental Cap Survey
2	All residents	Help with amendment passage
3	Darren	Provide contact info for roof cleaning companies
4	Board	Meet to assign offices
5	Board	Look into trail areas in need of maintenance

Minutes prepared and submitted by Hugh Crossman – Apalachee Heritage HOA Secretary

**2013 Apalachee Heritage HOA  
Annual Meeting Agenda  
March 5, 2013**

**John Hembree - Welcome and Introductions**

**Hugh Crossman – Minutes of Previous Meeting (March 13, 2012)**

**Darren Thurmond - Atlanta Community Services.  
Property Manager's Report  
Apalachee Heritage Treasury Report**

**Hugh Crossman – Board Election - Introduction of Candidates**

**1) Declared candidates prior to the meeting (all are incumbents):**

**Hugh Crossman Jim Foran John Hembree Rommell May Nate  
Robinson**

**2) Nominations from the floor.**

**Hugh Crossman - Projects and Landscaping Update**

**Rommell May - Upcoming Social Events and Announcements:**

- **Egg Hunt on March 23<sup>rd</sup> (pool)**
- **Graduating seniors names for banners due by April 12<sup>th</sup>**
- **Community Spring Yard sale on April 26 - April 28<sup>th</sup>**
- **New access cards to be distributed on May 9<sup>th</sup>, 11<sup>th</sup> & 14<sup>th</sup> (pool)**
- **Pool Opens May 18th**
- **4<sup>th</sup> of July parade and BBQ - June 29<sup>th</sup>**

**Jim Foran - Amending the Covenants to Limit Rental Properties**

**Nate Robinson - Pros & Cons of Amendment to Limit Rental  
Properties**

**John Hembree - General HOA questions & comments.**



## Apalachee Heritage Refurbishment Program

Is your mailbox in need of replacement?  
Are the numbers missing?  
Does your mailbox need a face lift?

*Bring new life to your mailbox with our mailbox refurbishment program!*



### Details of our Refurbishment service:

- Mailbox post will be cleaned and all bolts will be tightened
- Actual mailbox will be replaced with new mailbox
- Mailbox post will be painted using a brushed-on outdoor paint specifically designed for metal
- A new number plate with new brass numbers will be installed

### Pricing:

\$125.00 each

Is your post leaning or loose?  
Have it reinstalled with concrete for \$55.00

### Entire New System

\$199.00 + \$95 install  
taxes may apply

### Just need parts?

Mailbox \$25

Number plate with numbers \$65

**Call us today to place your order!**

**Ordering Line: (770) 436-6198**

[www.addressesofdistinction.com](http://www.addressesofdistinction.com) -- or [www.aodmailboxes.com](http://www.aodmailboxes.com)

## Addendum B – Projects List and 2013 Budget

<u>Completed projects 2012/2013</u>	<u>status</u>	<u>cost</u>
Chain off pool parking & add signage	Comp. 1/2012	\$290
Repair & re-stain playground play set	Comp. 2/2012	\$637
Install lights on information signs at both entrances	Comp. 3/2012	\$140
Repair fence in upper Heritage Oaks detention pond	Comp. 3/2012	\$100
Replace missing manhole cover upper HOC det. pond	Comp. 3/2012	\$110
Additional signage for playground, pool & tennis areas	Comp. 4/2012	~\$100
Chain off tennis parking & add signage	Comp. 4/2012	\$95
Pressure wash & re-paint pool deck & bathroom floors	Comp. 4/2012	\$688
Pass bylaws amendment to increase board to 5	Comp. 4/2012	\$0
Build and install 2 hanger/covers for tennis EZ Drys	Comp. 4/2012	\$0
Install pole light in tennis parking area	Comp. 5/2012	\$2,100
Purchase & install 4 tennis court benches	Comp. 5/2012	\$699
Install parking stops in tennis parking area	Comp. 5/2012	\$212
Electrical repairs at pool	Comp. 5/2012	\$170
Clean pool gutters & downspouts and add screens	Comp. 6/2012	\$300
Replace monitor for pool security system	Comp. 6/2012	\$95
Purchase & install 2 aluminum benches for play area	Comp. 6/25/12	\$420
Purchase & install new 8 channel DVR for pool security	Comp. 6/27/12	\$265
Purchase & install 8 “No Smoking/Loitering” signs	Comp. 7/27/12	\$278
Repair all damage from fire at tennis area	Comp. 8/1/12	\$1,750
Replace backup battery for tennis court gate lock	Comp. 8/28/12	\$35
Interview, evaluate, select & install 2 board members	Comp. 9/6/12	\$0
Install shelving on right side of tennis closet	Comp. 9/5/12	\$59
New fire extinguisher for pool	Comp. 9/5/12	\$19
Repair cracks on tennis courts	Comp. 9/27/12	\$95
Purchase & install hose reel for pool	Comp. 9/21/12	\$85
Replace faulty photocell at Dacula Rd. entrance - timer	Comp. 11/17/12	\$110
Replace defective landscape lights in Fence Rd. island	Comp. 11/27/12	\$163
Replace 5 dead cryptomerias at upper HOC det. pond	Comp. 12/4/12	\$0
Replace/repair fence rails & post caps Fence Rd.	Comp. 12/10/12	\$85
Get bids, evaluate & select new landscape maint. co.	Comp. 1/1/13	(\$380)
Install backflow preventer for tennis bathroom	Comp. 2/1/13	\$800
<u>Planned/Pending projects 2012-2013</u>		
Develop community email list	On going	\$0
Add more video cameras to tennis area system	future	unknown
Add more video cameras to pool system	future	~\$500
Consider converting pool to salt water system	future - 2013?	~\$8,000
Resolve vacant lot eyesore on Kachina Tr. cul-de-sac	future	unknown
Improve landscaping at entrances – expand beds	2013	unknown
Replace aging pool furniture	future	unknown
Improve landscaping on hill at the pool	Spring 2013	unknown
Detention pond maintenance	Spring 2013	unknown
Repair stone work on Dacula Rd. entrance sign	In progress	unknown
Add shelving and storage at pool	2013	unknown
Replace failed circulation pump at pool	Spring 2013	~\$750
Re-stain trailhead benches, fences & paint parking pads	Spring 2013	\$1,050
Fix wash-out area Buford City Gas line on yellow trail	2013	BCG - \$0
Try to reduce speeding & stop sign violators on Gran Her. W.	2013	unknown
Add security cameras to playground and parking areas	2013	unknown
Install permanent barrier gate at pool parking lot	unknown	\$640-\$860
Top dress mulch at playground	March, 2013	\$250

<b>Apalachee Heritage</b>					
	<b>Account</b>	<b>Description</b>	<b>2012 Budget</b>	<b>2012 Projected</b>	<b>2013 Budget</b>
<b>Operating Accounts</b>					
<b>Income Accounts</b>					
	20-0301-00	REGULAR ASSOCIATION FEES	\$189,000.00	<b>\$183,165.37</b>	\$189,000.00
	20-0303-00	INITIATION FEE	\$1,000.00	<b>\$2,500.00</b>	\$1,000.00
	20-0309-00	Key Income	\$0.00	<b>\$150.00</b>	\$0.00
	20-0316-00	FINES	\$0.00	<b>\$2,385.00</b>	\$0.00
	20-0317-00	LATE CHARGES	\$1,000.00	<b>\$4,702.92</b>	\$1,000.00
	20-0318-00	INTEREST ON DELINQUENT ACCOUNTS	\$0.00	<b>\$2,637.44</b>	\$0.00
	20-0323-00	Final Notice Collection Letter Fee	\$0.00	<b>\$400.00</b>	\$0.00
	20-0339-00	MISCELLANEOUS INCOME	\$0.00	<b>\$788.00</b>	\$0.00
	20-0350-00	ATTORNEY FEES	\$0.00	<b>\$11,923.07</b>	\$0.00
<b>Reserve</b>					
	80-0800-00	TRANSFERS FROM OPERATING FUND	\$27,990.00	<b>\$27,990.00</b>	\$22,305.00
	80-0803-00	INTEREST INCOME - RESERVE ACCOUNT	\$0.00	<b>\$125.08</b>	\$0.00
<b>Income Accounts Total</b>			<b>\$218,990.00</b>	<b>\$236,766.88</b>	<b>\$213,305.00</b>
<b>Expense Accounts</b>					
	20-0340-00	TRANSFER TO REPLACEMENT RESERVE	\$27,990.00	<b>\$27,910.00</b>	\$22,305.00
<b>Administrative</b>					
	50-0450-00	MANAGEMENT FEE	\$22,680.00	<b>\$22,680.00</b>	\$23,360.00
	50-0460-00	PROPERTY INSURANCE	\$9,100.00	<b>\$9,099.41</b>	\$9,100.00
	50-0470-00	LEGAL FEES	\$12,000.00	<b>\$29,856.62</b>	\$15,000.00
	50-0481-00	ACCOUNTING/TAX SERVICES	\$280.00	<b>\$250.00</b>	\$250.00
	50-0514-00	TELEPHONE	\$500.00	<b>\$478.36</b>	\$500.00
	50-0529-00	MISC ADMIN EXPENSES	\$9,500.00	<b>\$10,900.00</b>	\$11,000.00
	50-0532-00	INCOME TAX	\$200.00	<b>\$0.00</b>	\$200.00
	50-0536-00	ACCESS CARDS	\$0.00	<b>\$0.00</b>	\$1,500.00
	50-0538-00	PROPERTY TAXES	\$1,100.00	<b>\$1,010.77</b>	\$1,020.00
	51-0500-00	SOCIAL COMMITTEE	\$1,500.00	<b>\$975.73</b>	\$1,000.00
<b>Utilities</b>					
	52-0400-00	ELECTRICITY	\$11,500.00	<b>\$10,500.00</b>	\$11,000.00
	52-0410-00	WATER & SEWAGE	\$8,300.00	<b>\$8,457.69</b>	\$8,500.00
	52-0430-00	WASTE MANAGEMENT	\$280.00	<b>\$173.80</b>	\$200.00
<b>Landscape</b>					
	54-0600-00	LANDSCAPE MAINTENANCE CONTRACT	\$37,060.00	<b>\$33,963.01</b>	\$24,120.00
	54-0629-00	PINESTRAW 2x a Year	\$0.00	<b>\$495.00</b>	\$8,800.00
	54-0630-00	YARD UPKEEP - HOMEOWNER	\$0.00	<b>\$75.00</b>	\$200.00
	54-0631-00	GREEN SPACE AND TRAIL MAINTENANCE	\$0.00	<b>\$0.00</b>	\$1,000.00
	54-0632-00	SEASONAL PLANTINGS	\$0.00	<b>\$1,948.19</b>	\$3,760.00
	54-0640-00	LANDSCAPE IMPROVEMENT.	\$0.00	<b>\$0.00</b>	\$6,000.00
<b>Pool</b>					
	56-0650-00	POOL MAINTENANCE CONTRACT	\$15,750.00	<b>\$15,271.00</b>	\$18,000.00
	56-0658-00	POOL REPAIRS/SUPPLIES	\$4,000.00	<b>\$200.00</b>	\$2,000.00
	56-0669-00	POOL HOUSE MAINTENANCE	\$2,000.00	<b>\$0.00</b>	\$1,000.00
	56-0670-00	POOL IMPROVEMENT/FURNITURE	\$1,000.00	<b>\$0.00</b>	\$1,000.00
	56-0722-00	SECURITY SERVICES	\$6,000.00	<b>\$5,750.00</b>	\$6,000.00
<b>Tennis</b>					
	58-0670-00	TENNIS COURTS MAINTENANCE SUPPLIES	\$1,000.00	<b>\$858.20</b>	\$1,000.00
<b>Maintenance</b>					
	62-0490-00	TERMITE BOND	\$160.00	<b>\$155.00</b>	\$160.00
	62-0492-00	PEST/RODENT CONTROL	\$400.00	<b>\$625.00</b>	\$625.00
	62-0750-00	PLUMBING	\$1,000.00	<b>\$750.00</b>	\$1,000.00
	62-0786-00	SIGNAGE	\$0.00	<b>\$0.00</b>	\$500.00
	62-0789-00	BUILDING REPAIRS AND MAINTENANCE	\$7,000.00	<b>\$10,378.11</b>	\$10,500.00
	62-0790-00	GATE AND FENCE MAINTENANCE	\$400.00	<b>\$0.00</b>	\$400.00
<b>Expense Accounts Total</b>			<b>\$180,700.00</b>	<b>\$192,760.89</b>	<b>\$191,000.00</b>
<b>Operating Accounts Net</b>			<b>\$38,290.00</b>	<b>\$44,005.99</b>	<b>\$22,305.00</b>

## Addendum C – Rental Cap Handout



### HOA - Rental Cap Positives & Negatives



#### Positives:

- Retain home values for existing home owners
- Creates equal stake in community among homeowners
- Attract home owners to purchase in the community
- Maintains appearance standards for the community
- Limiting rentals will force true homeownership
- Prevents businesses from purchasing homes and renting solely for profit

#### Negatives:

- Those who disagree must comply
- Creates an "US/THEM" mentality within the community (Owners vs Renters)
- Could limit or affect the amount of HOA dues that get paid or affect the timeliness of being paid
- IF the market worsens or people fall on hard times it could affect the number of houses that are vacant.