

Nature's Trail HOA Board of Directors October 2022 Election

There have been concerns about the composition of the HOA Board of Directors and the October election raised by homeowners. The Board has spent considerable time in attempting to get the correct answers to the questions that have been raised and want to provide the community with some history and answers.

HISTORY/BACKGROUND

In October 2021, the Declarant appointed the first community members to the Board of Directors. The Declarant had the ability to do so under the bylaws and fully intended to fulfill the bylaws requirements of rotating term lengths, thus preserving some measure of Board continuity, knowledge of operations and a history of how decisions were made. This is normal for how most HOAs operate and is, in general, a common sense idea and best practice.

At the time of the October election, the Board was operating under the assumption that the Declarant had set up two Board members with a one year term, and the election was held to place new Board members in their place. The election was conducted and the results have been published.

Since convening, one of the things the new Board has looked at is the appointment of the original Board. While the Declarant fully intended to include these different terms into the appointment letter, they did not actually follow through with that. Because that was not included, our attorney has given his opinion that all Board positions should have been voted on in October, instead of the two spots that were voted on.

NEXT STEPS

Based on the opinion from our attorney, the Board has decided that in order to have the correct legal grounding to conduct HOA business, the Board must be elected properly. Because not all 7 seats on the Board were elected in October, we will immediately be conducting a new Board election with all 7 Board seats open. Here are the steps we will be undergoing to ensure full and complete alignment with our bylaws and to ensure the Board is correctly established.

1. Upon receipt of this notice, any owner who wishes to serve on the HOA Board can submit a volunteer nomination form. Nomination forms can be downloaded from the HOA website at <https://naturestrailhoa.org>.
2. Volunteer nomination forms may be mailed to Hughes Properties, or may be scanned/emailed to Hughes Properties. Scanned/emailed is the preferred method. **NOMINATION FORMS MUST BE RECEIVED BY HUGHES PROPERTIES BY 5 PM ON DECEMBER 23, 2022.** Any nomination forms received after this deadline will not be considered.
3. After all nomination forms are received the voting period will begin. Ballots will be mailed out to all homeowners. Ballots may be mailed in to Hughes Properties or may be scanned/emailed to Hughes Properties. Scanned/emailed is the preferred method.

4. If seven or fewer nominations are received, it will not be necessary to conduct a ballot vote since the maximum number of seats on the Board is seven.
5. If a ballot vote is required, all mailed ballots must be postmarked by January 13, 2023. All emailed ballots must be emailed to Hughes Properties by 5 PM on January 13, 2023. Ballots may be received several days after this date, so we expect it may take several days before official results can be announced. A minimum of 51% participation is required to confirm the election. It will be necessary to conduct multiple ballots until a majority is reached, so everyone's vote is important!
6. Results will be announced on the HOA website and via official mail notification.
7. Once the new Board is convened, the bylaws state that the Board will (internally) elect Officers for President, Vice President and Secretary/Treasurer. That will occur at the first meeting of the new Board. Also in line with the bylaws, the new Board will convene a homeowner meeting within 90 days following the election.

The planned Annual Meeting of the Owners on Thursday, December 15, 2022 will be postponed until after the election of the new Board, in accordance with the requirement of our bylaws. Instead of a formal meeting, the Board will host an informal Q&A session on Thursday, December 15th at 6pm and would encourage those seeking a seat on the Board to attend and get to know the community. Please pre-submit questions to the Board so that we may correctly research a correct answer and provide the most accurate information we can. As time permits, we certainly plan on taking questions at this informal meeting as well.

The decision to conduct a new election is not one the Board takes lightly. We understand the cost to the community and hope to get this accomplished as quickly as possible so that a fully community-elected Board can get on with the business of improving the community. There are many maintenance and improvement ideas on the horizon that will be passed down to the new Board; we hope that we can get some of these ideas moving in the right direction and put any inconsistencies in the election process behind us.

Sincerely,
James Lewis, President
Haley Norton, Secretary
Susan Landgraff, Treasurer
Adam Mendez, Board Member
Rebecca Lezian, Board Member

Community Q&A: Thursday, December 15, 2022 @ 6pm, First Bible Church, Madison Campus located at 29113 Huntsville Brownsferry Rd, Madison, AL 35756

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