

Memorandum

November 7, 2016

Subject: Petition For A Special Meetings

To: Ms. Laura Maya- Polin, HOA Secretary

We the undersigned, Refuge at Whitehall Owners have identified an urgent need to address the questionable leadership and the failure of the HOA Board of Directors to manage and administer the Refuge at Whitehall Home Owners Association adhering to the ***Declaration of Covenants and Restrictions (CR) for The Refuge At Whitehall and Provision and By-Law of The Refuge At Whitehall Owners Association*** and ***Robert Rules of Orders*** with transparency, accountability and responsiveness. We call for a Special Meeting, in accordance with, By-Laws of the Refuge at Whitehall Owners Association, Inc., Article II, Section 2.02. Special Meetings.

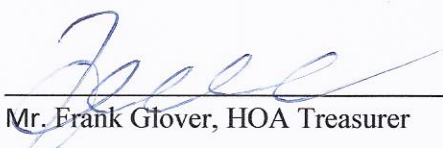
The Refuge at Whitehall Petitioners

Four Attachments:

1. Petition For A Special Meeting (Three Pages)
2. Petitioners Sheet w Signatures
3. Petitioners Sheet w Signatures
4. Petitioners Sheet w Signatures

1st Indorsement

I acknowledge receipt of a Petition For A Special Meetings with four attachments this 7 day of November 2016.


Mr. Frank Glover, HOA Treasurer

PETITION FOR A SPECIAL MEETING

The Refuge at Whitehall Home Owners Association (HOA)

We the undersigned, Refuge at Whitehall Owners have identified an urgent need to address the questionable leadership and the failure of the HOA Board of Directors to manage and administer the Refuge at Whitehall Home Owners Association adhering to the ***Declaration of Covenants and Restrictions (CR) for The Refuge At Whitehall and Provision and By-Law of The Refuge At Whitehall Owners Association*** and ***Robert Rules of Orders*** with transparency, accountability and responsiveness. We call for a Special Meeting, in accordance with, By-Laws of the Refuge at Whitehall Owners Association, Inc., Article II, Section 2.02. Special Meetings.

Published and Approved Minutes Documents the Board Inability to Effectively Manage the HOA Business.

William Douglas Owners Portal Website or refugeatwhitehall.org. (Unsolicited Voluntarily Updated by a Previous HOA Board Member)

Board approved September 15, 2015 meeting minutes provided by its Secretary did not clearly document **resolutions to update and modified the dock** (Article III, Section 3.13. Conduct of Meeting). Inability to understanding how this decision was arrived at without cost comparisons, structural assessment, ordinance compliance and safety explanation and accountable voting. Annual meeting failed to clarify and or satisfactorily answer this concern.

Board approved November 4, 2015 meeting minutes provided by its Secretary failed to document **resolutions to contract Management Association** (Article III, Section 3.13. Conduct of Meeting). Inability to understanding how this decision was arrived at without comparative business analysis and accountable voting. Annual meeting failed to clarify and or satisfactorily answer this concern.

Board approved January 18, 2016 meeting minutes provided by its Secretary failed to document **resolutions explaining the implementation of Preservation Lane Mediated Agreement** (Article III, Section 3.13. Conduct of Meeting). Inability to understanding how the mediated agreement implemented solution was arrived at requires a timeline from arbitrated agreement to final resolution, expenditure justifications, methodology for determining owner's reimbursement of HOA funds and accountable voting. Annual meeting failed to clarify and or satisfactorily answer this concern.

Board meeting minutes provided by its Secretary failed to **document actions taken for members not attending nor reflect excused absence from successive meetings** (Article III, Section 3.05 Removal of Members of the Board of Directors) To ensure continuity the board has not address staggered or appointed board members terms to ensure continuity (Article III, Section 3.04 (a) Election and Term of Office).

Board unapproved February 4, 2016, Annual Meeting minutes provided by its Secretary did **not clearly document answers to submitted questions** in advance nor accurately reflect the impromptu request to owners to state their concerns (Article III, Section 3.13. Conduct of Meeting). This is particular disconcerting in light of the fact that the Agenda was published before the deadline for submission. Questions were submitted in advance to the board and additional clarifications sought if not understood. The generic response "the Secretary would do a better job in detailing meeting minutes" in no way answer questions raised.

- Comments about the reason the previous director signed the Preservation Lane Agreement was brought to the floor an impugned the character of previous board. The rebuttal to this unfounded comment was also not recorded.
- The inability to provide required financial statements and a CY 2016 budget and a clear explanation of Preservation Lane obligations and management resulted in a request for a deferral for 60 days and a Special Board Meeting.
- A list of attendees and the assumptions of proxy to constitute a quorum as prescribed by the CR was not recorded.
- Minutes will be approved at the next annual meeting. Given owner turnovers it's imperative to have minutes accurate reflect and meet the CR requirements.

The board President and Secretary acknowledged that previous board members had offer their service and support. There was no response as to why they did not avail themselves of this resource for continuity and support.

Board approved April 13, 2016 Special Meeting minutes provided by its Secretary did not clearly document answers to submitted questions nor does it reflect any consideration of other inputs on Preservation Lane. Minutes reflects: "Frank addressed questions sent to William Douglas prior to the meeting" does not reflect answers. Questions were previously submitted at the Annual Meeting were resubmitted to be addressed at the Special Meeting. No courtesy response or any other response to submitted questions.

One of the key reason for a Special Board Meeting was not only to address Preservation Lane but to discuss the financial position of the HOA since there was no clear position at the Annual Meeting. The direct quote from the Annual meeting is as follows. "*Steve Clinton made a motion to have a follow up meeting within the next 60 days to discuss Preservation Lane and the HOA financials. Frank seconded it.*"

The financial position of the HOA was discussed in an open forum and was not documented as a part of the Special Meeting when it was call to order. Does not document the board discussing the approved CY 2016 Budget in its April Minutes identified as March 1, 2016 Meeting. This is a continuation of the failure to adhere to good governance and accountability. (Article III, Section 3.13. Conduct of Meeting)

Board approved Minutes of May 5, 2016, June 12, 2016 and July 12, 2016 (Not Posted) continue to reflect the board inability to get a firm understanding of the financial position of the HOA and continuing vacillations on the prudent management of Preservation. There is no resolution or discussion of the Management Reserve position of the HOA.











There has been clear dissatisfaction with William Douglas Management since initial introduction at the annual meeting. The board decided to discontinue their service at its June 12, 2016 Board Meeting and to continue them to end of the contract.

During this period the board solicited volunteers to complete the last months of Gene Potts term of office. They had four volunteer an according to their minutes they elected to bring on new residence participation. Board members had previously admitted that they needed additional HOA experience. There is no rationale why the board didn't bring on proven expertise and why they continually refuse to tap into the experience of volunteers willing to assist the board in any capacity they deemed appropriate. As of the date of this Petition none of the volunteers who were not selected have been officially notified of their status. This is indeed a time honored practice to continue to encourage volunteerism.

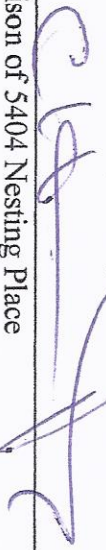
Board approved Minutes of August 9, 2016 reflect movement of 5000.00 from the Management Reserve to HOA checking without any indication of the fiscal health of the HOA. There is an entry that 2000.00 out 7000.00 has been collected for Preservation Lane special assessment but there is no indication if the difference is delinquent and what action if any is taken to collect. There is no indication of any resolution or discussion to effect this movement of dollars. Their initiative to amend the CR to remove the Management Company is indicative trying rectify a bad management decision with even more profound restriction on other boards.

The question that must be answered is it time for a change in the board to facilitate responsiveness to HOA owners with good processes, accountability, transparency and adherence to good governance.

PETITIONERS

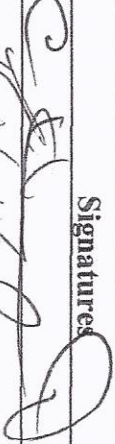

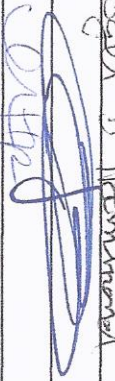
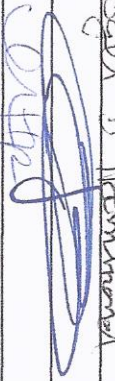
Name	Residence	Signatures	Date
Smile Ruvere	2673 Refuge Point Ave		10-2-16
Lucy M. Powers	3408 Nesting Place		10-2-16
Frank Gaudio	8578 Ridge Point Circle		10-2-16
Cyris Champagne	8586 Refuge Point Cir		10-29-16
Mavis Huger	8611 Refuge Point Cir		10-29-16
Amanda Chilton	8598 Ridge Point Circle		11-8-16
John G. Thompson	8616 Refuge Point Circle		11-7-16
John G. Thompson	3105 Nesting Place		11-7-16
Rosalee Wood	8574 Refuge Point Cir		11-7-16
Russ Miller	5408 WALKINS STCK		11-7-16

I, Carlisle Harrison, certify that each of the above individuals signed his or her name thereto in my presence; I believe that each has stated his or her name and property address correctly, and that each signer is a resident of The Refuge at Whitehall, City of North Charleston, South Carolina, County of Dorchester.

Signature:  Date: 11-7-2016

Carlisle Harrison of 5404 Nesting Place

PETITIONERS

Name	Residence	Signature	Date
Paula Lee Lawson	5404 Nostalgic Place		Oct 2 2016
Romero Reid	8639 Refuge Point		3 Oct 2016
Tracey Gussa	8681 Refuge Pt	Tracey Gussa	10/3/16
John Davis	8677 Refuge Pt	John Davis	10/3/16
REGINA THOMPSON	5539 REFUGE PT	Regina D Thompson	10/13/16
Rasaan Jones	8581 Refuge Pt		10/21/16
Waylon Helton-Kelley	8085 Refuge Point		10.27.2016

I, Smith Riviere, certify that each of the above individuals signed his or her name thereto in my presence; I believe that each has stated his or her name and property address correctly, and that each signer is a resident of The Refuge at Whitehall, City of North Charleston, South Carolina, County of Dorchester.

Signature:  Date: 11/6/2016
 Smith Riviere of 8673 Refuge Point Circle

