

HERITAGE ESTATES PROPERTY OWNERS ASSOCIATION (HEPOA) BOARD & COVENANTS COMMITTEE
SPECIAL PURPOSE MEETING VIA VIDEO CALL

THU, April 30, 2026

May 4

Covenant Committee Members: Duane Esarey, President; Jimmy Copeland; Vice President; Paula Shepherd, Secretary; Janet Johnson, Treasurer; and Emily McNeely, Joe Millner, Susan Grayson and John Sheldon

At 7:00 pm on April 30, 2026 Duane Esarey declared a quorum and called the meeting to order.

Covenants Report

- After feedback from a member, we discovered we mailed an incorrect version of the proposed new Covenants to the membership. The mail was sent on April 14 with a deadline of May 31 for approval.
- After much investigation, Janet determined Attorney Swanson used an earlier incorrect version during our video conference to hash out final details. Unfortunately, he sent back the old and incorrect version as our “final” version leaving out much of the edits we had agreed upon including:
 - A 10% instead of 20% cap on budget increases
 - Removing landscaping from the restrictions
- We did not look closely at our resulting “final” version before sending it out, as we believed we had just reviewed it with him as he made a few final edits.
- A member has emailed and sent letters by post to the members urging them not to accept the new covenants.
 - There is a misunderstanding about how a cap on raising assessments protects the members.
- The committee agreed we need to go back to Atty Swanson for legal advice regarding:
 - procedure to stop/cancel the vote
 - verbiage for an email / mail to members to stop the vote (acknowledging we made a mistake and taking responsibility for it)
 - what to do with the existing notarized forms
 - how to delineate the old version/notarized forms from the new version/notarized forms
 - a review again of a “final” version of the Covenants
- Janet made a motion to recall and reject the current version of the Covenants based on awareness that the wrong version was edited and sent out to the members, pending legal guidance on how to accomplish this. Jimmy seconded it. Motion passed unanimously.
- John and Susan offered to have their lawyer review the new final Covenants.
- We will meet again on May 4 to report on progress and finalize actions.
- Jimmy made a motion to adjourn, seconded by Janet. Motion passed.
- Adjourned at 7:44 pm

Respectfully submitted,
Paula C. Shepherd (Secretary)

HERITAGE ESTATES PROPERTY OWNERS ASSOCIATION, INC., is a non-profit corporation empowered under the Planned Community Act (§ 47F-3-102) and other laws of the State of North Carolina to serve the interests, uses, and benefits of our community, and to enforce the real Covenants in order to preserve appearance and property values to which the Declaration and Bylaws have been made applicable. Member's per lot rights and obligations under the Declaration and Bylaws are allocated memberships, assessments, and voting rights as defined in NCGS § 47F-1 (103) (2-6).

Our purposes and obligations – to plan for annual and perpetual maintenance of our private roads and common area(s), ensure the maintenance of collective property values by enforcing our Covenants and Bylaws, and otherwise serve the common interests of the community while meeting state and federal requirements and regulations.