SVRA

Common Questions and Answers - Q&A

Q: What are the board members paid?

A: Nothing. The Board is not paid. Per the Bylaws, the Board could propose to reduce the Board's annual fee for officers in an amount approved by a majority of the members voting at the annual meeting.

Q: Why wasn't there a member vote on the special assessment?

A: Members are not required vote on special assessments. Per Section 3 of the Bylaws, only the Board may stipulate a special assessment. Also, the Board is required to mandate a special assessment to avoid a deficit. Practically speaking, if there's an urgent need for funds to ensure we can keep the road open, it would be almost impossible to obtain a member vote fast enough.

Q: What if I disagree with the Board?

A: If you disagree with any issue or decision with the Board, let's have a civil, neighborly conversation about the issue. To those few that have taken a bad day out on some of the Board members, please remember we are volunteers. We make no money doing this work. And, most importantly, we are your neighbors who want to share our lovely community in peace and harmony. Remember, reasonable minds can differ.

Q: What if I'm right and the Board is wrong?

A: Send a detailed email. If you have an attorney, send your attorney's analysis. The Board has an obligation to try its best. The Board is not obligated to be perfect. We welcome member input.

Q: What if I want to join the Board?

A: That's your right. There's a vote every year at the annual meeting. But, be forewarned, it may mean hard work, and lots of time. If that sounds like you, we encourage you to join a committee now and run for the board.

SVRA

Q: Can I use Parris Branch Road or other SVRA maintained roads for free without paying my portion because:

a. My property is close to the gate?

b. SVRA does not maintain my side road?

c. My deed is silent as to an obligation to pay my share to maintain SVRA roads?

d. Someone long ago said I didn't have to pay?

e. I had a handshake deal with an owner who said I didn't have to pay?

f. I never drive the roads; I live in Florida – can I start paying when I use the roads?

g. Can I refuse to pay fees because my realtor said I didn't have to?

A: No. We are unaware of any argument that would allow you to use the Parris Branch Road or other SVRA maintained roads for free.

Q: I have two properties; do I owe for each even if I have no homes on them?

A: Yes, per Section 5 of the Bylaws, an annual maintenance fee for each property shall be paid.

Q: What if my properties touch each other do I owe for each even if I have no homes on them?

A: Strictly from the bylaws yes, however, if they **are contiguous properties (properties that touch each other).** You can have them merged into one property to avoid paying multiple fees. In fact, the board voted to allow contiguous properties in the exact same ownership to be classified as 1 property for membership convenience during covid and it is still in effect.

Q: What will the Board do if I can't pay what I owe?

A: If there's a hardship reason, the Board will work with you, as neighbors should.

SVRA

Q: What if someone just doesn't want to pay their fair share or thinks they're not obligated?

A: The Board will work with attorneys to enforce the rules, as it would be unfair to our other members who are paying their fair share. It would be unfair to the paying members to do anything else.

Q: Can I take over a SVRA Road and have it be my private road? If so, can I do that without the consent of the other property owners on that road?

A: No, in order for SVRA to relinquish the maintenance responsibility it would take more than just other adjacent property owners. It would take approximately 66.67% of the whole membership.

Q: Can the SVRA take over my private road?

A: Yes, it has happened per the bylaws, however it was only designed for when the first board originally took it over from the developer.

Q: How do the Road Maintenance Agreement relate to the Bylaws?

A: As closely as possible, however when the board votes or the community votes at annual meetings changes have been made for various reasons, typographical errors, clarity, modern equivalents, and sometimes big things like the dues, impact fees and late charges. The most current bylaws can be found on the website **www.sylvavistara.com**.

Q: Are Bylaws required to be filed with the county or state?

A: No, in fact our attorneys have advised us to endeavor to keep the current bylaws posted for the community and not to file with the county or state.

Q: What if I want something done in the neighborhood? What if it is taking the Board too long to get to my concerns?

A: You can send an email to the complete board at once with your concern or request and expect to get a replay within two business days.
board@sylvavistara.com

SVRA

Q: Can a non-officer or non-board member help out?

A: Yes, per our bylaws the board can delegate operational tasks, and administrative duties to non-board, non-officer members (such as a treasurer, our beatification committees, etc.)

Q: Is it a conflict of interest for a Board member's spouse to help the Board with the work?

A: No. There's zero conflict with this volunteer Board. The Board can delegate to whoever is available and willing to do the work. We have a surplus of work, and not a surplus of volunteers to do the work.

Q: Can I work on SVRA maintained roads myself? If not, why not?

A: No, for many reasons. One of the most important is insurance. An independent contractor delivering a package for Walmart did about $5,000 worth of damage to the front gate area. The delivery driver did not have commercial insurance but only had consumer insurance. The insurance company refused to pay. We want all work commercially insured, except in the event of a true emergency. Also, if disputes are between a member and a commercial vendor, the neighborhood stays friendly. If one neighbor diverts water unduly into another neighbors' property by doing work himself/herself, that creates a dispute between neighbors rather than with a professional vendor with commercial insurance.

Q: Can I do emergency work on the SVRA maintained roads – like removing a downed tree?

A: In some cases, yes. For example, we have a tree and cleanup committee that gathers after storms to inspect the roads and pick up debris that may keep our members from getting stuck, in a crash or at least be able to get out the next day.

Q: Can I take gravel and/or dirt off the SVRA maintained roads and put the gravel on my private drive?

A: No. The SVRA pays for that gravel and dirt. You are not allowed to take the SVRA property and use it for your individual benefit.

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Q: What if I think I can raise money for the SVRA?

A: That's great. The easiest way to send a donation is clicking DONATE in the menu of the www.sylvavistara.com website.

Q: Does the Board have written legal opinions for every issue the Board deals with?

A: No. The Board tries its best with what it has. The Board consults legal counsel as needed and as the budget allows. To obtain precise answers on all of the many issues/questions would require a special assessment – and nobody likes special assessments.

Q: Can I hold SVRA documents if I'm not on the Board?

A: No. Please provide them to the Board as that's SVRA property. The Board is building a digital repository for all SVRA documents so that we maintain historical knowledge and consistency for the future. Not to mention safety from loss, theft, or fire!

Q: Where does SVRA maintenance start and stop relative to my property?

A: Per our bylaws section 3 Definition of roads indicates each road maintained by SVRA.

Q: What if I bought adjacent property and combined them, making the new edge of my combined property further away from the previous end point of SVRA maintenance. Will SVRA come across my new property line to maintain to the old point

A: No, the end point would move to the nearest edge of the combined property, because SVRA does not pay to maintain within any members personal property as maintained roads are for ingress, egress and regress – which means to the edge of the property.

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Q: Can I neglect maintaining my private road in a way that causes the SVRA to have to fix the SVRA maintained road?

A: No. In fact, the bylaws section 3 Definition of Roads indicates the distance you must not interfere with from the center of each roadway we maintain called the easement. In most cases it's 60' or 30' from the center line.

Q: What if I want to change the rules that are currently in place?

A: Step 1, have a neighborly dialog with the Board and possibly have an understanding. Step 2, send the Board your detailed explanation and arguments for why your perspective is beneficial. Step 3, you may need to hire an attorney and have your attorney send us a detailed argument with citations to the law and the Board will need to hire an attorney to respond accordingly. Which if not resolved in step 1 may result in a SVRA special assessment to pay attorney fees.