

Governing Document Review Committee - Working Meeting
May 15, 2019 - 2:00pm to 2:45pm
Tri-lakes Chamber of Commerce Conference Room

Committee member attendees

Paul Baerman
Jim Fitzpatrick
Erby Youngblood

Other attendees

Laura Kronick

Meeting began at 2:00pm and ended at approximately 2:45pm.

PURPOSE: Continue Review of VaM HOA Governing Documents options.

OBJECTIVE: Based upon review to date, to what category can our efforts fall under:

- 1) Changes that can be made without incurring cost
- 2) Changes to be made if money was not a constraint
- 3) Areas needing clarification
- 4) What should NOT be changed

STATUS: Our homework from previous meeting was to finish our individual reviews of the governing documents, keeping in mind our objectives above. It was agreed that we had all finished our reviews.

DISCUSSIONS: The general opinion is that the committee is continuing to struggle with the right options to pursue.

Paul) opened the discussion with a guidance statement to legal/review for team:

- 1) Changes to Covenants as elaborated in Annex-Amendment
 - 2) Update from Declarant to Board governance
 - 3) Update with any new state law or other required changes
 - 4) Institute insurance and maintenance guidance from 2014 in Rules and Policies
 - 5) Edit payment section in Covenants if necessary (see Payment Rule and Policy)
- Given above guidance, what is cost to update and review covenants?

Paul is still of the mind to modify/update our documents for things like Declarant vs. Board governance but this is still going to be a difficult and costly option.

Laura) had pursued research on-line as to shell documents to pursue a total rewrite of our base governing documents. Unfortunately, she could not find any applicable documents that would fit our Townhome/Single Family configuration. This would mean that whatever law firm we were to use, we would be using their shell documents but this would still be a costly option and may not be as straight forward as we think. We would have to get a law firm quote to be more definitive.

Erby) had still wanted to use the 2014 ADL effort to prevent re-inventing the wheel. However, since the board never completed or followed thru with the ADL recommendations, we would need to ask ADL to refresh that effort. This would not be free either If we were just going to pursue a table to clarify HOA vs Owner responsibility,

Erby had summarized those areas of responsibilities defined in the Covenants and the Annexation documents for illustrative purposes.

Jim) suggested that we put together an Index table that would show Owners where in our documents a desired work item and responsibility are notated. For example, for painting the exterior of my house where does it say that in our documents, for Townhomes vs Single family dwellings? This index would also provide an educational tool for owners as to how our documents work. To point to the place (by section) in our documents for a description of the work to be done, for the two types of dwellings in our HOA and who is responsible for what. This would be a no cost effort that could still provide a useful output from the committee.

ACTION ITEMS:

Paul) volunteered to put a community wide email soliciting questions from our members as to their questions that could be converted to line items in the index table.

Erby) volunteered to put the index table together once all the questions or suggestions have been made.

NEXT MEETING - TBD in Mid June