

SILVERHEELS NEW AMENDED COVENANTS COMMITTEE (SNACC)

Minutes of 01/05/22 Meeting

(7:00 PM via Zoom)

Approved at 01/19/22 Meeting

1. Attendance

Members Present: Rich Bainbridge, Susan Barton, Tony Boccio, Luis Canales, Ann Erdle, Natalie Gorak, Lesley & Ed Hall, Gail & Steve Kloppel, Mary Manka, Lane Mathison, Maria Mitchell, Mike Peterson, Tyler & Kylie Pontius, Art Recek, Charlie Schultz, Maria Smaldone, Jeffrey Togie, and Lillian Wissel.

Moderator: JB Burghardt

Members Absent: Zach Loos, with previous notification

Confirm Quorum: Quorum was confirmed with 20 lots represented.

Observers: Linda Rulli

2. Minutes

The Minutes from the 12/16/21 meeting were approved as amended and discussed by JB.

3. Replacement of Retired Member?

Alex Matthews advised that she needed to retire from the Committee due to family responsibilities. Since no other lot owner currently has indicated a desire to join the Committee, it was agreed to continue with one less member but leave the window open for a future replacement if the opportunity arises. The quorum will remain at 17.

4. Review and approval of New Amended Covenants Draft v2 (covering Recitals and Article 1).

JB reviewed the proposed process for editing the Covenants, section by section: (a) at a meeting, Committee members will generally discuss a section, from which potential language for the section is generated; (b) after the meeting, JB will create a fresh draft of the section and send it out to Committee members in advance of the next meeting; (c) this draft will be discussed and voted on at the next meeting. Everyone approved of this process.

After the last meeting, at which the Recitals and Article 1 were discussed, JB had prepared and disseminated a proposed edited version (“v2”) of that segment using the process described above. He also had provided a redline showing the changes made between v2 and “v1” (the base document originally proposed by Charlie Schultz from which all edits will be made). A motion was made and seconded to approve v2. After further detailed discussion about the wording in Article I Section 1.2 (“Intent”) the motion was approved by a vote of 14 to 6.

The need for an explanation of the term “President of the Association” in Section 1.5 was addressed by adding a definition to the Appendix.

5. Article 2 – Overall Structure

JB suggested a reorganization of Article 2 based on the principle of having all Sections not relating to the ACC at the beginning of the Article, followed by Sections relating to the ACC's purpose, role, and function. Committee members expressed general approval of this proposed reorganization, although no specific vote was taken because the proposal was conceptual.

6. Article 2 – Begin Review of Text.

JB also recommended changing the title of Article 2 to something other than "Architectural Control Committee" because the Article covers many matters other than the ACC's role and purpose. His suggestion was "Construction of Improvements", but numerous other suggestions for the title were made by the members, including "Architectural Standards". This also led to a discussion regarding changing the name of the Architectural Control Committee itself to something that is less about "control" and more about support and advice.

JB also recommended creation of a new Section 2.1 which would affirm that: (i) all lot owners, in addition to being obligated to comply with the Covenants, are obligated to follow all laws, regulations, and other rules of applicable governmental authorities, and that (ii) a violation of any of those laws, regulations, and other rules will also constitute a violation of the Covenants. He explained that the reason for his suggestion is the increasingly obvious fact that when violations of County ordinances occur within our subdivision and the matter is referred to the County for enforcement, the County is not timely providing the personnel needed to address the infraction, leaving the the Association with almost no way to deal with the problem. This led to a general discussion and debate regarding enforcement and how much our Association can take on in this regard. This will be a recurring and important topic as our Committee proceeds.

Due to these broad thematic discussions, all specific editing of Article 2 was deferred to the next meeting.

7. New business – none.

8. Next Meeting

The next meeting will be Wednesday, Jan 19, 2022 at 7:00 PM via Zoom. JB will provide a proposed revised version of Article 2 and a redline before the next meeting; homework is to review it carefully and be prepared to discuss it in depth, with the goal of finalizing and voting on specific language.

9. Adjournment at 9:06 PM.