

AVHA Informational Meeting

April 8, 2013

Meeting notes

7:40 pm Meeting called to order

In attendance: Art Ray, Dana Hayner, Gideon Goodwyn, Joe McIntyre, Scottie Burnette, Stacie Dayton, Leilani Adams-Attorney with Thomas and Associates, several homeowners

This informational meeting was scheduled to review the proposed Declaration of Covenants, Articles of Incorporation and By-laws that were mailed to each homeowner March 7th. No vote was held at this meeting. Input from the homeowners present were recorded below so that a committee of homeowners can meet and review the information and possibly amend/add or delete any information before proceeding with the final draft.

Leilani was introduced as the association attorney. She explained the documents sent out for review were just drafts, nothing has been passed yet, and there will be no vote tonight.

Concerns expressed by homeowners regarding the proposed By-laws

1. **Page 8 Article VII (o)**-Borrowing money for the maintenance should not be allowed without the homeowner's vote first. The concern is if The Board takes out a loan and then move or resigns from the association, leaving a large debt to be paid.
2. **Page 7-8 Article VII-A** homeowner asks for an explanation regarding what exactly a capital improvement is. Leilani explained that it is an improvement and not maintenance. She further explains that this article was worded in the way that it was so that not every single proposal would have to be voted on, which would be very time consuming and costly to the association.
3. **Page 11 Article X**- A concern is expressed that directors and officers *should* be held personally liable for *any* misconduct; willful or otherwise.
4. **Page 12 Article XII**-Does this wording allow The Board to have too much control?
5. **Page 13 Article XII Section 2**- a homeowner feels that no one should be allowed to come onto his property. Leilani points out that in the same article it is stated that any entry should be requested in advance and scheduled at a time that is convenient for that homeowner.

6. **Page 15 Article XVI-** a homeowner disagrees with the statement "...these Bylaws may be modified or amended by a majority vote of the owners, in person, or by proxy...". He feels it should state 51% or 135 homeowners rather than "majority".

General comments regarding By-laws

1. One homeowner states we should just dissolve the HOA. Leilani explains that is not possible.
2. A homeowner comments that the original By-laws were created before she was born. She suggests that we keep the language of the new documents simple and specific. There are too many vague statements.
3. A Homeowner says he tried to look up some of these regulations and he could not find them online. Leilani stated she will provide some websites for homeowners to use.

Concerns expressed by homeowners regarding the proposed Declarations

1. **Page 4 Article II (f)-**Several homeowners want this statement removed. There should not be any people allowed to gain access to our pool that we pay dues for.
2. **Page 6 Article V Section 2-**A homeowner want this statement taken out because everyone in this day and age has some sort of business in their home. He thinks this statement is too vague and at least should be more specific. Another homeowner agrees and states we should not be too harsh with this rule because there are city rules regarding this. She also requests that it be added that car signs should be allowed.
3. **Page 6 Article V Section 4-**A homeowner believes this statement should be taken out. City ordinances are in place for this reason.
4. **Page 6 Article VI-**A homeowner does not like the wording. Leilani replies that he is reading it wrong. It is granting access to common areas, not his property. She reiterates that it is not saying that someone will go through his lot.

General comments regarding the Declarations

1. A homeowner does not want a management company to come in! Joe replies that it is not what the officers' want either, we need to keep things civil. The homeowner responds that we should dissolve the association and liquidate the assets. He asks if his

involvement of the HOA be dissolved if changes are made because he bought his home 10 years ago under the current documents. Leilani advised that he cannot.

2. Many suggestions are being made; homeowners want to know who will make the changes. Joe reminds everyone that the concerns are being recorded and the changes will eventually be voted on. Stacie reminds that we will need a 75% vote in favor of these changes before they can actually be changed. A homeowner suggests we go through each line individually. Leilani and all present Board members agree this would be way too inefficient. Joe reminds everyone that these proposed documents were mailed out in advance for everyone to review so that we don't have to go through each line individually.
3. A homeowner suggests that it would be more efficient to have a committee to help out and get these changes made and passed. These are legal documents that are confusing to people who don't have legal training. It is agreed by everyone present that a committee should be formed, sign-ups will take place after the meeting and Stacie will co-ordinate with everyone for that. Leilani suggests the committee be comprised of 7-10 people maximum. The meeting will take place independently from the monthly Board Meetings.
4. Several homeowners want to know why the proposed Rules and Regulations were not sent out, these (according to these homeowners) are the most important documents and they want to know what is going to change on the Rules and Regulations, so we should work backwards and start with that. Stacie and Leilani point out that the Rules and Regulations cannot be changed until the Declarations, By-laws and Articles of Incorporation are changed, you can't out the cart before the horse, so to speak.
5. Four homeowners are in agreement that a lack of rules and regulations will cause this neighborhood to go down in value, like Green Run. They all want to have more specific rules to keep the neighborhood nice. Joe replies that this is why we are having this meeting, because we need community involvement. This is the forum for voicing any concerns about the new documents.

The meeting turned toward questions not related to the proposed documents.

Meeting adjourned 9:22pm