

Overland Cove

Governing Documents Review and Update Committee

Summary

17 Oct 22

1. Established Charter with Change #1 31 Mar 22.
2. Conditions:
 - a. 90 Townhomes; 85 Garden homes
 - b. Majority of Residents have not read or do not understand the Governing documents. Less than 50% vote in HOA elections. Less than 30% use HOA facilities.
 - c. Residents seldom use front entrance into house
 - d. All residents have two car garages and driveways, or parking pads attached
 - e. 90% of residents depart garage area into an alleyway, not into street
 - f. Daily traffic flow(7am-5pm) in community is only impacted by parked cars, mostly on Split Rock Cove and mainly vehicles parked on the south side of street
 - g. ~50% of residents are on fixed incomes
 - h. Large common areas (over 300 trees)
 - i. Management company supports HOA
 - j. Contractor maintenance supports HOA (lawn/landscaping/clubhouse/pool/pest/irrigation)
 - k. Majority of homeowners not interested in HOA governance
3. Met with HOA lawyer and management company
4. Sent request to resident's o/a 29 Apr seeking Committee members
 - a. 212 emails delivered
 - b. 159 opened
 - c. 53 did not open
 - d. 66 click link for survey, 37 responded with some interest. [21%]
 - e. 3-responses w/o name; 8- BOD/Committee members = 26 [15%] with some interest to get feedback
5. Initial Committee meeting 18 May. [1-Chairman; 2 HOA BOD representatives; 10 members]
6. Coordination meeting 7 Jun, 4 members dropped from Committee.
7. Established evaluation criteria
 - a. Legal/complies with laws
 - b. Functional/needed
 - c. Fair
 - d. Reasonable

- e. Consistently applied for all areas
 - f. Clear/concise
8. Developed Community Wide Standards
 9. Developed communication form for residents to notify or reply to the BOD or management company.
 10. Committee reviewed HOA violations report to determine any trends. Parking and architectural change controls were most concerning.
 11. Sent request to resident's o/a 1 Aug seeking topics that may need addressed or added to the CC&Rs. No residents responded.
 12. The Committee met several times from May-Sep to discuss and gain consent on all recommended updates to the CC&Rs.
 13. The committee struggled to determine how to properly meld CC&Rs, rules and regulations, and existing POPs. Tried to make the Covenant the homeowner one-stop for all HOA governing documents. We found:
 - a. Several current POPs and some other documents contained CC&Rs requirements. Needed place in CC&Rs, removed from the POPs.
 - b. Became clear POPs should be changed, removing the policy items and add to CC&Rs, then keep remaining information and call the documents HOA Rules.
 - c. Reason: If the BOD determines a change to a CC&Rs requirement is needed, it requires an amendment process. If a Rule change is required, it does not need a formal CC&R amendment process.
 - d. We wrote CC&R in such a way to address the "action item" in the CC&R's but refer the homeowner to the HOA website for the governing Rules.
 - e. This needs the lawyer's concurrence... [the only way we knew how to keep a tremendous amount of details out of the CC&Rs].
 14. Overall comments:
 - a. The Committee members were dedicated to this effort. They spent many hours participating in research, discussions, and reviews to ensure our criteria was met.
 - b. It was extremely disappointing to have such little interest by the majority or residents in their HOA governing documents.
 - c. Recommend the BOD consider providing the Committee \$200 to cover the administrative costs incurred.
 15. The Committee thanks the BOD and Gilles Beaumont for the use of the laptop and TV screen to make our meetings effective and manageable. We recommend the BOD use the TV screen for further HOA meetings.

Mark Dille