

MINUTES
COVENANT COMPLIANCE POLICY UPDATE TASK FORCE
JULY MEETING

DATE & TIME: July 20, 2023 – 10:00 am – 12:00 am

LOCATION: ECIA Community Center conference room and Via Zoom Videoconference

1. Participants. Board President Amelia Adair, Ken Howard, Board Member, Architecture and Covenant Compliance Coordinator Mark Young, Architecture Committee Co-Chairs Katherine Mortimer and John McDermon. Katherine Mortimer served as note-taker. Community members on zoom: Joe M., Caryn Walz, S Worley.
2. Agenda & Minutes. The members approved the July Agenda and June Minutes
3. Board liaison update. Welcome Ken Howard, new Board Liaison.
4. Work to develop initial draft Compliance Policy.
 - a. No one recalls the arbitration option being used in ECIA.
 - b. HOA act requires hearing before fines can be imposed.
 - c. Review of Problems Matrix – to understand the breadth of violations needing to be addressed. Updates made to document in shared folder.
 - d. Enforcement mechanisms – owners and, by extension, renters:
 - i. Covenants limit member suspensions for up to 30-days. What about ongoing violations, does that allow that 30-days to be restarted for every day the violation continues. **[Amelia will ask the ECIA attorney]**
 - ii. Fines accrued should be paid even if they eventually come into compliance.
 - iii. There should be a way to appeal payment due to extenuating circumstances that delayed coming into compliance.
 - iv. Fines could be suspended from accruing if agreements are made by staff to allow people to come into compliance by a specific date.
 - v. Does this add to staff work? We could send unpaid fines to a collection agency.
 - vi. 3 speeds of notice to repair timing, depending upon urgency of violation.
 - vii. The draft policy was reviewed and edits made.
 - e. **HOMEWORK:** Review arbitration panel language and suggest edits at next meeting. How much detail do we want to include in this document. Rules, evidence, notice, witnesses, etc. Could be a separate policy.
 - i. **John will define categories of violations**
 - ii. **Mark and Ken will review revised language for detailed comments**
5. Open Forum. (Public Comment)
 - a. Notifications, one of those letters need to be a registered letter or how can you verify that it was received. Discussion: If people don't sign for letter received.
 - b. Violations that are neighbor-dependent can create a toxic situation, especially when fines come down the road.
 - c. Could people just reach over to let themselves in once the key card is activated for that amenity.
 - d. Could notifications be given to details regarding specific amenities like the dog park and pool.
 - e. Can members of the public access the draft documents online and not just see the section being edited at the time? - Sharing working documents could be a problem until they are ready for community input. The complete first draft will be made available and meetings scheduled to get community input.
 - f. When draft is finalized, how will its availability be noticed? Multiple channels of communication will be used and document will be available online and hard copies at the office.
6. Next meeting: August 17th from 10 am to noon