

Minutes

COVENANT COMPLIANCE POLICY UPDATE TASK FORCE

AUGUST MEETING

DATE & TIME: August 17, 2023 – 10:06 am – 12:00 pm

LOCATION: ECIA Community Center conference room and Via Zoom Videoconference

Participants: Board President Amelia Adair, Architecture and Covenant Compliance Coordinator Mark Young, Architecture Committee Co-Chair John McDermon Architecture Committee Co-Chair Gary Moran, Board Member Joseph Gutierrez observing, One resident attended over ZOOM: Caryn Walz,

Excused absences: Board Liaison Ken Howard, Architecture Committee Co-Chair Katherine Mortimer

John McDermon served as note-taker

1. Approve August Agenda and July Minutes – approved, no changes
2. Board liaison update: look at the bylaws as it overlaps with compliance policy, deadline for comments on the bylaws - 9/15/23
 - a. Change Article III, Section 2: Suspension of Membership to reference Compliance Policy, Paragraph (b) (*below*)
 - (b) The Board may suspend the member's use of common properties as provided in the Covenant Compliance policy adopted by the Board.

John will submit comment to Bylaws Review Committee

Discussion about owners vs. renters, Article IV Property Rights: Rights of Enjoyment

Agree that enforcement is both for owners and renters, not only the renters

Discussion about Article III, Section 2, Section 21 – definition of Member In Good Standing (MIGS) – the bylaws give us the ability to suspend MIGS status as part of our compliance policy. Could be used in the compliance policy as a final step just before referring to attorney.

Discussion about including the requirement of being a MIGS to be able to submit plans. Including this as a part of the Arch Guidelines process closes the loop. Need to include flexibility to include owners on payment plans and renters.

3. Process for Public Outreach

Think about a day for a town hall in early November to be able to include the meeting date in the Oct VISTAS article – 6:30 PM, Tuesday, 7 Nov 2023. This means the Board needs to review the policy at the Oct Board meeting which gives us two meetings before then and the Oct meeting needs to be in the first week of Oct.

4. Work to develop initial draft Compliance Policy. Report on homework, discuss suggestions and edit master document

Review text cleanup in draft policy

Language in policy that clarifies the term “General Manager” includes the full staff, under the concept that the staff reports to the General Manager.

Continue to review edits in draft policy document and accept changes as we agreed on language

Will need to define what constitutes “Expedited,” “Urgent / Emergency” and “Repeat Offense” as part of policy and exhibit.

Continue to refine and standardize terms and language:

First Notice vs **First Notice of Violation** (short vs. long form)

Notice of Action vs **Notice of Enforcement Action** (short vs. long form)

Exhibit A referenced in document will be a list of examples and the process

Discussion about certified mail vs. certified mail / return receipt. Decided on certified mail without return receipt to avoid people ducking the notice

Discussion and decision about MIGS status being revoked as part of the referral to attorney

Review language around arbitration – including language about enforcement continuing if arbitration finds in ECIA favor or arbitration breaks down.

Amelia shared a document she uploaded into OneDrive outlining a possible fine schedule. This will require more work.

5. Open Forum. Opportunity for public comment

No comment

6. Next meeting

Thu, 7 Sep 2023, 10:00 to noon

7. Homework

Review and think about the lengths of time for the various steps and the fine schedule.
Mark to think about how violation/fines will be tracked.

Think about Exhibit A – examples of violations