

Date: Saturday April 30, 2011

The meeting was called to order at 9:07

Attendees: Phil LoGalbo, Carmi Cyrus, Colleen Murphy, Mike Anderson

The announcement for this meeting was only posted on the Web. This committee requests all future meeting announcements be sent out as an email blast to all homeowners.

This meeting was called to discuss the results of a public meeting announced by the board and held on Wednesday, April 27, 7:00. Meeting notice was posted on the mailboxes and on the website, but no details of the meeting's location were stated on the website.

The main items discussed at the Wednesday are as follows:

Concerns discussed included the possibility of having legal counsel examine the manner in which the board passed the amendment in questions regarding the no rental policy including changes and addendums not in the original petition.

It was decided that the board assemble all the concerns on both sides and present to the homeowner's attorney for opinion.

- 1) The amendment was not presented to the community 30 days prior to the signing date, or anytime prior to the signing date. The amendment was presented to the homeowners at the moment of signing. (Note: many believed what was described in the announcement and the newsletters was to be the text of the amendment. It was change substantially for the day of signing and changed again at a later date without review by homeowners.) How far in advance does a review period need to be provided?
- 2) There was no community meeting to allow an open forum to discuss the proposed amendment. Homeowners were left out of any discussion until the signing day.
- 3) 75% of votes were not received on the signing day (Nov. 10); Signing was kept open until sufficient number of signatures were collected to be over the 75% which occurred in the following April, nearly 6 months later.. Isn't a vote supposed to happen between specific hours/days?
- 4) Attach the notice sent to WL owners announcing a "Petition Signing" prior to the signing date.
- 5) Could "Petition Signing" and not "Amendment Voting" have misled owners?
- 6) Did WL attorney review this document prior to mailing?
- 7) Also in this document, "Facts: 4." states; "Present rentals will be grandfathered until unit is sold. Then, unit must be owner-occupied." Amendment 4 actually allows grandfathered rental units to continue be rentals until the unit's owner actually occupies it, allowing the owners of rental units to sell to both investors or owner occupants allowing those units access to an additional purchasing market that the owner occupied sellers are denied.

- 8) The amendment does not appear to address the situation of a WL owner allowing their guest to stay in the unit while they are not occupying the unit for any period of time.

The board agreed to include any additional concerns discussed at the 30 April meeting of the committee. These include the following:

- 1) Define Rental
- 2) Define Owner
- 3) Allow lease to own contracts/delayed closing contracts to be not considered as rentals
- 4) 75% signing was not done on the final version. It was later amended. (to include 2 more rental units to be listed, maybe other changes???)
- 5) Have no restriction on Family or Friends staying in the unit without owner living there.
- 6) Can the amendment be modified to include rentals of units of homeowners who have lived as owner occupied for a predetermined time, such as 1 year or 2 years, such that the unit was not purchased to be a rental, but due to economy or personal circumstances, cannot be efficiently sold.
- 7) How to prevent subsidized rentals such as Section 8. Please note, that this committee believes that any current rental could rent to Section 8 housing without any review or consideration by WL.

Additional items that occurred at the Wednesday meeting are as follows

- 1) Board obtained a letter from the lawyer stating the procedure for effecting this action. This letter, dated 2005 was promised to be sent to the committee for review. The WL president is now refusing to send this letter. This committee insists on receiving this letter as promised.
- 2) The committee wants copies of all correspondence between the board and the lawyer in initiating and implementing the amending action. This is a homeowner's issue, so the homeowners have a right to see these documents. The board is spending homeowners' funds to implement this board's desired action.
- 3) When did the lawyer tell the board that the initial grandfather clause was unacceptable? The committee wants copies of the initial (not acceptable version) and amended document for review. Note: When most of the members at the 2011 Annual Meeting stated that they didn't remember seeing the revised grandfather clause, Murray clearly stated that that part had to be changed by the lawyer's recommendation to be an acceptable clause. It appears that this might have happened after the initial November 10 signing date. Murray said this was necessary, per the lawyer.
- 4) Some of the board members do not remember receiving a copy of the amendment at the signing.
- 5) The committee is considering review of the complete list of signatories.
- 6) To ask the board how they came up with the authorization to prevent friends and family from using the homeowner's units

- 7) Please note that the Section that states how to make amendment states both signing and vote.
- 8) People thought that the amendment as originally presented allowed for a more level playing field. Now it appears that the rented units have more value than the owner occupied and have created a dual class of homeownership within WL.
- 9) This committee wants encourage the board to direct non board members/employees to refrain from discussing this matter with home owners, this needs to be presented t the home owners in a proper manner only by members of the Association.

Finally, the committee is asking the board to send out these minutes on an email blast as well as posting on www.wlhoa.com, the association website. And the committee is considering sending out a flyer informing all homeowners of the issues relating to the no voting amendment, both on what it means to the homeowner as well as the procedure used by the board to implement it. Please also note that this committee is willing to work on behalf of the homeowners to assemble a meeting and work with the board to construct an amendment that is presented to all homeowner's in advance for their comments and to include these comments in the final version that will be submitted to all the homeowners in advance with sufficient time to completely understand the amendment.

The meeting was adjourned at 10:20. The next meeting will be scheduled after receipt and review of the lawyer's opinion letter.

Respectfully submitted
Mike Anderson, Acting Secretary