

SPECIAL MEETING OF THE DIRECTORS
September 16, 2023
Mancos Public Library
10:00 a.m. – 12:00 p.m.



Board of Directors Present

Michael Noland (President), Roy Wilkinson (Vice President), Sherry Nigteagle, Charlie Osburn (via Google Meet), and Terry Wheeler.

Others in Attendance

Nan Campbell, Secretary

Purpose of the Special Meeting

The purpose of the meeting was for the Directors to discuss next steps for the draft covenants that were received by the Board at the August 30th Special Board of Directors Meeting.

Motion to Adjourn

It was moved by Roy Wilkinson and seconded by Sherry Nigteagle to adjourn the meeting.

Roy felt that the procedures for accepting the 1998 Covenants from Redstone, Daniel Christmas, were not followed per the Legal Review that was received in 2022. He read a portion of the Review which stated that the acceptance of the covenants had to be approved by the membership.

Mike was under the impression that this issue had been addressed months previously when he went to the attorney to sign the document and asked him what else had to be done for the covenants to be released to the HOA. The attorney told him that nothing else had to be done; the membership did not have to accept the 1998 covenants. It was requested that the attorney be contacted and get the non-acceptance of the covenants by the membership in writing since it appears that the attorney has contradicted himself.

Sherry felt that the 1998 Covenants, Article #32 did not allow the covenants to be rewritten but only amended "in cases of hardship or practical difficulty where the basic intent and purposes of said covenants, restrictions and easements would be violated. . ." Mike felt the Covenant Task Force had gone through an extensive process where the 1998, 2005 and 2008 covenants had been considered and whether the terminology "rewritten," "revised," "updated," or "amended" was used to describe the draft covenants, it was time to continue going forward with a schedule to get Community input.

The motion to adjourn did not pass by a vote of 4-1.

2/3 Vote Discussion

Terry Wheeler asked if the Covenants were to be passed by a 2/3's vote. It was discussed and decided that a 2/3's vote was necessary to ensure that the Community was in favor of the Covenants. No one wants covenants that are approved by 50% + 1.

Schedule for Community Input

It was discussed and decided that if there were concerns or suggestions with the Draft Covenants, those should be submitted in writing to the Board prior to a scheduled meeting for Community Input. A member's name may or may not be included with a written document. This would allow the Board to receive them in advance and be able to review. This would not preclude a member from speaking to their written document.

1. First Special Board Meeting to Receive Community Input on Draft Covenants

Concerns, suggestions and/or rewritten covenants must be sent to Michael Noland at michaelnoland@rocketmail.com prior to **Friday, October 6, 2023**.

Special Board Meeting, Monday, October 9th, 2023 at 6:00 p.m. – 8:00 p.m. at the Mancos Public Library.

2. Second Special Board Meeting to Receive Community Input on Draft Covenants

Concerns, suggestions and/or rewritten covenants must be sent to Michael Noland at michaelnoland@rocketmail.com prior to **Wednesday, October 18, 2023**.

Special Board Meeting, Saturday, October 21, 2023 at 10:00 a.m. – 12:00 p.m. at the Mancos Public Library.

3. After the Special Board Meetings, a Special Director's Meeting will be scheduled for Saturday, November 4, 2023 at 10:00 a.m. – 12:00 p.m. to synthesize all of the data that has been received.

4. After the December 2, 2023 Regularly Scheduled Board of Directors Meeting, a Special Director's Meeting will be scheduled at 1:00 p.m. to finalize the Covenants.

Voting on the Covenants

A date will be set in February 2024 to vote on the Covenants.

It was suggested that a Covenant Voting Telephone Tree be set up to get the vote out. The Board will ask for volunteers to do this.

Meeting Adjourned

The meeting was adjourned at 11:22 a.m.