

BELLAVITA STEERING COMMITTEE

MEETING MINUTES for: December 2, 2008

APPROVED: January 21, 2009

Attendees:

BVHOA Not present

AMI Rep Not Present

Club Manager Not Present

Villas Master John Devereux

BVSC	Section 1	Dorothy Darden - Bob Stockinger
	Section 2	Bill Burdick - Margo Green
	Section 3	Roger Valdez
	Section 4	Elizabeth Woods

Call to Order

The meeting was called to order at 7:00 by Facilitator, Bill Burdick. Bill stated that the various clubs have requested the Men's Club become active in direct resident e-mail. At present 80 residents have submitted contact information. The e-mail will primarily be used for club and resident health news. Information will be submitted to a designated source. There was discussion that this was not a function of, nor coordinated through, the Communications Committee. There was discussion about the use of entry signs to announce meetings.

Reading of the Minutes

The minutes of the November 18, 2008 meeting were not reviewed and will be presented at the next Steering Committee meeting.

Bylaws Committee

Bill stated he received input from three Steering Committee members on the proposed changes to the Declarations. There was consensus on the change of the delinquency date from 5 to 15 days. There was a discussion on the need for consistency in the form of the name used in documentation. After discussion it was agreed that the name would be shown as BellaVita at Green Tee, Inc.

Ron Lauve distributed the Responses to Comments regarding BellaVita Bylaws and Declarations.

There was a discussion on fences. It was stated that there needs to be a definition of the types of fences and identification of the location of

these types of fences. Elizabeth stated that a problem is that some of the fences being identified as common fences are on common property and others are on resident property. She stated she believed the problem was one of interpretation and not with the document itself. Article VI, Section 1, is a broad statement and covers any desired action. Margo stated she believed the fence decision should be made by the new Board, not the existing BVHOA. Dorothy stated she believed the issue needed to be resolved at this point. Other opinions stated the section should remain as written so that changes can be made. It was stated there are two components of the fence issue, repair of storm damage and maintenance. It was stated that the Declarations as written will allow the Board to make decisions and changes if desired and no change was necessary in the document. A recommendation was made to leave Article VI, Section 1, as written. The recommendation was approved.

There was a discussion on the response to the Bylaws. Elizabeth stated that she believed that the section pertaining to collecting and disbursing of assessments and the depositing of those proceeds in a specific manner will cause us to be in violation if approved as proposed. She stated the definition of approved financial investments needs to be broadened to include investments including:

1. Deposits in a federally insured financial institution;
2. Securities with the direct guarantee of the United States government; or,
3. Money market accounts that are invested primarily in securities with the direct guarantee of the United States government.

This change was approved.

The recommended changes to the Declaration of Covenants was discussed. After discussion of the "outside members" clause in Article I (a) this was left as written.

There was discussion on Article VI, Section 9 regarding signs. It was stated that political signs are allowed by federal law. It was mentioned that construction contractor signs and garage sale signs were not addressed. Any signs not addressed would need Architectural Review Committee (ARC) approval. After discussion, by a vote of 4-2, it was recommended that the clause pertaining to political signs be removed.

There was discussion on Article VII on the addition of "flood." There was discussion whether "windstorm" also needed to be added. There was discussion on the phrase "attempt" to obtain insurance. There was a discussion whether deductibles needed to be specifically mentioned. After discussion the proposal was approved to add "flood" to the required coverage and leave the rest of the section as presented.

Roger asked a question regarding liability coverage for potential suits involving attendees at Clubhouse events, leaving in an impaired state, and subsequently being involved in an accident. Margo stated that there is no way of knowing if such an incident would be covered until it went to court.

There was discussion on Article VI, Section 8, regarding parking. There was discussion about the need for the last sentence regarding the ability to adopt additional parking rules. It was agreed that the ability to modify the rules was covered appropriately in other sections. It was approved to leave the section as suggested by the Bylaws Committee.

There was discussion on Article 2, Amendment Section 1, "pursuant to Article XII, Section 4 of the Declaration, Declarant has the unilateral right to amend." Ron stated his belief any change to this clause would not be approved by the existing BVHOA and would not be recommended by the Bylaws Committee.

There was discussion of the history of the appointments to the Villas Master Board. The clause requiring election of the Board at a community meeting is identical to the clause in the Villas Master document and makes no sense. The originally proposed method of appointment was the President and Vice President of the Board and two additional appointed members. This proposal is in violation with the Villas Master Declarations. The proposal is now that the President and Vice President of the Board and two additional members of the Board be appointed to serve on the Villas Master Board. This would eliminate the need for a special election and keep the process above board. The only common areas of interest that BellaVita and Villas Master have are the Comcast contract, the security monitoring contract, and the Scarsdale landscaping maintenance. BellaVita has a built-in majority in Villas Master due to the size of the community. West Development maintains some control for a period of two years after turnover. Roger expressed

a concern that having members serve both on the BVHOA and the Villas Master Board would create too much power concentrated in a few representatives.

Ron summarized that the areas agreed upon for change in the Bylaws and Declarations were:

1. Achieving consistency in the use of the BellaVita name;
2. Rewording of the investment requirement; and,
3. Deletion of the phrase dealing with political signs.

There was further discussion on the fence issue and the volatile nature of this and the perception of "fairness" in treatment of all residents and whether specific wording needed to be included in documentation at this point. It was stated that this is a decision that the Board will have to make after determining the overall community feeling on the issue.

New Business

A proposal was made to recommend to the BVHOA that New Year's Day be a designated closing day for the Clubhouse. A recommendation memorandum to the Board was read, approved, and circulated for signatures.

John Devereux stated that at the last Villas Master meeting the most discussion regarded the Comcast contract. ATT and the Dish Network did not submit bids. The Comcast contract was approved and will continue an approximately \$20/month savings for each household as opposed to an individual contract.

Closing/Adjournment

There being no further business the meeting was adjourned. Bill noted that in the future the agenda will include approximate times for various sections in an attempt to limit the length of the meeting. He asked that anyone requesting an agenda item inform him so that appropriate time can be allocated.

Next Meeting: January 21, 2009

Respectfully submitted,
Anita Barner, Secretary

Attachments:

Packet from Bylaws Committee

Responses to Comments by Bylaws Committee

Memorandum regarding Clubhouse closing on January 1