

## **Comment by David and Janet Siviter 654 Wimbrel (Village 9)**

As one of the 240 homeowners I have tried to keep my opinions to myself regarding the proposed documents but given the lack of progress and widening disagreements I feel compelled to speak out.

On the whole the proposed documents are well written and we are mostly in favor BUT until the issues we have expressed herein are properly addressed and the document is changed we can't agree to it. Please listen to the majority and actually make changes to reflect the concerns of homeowners. Simply explaining that these concerns are not justified is not a solution, there has to be physical change in the document.

Up front I want to thank the BOD and volunteers for their hard work and it saddens me to see committed volunteers continually embroiled in the ongoing and frankly infantile attacks from a few members who want set neighbors at each others throats to settle personal scores.

We have 240 homeowners in this community, and sadly the voices of the majority of those member homeowners are drowned out by the politicking and rhetoric from a handful of disgruntled homeowners who resent being displaced by democratic vote.

The "SaveTheVillages" battle cry is just drama and nonsense. We don't need saving and we certainly don't need saving by extremists who would create financial havoc making false claims of reducing HOA fees by eliminating reserves.

Simply put, would you rather have an underfunded but mostly adequate reserve? or would you rather see mandatory annual assessments for thousands of dollars for large projects and bills for road maintenance and similar critical infrastructure maintenance drop on your doormat in a random and unplanned annual event?

Anyone who maintains a budget knows that planning for large expenditures is essential so don't be mislead by fake promises of lower HOA fees by eliminating reserve funds.

That said my wife and I listen to all voices and the weigh the arguments not because we are on one side or the other of this petty bickering about what happened six years ago, but because like the majority of our neighbors, we are intelligent and concerned members of our community who want to see our property prices increase and live in one of the nicest subdivisions for fifty miles.

So my comments are driven by a love of this community not a toxic rhetoric from two or three disgruntled homeowners.

Before we vote yes to the proposed documents we want to see these changes made:

- 1) Once the document is agreed by 67% of the homeowners there shall be no provision to change it in any way unless a new vote is taken and approved. If there are grammatical errors then fix them and have done with it, but changing the document for any reason after it has been adopted is not an option for us.
- 2) Stay out of our property. Like every other homeowner we purchased our property and we own it. We will not vote to adopt while there is a clause to allow anyone to enter and inspect our property without expressed written permission. Anyone who was foolish enough to do that would be legally trespassed from our property.
- 3) While I understand the desirability to have no recourse to sue the BOD, that is not a reasonable ask for home owners. Public servants must consider that their actions while in office are legally accountable to the membership. We will not agree to a document that relinquishes those rights.

We do suggest that a compromise would be to leave an option to move to legally binding arbitration from the American Arbitration Association. This would speed the process and reduce waste from frivolous law suits without seeding away the rights of homeowners to challenge bad decisions made by any future board of directors.

- 4) It is good to see that parking has been addressed. HOAs should not be telling homeowners how they use their property in regard to parking licensed and operational private cars. I can see that RVs or commercial vehicles should be controlled but otherwise the HOA should stay out of it.

5) We understand the concerns about rentals or AirB&B but a homeowner should have the right to use their investment as they see fit. Setting arbitrary percentages for rentals is unenforceable and is an overreach of the HOA. If a rental property is not well maintained and breaches the HOA bylaws then hit the homeowner where it hurts by imposing fines. But don't tell homeowners they can't rent when we know that cannot be enforced.

6) Establish a reserve as a mandated requirement for sound fiscal management. Put an end to the uncertainty of having a reserve subject to the whim of wannabes who want to use the enticement of reduced dues for a year or two, just to be replaced by the expense of necessary annual assessments.

7) The representation of each village is not good. We believe that this could be significantly improved by increasing the size of the BOD to include the officers, President, Treasurer, Secretary, Landscaping and ARC and add one mandatory representative from each village. All voting members. This would ensure a better participation from homeowners and greatly improve communications to and from the management.

8) We want to see a developed process for HOA fee delinquency that is systematic and not discretionary.

First month warning

Second month fines dating back to first month

Third month lien and escalating fines

Fourth month move to foreclose

It is sad that folks find themselves in delinquency for many reasons but we do not want to fund that delinquency. The board needs to be tougher and just putting up liens is not enough, because at the same time the debt is building with the HOA it is also building with other debtors. Bankruptcy will stop the HOA collecting that debt and then we all pay the cost. A bank does not consider circumstances when it forecloses and neither should the HOA.

9) Finally thank you for protecting our data. If I want to hear from other vocal groups I can choose to read it on there website or ask them. I certainly don't want my email address or contact information shared with anyone I don't choose to give it to.

Sincerely

David and Janet Siviter