

Prepared statement
by Don Coleman
October 2, 2023 2PM MPMA Special Meeting

"I would like to respectfully acknowledge the hard work of the many volunteers who work to keep our community looking nice.

With that said, I wish to express a concern regarding the action the board has taken in calling this meeting to discuss the adoption of qualifications criteria for directors of the MPMA.

WA law states that **"The board of directors shall not act on behalf of the association to determine the qualifications----of members of the board of directors"..."**

"Shall not act." Those are three very specific, and powerful, words.

Thus, this calling of a special meeting by the president to discuss the possible implementation of nomination criteria for board candidates might very well be construed to be in direct conflict with the law (RCW 64.38.025(2)).

The Restated Declaration (aka the CCRs, or Covenants) of The Villages of Garrison Creek Master Property Management Association, as well as the Bylaws, were created by one of the most respected real estate attorneys in Walla Walla. These documents were written, primarily, to protect all property owners in the 95-acre planned Unit Development (not just the developer). The developer's voting rights transfer to each new owner as lots are sold(Providing for a transfer of developer control as properties are sold).

The VGC's legal documents were also reviewed by an independent Seattle law firm in 2012 and were found to be in complete compliance with all applicable WA laws. The letter stating this fact is in the possession of the board.

Our Bylaws place no restrictions on who may be elected to the board. Even Warren Buffet could serve on our board (if he agreed to and the membership elected him). It is left to the membership to consider each individual's unique qualifications – and vote for or against that individual.

Thus, to avoid the possibility of legal consequences we may not fully understand at this time, I would suggest that we remove this topic of discussion (that is, nomination criteria) from the agenda for today's meeting.

I am providing a copy of this statement to the chair and request that it be included in the minutes of this meeting."