

Okehocking Hills Civic Association General Meeting Minutes

May 19, 2021, 7:30PM
Zoom Video Conference

1) Introduction

- a) Mark Wise opened the meeting. The purpose of the meeting was to finalize and communicate the results of the *Covenants* renewal.
- b) Board members in attendance were Mark Wise, President; Roe Mizas, Vice President; Leslie Petruzzi, Vice President; Brian Mackrides, Treasurer; and Annie Thorne, Secretary.

2) Overview of Covenants and Need for Renewal

- a) What are the Covenants and Restrictions?

The *Covenants and Restrictions for Okehocking Hills* were created in 1981 when Okehocking Hills was being planned by the developer. This document describes how our neighborhood common space is preserved, maintained, and made available for the enjoyment of all residents. It also lays out how and why annual dues are assessed and defines membership and voting rights for homeowners.

Notably, the Covenants includes a list of rules that all homeowners in Okehocking Hills must follow. Examples of these restrictions include prohibitions on raising chickens, storing RVs, removing topsoil, and installing a fence without permission from adjacent property owners.

- b) Why are we voting on the Covenants now?

The Covenants were scheduled to expire on May 28, 2021 unless a majority of homeowners voted to renew and extend for an additional 10 year period.

3) Review of Process and Updates in 2021 Revision

- a) How did we get to this point?

The updated *Covenants* document is the result of a multi-year effort that began in June 2019 with a call for input from all Okehocking Hills homeowners. A committee of interested neighbors was formed and met several times to review the current document and discuss changes.

In 2020 the Board of Directors retained legal counsel to assist with the task of renewal. Counsel recommended first renewing the document with clarifications to ambiguous language, then later proceeding with amendments to substantially change or add new restrictions after the document has been renewed. This is because the process of renewal

is much easier (requires only a simple majority approval) than the more challenging task of having homeowners agree upon imposing new restrictions.

b) What has changed in the 2021 revision of the Covenants?

1. Replaced applicable references to “Developer” with “Association” throughout the document.
2. Updated Exhibit “A” with the addresses and Parcel IDs for all properties subject to the Covenants.
3. Removed references to requirements that applied only before conveyance of properties from Developer to Association.
4. Added clarifications to ambiguous or undefined requirements in Article V, Sections 3, 4a, 4c, 4d, 6, 7 and 11. A side-by-side comparison of the old and new Article V. language was made available to all neighbors via email and online at okehockinghills.com.
5. Revised Article 6, Section 1 to reflect the new 10-year renewal period in lieu of the original 40 year applicability.
6. Added Article 6, Section 3 to specify that the revised 2021 Covenants supersede all prior Covenants and Restrictions for Okehocking Hills.

4) Future Plans

- a) Approved 2021 Covenants will be filed with Delaware County Recorder of Deeds next week. Copy of filed document will be submitted to Edgmont Township.

b) What if I want a specific restriction to be removed, changed, or added?

If enough neighbors wish to eliminate or substantially change a specific restriction OR add an entirely new restriction, this can be done as part of a formal amendment process at a later date. The immediate priority has been to renew the updated Covenants prior to expiration in May 2021.

- c) Moving forward, the Board will seek a strong legal opinion on exactly how to properly make substantial changes (e.g., what voting approval percentage is required).

5) Review of Vote

- a) E-mail voting was open from May 4-18. Majority approval (30) reached on Monday, May 17.
- b) Show of Hands Vote conducted on the Zoom call for neighbors who did not have a chance to vote by email.
- c) Final Vote Tally:
 - i) 37 households voted to approve and renew the updated Covenants.
 - ii) 0 households voted against renewal.

6) Discussion

7) Adjournment