

BOARD MEETING MINUTES

SHHA Monthly Board Meeting December 11, 2024, at 6:30 PM

SHHA OFFICE IN-PERSON MEETING AND ZOOM

[HTTPS://US06WEB.ZOOM.US/J/81206910814](https://us06web.zoom.us/j/81206910814)

Meeting ID: 812 0691 0814

Prepared by Trish Lovato

1. **CALL TO ORDER:** The monthly SHHA Board Meeting was called to order by the President at 6:30 PM.
2. **ROLL CALL:** A quorum was present. **P: Present; E: Excused; A: Absent**

Officers		Members		Members	
President – Jim Stewart	P	Larry Dragan	P	Claudia Mitchell	P
Vice President – Eric Faulring	P	Elizabeth Edgren	P	Art Romero	P
Secretary – Martin Kirk	E	Joel Jordan	P	Randy Tripp	P
Treasurer – Charles Ewing	P	Heidi Komkov	E	Terry Walker	P
ACC Chair- Phil Krehbiel	P	Anderson Kressy	P		
CSC Chair- Stan Davis	P	Kathleen McCaughey	P		

Staff:

Trish Lovato -Present

Guest(s):

Board candidate, Cathy Yandell-Present

Todd Criel-Present

Diane Barney - Present

3. **APPROVAL OF AGENDA FOR December 11, 2024**
 - a. Motion to approve Meeting Agenda and Consent Agenda **APPROVED**
4. **CONSENT AGENDA APPROVAL:**
 - E&S November 11 meeting minutes
 - C&P December 3 meeting minutes
 - CS&M December 4 meeting minutes
 - ACC December 4 meeting minutes
 - CSC December 3 meeting minutes
5. **UNFINISHED BUSINESS:**
 - Motion to Adopt Resolution: Statement on lapsed/expired motion proposing adoption of "SHHA Board Policy for the Calculation and Imposition of Damages in Furtherance of the Enforcement of Reservations, Restriction, and Covenants of Sandia Heights" by Anderson Kressy. **Seconded by Elizabeth. Voted and passed.**

- Reintroduce and vote on the lapsed motion entitled “SHHA Board Policy for the Calculation and Imposition of Damages in Furtherance of the Enforcement of Reservations, Restrictions, and Covenants of Sandia Heights”, first brought before the Board on January 10, 2024. **Motion to withdraw from agenda since obviated by prior agenda item-Unanimous**

6. NEW BUSINESS:

- Motion to Rescind Universal Membership introduced by Eric, seconded by Anderson Kressy. Voted and passed.

7. OFFICER REPORTS

a. **President (Jim Stewart):**

- (1) Thank you for Trash pick up involvement
- (2) Hope will be leaving January 10, Anna will be starting December 30.

b. **Vice President (Eric Faulring): N/A**

c. **Treasurer (Charles Ewing):**

- (1) Balance sheet
- (2) Profit and Loss Statement

d. **Secretary (Martin Kirk): N/A**

8. GUESTS COMMENTS:

a. Diane Barney-

- Interested in item #5, Will a notice to the community be sent out?
- Interested in 9j below, Motion to approve by acclamation 2025 Board of Directors officers-elect.
- Executive session
- Litigation results
- Governance

9. COMMITTEE REPORTS:

a. **Architectural Control Committee (Phil Krehbiel, Chair)**

(1) **Highlights of activity since the last Board meeting:**

- Morales case settled Monday, court will enter an order dismissing case with prejudice.

(2) **Requests for Board Action: N/A**

b. **Bylaws Revision Special Committee (Elizabeth Edgren, Chair)**

(1) **Highlights of activity since the last Board meeting:**

- No meetings and no activity since the last Board meeting. Committee standing down until after the New Year.

(2) **Requests for Board Action: N/A**

c. **Covenant Support Committee (Stan Davis, Chair)**

(1) **Highlights of activity since the last Board meeting:**

- November Complaint activity: Received 4, Closed 2, Currently open 11
- 9 members on the committee
- 43 complaints in 2024, average days to close 62 days

(2) **Requests for Board Action: N/A**

d. **Community Service & Membership Committee (Elizabeth Edgren, Chair)**

(1) **Highlights of activity since the last Board meeting:**

- Met 4 December. Minutes sent to the office. **Requests for Board Action: N/A**

e. **Communications & Publications Committee** (Claudia Mitchell, Chair)

(1) **Highlights of activity since the last Board meeting:**

- C&P committee meeting held December 3, 2024
- Resident Guide and Directory review for change is essentially done
 - Reminder about changes sent out 10/31; deadline November 20
 - Cover photo voted on via email
 - Real estate card is now available on the website
 - Real estate card will go out to the realtor's selling homes in the area
 - 2025 project ideas
 - Working to be able to look up unit covenants by address on the website

(2) **Requests for Board Action: N/A**

f. **Environment and Safety Committee** (Kathleen McCaughey, Chair)

(1) **Highlights of activity since the last Board meeting:**

- Still no word from NMDOT on when Tramway speed cameras will be approved.
- Several conversations with BernCo on speeding radar signs to be set up in Sandia Heights. Checked into buying our own, but BernCo/Public Works has been very helpful. Two items are currently in work. First, they found us an available radar speeding trailer that will be placed somewhere on San Rafael as soon as they check out that it is in good working order. Second, the speed humps on San Rafael are too low and will be re-constructed to the proper height. My BernCo contact, Afshin Jian has found us funds to do this and will go through procurement to get this started.
- Add to ACC approval letters that contractors should be aware of their driving and cigarette butts, etc

(2) **Requests for Board Action:**

- Was to buy our own radar speeding signs, is being cancelled.

g. **Executive Committee**

(1) **Highlights of activity since the last Board meeting: N/A**

(2) **Request for Board Action: N/A**

h. **Finance Committee** (Charles Ewing, Chair)

(1) **Highlights of activity since the last Board meeting:**

- 2024 and 2025 Budget
- 2025-\$395k
- Committee budgets nominal
- Tram tickets will increase in 2025 about 18%
- New IT committee budget absorbed a range of items
- D&O insurance increased to \$25k other items for insurance 5-15% increase
- CPA, annual compilation
- Office Lease 21% increase
- SHS no increase for the last 5 years. Increase starting in January 2025
- Legal budget \$100k for 2025

(2) **Requests for Board Action: Motion to approve Budget by Eric, Seconded by Larry, Approved unanimously**

i. **IT Committee** (Heidi Komkov, Chair)

(1) **Highlights of activity since the last Board meeting:**

- Self-serve tram pass kiosk very close to complete

(2) **Requests for Board Action:**

j. **Nominating Committee** (Eric Faulring, Chair)

(1) **Highlights of activity since the last Board meeting:**

- One interview scheduled for 12/16. Unsure about Board service but interested in ACC, CSC, CS&M.

(2) **Requests for Board Action:**

- Consideration of Director candidate, Cathy Yandell. Statement of interest and motion to elect attached. **Cathy Yandell Professor at UNM, has been helping with the Welcome packets. APPROVED, UNANIMOUS**
- Motion to approve by acclamation 2025 Board of Directors officers-elect. See attached motion. **APPROVED UNANIMOUS**
- Motion to afford a one-year waiver to permit Martin Kirk to extend his service. See attached motion. **APPROVED UNANIMOUS**

10. **EXECUTIVE SESSION TO DISCUSS ONGOING LITIGATION**

- a. **Session obviated by the fact there is no ongoing litigation. No executive discussions held.**

11. **ADDITIONAL UNFINISHED BUSINESS:**

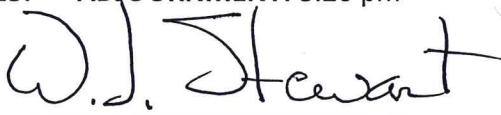
12. **ADDITIONAL NEW BUSINESS:**

- Consideration of 2025 Budget (completed above)
- Consideration of SHHA Policy with respect to dispute resolution involving lot owners. Try to resolve disputes informally, with mediation or binding resolution. **Motion second by Art. Anderson motions to go into Executive session. EC at 7:56, out 8:04 In favor 13, abstain 1, Passed**
- Consideration of Governance Committee Charter-fine tuning all documents, record keeping, maintaining all record of motions, etc **Motion to adopt by Eric, second by Art. Discussion followed by motion to postpone until January Board meeting. Yay unanimous**
- Motion to hold a Special meeting requested by petition per bylaws, Jim will look for venue to hold within the next 30 days, moving to approve the action to prepare a meeting. **Yay unanimous**

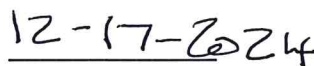
13. **ANNOUNCEMENTS:**

14. **NEXT MEETING:** The next Board meeting is scheduled for January 8, 2025.

15. **ADJOURNMENT:** 8:26 pm



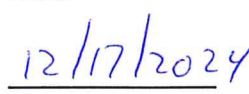
Jim Stewart, President



Date



Eric Faulring, Vice President



Date

MOTION TO ADOPT:

Resolution: Statement on lapsed/expired motion proposing adoption of "SHHA Board Policy for the Calculation and Imposition of Damages in Furtherance of the Enforcement of Reservations, Restrictions, and Covenants of Sandia Heights"

I, Anderson Kressy, move that:

The SHHA Board of Directors adopt the following "Resolution: Statement on motion proposing adoption of "SHHA Board Policy for the Calculation and Imposition of Damages in Furtherance of the Enforcement of Reservations, Restrictions, and Covenants of Sandia Heights"

EXPLANATION/JUSTIFICATION (if necessary):

In early 2024, SHHA sent out a letter to Sandia Heights residents regarding a damages assessments proposal. There has been no communication from SHHA regarding this proposal since. The Sandia Heights community deserves a communication from the Board regarding its now lapsed or expired motion to adopt the "SHHA Board Policy for the Calculation and Imposition of Damages in Furtherance of the Enforcement of Reservations, Restrictions, and Covenants of Sandia Heights". Reintroducing the motion and voting against it does not indicate the Boards stance on said motion as clearly as the proposed Resolution. The community deserves a statement from the board regarding the letter sent earlier this year that rises to the same level of impact. I believe the proposed Resolution does that.

Seconded: Elizabeth Edgren

SECRETARY'S RECORD: No. 2024 - Dec - 11 - # - NA (year - month - day - # - Committee

Voting by: Show of Hands X In Favor 13 Opposed 1 Unanimous Vote? Yes No

Adopted Postponed Amended Lost Tabled Referred to Committee (which one)

ACTION REQUIRED: PASSED

Sandia Heights Homeowners Association

Resolution: Statement on lapsed/expired motion proposing adoption of “SHHA Board Policy for the Calculation and Imposition of Damages in Furtherance of the Enforcement of Reservations, Restrictions, and Covenants of Sandia Heights”

Whereas:

- **Whereas**, a motion to adopt **SHHA Board Policy for the Calculation and Imposition of Damages in Furtherance of the Enforcement of Reservations, Restrictions, and Covenants of Sandia Heights** (hereinafter “Policy for Imposition of Damages”) was introduced at the Board meeting on January 10th, 2024 and subsequently tabled until March 13th, 2024, but was never brought to a vote;
- **Whereas**, a letter indicating the intent of the Board to adopt a damages assessment proposal was mass mailed to Sandia Heights residents in January or February of 2024;
- **Whereas**, pursuant to the SHHA rules governing motions The Policy for Imposition of Damages has lapsed and/or expired and the Board does not wish to take any further action on it;
- **Whereas**, the Board seeks to provide clarity and assurance to the community regarding its stance on the aforementioned lapsed/expired motion;
- **Whereas**, the Board previously voted against adopting a similar policy;

Resolved:

- **Resolved**, that the Board, having considered the lapsed/expired motion to adopt Policy for Imposition of Damages, hereby states its collective decision to not take any further steps towards voting on the motion;
- **Resolved**, that this resolution serves as an official communication to the community, affirming that the Board will not pursue the adoption of Policy for Imposition of Damages as proposed in the lapsed/expired motion;
- **Resolved**, that the Board remains committed to transparency, and encourages open dialogue with the community to address any concerns or suggestions related to this matter or any other issues of importance.

Adopted by the Sandia Heights Homeowners Association Board of Directors on December 11, 2024.



Jim Stewart, President



Martin Kirk, Secretary

VP In place of Martin

X Board of Directors Date Motion Emailed:
 Executive Committee
 Committee: ACC CSC CPC CS&M FIN E&S NOM

SHHA MOTION FORM

STATING A MOTION, please remember:

- Who will follow through on the action? – President, Board, individual, Committee?
- If the action requires “reporting back” or completion—to whom? when?
- If money is involved, how much? Are funds available? How will it be financed?
- If a committee is involved, which one? Is its task to: Consider, Investigate, Act?
- If a special committee (ad hoc) is to be formed, who will chair it, number of members, its specific task (which can’t fall within the assigned function of an existing standing committee), and its anticipated termination date?
- Use the 5 W’s: Who, What, When, Where, Why (& How, How Much) as necessary.

I, Eric Faulring, move that: we rescind in its entirety, the resolution passed December 13, 2023, titled “Universal Membership in the SHHA by All Lot Owners in the Sandia Heights Development”.

EXPLANATION/JUSTIFICATION (if necessary): The resolution was not in agreement with unit covenants, SHHA articles of incorporation or state statutes.

Signed: Eric Faulring

Anderson

Seconded: [Signature]

SECRETARY’S RECORD: No. 20 - - - -
(year - month - day - # - Committee)

(circle) Voting by: Voice Show of Hands Ballot
Unanimous Vote? Yes 16 No

Adopted Postponed Amended Lost Tabled
Referred to Committee (which one)

ACTION REQUIRED: POC DUE DATE

DISPOSITION (circle): P&PM BYLAWS

Form Version: 8-4-22

Includes 1x proxy & 1x absentee

Sandia Heights Homeowners Association

Preliminary Draft 2025 Budget

Income Statement	2024 Budget Total	Estimate for 2024	2025 Budget Total
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Income			
ACC Income	450.00	350.00	480.00
	-		-
Interest Income	1,400.00	6,250.00	3,636.00
Directories Sold	-		-
Directory Advertising	7,132.00	10,000.00	7,500.00
GRIT Advertising	30,000.00	25,000.00	30,000.00
Membership Dues (Sandia Services)	333,600.00	281,600.00	336,000.00
Membership Dues Direct	-	-	-
Total Membership Dues	333,600.00	281,600.00	336,000.00
Photocopies Sold	-		-
Safety Vests Sold	24.00	18.00	12.00
Tram Tickets Sold	19,000.00	17,500.00	18,000.00
Unapplied Cash Payment Income	-		-
Uncategorized Income	-		-
Total Income	391,606.00	340,718.00	395,628.00

2024 10 mos of income 2025 12 mos

Expenses

ACC			
ACC Operating Expenses	552.00	519.00	600.00
Total ACC	552.00	519.00	600.00

Bad Debt Expense	-		-
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C & S Membership

Advertising & Marketing

Survey Monkey	-		-
Total Advertising & Marketing	-		-

<i>Membership Activities</i>	2,000.00	1,250.00	2,500.00
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Membership Benefits	-		-
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Tram Passes	18,700.00	18,000.00	23,500.00
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Total Membership Benefits	20,700.00	19,250.00	26,000.00
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30% increase due to 2023-2024 Tram improvements. Tics = 12 months out

Sandia Heights Homeowners Association

Preliminary Draft 2025 Budget

Income Statement	2024 Budget Total	Estimate for 2024	2025 Budget Total
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Total C S & Membership	20,700.00	19,250.00	26,000.00
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Communications & Publications

Directory

Directory Bulk Postage	3,600.00	2,981.00	3,960.00
Directory Envelopes	-	117.00	-
Directory Mail Service	-	-	-
Directory Printing	6,000.00	-	6,600.00
Total Directory	9,600.00	3,098.00	10,560.00

GRIT

GRIT Bulk Postage	3,900.00	3,850.00	3,900.00
GRIT Mail Service	1,540.00	1,550.00	1,440.00
GRIT Printing	8,400.00	9,250.00	9,000.00
Total GRIT	13,840.00	14,650.00	14,340.00

Website/Database

Total Communications & Publications	23,440.00	17,748.00	24,900.00
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CSC

Operating Expenses	552.00	52.00	552.00
Total CSC	552.00	52.00	552.00

Environmental & Safety

E&S Operating Expenses	520.00	190.00	500.00
Wildfire Prevention	480.00	70.00	500.00
Total Environmental & Safety	1,000.00	260.00	1,000.00

Computer Software & Subscriptions	1,700.00	1,000.00	3,000.00
Computer Hardware	1,000.00	8,600.00	1,000.00
Website Hosting & Domain	0.00	1,239.00	800.00
Webmaster	2,200.00	-	4,000.00
Total IT	4,900.00	10,839.00	8,800.00

New section for IT Committee

Sandia Heights Homeowners Association

Preliminary Draft 2025 Budget

Income Statement	2024 Budget Total	Estimate for 2024	2025 Budget Total	
<i>Executive Committee</i>				
Annual Meeting Expense	-		-	
EC Legal	-		-	
ACC Legal	5,040.00	-	-	
CSC Legal	5,040.00		12,000.00	
EC Legal - Other	1,000.00	4,650.00	-	
EC Legal Action	109,000.00	106,347.00	88,000.00	
Total EC Legal	120,080.00	110,997.00	100,000.00	
 <i>EC-Board Other Expenses</i>				
Other Expenses	1,500.00	1,800.00	1,200.00	
Nonprofit Corporate Report Fee	10.00	-	-	
Total EC-Board Other Expenses	1,510.00	1,800.00	1,200.00	
Total Executive Committee	121,590.00	112,797.00	101,200.00	
Total Committee Expenses	172,734.00	161,465.00	163,052.00	
 <i>Insurance Expense</i>				
Insurance Commerical Fire	250.00		-	
Insurance Cyber Risk	373.00		478.00	
Insuarance D&O Liability	4,614.00	29,792.00	29,800.00	2024 increase =569% - 2025 increase =15%
Insurance Employee Thefts	260.00	257.00	-	
Insurance General Liability	3,200.00	13,572.00	8,358.00	
Insurance Staff Premium	9,600.00	1,900.00	3,540.00	
Insurance Terrorism	-		104.00	
Insurance Umbrella Liability	4,200.00		6,000.00	
Total Insurance Expense	22,497.00	45,521.00	48,280.00	5-15% increases for other insurance
 <i>Operating Expenses</i>				
Accounting & Tax Preparation	1,300.00	1,884.00	2,000.00	Asssume annual compiled
Annual Mtg. Expense	550.00	413.00	500.00	
Carpet Cleaning	250.00		-	
Comcast	3,000.00	3,200.00	3,240.00	
Computer Supplies & Software	-		-	
Computer Upgrades & Maintenance	-		-	
Copier Lease	3,380.00	2,600.00	2,520.00	
Electricity & Gas	2,400.00	1,800.00	1,800.00	
HEPA Filtration System	-		-	
HVAC Maintenance	480.00	350.00	480.00	
Licenses/Permits/Corp. Report	75.00	80.00	50.00	
Notary	80.00	120.00	120.00	

Sandia Heights Homeowners Association

Preliminary Draft 2025 Budget

Income Statement	2024 Budget Total	Estimate for 2024	2025 Budget Total	
Office Expense	1,200.00	475.00	180.00	
Office Lease	24,400.00	25,500.00	30,840.00	Assume 21% increase - no new lease yet
Office Security/Upgrades	900.00	600.00	600.00	
Office Supplies	2,600.00	2,300.00	2,400.00	
Payroll Expenses	-		-	
Employer Payroll Tax Expense	26,000.00	8,500.00	8,752.00	
Office Staff Salary	90,000.00	92,000.00	92,300.00	
Bonus to Employees	-	2,500.00	3,000.00	
Salaries net to employees	-		-	
Withheld Payroll Tax for Employees	-		-	
Total Office Staff Salary	90,000.00	94,500.00	95,300.00	
Total Payroll Expenses	116,000.00	103,000.00	104,052.00	
Payroll Processing Fee	9,200.00	1,600.00	1,680.00	
Postage Expense	1,200.00	1,100.00	1,200.00	
Staff Mileage	-		-	
Zoom	165.00	170.00	200.00	
Total Operating Expense	167,180.00	145,192.00	151,862.00	
<i>SHHA Expense</i>				
Bank - Other Fees	-		36.00	
Sandia Heights Services	23,520.00	23,081.00	27,030.00	SHS failed to increase for 5 years, increase in 2025 = 17.1%
Total SHHA Expense	23,520.00	23,081.00	27,066.00	
Square Fees	-	120.00	540.00	
Unapplied Cash Bill Payment Expense	-		-	
Total Expenses	385,931.00	375,379.00	390,800.00	
NET OPERATING INCOME	5,675.00	(34,661.00)	4,828.00	
<i>Other Expenses</i>				
Income Tax	-		-	
Federal Income Tax	1,500.00	21,480.00	(7,300.00)	Negative numbers indicate refund of portion of 2023 taxes paid in 2024
NM State Corp Tax	75.00	3,688.00	(1,300.00)	
Tax Preparation	-		-	
Total Income Tax	1,575.00	25,168.00	(8,600.00)	
Total Other Expenses	1,575.00	25,168.00	(8,600.00)	
NET OTHER INCOME	-		-	
NET INCOME	4,100.00	(59,829.00)	13,428.00	

X Board of Directors Date Motion Emailed:
 Executive Committee
 Committee: ACC CSC CPC CS&M FIN E&S NOM

SHHA MOTION FORM

STATING A MOTION, please remember:

- Who will follow through on the action? – President, Board, individual, Committee?
- If the action requires “reporting back” or completion—to whom? when?
- If money is involved, how much? Are funds available? How will it be financed?
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- If a special committee (ad hoc) is to be formed, who will chair it, number of members, its specific task (which can’t fall within the assigned function of an existing standing committee), and its anticipated termination date?
- Use the 5 W’s: Who, What, When, Where, Why (& How, How Much) as necessary.

I, Eric Faulring, move that: we the board elect Cathy Yandell to the SHHA Board of Directors as an interim director.

EXPLANATION/JUSTIFICATION (if necessary): See statement of interest attached.

Signed: *Eric Faulring*

Elizabeth Seconded: *Elizabeth*

SECRETARY’S RECORD: No. **20** - - - -
(circle) (year) month - day - # - Committee)
Voting by: Voice Show of Hands Ballot
Unanimous Vote? Yes 14 No

Adopted Postponed Amended Lost Tabled
Referred to Committee (which one)

ACTION REQUIRED: POC DUE DATE

DISPOSITION (circle): **P&PM BYLAWS**

X Board of Directors
 Executive Committee
 Committee: ACC CSC CPC CS&M FIN E&S NOM

Date Motion Emailed:

SHHA MOTION FORM

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- Use the 5 W’s: Who, What, When, Where, Why (& How, How Much) as necessary.

I, Eric Faulring , move that: we the board waive the term limitation / approve a one year extension to Martin Kirk’s service as a director.

EXPLANATION/JUSTIFICATION (if necessary): Per SHHA Bylaws Section 6.6 Election of Directors, ¾ majority vote of Board present and voting to approve a one year extension waiver. This will make Martin Kirk eligible to be on the slate of directors for election at the 2025 annual meeting.

Signed: Eric Faulring

Phil Seconded: Phil Kirk

SECRETARY’S RECORD: No. 20 - - - -
(year - month - day - # - Committee)

(circle) Voting by: Voice Show of Hands Ballot
Unanimous Vote? Yes X No

Adopted Postponed Amended Lost Tabled
Referred to Committee (which one)

ACTION REQUIRED: POC DUE DATE

DISPOSITION (circle): P&PM BYLAWS

SHHA POLICY WITH RESPECT TO DISPUTE RESOLUTION INVOLVING LOT OWNERS

It is the policy of the Board of Directors of Sandia Heights Homeowners Association to attempt to resolve disputes involving the Association and lot owners in the Sandia Heights Development in the least contentious and least expensive method possible and available.

In furtherance of that policy the Association will pursue dispute resolution in the following order:

1. Informal discussions between Association, its committees and representatives, and the lot owner to seek understanding, possible compromise, and a mutually agreed-upon resolution.
2. Mediated discussions using neutral third parties trained in mediation and conflict resolution seeking a mutually agreed-upon resolution.
3. Formal binding arbitration using the services of a professional arbitrator or organization.

The Association will refrain from initiating arbitration or litigation except in circumstances deemed by the Board of Directors to be extraordinary.

The Board recognizes that lot owners within the Development may have the right to initiate litigation without using any of the foregoing alternatives to litigation. The Board will nevertheless suggest the alternatives to lot owners for consideration.

Nothing in this Policy should be construed as a limitation upon the Association or any of its committees, representatives or volunteers to perform their duties in good faith.