

Your Input as an Evergreen Homeowner is Important

The Evergreen community is governed by three (3) documents. One is the Evergreen Declaration of Covenants, Conditions and Restrictions which defines what a homeowner can or cannot do with their house and land. The other two (2) documents, the Articles of Incorporation and the By-Laws of Evergreen Property Owners Association, Inc describe how our POA operates, defines our voting rights and procedures, and presents rules for meetings. Collectively, these documents constitute the “Governing Documents” of Evergreen.

The Governing Documents were originally recorded by the Develop of Evergreen and the Articles of Incorporation and the By-Laws were amended in the entirety in 1985. These documents have not been changed since that time and include many outdated terms, and restrictions that make it difficult to do business in the 21st Century. Examples include: architectural. Vehicles and pet restrictions, that do not reflect options available to members today, references to the golf club by its former name “Evergreen County Club, the calling and conducting of meetings and elections, (i.e., meeting notices being sent by telegram, a requirement to hold the Annual Meeting at 3PM on the third Thursday in March, and a requirement of the posting of “nominations on the bulletin board), among other provisions.

Currently, the Governing Documents require an 80% affirmative vote of all the property owners (240/299 owners) to change the content of any of the documents. Note: if an owner does not vote it is counted as a “No” vote, making it virtually impossible to make changes to these documents because we are often hampered by apathy.

There has been discussion among Evergreen owners to consider, once again, a membership to modify this language. The intent is to amend the Governing Documents so that future amendments can be approved by a percentage of members who vote, instead of a percentage of all members, so as to avoid being hampered by apathy. This would encourage more residents to vote, therefore creating more relevant Governing Documents. Please note, that no matter how the Governing Documents are amended, the participation of at least a quorum of the membership (30% or 100 homes) is required in order to have a valid vote of the membership. The survey below will assess the level of interest among owners to modify the Governing Documents to allow them to be amended in the future by a percentage of those members who VOTE (as long as 100 homes vote). If there is sufficient interest, a formal vote of the owners will take place at the Annual Meeting in March 2021.

Please answer the questions below and return within 7 days from the date of receipt. You may forward your email response to Flanneryte@gmail.com or print after completion and drop at the guard house.

** Indicate Yes or NO. Are you in favor of amending the Governing Documents to provide that future amendments to them may be approved by a percentage of those members that vote (as long as at least 100 homes cast votes)?

**If YES, would you prefer the percentage of affirmative votes cast required to amend the Governing Documents in the future be?

_____80% _____66 2/3% _____51% Comments/feedback should be written in the comment section below.

** If NO, would you tell us why in the comment section?

**Comments