

Subject: OOHA Governance update
From: Orange Orchard <hoa@oohaboulder.org>
Date: 9/25/23, 5:22 PM
To: johncdean@aol.com

Thanks to everyone who came to one of our two forums to discuss the new governance documents. The recording for last Tuesday's forum, which was hosted on Zoom, is available [here](#). There is no recording of the in-person forum.

Also, at the first forum and then again in email, some neighbors raised a question about language in the cover letter that said the changes in these documents are "legally required". We promised to report back to the entire neighborhood about this. To clarify: If we do not change the documents, it is not the case that OOHA would be fined or invalidated in the eyes of the state of Colorado.

Instead, the issue is a bit more nuanced. State law has changed, and it supersedes many of the rules and procedures that are spelled out in our current documents. There is considerable likelihood of confusion as a result. For instance, if we did not change our Bylaws, and we continued to simply follow the voting procedures in the existing Bylaws, then our votes will not have been conducted in compliance with state law. As a result, anything we vote on could be subject to challenge.

In the Board's view, homeowners will naturally look to our Declaration and Bylaws to find the guiding rules for how we run our neighborhood, but in fact only some of the clauses in the existing documents are in force, with others having been supplanted by the state law. And so that is the sense in which these proposed changes are "legally required" — they bring our rules and procedures into harmony with state law.

Hope this clarifies matters.

Finally, just a reminder for those who have not yet voted: You can download a replacement ballot [here](#), and you can view a webpage with lots of information about the vote [here](#). Completed ballots or questions and comments can be mailed to governance@oohaboulder.org. Ballots are due by 5 pm on October 23.

—Howdy Pierce
President, OOHA Board