The following is the history behind updating the Byrum Woods Restrictive Covenants and the “proposed plan” to measure interest from all lot owners to either;

1. Continue to abide BW within existing 2002 Amended Declaration documentation, or
2. For home owners to identify areas requiring change to the existing 2002 Amended Declaration, develop recommendations and bring the recommended changes up for a vote by all home owners.

**History behind updating the Byrum Woods Covenants**

* Updating the Covenants was discussed at the 2012, 2013, 2014, 2015 and 2016 Annual Meeting and captured in the Annual Meeting Notes. Those who attended these meetings should remember these discussions.
* Past BWH Boards identified, prioritized and documented goals to update and consolidate the existing restrictive covenants.
* To drive to closure on this issue, Richard Dumas, John Scott and Laura Kalouris volunteered to join the 2017 Board at the meeting. The attending home owners approved and elected them to the Board.
* At the first 2017 BW-HOA Board meeting the Board positions were nominated and elected and the 2017 goals and objectives were set including working through the covenant issue.
* The board published its 2017 Goals and Objectives during March 2017 via paper, and electronically via e-mail in the Q1-2017 BW-HOA Newsletter.
* The Board worked with previous Board Members to tie off a few “loose-ends” to prepare for a special home owners meeting to review a draft proposal.
* Based on our understanding of what needed to be accomplished, the 2017 Board focused on the differences with the original Covenants set into place by the developer between 1983 and 1985. The Board **did not focus** on the 2002 Amended Declarations approved and registered with the Wake County Register of Deeds during 2002.
* The Board members reviewed, documented and published comparisons between the original covenants for all three Phases via paper and e-mailed to all email addresses accumulated in the 2017 BW Directory on during May-17.
* The Board reached out to the Attorney who has been advising BW, shared all current information and also provided all home owners with the same information.
* The Board announced the “special meeting” to all home owners via paper and e-mail. The e-mail distribution list was developed from the 2017 BW Directory.
* When meeting with the home owners they represented, all Board members stressed that the information shared was a draft, that the Board was soliciting feedback on the information supplied and the importance of the meeting to consolidate everyone’s feedback.

**Root Causes of Confusion between Home Owners:**

* Based on past Board Member direction, the Board focused on the differences between the original covenants set into place between 1983 and 1985 and not the 2002 Amended Declarations. The Board published information identifying the differences between the original Restrictive Covenants and not the 2002 Amended Declaration. These actions caused much confusion for all Byrum Woods homeowners.
* Due to the lack of clarity, many home owners got the idea that the Board was pushing for the approval of the draft proposal as written with no revisions.
* The Board did not make it perfectly clear in the initial meeting announcement that the Board was presenting a “draft proposal” to the home owners for review and feedback.
* The attorney identified and highlighted the differences between the three 2002 Amended Declarations and provided “recommendations” to enhance and/or improve controls.
* The 2002 Amended Declarations were not sent out to all BW-HOA home owners until after the June 7th meeting.
* The home owners who attended the June7th meeting were confused on what they voted on at the end of the meeting.
* The home owners who attended or did not attend the meeting were confused on the question that we asked them when we published the June 7th meeting notes.
* Board members were contacted directly by only a few home owners about their concerns. All other feedback came through third party complaints that were published on social media.
* Social media storm (FaceBook and NextDoor)
* Home owners expected faster responses to their inquiries on Gmail.

**Other Findings (Record Retention):**

* No process or controls around distributing Annual BW-HOA and Board of Director meeting Agendas, Meeting Notes.
* No controls around retaining Annual BW-HOA and Board of Director meeting Agendas, Meeting Notes.

**“Proposed Actions”:**

The Board will first focus on how to improve communications amongst lot owners. Once established and all BW-HOA information is made available to the home owners, and only then, will we resurrect the question whether the existing 2002 Amended Declarations should be amended.

* The Board will adopt the website (<http://www.byrumwoods.org/>), created by John Allison, as a means to share information with all BW home owners. Thank you John !!!
* The Board will adopt Next Door as an additional means to communicate to all BW home owners. The Board will solicit and work with volunteers led by Martin Humpherson to develop the necessary controls and educate all Byrum Woods users on how to leverage the site.
* With the assistance of technical savvy volunteers from the neighborhood, the Board will investigate and develop a secure method to distribute and retain information to BW-HOA Members. Some homeowners have already contacted Board members willing to assist in developing a strategy and plan.
  + Meeting Agendas
  + Meeting Notes
  + Financial Reports
* The Board has begun to work with a volunteer to scan available documentation in a secure repository for all lot owners to access. Thank you Chad Chapman.
* The Board will solicit from past Board members to obtain and consolidate available archived Board documentation.
* The Board will post all meeting agendas and invite anyone interested in attending the meetings.
* The Board will post meeting minutes for all BW-HOA lot owners to access securely.
* The Board will document the inquiry response process / timeline.
  + The Board will begin to capture each inquiry and track it until the originator agrees to close the inquiry.

Communications captured at and since the June 7th meeting shows that there are home owners that are pleased with the existing Amended Declarations, while others are interested in changes / enhancements to the existing Amended Declarations. Therefore, the Board proposes that we facilitate a vote from all lot owners (1 vote per lot) to decide whether to;

1. Halt all activities immediately and keep the 2002 Amended Declarations, or
2. Establish working level committees to develop changes to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Byrum Woods.

The results of a vote would be published prior to the Annual Meeting scheduled for September 19, 2017.

The Board will take direction from the home owners.

If the simple majority (51%) of the BW lot owners vote to stop future activities, the existing Board will immediately halt any further discussions on this topic. If the simple majority of the BW lot owners vote to develop changes to the 2002 Amended Declaration, the Board will work to establish sub-committees for each of the articles that home owners recommend to be changed.

1. The sub-committee members would be required to;
   1. Develop recommendations for specific areas of the restrictive covenants
   2. Present alternatives at a “special BW-HOA meeting”
2. The Board would then orchestrate a simple method to vote on the proposed changes to article(s).
3. If consensus is achieved, the Board would then move to the formal vote to establish the new Amended and Restated Declaration of Covenants, Conditions and Restrictions for Byrum Woods.

Please call and share your thoughts on this plan with **your Board Representative**.

Thank you for your understanding and patience.

Regards,

Your Byrum Woods HOA Board Members