



**Covenants Committee Meeting Minutes - Posting (Revised)  
For October 14, 2021  
Teleconference – 1pm**

**MEMBERS PRESENT:** Don Ermak, Michael Paparian, Al Noyes (1:15pm – 3:38pm)

**ALTERNATES PRESENT:** Christine Madden (left 1:53pm), Evan Beller

**TDA STAFF PRESENT:** Mike Carr, Sheryl Walker, Brian Yohn

**OTHERS PRESENT:** Jim Roth, Kary Goldsworthy

**CALLED TO ORDER:** 1:14PM

**MEMBER COMMENT:** Michael Paparian made comments regarding objective nature of decisions regarding applying fines.

**1. Action Item: Approval of August and September Meeting Minutes**

The committee reviewed the August meeting minutes. The committee discussed approving the minutes.

Michael Paparian moved to approve the meeting minutes from August. Al Noyes seconded the motion. Passed 3:0

Member Comment: No member comments.

Action 3:0 (Ermak, Paparian, Noyes)

The committee reviewed the September 9<sup>th</sup> regular meeting minutes. The committee discussed approving the minutes.

Christine Madden moved to approve the meeting minutes from the September 9<sup>th</sup> regular meeting. Michael Paparian seconded the motion. Passed 3:0

Member Comment: No member comments.

Action 3:0 (Noyes, Paparian, Madden)

The committee reviewed the meeting minutes from the additional meeting held on September 29<sup>th</sup>. The committee discussed approving the minutes.

Evan Beller moved to approve the meeting minutes from September 29<sup>th</sup> additional meeting. Al Noyes seconded the motion. Passed 3:0

Member Comment: No member comments.

Action 3:0 (Noyes, Paparian, Beller)

## **2. Discussion/Action Item: Proposed Covenants Enforcement Procedures: Status and Next Steps**

The Committee chair, Don Ermak, gave an update on the status of the committee proposed revisions to the Covenants Enforcement Procedures. Committee staff (Brian Yohn, Sheryl Walker and Mike Carr) are developing a presentation to update the Board and the membership regarding the proposed revisions to the Covenants Enforcement Procedures developed by the Covenants Committee and Staff. Brian Yohn will be making the presentation and the goal is to give the presentation at the November Board meeting. In addition to a comparison of the current and proposed Covenants Enforcement Procedure, the presentation will include a brief history of the Committee's past efforts to update the procedures, the goals and scope of the present effort and a breakdown of the Committee vote to endorse the proposed update to the procedures. Staff and the Committee are requesting that the Board review the proposed revisions and provide feedback and direction. After receiving the Board's feedback and direction, the Staff and Committee will return at a subsequent Board meeting for consideration to adopt the updated procedures.

Michael Paparian asked if his written dissenting opinion could be included with the staff presentation materials being provided to the Board. Don Ermak explained that the purpose of the Staff presentation was to inform the Board and membership of those procedural revisions that were approved by a consensus of the Committee and incorporated into the Committee proposed update to the procedures. With regard to those procedural steps that were rejected by a consensus of the Committee and therefore not included in the proposed procedures update, each Committee member may present their personal ideas and opinions directly to the Board in writing and in person at the Board meeting as a TDA member just as any member could do.

The Committee also discussed the Committee's proposed revisions to the Covenants rules. Don Ermak explained that this effort had essentially come to a standstill due to the demands of the enforcement procedures revision effort and the increased number of defensible space

hearings. With the end of the year fast approaching, this effort will probably slide into next year.

Member Comment: No member comments.

No action taken

**3. Action/Discussion Item: Proposed Covenants Enforcement Procedures: Recording of the Vote**

Don Ermak noted that in July when the Committee voted to approve and forward the revised Covenants Enforcement Procedures to the Board, only three votes were recorded in the minutes. They were: Don Ermak and Evan Beller - For; and Michael Paparian - Against. Christine Madden was present and voted - For; however, her vote was not recorded in the minutes as it was not need for a quorum. The remaining three members were absent.

The Chair asked each of the members present at the meeting today to state their opinion, For or Against, the Committee vote to approve and forward the revised Covenants Enforcement Procedures so that their opinion could be recorded in today's minutes. The results were: Don Ermak, Al Noyes, Evan Beller and Christine Madden -For; Michael Paparian - Against; and the remaining two members were absent.

There was a discussion of whether or not a revote was necessary. Jim Roth, Board Liaison, explained, that in his opinion, the minutes should record all Committee member opinions and a revote is optional.

Member Comment: No member comments.

No action taken

**4. Discussion Item: Applications Due for 2022 Covenants Committee Membership**

The Committee reviewed the membership term expirations for the coming year and the interest of each member to remain on the Committee. Don Ermak and Michael Paparian stated they would like to continue as full members; Evan Beller and Christine Madden, currently alternate members, stated they would like to become full voting members if there is availability; and Al Noyes, currently a full member, stated he would like to become an alternate member next year. Len Leclerc and Stan Bienus were not present.

Member Comment: No member comments.

No action taken

**5. Board Liaison Report**

Tahoe Donner Board Liaison, Director Roth, stated there was nothing to report to the committee.

No action taken

**HEARINGS**

04/463

04/176

02/030

08/248

Evan Beller moved to adjourn the meeting; Mike Paparian seconded the motion.

**MEETING ADJOURNED: 3:45PM.** The next meeting is scheduled for November 11, 2021, at 1:00pm, via teleconference.

Prepared by Sheryl Walker

Minutes approved by: \_\_\_\_\_; \_\_\_\_\_  
(Name) (Date)