Mosby Mountain Community Association

SPECIAL MEETING OF THE MEMBERSHIP
Minutes

Date and time: Thursday, July 30, 2020, 7:00 pm

Meeting location: **Remotely over the Internet via the Zoom meeting platform**

Note: Notification of this meeting, along with the agenda and all referenced information, was mailed to the membership on July 15, 2020 and emailed to the membership on July 16, 2020.

Attending:

> Members from 25 households

> Officers and directors: Jim Peterson, President; Ryan Liverman Vice President; Bryan Hamil, Secretary/Treasurer; and directors George Urban, Carol Price and Ken Garrison.

I.   Call to order

Mr. Peterson called the meeting to order at 7:02 pm.

II.   Roll Call and Declaration of quorum

Mr. Peterson asked the secretary, Mr. Hamil, to conduct a roll call and report on quorum. With a total of 119 households, representation from 36 households would be required to achieve the 30 percent threshold necessary for action on agenda item IV (Amend the Covenants and Restrictions) and item V (Increase membership dues).
25 households were represented in attendance and 57 proxies were received for a total of 82 households represented. Therefore, a quorum was achieved to conduct all business scheduled to come before the membership.

III.   Welcome and introduction

Mr. Peterson welcomed everyone and stated that the special meeting agenda was set to only the two items, as shared with members, and that no other matters would be discussed.
Mr. Peterson stated that he would open the floor to all members before asking to vote on each item. Any member who wished to speak would be given 3 minutes to share their thoughts.

IV.   **ACTION ITEM: Amend the Covenants and Restrictions** (Article VI, Section 2, <u>Services</u>. The Association shall be authorized but not required, except as specified in Section 3 of this Article, to provide the following services:) **to include the provision of Internet as an authorized service.**

Mr. Peterson opened the floor for discussion. Hearing no questions or comments from the members present, Mr. Peterson called for Mr. Hamil to conduct a vote by roll call.

Of the 25 members present: 25 votes "Yes", 0 votes "No", 0 votes "Abstain".
Of the 57 proxies received: 53 votes "Yes", 4 votes "No", 0 votes "Abstain".
With a total of 78 votes in favor and 4 votes against, Mr. Hamil reported that the votes in favor of the amendment exceed the two-thirds (2/3) requirement and therefore is approved.

V.   **ACTION ITEM: Increase membership dues** to cover the base Internet service of $45 per month per home plus applicable fees and taxes but not to exceed a total of $50 per month per home for the pass-through cost of providing 1000 Mbps fiber Internet service; said dues increase to become effective when all of the houses are installed and activated.

Mr. Peterson stated that upon further discussions with Ting, the service fee would only be $45 per month per house. There are no expected taxes or fees. Mr. Peterson then opened the floor for discussion.

Mr. Richard Heffner (1731 Mattox Court) asked why Ting is able to not charge taxes for their service when all other utilities do.
Mr. Peterson answered that Internet service, as a stand-alone service, is not currently subject to any state or local government taxes at this point. This is why Ting is only charging the flat fee of $45 per month per house.

Hearing no further questions or comments from the members present, Mr. Peterson called for Mr. Hamil to conduct a vote by roll call.

Of the 25 members present: 25 votes "Yes", 0 votes "No", 0 votes "Abstain".
Of the 57 proxies received: 53 votes "Yes", 4 votes "No", 0 votes "Abstain".
With a total of 78 votes in favor and 4 votes against, Mr. Hamil reported that the votes in favor of the dues increase exceed the majority requirement and therefore is approved

VI.   Adjourn

On a motion by Mr. Hamil, seconded by Mr. Liverman, the meeting was adjourned at 7:25 pm.

Respectfully submitted,

Bryan Hamil
Secretary/Treasurer

Minutes posted on mosbymountain.org: July 31, 2020