



Villages of Westcreek
Owners' Association

Town Hall Meeting Information

We have received many emails and phone calls regarding this topic here is the Answer to the question what does a vote will be taken to amend the Articles of Incorporation mean?

In 1994, the sitting Board (Harry Glidden, Duane Larkin, James Morgan, and Charles Trent) took legal action to consolidate the Villages of Westcreek Homeowners Association, Inc., and the Villages of Westcreek Property Owners' Association, Inc. into one organization – The Villages of Westcreek Owner's Association, Inc. By doing so (i.e., creating a new organization as it were), they were able to create the Articles of Incorporation for the new organization, which gave them the powers to change the By-Laws as they saw fit. This bit of legal wrangling did not require approval of the Homeowner's/Members of the Association. Thus, the By-Laws statement reads as follows:

“The initial By-Laws of the Association shall be adopted by the Board of Directors. Thereafter, any amendment, alteration, or modification of the By-Laws of the Association shall be exclusively limited to the act of the members, in accordance with the provisions for amendment, alteration, or modification of said By-Laws as contained therein.”

In short, the Board at that time saw the need to update the By-Laws and gave themselves the power to do so without member's input/approval. They then proceeded to restrict the ability of future Board's and Members of updating them without a majority of eligible members of the entire Association. This makes it almost impossible for any progress/updates.

We are attempting to amend the Articles of Incorporation to allow the Board to call a special meeting and get approval/disapproval on any By-Law changes through a majority of eligible members present at that meeting called for such purpose. This way, the member's that wish to participate are given an opportunity to make an input and they get to vote on the change. Those apathetic members are not left out; they simply choose not to participate. The change does not give the Board arbitrary powers to change the By-Laws....it simply allows for updating antiquated rules through the democratic process.....with Homeowners having the final say.