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HV of Fork Owners Association

HV OF FORK OWNERS ASSOCIATION

MAY 16, 2024 2:00 PM

MEETING LOCATION: CLUBHOUSE

TYPE: EMERGENCY MEETING

AGENDA ITEM(S): LEGAL ISSUE

ATTENDANCE:

DIRECTORS: DUANE DALEY, TERRY LOLLAR, JUDY MARLOW, RICHARD MARTIN, BRANNON ALVAREZ

PRESIDENT: DAN ALLEN

TREASURER: NOT PRESENT (NANCY GUINN)

POA SECRETARY: BRENDA LOLLAR

GENERAL MANAGER: JOE AMMONS

(APPROXIMATELY 33 ATTENDEES)

(IT IS NOTED THAT PROPERTY OWNER MICHELLE MORGANTIE PLACED A DOCUMENT ON THE TABLE IN FRONT OF DIRECTOR LOLLAR AT APPROXIMATELY 1:56 PM)

PRESIDENT ALLEN OPENED THE MEETING AT 2:00 PM AND TURNED THE MEETING OVER TO DIRECTOR MARTIN SINCE HE CALLED FOR THE EMERGENCY MEETING.

DIRECTOR MARTIN STATES THAT A SOME PROPERTY OWNERS HAVE A PROBLEM WITH THE HANDLING OF THE BALLOTS. DIRECTOR MARTIN BEGAN READING ALOUD A PORTION FROM A DOCUMENT TITLED "STATE OF TEXAS CITATION". DIRECTOR MARTIN WAS UNABLE TO FINISH READING THE DOCUMENT AND REQUESTED THAT DIRECTOR ALVAREZ CONTINUE READING THE DOCUMENT AT 2:07 PM. DIRECTOR ALVAREZ CONTINUED TO READ A PORTION OF THE DOCUMENT.

QUESTION FROM THE FLOOR: WHAT WAS THE FILING DATE? ANSWERED: MAY 10, 2024. QUESTION: DID MICHELLE MORGANTI REQUEST A MEETING WITH THE BOARD? ANSWERED: NO. DIRECTOR MARTIN AND DIRECTOR ALVAREZ REQUESTED A MEETING WITH PRESIDENT ALLEN.

QUESTION FROM THE FLOOR: WILL BALLOTS BE SET ASIDE? WILL DIRECTOR LOLLAR AND DIRECTOR MARLOW BE SET ASIDE? ANSWERED: NO

AT THIS TIME THERE IS A LOT OF LOUD TALKING OVER EACH OTHER FROM THE FLOOR. PRESIDENT ALLEN ATTEMPTED TO BRING THE MEETING BACK TO ORDER AND TO QUIET THE NOISE.

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DIRECTOR DALEY REQUESTS TO READ ALOUD A PREPARED STATEMENT. THE STATEMENT IS AS FOLLOWS: "WHEN HV OF FORK ASSOCIATION OFFICERS AND/OR DIRECTORS ARE LEGALLY CHALLENGED WE MUST ABIDE BY THE LEGAL PROCESS. IN OTHER WORDS, OUR BOARD MEMBER FIDUCIARY RESPONSIBILITY LEAVES US WITH NO OPTION BUT TO SEE THE ISSUES ARE HANDLED THROUGH THE COURT SYSTEM TO PROVE TO ALL MEMBERS THEIR ASSOCIATION AND THEIR INDIVIDUAL INTERESTS ARE BEING LEGALLY PROTECTED. THEREFORE, I NOW MAKE A MOTION WE RESOLVE ALL LEGAL CHALLENGES THROUGH THE COURT." DIRECTOR DALEY MAKES THE MOTION TO ALLOW THE COURTS TO HANDLE THE LEGAL ISSUE, DIRECTOR LOLLAR SECONDED THE MOTION, PRESIDENT ALLEN CALLS FOR ALL IN FAVOR TO SIGNIFY BY SAYING AYE, DIRECTOR MARLOW, DIRECTOR DALEY AND DIRECTOR LOLLAR SAID AYE, DIRECTOR ALVAREZ AND DIRECTOR MARTIN SAID NO. THE MOTION CARRIES 3/2.

PRESIDENT ALLEN ASKED IF THERE WERE ANY OTHER RELEVANT QUESTIONS? A QUESTION FROM THE FLOOR: WHERE WILL THE NEW BALLOTS BE MAILED BACK TO? ANSWERED: THAT WILL BE DETERMINED BY THE BOARD AT A LATER DATE. ANOTHER QUESTION FROM THE FLOOR: WAS THE BOARD NOTIFIED OF THIS COURT DATE FOR THIS MORNING? ANSWERED: NOT OFFICIALLY, WE RECEIVED AN EMAIL FROM MICHELLE MORGANTI, BUT NOT AN OFFICIAL NOTICE FROM THE COURT.

DIRECTOR LOLLAR STATES THAT A WRIT HAS BEEN SERVED AND THERE IS A NEED TO SEAL THE BALLOT BOX. DIRECTOR LOLLAR MAKES A MOTION TO HAVE THE BALLOT BOX SEALED AND DIRECTOR DALEY SECONDED THE MOTION. THE ROOM ERUPTED WITH A LOT OF LOUD TALKING AND SCREAMING.

PRESIDENT ALLEN CALLED FOR A 10 MINUTE RECESS AT 2:35 PM AND REQUESTED THAT THE BOARD MEMBERS JOIN HIM IN THE NEXT ROOM.

PRESIDENT ALLEN RESUMED THE MEETING AT 2:50 AM. THERE IS STILL A MOTION ON THE FLOOR. DIRECTOR LOLLAR REPEATS THE MOTION TO SECURE THE BALLOT BOX AND DIRECTOR DALEY SECONDED THE MOTION. PRESIDENT ALLEN CALLS FOR A SHOW OF HANDS TO SIGNIFY AYES. DIRECTOR LOLLAR, DIRECTOR DALEY, AND DIRECTOR MARLOW RAISE HANDS SIGNIFYING AYES. PRESIDENT ALLEN CALLS FOR A SHOW OF HANDS TO SIGNIFY NO, DIRECTOR MARTIN AND DIRECTOR ALVAREZ RAISE HANDS TO SIGNIFY NO. THE MOTION CARRIES 3/2 TO SECURE THE BALLOT BOX AND NOT DESTROY BALLOTS. A STATEMENT FROM A PROPERTY OWNER FROM THE FLOOR THAT BALLOTS MUST BE MAINTAINED FOR 7 YEARS.

DIRECTOR LOLLAR READS FROM **HV OF FORK OWNERS' ASSOCIATION BY-LAWS AMENDED AND RESTATED, JULY 17TH, 2022, ARTICLE THREE, BOARD OF DIRECTORS, SECTION 2.** " EXCEPT AS OTHERWISE PROVIDED IN SECTION THREE OF THIS ARTICLE 3, DIRECTORS SHALL BE ELECTED AT THE ANNUAL MEETING OF MEMBERS AND SHALL SERVE A TERM OF THREE (3) YEARS AND THEREAFTER UNTIL THEIR SUCCESSORS ARE ELECTED AND HAVE QUALIFIED. ANY DIRECTOR MAY SUCCEED HIMSELF/HERSELF AND SERVE AS MANY CONSECUTIVE TERMS OR NON-CONSECUTIVE TERMS AS HE/SHE MAY BE ELECTED. DIRECTORS MUST BE MEMBERS OF THE ASSOCIATION.

MORE LOUD SHOUTING AND DISCOURSE FROM THE FLOOR. DIRECTOR LOLLAR MAKES A MOTION TO ADJOURN AND DIRECTOR DALEY SECONDED THE MOTION TO ADJOURN, PRESIDENT ALLEN ASKED FOR DIRECTORS TO SIGNIFY WITH AYES TO ADJOURN, 3 AYES FROM DIRECTOR LOLLAR, DIRECTOR DALEY, AND DIRECTOR MARLOW.

ADJOURNMENT 3:00 PM

Randa Lollar - POA Secretary