

In the November 1st edition, Ms. Kay Walker accused the PIPOA Board of amending our Bylaws when they voted at the Oct Board Meeting to require all sitting and future Board Members to submit to a criminal background check. An action she decried as illegal because of the passage of the recent ARCH bylaw amendment prohibiting the Board from amending the Bylaws.

As one of the leaders of the ARCH, I feel I am qualified to say that this was just not the case. The Board did not vote to amend our Bylaws.

Section 2.06A of our bylaws says, "The Board shall have power to make rules for their own governance". What the vote did was to implement a rule to legally verify that all Board Members have not been convicted of a felony or crime of moral turpitude. And Texas State Code 209 as well as our bylaws, make ineligible any person convicted of these crimes to sit on an HOA Board.

Why is this verification needed?

If an ineligible person is sitting on our Board, it puts our community at financial risk. We pay for insurance to cover our Board Members. And, if in the event of a claim and a Board Member is determined to be ineligible, then our claim could be denied. Which would mean that any claim would come from our bank accounts.

Now, I know that this is a very unlikely situation, but it is something that I expect to be addressed. And the simple and inexpensive solution is the requirement of background checks. I applaud our current Board for this foresight.

Kelly McFadden