

Emails from Andrea voting and paying

On March 5, 2017 at 7:06 AM Andrea Sedlak wrote:
To the GLA Board:

In response to the recent Election Committee Minutes, I have to disagree with the claim that it would require a change to the GLA Governing Documents in order to require that assessments be paid by October 31 prior to the annual meeting. The Bylaws reference the Covenants and the Covenants simply define eligible voters to be members in good standing, specifying that they be current in their assessments and not in violation of the covenants. It has simply been a traditional practice to define as 'current in assessments' those members who decide to wait until the last minute to hand a check to the treasurer at the annual meeting.

There are a number of reasons to change this traditional approach to defining who is current in their assessments.

Many businesses that accept a check in payment do not consider the transaction to be complete until the check clears through the bank. The GLA can insist that this has to be the standard that applies when determining eligibility to vote. Consider the complications that would ensue if a check written at the annual meeting were to bounce! The member would have effectively committed voter fraud because they were not actually eligible to vote—and it would be impossible to provide a verifiable corrected vote count because the voting is anonymous.

In the past, when payments of overdue assessments were accepted at the annual meeting, members who paid what it appeared was due on their accounts were allowed to vote. But when members walked into the annual meeting with their September bills and paid that amount, they actually did not pay all that was due on their accounts—their payments should have included all the interest and fees that would have applied to their outstanding balance on 10/1 and on 11/1. This unfairly created special categories of members because other landowners with outstanding balances were not given the same break on interest and fees due between the September invoice and 11/1.

It is unreasonable to expect the treasurer to calculate those at the last minute during the annual meeting. To do this correctly at the meeting would require the accountant updating the books as of the Friday before the meeting which would entail extra expense. It is also unreasonable to expect the treasurer to arrive at 7:30 am at the annual meeting in order to accommodate last-minute payers. Those are people who did not bother to make their payments on time so why would any reasonable person expect that these wait-until-the-last-minute people would show up extra early to allow time for all the calculations that would be needed?

Also note that this issue of the interest and fees that should be collected means that in order for those with outstanding balances to bring their accounts timely by October 31 they should not submit a check for the amount shown on their September invoice but should contact the

treasurer to learn what the payoff amount will be for them at the time they postmark their check.

This gets to the point of the GLA finally doing careful, accurate and fair accounting. I very strongly recommend that the Board set a deadline in advance of the annual meeting that can provide sufficient time for calculating interest and fees due and for allowing checks to clear. That way the treasurer will be in a position to verify the final list of members who are in good standing. The potential for jeopardizing the validity of the votes under the current process (witness the most recent election) makes it no longer feasible to continue to coddle members who disregard their responsibility to submit their payments in a timely manner, even giving them an unfair discount in their amount due.

Sincerely,
Andrea Sedlak