

Charlene's Comments on paying and voting the same day:

Regarding the practice of allowing members to pay and vote on the day of the annual meeting, this has been done since 1997. It is based on Bylaw Article V, section F. **Voting**. Each member in good standing as defined by the Covenants, or any person designated by them to act as proxy on their behalf (who need not be a Member), shall be entitled to cast the vote(s) appurtenant to the Member's Membership Interest(s) **at all meetings of the Members**.

The Bylaws are not specific, but past actions have been - i.e. accepting payment at the meeting. This practice has set a precedent as having established a long standing policy on paying and voting on the same day, even though it is not in writing.

I offer these points to ponder as we consider what it would take to change our current practice of accepting payments on voting day and then allowing members to vote.

1. The problem of Rakela's absentee ballot on November 14, 2016 and her payment not being processed properly is a procedural problem. Adjustments to the procedures need to be made, and can be done easily. This was the first Annual Meeting where the double envelope method was used. There is fine-tuning to be done based on what was learned at the meeting.
2. Due process, as stated in Bylaw XI-C, requires that all members be given the opportunity to comment, etc. before the Board imposes a new policy, rule or regulation, so this process would need to happen before adopting any new policy. It is a lot of work to put out a new policy or procedure proposal, compile the input, etc. is this the most important issue the board has to handle right now? What other things won't get done (due to overburdening the board with too many issues to handle) that are more important, such as collections? Remember how long it took to finalize the PR instructions with member input periods on each draft? And it took over six months to finalize the new Collection Procedure.
3. If this new time frame were implemented, just imagine a situation where a landowner shows up at a member meeting with cash or check in hand to pay what is owed so they can vote, and how unreasonable it would be to be to deny the right to vote. They would be furious, and this could easily lead to lawsuits. It would make sense that this practice would need to be first adopted by the members via a Gov Doc amendment to avoid the board coming across to members as unreasonable.
4. The Covenants and Bylaws do not indicate any specific time period in which a person is allowed to make a payment so they can become in good standing. It is overreach to impose a window of time in which a landowner is disallowed from being able to bring their account current or make a payment and thereby become a landowner in 'good standing'.
5. It is not in the best interest of the association to make it difficult for members to pay. The opportunity to vote at a member meeting has always been an incentive for landowners to pay, and a significant amount of money is usually collected at this time. It is the duty of the board to

be able to handle/process incoming money, rather than refuse it, because it is good for the association to have this income.

6. **Attorney input is needed:** Is it legal to refuse to allow a member to pay their assessment and thereby become a member in “good standing” during a particular window of time, especially at the place where the GLA conducts business at a membership meeting? Since the GLA does not have an office, the place of business is the location of the meeting. The location of a membership meeting is the location where the GLA conducts business.

I'm letting everyone know where I stand. I respect that some landowners and board members do not agree with me. We can discuss this in a calm and reasonable manner. The Committee will meet and give its feedback and possible recommendations to the board. There may be a gov doc vote in the future on this issue. I ask again, is this the most important governing doc change to work on at this time?

Respectfully,  
Charlene