

Winona Lakes Property Owners Association Proposed Bylaws Amendments

The board of directors of the Winona Lakes Property Owners Association asks that you approve all of the following amendments to our bylaws. Our comments and reasons for each are written near every request, in italic print. Please contact us through the Association office with any questions. We feel that all of these amendments are necessary improvements to our community. Thank you for your time and your votes.

FIRST AMENDMENT ELIMINATING SPECIAL ASSESSMENTS

Current Provision: Article IV, Section 4.2c. Assessments, other than annual dues, shall be imposed for a specific purpose as determined by $\frac{3}{4}$ majority vote of the Board of Directors.

Proposed Provision: **Article IV, Section 4.2c. Assessments, other than annual dues, shall only be imposed by an affirmative vote of 51% of the total members in good standing eligible to cast votes. An assessment must be for a specific purpose and may not be used to supplement or otherwise fund the annual operating budget. This must be undertaken only by mail ballot vote with a return envelope addressed with postage to the Association auditing firm for that fiscal year, which will count and tabulate the vote count. There will be a 30 day voting period from the postmark of the ballots going out. The Auditor will notify the Board of Directors of the results and the Association Secretary shall certify the vote and give written notice to the membership within 10 days. It is not within the powers of the board of directors to impose special assessments on the community without this membership vote.**

This amendment protects the membership from future boards of directors imposing special assessments. This is the reason many of the current directors became involved in our community, following several questionable special assessments imposed upon all members to accomplish special interests of those past boards. Please approve this amendment by checking "Approve," below.

APPROVE

DISAPPROVE

Signature: _____

Date: _____

SECOND AMENDMENT ELIMINATING SPECIAL ASSESSMENTS

Current Provision: Article VII Section 7.3d. Levy dues, fees, charges, assessments and other financial obligations of membership as authorized in the budgets, these By-Laws, Association's Rules and Regulations, and/or covenants.

Proposed Provision: **Article VII, Section 7.3d. Levy dues, fees, charges, and other financial obligations of membership as authorized in the budgets, these By-Laws, Association's Rules and Regulations, and/or covenants.**

The word "assessment" is removed to further ensure future boards of directors cannot pass assessments without a vote by the membership. Please approve this amendment by checking "Approve," below.

APPROVE

DISAPPROVE

Signature: _____

Date: _____

THRID AMENDMENT EMPOWERING MEMBERS TO DECIDE ON SKIING

Current Provision: NONE

Proposed Provision: **Article V, Section 5.5.** The opening or closure of the skiing operations shall be decided by a vote of the members in good standing annually. This vote shall be taken each year no earlier than April 1st and no later than June 1st by mail ballot with a return envelope addressed with postage to the Association auditing firm for that fiscal year, which will count and tabulate the vote count. There will be a 30 day voting period from the postmark of the ballots going out. The Auditor will notify the Board of Directors of the results and the Association Secretary shall certify the vote and give written notice to the membership within 10 days.

The ski slope has long divided our community. It is the opinion of the current board of directors that the whether the slope is open or closed should be decided by the membership, not current or future boards. Please approve this amendment by checking "Approve," below.

APPROVE

DISAPPROVE

Signature: _____

Date: _____

FOURTH AMENDMENT PROTECTING MEMBERS' RIGHTS TO PROXY VOTES

Current Provision: NONE

Proposed Provision: **Article V, Section 5.6.** Proxy voting is allowed. Any owner member in good standing may give the right of proxy vote to another owner member in good standing to cast as that member may see fit on any and all matters before the Association. There shall be no limit to any amount of proxy votes a voter member may cast by proxy. An owner member may designate the prescribed period of time for which said owner member designates a proxy vote. An owner member may revoke his proxy at any time for any reason. All proxies shall be registered with the Association Secretary at least 24 hours before the meeting to which they are cast or at least 24 hours prior to the tabulation of any vote to which they are to be used. Any ballot cast by an owner member shall take precedence over any proxy vote or ballot. No vote of the membership at any meeting of the membership will be valid without the members' rights to proxy observed and protected.

Many members of our Association live far from the Community Center and do not have time to attend meetings or follow the ongoing issues before the Association. Many are comfortable placing their vote with someone they trust to vote in their place. This is a common practice in both non-profit and for profit corporations, and of course nearly all homeowner associations like Winona Lakes. The board of directors believes this enhances and protects members' rights, and promotes members' involvement in the community—not just those members who live nearby, but all members. Please approve this amendment by checking "Approve," below.

APPROVE

DISAPPROVE

Signature: _____

Date: _____

FIFTH AMENDMENT PROTECTING MEMBERS IN GOOD STANDING

Current Provision: Article I, Section 1.3, 8. MEMBER IN GOOD STANDING: A member, whether owner-member or a social member, shall be deemed to be in good standing if said member has timely paid all financial obligations of membership and has, if having been not in good standing, been declared to be in good standing by the Board in accordance with ARTICLE IV, SECTION 4.3A hereof.

Proposed Provision: Article I, Section 1.3,8. **MEMBER IN GOOD STANDING: A member, whether owner-member or a social member, shall be deemed to be in good standing if said member has timely paid all financial obligations of membership and otherwise complaint with rules, regulations and governing documents of the Association. A member is returned to good standing as soon as verified payment is accepted by the Association. The definition stated here shall be the all-governing standard to which a member's eligibility to seek elected office, use the amenities, or any other applicable issue, shall be governed. This definition supersedes any and all conflicting provisions of these bylaws. A member shall be eligible to run for elected office immediately upon return to good standing status, regardless of past status. Social members shall still not be eligible to seek elected offices of the Association.**

The board of directors seeks to remove any and all obstacles to all members in good standing in regard to their right to vote, right to seek elected office, or right to use of the amenities. We also strive to clean up any confusion or delay in our existing bylaws regarding when members pay their debts and become members in good standing. Please approve this amendment by checking "Approve," below.

APPROVE

DISAPPROVE

Signature: _____

Date: _____