

**BAY CITY PROPERTY OWNERS ASSOCIATION, INC.**

**OFFICIAL BALLOT FOR AMENDMENTS TO CORPORATE BY-LAWS**

**September 14, 2007**

Additions are indicated by **bold** and underlined font; deletions are indicated by strikethroughs.

**QUESTION 2007-1-D&ARF:**

To amend Article III, Section 3 – Dues – as indicated:

Section 3. Dues:

(a) Property Owners shall be assessed annual Association dues which are mandatory in the amount of ~~\$100~~ **\$135** due January 1st and payable by March 31 to meet the Association's fiscal year recurring operation and maintenance costs and to fund capital improvements. Such assessment **dues** shall cover a period of one calendar year and ~~is~~ **are** applicable immediately upon Bay City property ownership. Where Bay City ownership entails more than one lot, each additional undeveloped lot will be assessed \$10 – e.g. one undeveloped or developed lot equals ~~\$100~~ **\$135**, two developed lots equals ~~\$200~~ **\$270**, one developed and one undeveloped lot equals ~~\$110~~ **\$145**. The ~~membership fee includes~~ **annual Association dues do not include** the \$10 per lot road maintenance fee assessed each calendar year.

**Board Explanation:** The Board of Directors recommends this increase to cover the 2007 cash shortfall documented in the letter of March 30, 2007, to establish Park playground equipment as a depreciated capital asset with a 10-year replacement cycle, to replace income currently covered by restitution funds, which are court-ordered to end in 2008, and to establish a \$3000 financial reserve.

Mark (X) one on attached ballot :ACCEPT

REJECT

**QUESTION 2007-2-RPM:**

To amend Article III – Membership – adding a new section as provided:

**Section 5. Bay City Property Owners Association, Inc. Property:**

**(a) No property of the Bay City Property Owners Association, Inc., including, but not limited to, recreational areas and athletic facilities, may be updated, repaired, removed or otherwise modified or disposed of without the majority vote of the Board of Directors. For purposes of this Section 5 only, each Board member may submit his/her vote via electronic mail.**

**(b). No BCPOA-owned real estate shall be sold without a 2/3 majority vote of the membership.**

**Board Explanation: The Board of Directors concludes that corporate assets should not be modified, updated, or sold without input from the Board and/or Membership.**

**Mark (X) one on attached ballot:ACCEPT REJECT**

**QUESTION 2007-3-LI:**

To amend Article III – Membership – adding a new section as provided:

**Section 6. Legal Issues; Majority Required:**

**A majority of the Board of Directors (to include the officers) must agree to initiate discussion of a new legal issue with legal counsel. This authorization may be obtained by email**

**Board Explanation: The Board of Directors concludes that executive oversight of legal expenditures will improve fiscal management of the Association.**

**Mark (X) one on attached ballot:ACCEPT REJECT**

**QUESTION 2007-4-:**

To amend Article V, Section 5 – Compensation – as indicated:

**Section 5. Compensation.**

No officer or Director of the Association shall receive any compensation for their services. Nothing in this section shall be construed to preclude such person from performing bona fide work for the Association in any other capacity and receiving payment therefore. Persons performing work for the Association which entails the outlay of personal funds, shall be compensated; also duties which require driving in performing these actions, shall be compensated at the rate **recognized by the Internal Revenue Service (“IRS”) as of the date of the performance of the work.** A report of these expenses must be submitted to the Board of Directors for approval of payment. No part of the income of said Association shall inure to the benefit of any member by virtue of said membership.

**Board Explanation: The Board of Directors concludes that updating the mileage reimbursement rate will yield appropriate compensation for BCPOA-related travel.**

**Mark (X) one on attached ballot:ACCEPT REJECT**

**QUESTION 2007-5-FC:**

To amend Article VII, Section 2 – Finance Committee – adding a new subsection and to reorder the other subsections as indicated:

Section 2. Finance Committee. (Amended October 17, 2006 **September 14, 2007**)

**(a) There shall be a Finance Chairman elected in the same manner as the Board of Directors. The Finance Chairman shall serve a two year term and shall preside over the Finance Committee. At any special meeting of the Board called for the purpose, the Finance Chair may by the vote of a majority entitled to vote, be removed from office with any just cause, such as gross incompetence or malfeasance, and another may be elected by the membership in place of the person so removed, to serve for the remainder of the term.**

~~(a-b)~~ There shall be a standing Finance Committee. The Board of Directors shall appoint the chairman and members of the Committee. Members of the Committee shall serve two year terms.

~~(b c)~~ The Finance Committee shall prepare an annual budget for submission to the Board of Directors at a time and place requested.

~~(e-d)~~ The Finance Committee shall review actual expenditures as compared to budget projections on a quarterly basis. The Finance Committee shall report to the Board of Directors any deficit and surplus equaling more than five (5) percent or greater of the budgeted amount and provide to the Board of Directors a budget analysis, evaluation, and recommendation for corrective or mitigating action. The Board of Directors will notify the membership of any proposed changes to the budget.

**Board Explanation: The Board of Directors concludes that an independent Finance Committee Chair, elected by the membership, will improve fiscal management of the Association.**

**Mark (X) one on attached ballot:ACCEPT**

**REJECT**

