

Week 5 Article 5: (11/08/2024)

PLPOA Voting Processes:

The bylaws outline three main voting scenarios for PLPOA matters:

1. Majority of Ownership: Certain decisions, like changes to the Declaration of Restrictions require approval by a majority of the owners. *However, due to historically low voter turnout, PLPOA has not pursued such changes in the past as the cost of pursuing the vote outweighs the benefit. This approach minimizes unnecessary expense to the owners.*
2. 2/3 of Voting Members (Bylaw Amendments): Amendments to the bylaws require a two-thirds supermajority vote of those who actually vote (Article VII, Amendments). This is a direct vote process, and the outcome will be decided by the percentage of those that vote.
3. Simple Majority of Voting Members (Gymnasium, Special Assessments): Projects exceeding 15% of the association's equity or special assessments greater than the annual assessment necessitate a simple majority vote of those who participate in the vote (Article VIII, Section 1). This is a direct vote process.

Most other decisions fall primarily on the Board of directors' approval. The board's role is to manage the association's affairs (Article I, Preamble, item 3). Includes but isn't limited to reviewing and approving proposals from committees and staff, setting budgets, establishing policies and rules, and approving and overseeing projects. (Articles of Incorporation 3 (A), CCIOA 38-33.3-302)

Gymnasium Vote Implications:

The gymnasium vote falls under scenario 3, requiring a simple majority vote of those participating. While the special assessment for the gymnasium does not independently necessitate a separate vote (because it does not exceed the annual assessment), the board has chosen to include the specifics of the project and its associated costs within the overall gymnasium vote. This ensures transparency and allows owners to fully understand the financial aspect and project details before casting their ballot.

The ballot question will likely resemble the following: "Do you approve or deny the construction of a gymnasium, as detailed in the attached project proposal and funded by a special assessment of X dollars, to be issued on [Date] and due in full by [Date]?"

The outcome will be determined by a simple majority of the votes cast. A quorum of at least 100 votes is required for the vote to be valid. Ballots will be tallied on March 1,

2025. The provided proposal will contain the detailed financial plan and a complete description of the project.

Your Voting Rights:

- Number of Votes: You receive two votes per ownership of real property regardless of how many lots you own (Bylaws, Article III, Section 6). Timeshare ownership receives a fraction of a vote (1/50).
- Special Assessment per Lot: Yes, you will pay the special assessment for each of your lots unless they are legally consolidated into a single assessment. (Declarations of Restrictions Section 11 (a))