

Minutes Special HOA Meeting 07/6/03

This special meeting was called by the Board of Directors to consider a change in the by-laws of the HOA concerning the allowable voting process at election meetings. The specific motion was to amend the voting procedures to prohibit casting more than one vote for a single candidate during elections (i.e. prohibit "bullet voting").

A copy of the motion had been mailed to all homeowners over one month ago.

President Silverstein called the meeting to order at 11am. Board members present were: Lenny Glass, Effie Love, Neil Herskowitz and Avi Schrier. A sign-in sheet was used to determine the presence of a quorum.

President Silverstein reviewed the voting procedures for this meeting. He stated that a quorum consisted of 111 homeowners and could be met by the homeowner submitting a proxy ballot. He stated that 146 proxies had been delivered prior to the meeting therefore meeting the requirements for a quorum. For the measure to pass, it required an 80% favorable vote of those casting ballots. He stated that of the proxies received 132 were in favor and 14 opposed. He opened the meeting for comments.

A lively discussion ensued. Those speaking in favor of the motion pointed out that in regular elections, when there are three open seats voters are instructed to "vote for 3" they cannot vote for any one person more than once. They can vote for only one in order to show more favor to a specific candidate. They also claimed it was unfair for someone to walk into an election meeting with proxies from a handful of homeowners, but by the existence of those proxies guaranteeing their election before the vote is held. One final point made was that by allowing bullet voting, a small minority could impose their will on the majority.

Those opposed to the change argued in favor of a minority being able to exercise their rights, and that this was a method to replace an entrenched board. They said that since all voters knew the rules there was nothing wrong with gathering proxies entitling the bearer to cast three votes for a single candidate. They also pointed out that in their opinion, the gathering of proxies by people for this vote was exactly what those in favor of the change were opposed to.

Sheldon Fliegelman moved to table the motion for further discussion. The chair ruled the motion out of order and proceeded with the vote.

Prior to the completion of the vote a number of homeowners rescinded their proxies and re-cast their votes.

Results:

In favor of the resolution:	132
Opposed to the resolution:	29
Invalid ballot:	1
Total votes cast	161

Votes needed to defeat = 20% of 161 = 32. Motion carried.

Meeting Adjourned at 12:10 PM

Respectfully submitted:

Ephraim Love
Secretary