

June 24, 2018
BLC Report to Membership

The BLC continues to recruit members. We currently have one opening with another possible opening soon. There is a sign up sheet on the back table. The BLC also has Member Input forms if you have any suggestions for bylaw changes. The member input form can also be found on the back table. The BLC meets every second and fourth Thursday of the month in the library from 4 to 6 pm. We are looking for members who can commit their time.

As you all recall on the Feb. 25, 2018 general membership committee meeting we proposed bylaw amendments, in accordance with our bylaw provisions as stated below.

Section 2. Bylaws Committee. As per Article X,, there shall be a bylaws committee of the membership. Subsequent to its being elected, the committee shall make recommendations to the members at a membership meeting. Any proposed amendments to the bylaws to be sent to lot owners for a vote shall first be passed by a two-thirds vote of the members present and voting at that or a subsequent membership meeting.

The proposed amendments were overwhelmingly approved by the membership at the meeting and given to the board for further processing also as provided in the bylaws. The board however, in their sole discretion, contrary to the bylaws, decided to stop the process citing that they needed to insure the amendments did not violate state law. When the board was questioned in March, we were told they were seeking legal counsel to review the BLC ballot and entire membership proceedings. We have repeatedly requested status and a copy of the attorney letter rendering his/her decision and we received no response. While we are certain no state law was violated the process for that is a legal review of the approved bylaw amendments prior to printing by an attorney.

The Charter of Incorporation states that the board shall have powers and duties as prescribed by the bylaws. No where does it say, in the

bylaws or in the Charter, that they can disregard the bylaw amendment process.

In our opinion the board willfully and without regard for the members violated their fiduciary duties to the members and the bylaws. One may even speculate that the board did not want the bylaw proposals to go to the entire membership for vote for fear of losing special perceived powers or interfering with their special interest.

What the board did was shameful and in total disregard of the members wishes. The Board should always respect our HPPOA directives. This association has enough problems and don't need any director who doesn't reflect their best interest. It is our opinion that those board members should resign and never hold office again.

In the meantime your BLC continues to review the current bylaws and propose amendments for your further review. We are working to make a better place for people to live, through clear and defined laws, and people who care.

Lastly the BLC request that the new Board expedite the mailing of the bylaw amendment ballots as approved and discussed at the Feb. 25, 2018 general membership meeting.

Milton D. Pavao
BLC Chair