

RED OAK HILLS HOMES ASSOCIATION, INC.

Annual Meeting – Election Notes

Date and Time: June 26, 2022, 1:30 pm

Location: Monticello Library

Notes By: Tom Beckenbaugh

The Annual Meeting included electing board members to fill six open seats on Board of Directors and three ballot questions related to the governance of the Association. These three questions, as described on the attached ballot, concerned:

1. Proposed revisions to the Bylaws;
2. Homes Association membership eligibility; and
3. Minimum qualifications to serve on the Board of Directors.

A quorum of not less than 20% of the 204 member lots was required for the election to be valid. With 58 member lots represented in person or by proxy, or 28.4% of the Association membership, there was a quorum.

As each Association member in attendance placed their signature where listed in a membership register they were given one paper ballot for each lot they own. For meeting attendees representing Association members by proxy, the word “proxy” was noted on the appropriate line of the membership register and these attendees were then given one ballot for each lot whose owner they represented by proxy.

Each ballot was cast in secret. After all ballots were cast they were tallied by Kelly Mason and Tom Beckenbaugh. In accordance with the Bylaws, a majority vote for each candidate and each question determined the results.

The Board of Directors election results were as follows:

Group 1 - Term Expiring on June 30, 2023

* David Leavitt 57 votes (running unopposed)

Group 2 - Term Expiring on June 30, 2024

* Tammy Shepherd 57 votes (running unopposed)

* Tia Strait 57 votes (running unopposed)

Group 3 - Term Expiring on June 30, 2025

* Jay Carlson 57 votes (running unopposed)

* Carole Collyard 56 votes (running unopposed)

* Pam Baur 57 votes (running unopposed)

The Bylaws related questions election results were as follows:

* Question 1 YES -57 votes NO- 0 votes (100% YES)

* Question 2 YES -42 votes NO-15 votes (73.7% YES)

* Question 3 YES -56 votes NO -1 vote (98.3% YES)

There were a total of 57 ballots cast for the board candidates and 57 ballots cast for the Bylaws related questions.

The sign-in register from the meeting, signed proxy forms and original ballots will be retained in the Homes Association records.

The meeting was adjourned at approximately 2:15 pm.

Question 1. Shall the Bylaws be amended as described in the May 10, 2022 document titled “Bylaws Revisions” posted on the Homes Association’s website?

Background – The Bylaws were last revised in 1996. The proposed revisions update the Bylaws to comply with Kansas law applicable to Homes Associations and makes several revisions related to the administration of the Association including, but not limited to, allowing the electronic delivery of meeting notices and allowing electronic voting,

The Board recommends a vote in favor of **Question 1**.

Question 1. YES _____ NO _____

Question 2. Shall lot owners that voluntarily pay Homes Association dues be included as “members” of the Association with the same voting rights as lot owners that are required to be Members?

Background - As of May 2022 there are 204 lot owners in Red Oak Hills that are required to be Members of the Homes Association. Members are currently defined as lot owners with deed restrictions that require Association membership. There are an additional 56 property owners in Red Oak Hills that voluntarily pay dues to the Association and they enjoy all the benefits our Association offers, except they are not currently considered members and they do not have the right to vote in Association elections.

Advantages – A vote in favor of **Question 2** would allow lot owners that voluntarily pay dues a voice in the governance of the Association and would simplify the Association’s record keeping and administration of elections.

Drawback –Because lot owners that voluntarily pay dues have the ability to separate from the Association at any time, if they choose to separate their past votes may no longer affect them but their votes would continue to affect lot owners with deed restrictions that require Association membership.

The Board takes no position for or against **Question 2**.

Question 2. YES _____ NO _____

Question 3. Shall Article II. Section 1. of the Bylaws be revised as follows?

ARTICLE II. BOARD OF DIRECTORS

SECTION 1. Number of Qualification. The Board shall consist of nine (9) persons. Except for those persons elected or appointed by the Developer, as hereinafter provided, persons nominated and elected or appointed to the Board shall be ~~both a lot owner and a resident that pays assessments, and own a lot bound by either the Original Declaration of Restrictions or the First Amended Declaration of Restrictions.~~ The nine (9) persons Board may include a maximum of two (2) persons that are not members of the Association.

Background - The Bylaws currently allow any person that is both a lot owner and a resident to serve on the Board of Directors. For most of the Association’s history the Board has included residents that are not required to be members of the Association. Under the current Bylaws, it is possible that the entire Board could be comprised of residents that do not pay dues, are not required to be members and/or are residents that do not have deed restrictions on their property.

A vote in favor of **Question 3** would ensure that all Board members pay dues, have deed restrictions similar to the residents they represent and ensure that a super majority of the Board positions are filled by residents that are required to be members of the Association.

The Board recommends a vote in favor of **Question 3**.

Question 3. YES _____ NO _____