

Minutes of the Special Meeting
Of the
FVCA Members
Swim Club Merger

December 8, 2014

I. CALL TO ORDER

A special meeting of the FVCA Members was held on December 8, 2014 at the Pines Presbyterian Church.

Board Members Present: David Valerius, Jim Egger, David Robertson, Makeea Grainger, Paul Dunne, Melinda Speight, Joe Bono, John Moyell

Board Members Absent: Will Frederking

President David Valerius called the meeting to order at 7:16 pm.

II. BUSINESS -

a) Vote and hear results of the vote on whether to merge the FVCA with the Fonn Villas Swim Club.

- David Valerius announced that voting was stopped at 7:00 pm.
- The meeting was suspended at 7:17 pm while the votes were tabulated.
- The meeting was called back to order at 10:15 pm
- Board Members present when meeting was called back to order: David Valerius, Jim Egger, Makeea Grainger, Paul Dunne, Melinda Speight, John Moyell
- Vote Tabulators Nete Sundt, Maurice Stadler, John Baugher, John Maurer and Kim Frederking presented the results.
- Report is attached.
- The tabulators reported that votes were received for 320 out of the 348 lots, and that the majority of the ballots and proxies were filled out correctly.
- Counting the ballots and proxies that were filled out correctly, initial results were 209 **FOR** votes and 91 **AGAINST** votes. Using these numbers, the merger passed because 209/300 is more than the required 2/3 of the votes.
- Maurice Stadler reported that 20 other ballots/proxies had technical problems. They were: 3 proxies whose vote was different than a previously-dated proxy from the same owner, 2 ballots with initials by a check box but no check in the box, 1 vote where the proxy was not present but the spouse of the proxy was present, 5 proxies where no proxy was filled in, 6 proxies with no ID, 2 ballots without the property address written in, and 1 ballot whose voter did not sign in.
- The tabulators listed these votes at the bottom of the tabulation, and presented these results to the Board to make the determination of how the votes should be counted.
- Section 3.6.5 of the By-Laws was consulted to see if a final tabulation could be announced, even if all the ballots/proxies with technical problems were counted as **AGAINST** the merger. Using this method, the results would be 209 votes **FOR** and 111 **AGAINST**, which would mean that the merger did not pass. Therefore, a decision needed to be made on how to count the ballots/proxies with technical problems.
- David Valerius referred the group to the previously approved voting tabulation procedures (attached) which state "If multiple valid votes are received by proxy from

the same authorized voter, and some are against and some are for the merger, they will be considered null and void and not be counted.”

- Jim Egger suggested that the results be tabulated using several methods of allowing and disallowing the **FOR** and **AGAINST** votes within each category of votes with technical problems. Using each method, the merger passed with at least 2/3 of the vote.
- Makeea Grainger asked John Maurer if he had a concern about the vote. He stated that he is not confident that the list used to verify the lot owners who hold the deed is correct for every property. He used his own property as an example, saying that he is the only one listed as the lot owner, but that the lot has been co-owned by his wife’s estate for the last 3 years.
- Kim Frederking responded to John Maurer’s concern about the list and noted that the list was presented at a meeting of the vote tabulators, at which John was present, as the list to be used for vote tabulation.
- Since the votes in each category of votes with technical problems would NOT favor the merger, the most conservative method was used and all votes were counted.
- Based on the discussion, **David Valerius moved that the Board approve and record the vote results from the special meeting. The results are 215 votes FOR the merger and 105 votes AGAINST the merger. John Moyell seconded the motion. The motion passed with 5 votes for and 1 abstaining.**
- John Maurer asked where the ballots and proxies will be stored. Nete Sundt assured that they will be secured in a safe place.

III. ADJOURN

David Valerius made a motion to adjourn the meeting. Paul Dunne seconded the motion. The motion was approved unanimously. The meeting adjourned at 11:25 pm.

Special Meeting of FVCA Members - 8 December 2014 - Swim Club Merger

Friday, November 21, 2014 at 09:16PM

Fonn Villas

The Board of Directors of the Fonn Villas Civic Association (FVCA) has called a Special Meeting of members of the FVCA on Monday, 8 December 2014.

The meeting will be held at 7:00 pm in the Fellowship Hall of Pines Presbyterian Church.

There is only one agenda item for this meeting:

1) Vote and hear results of the vote on whether to merge the FVCA with the Fonn Villas Swim Club.

This weekend a packet of information, including a proxy for voting, will be distributed to all homes in the neighborhood. A copy of all documents being distributed, as well as much more information, can be found at the [Fonn Villas website](#), in the [Merger Information area](#).

Article originally appeared on Fonn Villas (<http://www.fonnvillas.org/>).

See website for complete article licensing information.

**VOTE TABULATION PROCEDURE FOR THE MERGER OF THE FVSC INTO THE FVCA
DURING A SPECIAL MEETING OF MEMBERS OF
FONN VILLAS CIVIC ASSOCIATION, INC.**

Official ballot and proxy forms will be provided by the Fonn Villas Civic Association. No other forms will be acceptable.

Each lot in the Fonn Villas Subdivision has 1 (one) vote. Voting may be:

1. submitted in person by use of the official ballot form
2. mail-in or other delivery of the official proxy form

If the lot is jointly owned, **one owner** must sign the ballot or proxy. If the owners of a lot wish to vote differently, they must submit separate ballots. The majority of votes on an individual lot determine the vote for that lot. If the votes for a lot are equal and there is no majority, they will cancel each other and there will be no vote for the lot.

The name of owner(s) must be printed on ballot along with the address of the lot. The ballot must be signed by the voting owner(s) in order to be valid. Votes submitted in person by ballot will take precedence over any vote(s) submitted by proxy for the same authorized voter.

All ballots and proxies must be in the hands of the vote tabulators before the start of the meeting. The start of the meeting will be set by the FVCA Board and communicated to the owners along with the official ballots.

Each ballot or proxy submitted must have the member's name listed on the FVCA records with all the Members of the Association together with their addresses; or have a copy of the actual deed or warranty deed that lists the voter as an owner of the property or the vote will be null and void and will not be counted.

A quorum will be required for the vote to be valid. The quorum requirement means that at least ten percent (10%) of lots in the subdivision are represented by the submitted ballots in person or by proxy. As an example, there are 348 lots in the subdivision, so a quorum constitutes a minimum of 35 (thirty five) lots being represented by the ballots that have been submitted.

Given that a quorum exists, 2/3 (two thirds) of the lots represented by the ballots must be in favor of merger for the merger to pass.


Only board approved tabulators shall look at and count ballots and the contents of same shall be held in confidence by all such parties.

PROXY QUALIFICATIONS:

- Each proxy submitted must be accompanied by a valid government ID or it will be null and void and will not be counted. Valid forms of ID include State Driver's License, State ID, Passport, Military ID or TWIC.

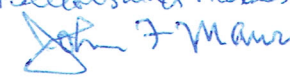
11/3/14 updated 12/4/14

- If a valid proxy is received and it is not indicated if they are FOR or AGAINST the merger, it will not be counted.
- If multiple valid votes are received by proxy from the same authorized voter, and some are against and some are for the merger, they will be considered null and void and not be counted. If multiple votes are received by the same authorized voter and they are all cast in the same manner (FOR or AGAINST), they will be counted as one vote either FOR or AGAINST.

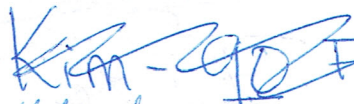

 Kevin De Smedt
 Maura P. Stalle

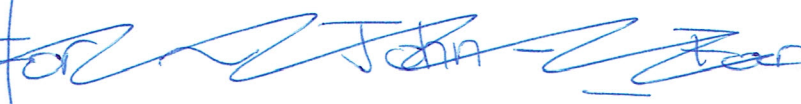
 Kim meaning
 For

 John De Smedt
 Against

 I examined these
 Ballots and Proxies

 John F. Maura

	For	Against	
Ballots	23	43	Maurice Kim John.
Proxies	184 186	47 48	
Proxies that changed vote		3	x
Ballot with initial, but no check box	1	1	✓
Ballots with name on signature list but not on master list		1	x
Proxies without a proxy	3	2	✓
Proxies without ID	2	4	
Ballots without property address written		2	


 Kim - 90


 John - 78

Ballots whose signer did not sign in

1