

Bylaws Committee minutes

4-10-22

Present: Mike Cross, Russ Spencer, Ron Schiaffo, Jane, Alexander, Pat Matheny, Christine Saenz

1. Discussion regarding upcoming meeting with the Board to go over By-laws.
  - a. Rachel and or Dan, we know there was discussion regarding coming to our regularly scheduled meeting on April 24<sup>th</sup>. Were you able to get confirmation on that date and time?
2. Discussion regarding lot owner feedback on By-laws. Only 2 people reached out- Kay Lee Klute and James Hynes. Kay Lee reached out with comments and said she would send a complete list of comments. This was received today 4-13-22. See below:
  - a. Pinnacle Lake By-Laws Amendments review You all did a fantastic job! The new re-evaluations look so much more even handed for all Pinnacle Lake Estates property owners! I just made a few notes but your draft so comprehensive and well rounded, my notes are only mild suggestions.
    - i. 1) Numbering document pages: Consider numbering the pages of this document and other Pinnacle Lake documents.
    - ii. 2) "Lot Owner" term. Consider changing term "Lot Owner(s)" as referenced in all documents to "PROPERTY OWNERS". Property Owner by definition, "a person that owns a house or land". This would include all Pinnacle Lake Estates properties To me, it seems, the term "Lot owners" fails to recognize/describe the Pinnacle Lake Estates property owners whose investments in Pinnacle Lake Estates includes having any homes or structures at Pinnacle Lake.
    - iii. 3) Third page "Seventh Amendment to the By-Laws of the Pinnacle Lake Estates Association, INC." Fifth paragraph: should this section reflect YOUR NEW UPDATED language in Article VIII section 1? Currently ...may amend the By-Laws, pursuant to the Article VIII, section 1 of the BLaws, by a majority vote of the "eligible Association members present" at a meeting duly called for such a purpose.
    - iv. 4) Article 1, Section 2, item (c) add additional language to Name and purpose of Association "to overall do anything permitted by law": Consider an updated definition describing the intent / outcome for Property Owners to allow the "association" to have this power. Example: The purpose of the Association shall be a beacon of responsibility to assist Property Owners to build and maintain a safe and healthy infrastructure for the current and future interest and viability of Pinnacle Lake Estates.
    - v. 5) Page 4, Article II, section 4: VOTE COUNTING. Consider adding VOTE COUNTING be made public during meeting? Why can't be votes are counted in public view during the meetings? At beginning of meeting NUMBERED BALLOTS would be available. Property Owner would sign in their name and property info to receive a NUMBERED BALLOT for each vote. Prior to voting total number of available votes would be announced. Property owners would then vote using

their number assigned when checking in to meeting/voting. Have sheets on a wall or tables set up w sheets titled for each vote w announced number of available votes (voters present) w yes / no or candidate names. Sheets would reflect the vote for each NUMBERED BALLOT provided at the beginning of the meeting. THEN proxies list w property owners names are tallied publicly.

- vi. 6) Article II, Section 5: "Notices shall be "served" by mail not less than 30 days" could this say "received" by mail?
- vii. 7) Article III, Section 3, (a) "special meeting": First sentence "special meeting" is crossed thru. Third sentence "special meeting" is left in. Correct??
- viii. 8) Article III, Section 3, (b) second sentence "monthly meeting and "corded" should be "recorded"
- ix. 9) Article III, Section 4: Electronic Transactions, (b) Board Transactions: Consider adding Property Owners to be routinely invited via email list/ zoom meeting or whatever means Board members are using to meet other than scheduled meetings (w mute on for non-Board members) any Board transactions/ emergency voting, Board actions, or any items impacting or concerning Property Owners / business of Pinnacle Lake Association.
- x. 10) VIOLATIONS OF GOVERING DOCUMENTS: My personal experience / opinion on successfully resolving property violations is for governing entity (in this case Pinnacle Lake Estates) to try to convey to Property Owner that Pinnacle Lake is coming from a place of AGREEABLE RESOLUTION. This approach makes for better neighbors/community and less good vs. evil attitude. I would suggest taking out language "ALLEGED VIOLATOR" replace w language more like "property owner" or "location of alleged violation" or "address w alleged violation". Additionally, I also recommend all notices, response time, hearing request window, time to address violation be 30 days. There are circumstances that 15 days or two weeks can be burdensome and create a feeling of "no win" for property owner especially w so many Property Owners not living on-site or seasonally. I also believe, if not corrected, in the timeline allowed re-serve notices and give additional time. Again, this is a for an AGREEABLE RESOLUTION. It is my opinion that violations handled thru Pinnacle Lake should be of the nature that can help build a better community and if something is inherently dangerous or unlawful, I believe local authorities should be called to manage this level of concerns.
- xi. 11) Article 3, Section 9, (a) Notice, (b) Hearing: The Board or its delegate shall "serve": define how Property Owner will be notified of violation. I'd suggest as many means economically possible, for example: email (free) and regular mail (minimal cost and sometimes people won't pick up notices in a timely manor and certified mail (most cost but provided notice of receipt and it shows intent that for Property Owners has been given every attempt to be notified. I would also suggest, once property owner is notified of violation send "friendly" timed weekly email reminder that may include list of suggestion of possible contractors to assist w violation or even an outreach committee who maybe able to assist w correcting issue.

- xii. 12) Article 3, Section 10 – Accounting and Access to Books and Records: SEALED Bids for goods and services paid for by Pinnacle Lake Estates funds: Send via email list all items coming up for bid for Pinnacle Lake Estates w timeline to receive bids and date / meeting bids to be opened. Sealed bids to be publicly opened and read aloud at monthly meeting and all bids and results be published on website.
  - xiii. 13) Article 3, Section 10, (b) Written request. Alter last sentence to “Board will adhere to PUBLISHED GUIDELINES”... 14) Monthly Property Owner email: to provide notices, meeting minutes, financial updated?
    - b. My suggestion is to review Kay Lee’s comments/suggestions when we meet with the Board.
3. Began Review of Covenants:
- a. See attached.