BERMA Bylaws Changes

### MEMBERSHIP AND ASSESSMENTS Paragraph 2

Original:

Assessments necessary for specific projects and regular periodic dues to create funds for normal anticipated maintenance may be established only by a two-thirds majority vote of the membership in attendance at any annual or special meeting of the membership. Notwithstanding any other provision to the contrary, each unit of membership shall be assessed $150.00 per year for the improvement of Larson Lane and Glory Lane until such road have been developed and improved as paved roads to Kitsap County standards.

Proposed:

Assessments necessary for specific projects and regular periodic dues to create funds for normal anticipated maintenance may be established only by a two-thirds majority vote of the membership in attendance at any annual or special meeting of the membership. Notwithstanding any other provision to the contrary, beginning in 2023, each unit of membership shall be assessed $300.00 per year for the improvement of Larson Lane and Glory Lane until such road have been developed and improved as paved roads to Kitsap County standards. Beginning in 2025, each unit of membership shall be assessed $325.00 per year for the previously described improvements. Beginning in 2027, each unit membership shall be assessed $350.00 per year for the previously described improvements.

Rationale:

Adjusting for inflation between July 2005 (when the last bylaws were approved) and now (February 2022) would raise the annual assessment to $218 (per the U.S. Bureau of Labor Statistics). Additionally there are has been approximately a 30% increase in the number of houses on Larson in that seventeen years resulting in increased traffic and wear on the road.

### MEMBERSHIP AND ASSESSMENTS Paragraph 5D

Proposed:

In order to cover the additional wear on the roads during the construction process, the following impact fees shall be assessed: $900.00 for new home construction and $450.00 for any remodeling where a permit is issued by Kitsap County.

Rationale:

Construction traffic normally involves many large and heavy vehicles that generate a significant amount of wear on the road. This assessment would assist in covering the cost of repairs due to the accelerated wear.

### MEMBERSHIP AND ASSESSMENTS Paragraph 5E

Proposed:

Snow removal will be scheduled when more than six (6) inches of snow fall on the road or at the discretion of the Board of Directors. Preventative and reactive winter weather maintenance will be funded via an assessment not to exceed five percent (5%) of the annual assessment (paragraph 2).

Rationale: Currently snow removal has been done via donations that are solicited after a major snowfall. Having a specific assessment and fund for snow removal will allow BERMA to have a plow service on call or under contract since BERMA will have funds for snow removal available at the beginning of winter.

### MEETINGS Paragraph 1

Original:

Annual meetings of the members of the association shall be held at such place as the Board of Directors may select. The annual meeting shall be held in May of each year. BERMA's fiscal year will be June through May. Notice thereof shall be given by the secretary by mailing notice to each member not less than fourteen (14) days prior to the date of the meeting.

Proposed:

Annual meetings of the members of the association shall be held at such place as the Board of Directors may select. The annual meeting shall be held in May of each year. BERMA's fiscal year will be June through May. Notice thereof shall be distributed along with the Annual Assessment invoices not less than fourteen (14) days prior to the date of the meeting.

Rationale:

Update to clarify that the notice will be sent with the Annual Assessment invoice. This is a cost savings measure to reduce BERMA’s expenses on postage and envelopes.

### MEETINGS Paragraph 5

Proposed:

Where consent is provided to the Board in writing by the member prior to the meeting, notice for any Annual or Special Meeting may be accomplished via electronic mail or social media.

Rationale:

This will allow BERMA to notify members of meetings using modern communication techniques. This will also serve to reduce BERMA’s expenses on postage and envelopes.

### DIRECTORS AND OFFICERS Paragraph 5

Proposed:

To qualify to serve on the Board of Directors, a member must be current on the payment of all Annual and Special Assessments. This provision may be waived temporarily by a minimum 2/3rd approval by the Board.

Rationale:

This would ensure that only members that are in good standing would be eligible to serve on the board. The waiver clause covers the case where there is a legitimate reason for a member not being current.

### DUTIES OF OFFICERS Paragraph 5

Proposed:

To qualify to serve as an officer on the Board of Directors, a member must have been a member of the Board for two (2) years; and is current on the payment of all Annual and Special Assessments. This provision may be waived temporarily by a minimum 2/3rd approval by the Board.

Rationale:

This would ensure that only members that have experience with BERMA operations would be eligible to serve as an officer. The waiver clause covers the case where there are no members of the board with sufficient experience.

### AMENDMENTS TO BYLAWS AND REMOVAL OF DIRECTORS Paragraph 1

Original:

These Bylaws may be amended by the affirmative vote of not less than two-thirds of the members in attendance at any annual meeting of the membership. However, notice of such proposed amendment must be given in writing to all members at least thirty (30) days prior to said meeting.

Proposed:

These Bylaws may be amended by the affirmative vote of not less than two-thirds of the votes received at any annual meeting of the membership. However, notice of such proposed amendment must be given in writing to all members at least thirty (30) days prior to said meeting. If a member is not able to attend the annual meeting they may request, upon receipt of the notice of proposed amendments, an absentee ballot. All absentee ballot requests must be received at least ten (10) business days prior to said meeting. All submitted absentee ballots must be received at least three (3) business days prior to the annual meeting.

Rationale:

This will allow members that are unable to attend due to travel or illness to have a voice in any proposed amendments. The deadline for the request of the absentee ballots provides time for BERMA to provide ballots to members. The deadline for the receipt of the absentee ballots provides time for the Board of Directors to collect the ballots so they can be counted at the meeting along with the in-person votes.

### AMENDMENTS TO BYLAWS AND REMOVAL OF DIRECTORS Paragraph 2

Original: Paragraph 2 becomes paragraph 3.

Proposed:

These Bylaws shall be reviewed and reevaluated every five (5) years beginning in 2025. This review shall include, but not be limited to, the sufficiency of the Annual Assessment to improve and maintain the roadways within BERMA.

Rationale:

This will prevent the current situation where the bylaws (and Annual Assessment) have not been updated in seventeen years. This will allow for smaller changes to account for inflation and increased traffic.

### Exhibit A

Rationale:

Adding this clarifies the roads that are managed by BERMA.