



P.O. Box 64, LeRoy, MI 49655 (231)388-1307
www.rlfpoa.com

5-7-26

Dear Members,

Regarding the ongoing process involving the series of meetings, called for the specific purpose of approving a special assessment for the capital improvement of the well at Gamma Park, I am disappointed to have to admit that a mistake has been made with respect to Proxy Voting. A mistake was made with respect to the amount of proxies an individual member is allowed to vote at a meeting, and I ultimately approved the wording on the matter that went out in the original mailing. The intent was to make sure we were doing things right, as to my knowledge this is the first time Article V Sections 4,6 and 7 set forth in the recorded copy of the CCR's from 1972 has been exercised, at least with respect to well replacement.

We relied on a cursory A.I response to the question, "what is the limit on proxy voting in a non-profit corporation in Michigan"? The A.I. generated short answer to that question yields the result "5 proxies" with some additional commentary, but the gist is that we assumed that was that and we went with it. I was wrong to sign off on it, but that is what has happened. You can test that for yourself and get the same result and maybe understand. This will now impact the schedule of the subsequent meetings that have been scheduled and that schedule will have to be updated as follows:

Meeting 2: June 13, 2026

Meeting 3 (if needed): July 18, 2026

At the same time, as the acting president of a Property Owners Association with some 435 owners, I have learned from this mistake and the board majority has recently voted to approve a proposed budget that significantly increases the legal budget.

As I have heard previously, and recently witnessed first- hand presiding over the first special assessment meeting, it is obvious that there is perpetual confusion as to what version of the CCR's are we bound by, how they are to be interpreted, and "which version of the Bylaws are we operating under". Further complicating this issue is the issue of exactly how the Bylaws are not in compliance with the proper CCR's. Without final clarity on this matter (STR's notwithstanding), board action on any number of highly important issues is destined for confusion at minimum and ultimately litigation if misapplied or misinterpreted. I am urging an end to this. A proper end to this can only come about through agreement between stakeholders and may possibly yield agreement on simple modern changes like adapting electronic voting etc. and ultimately accepting what a reasonable interpretation of our existing



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CCR's are and how they are to be equitably enforced. What we have now is close to chaos in some instances due to lack of enforcement.

I am asking everyone pay attention, ask questions and understand that we need to have adequate legal resources at the board level to achieve final clarity on a number of matters we all have to agree to live by. Please pay attention to the logic put forth here on this matter, as ultimately it will require the first dues increase in 15 years.

An increase in the legal budget can only help avoid the confusion that seems to consistently plague board actions over time involving the interpretation of our Codes, Covenants and Restrictions (such as the proxy voting subject at hand) and ultimately with their proper integration with respect to the interpretation of the "Bylaws" which remain subordinate to them.

To many, it will look very similar to last year because it is. We are facing financial insolvency, severely degrading infrastructure and a near total lack of resources needed to represent the interests of **the vast majority of** owners who would gladly continue to play by the rules – if they only knew what the rules were.

Respectfully,

James Smith