

Rationale for Electronic Voting

11/29/2017

In a Nutshell

The rationale for extending our means for formally communicating with subdivision members (such as delivering newsletters, notices of meetings, etc.) and voting on subdivision business by admitting electronic methods is quite simple:

- Communicating by snail mail is very time consuming (writing, printing, folding, enveloping, addressing, stamping, delivering (to post office), expensive, cumbersome, and inflexible (think correcting typos after the mailman has come and gone). It represents a fairly large burden for Board volunteers.
- Communicating by email and Web postings is much less time consuming, free, adaptable, flexible, and timely.
- Voting as specified in the Bylaws is also outdated, too constrained, and cumbersome. It simply does not work.
- Electronic voting would make it possible for every subdivision member to contribute without necessarily attending a formally called meeting.

It's past time to take advantage of electronic options for doing our business in a way that makes our beautiful subdivision thrive and move forward.

Electronic Communication

Admitting electronic communication would make for a much better experience than sticking solely with snail mail. This seems to be a no-brainer.

Electronic Voting

Admitting electronic voting would have even more impact than incorporating electronic communication, holding the promise of a much more important and beneficial outcome. Why? The current system simply does not work and from all accounts never has. To see why, consider our current (1986) Bylaws, found at

http://www.wheatlandhills.org/Contents/04_Covenants_and_Bylaws/03_Bylaws.html

In order to conduct a vote, a formal in-person meeting of subdivision members must be called through snail mail (Article IX, Section 3). In order for a vote to be held, a quorum must be present (Article IX section 4) at the called meeting. A quorum consists essentially of enough members present who combined hold enough votes in person or proxy to constitute at least 50% of the number of lots in the subdivision (each lot representing one vote). *In actual fact, no one on current and past boards who has been asked can recall a single subdivision meeting at which anywhere near a quorum was present.* Allowing for electronic voting would be a simple and elegant solution to this problem.

Catch 22 – Amending the Bylaws

The first order of business would be to amend the Bylaws to admit electronic communication and voting. To do this a formal in-person meeting must be called. To hold a vote to amend the Bylaws will require a quorum...and there we go again. Interestingly, the Bylaws themselves are the most compelling case in point. In 2009 a committee of residents and Board members completed an arduous task of creating a much-needed update to the Bylaws that went for naught. Even though the update was uncontroversial it never took effect, because no meeting held for a vote on the update had a quorum present. The Board does have some fresh ideas for moving forward with this current attempt to update the Bylaws, which will be done in consultation with our subdivision lawyer. Everyone will be notified of progress.

Finally

The Board recognizes that there many of details to iron out, but we would not be the first ones to do this and Montana law lends support, so we are confident that we can make this work. Things to remember is that the old methods for voting and communication would not go away. There would still be subdivision meetings (they are too enjoyable to completely disband). US Post Office mail would still be an option for those who desire or need it for meeting notifications and newsletters. And mailing an absentee ballot would also be an acceptable way to vote. Whatever we do should be of benefit to all subdivision residents and make a big improvement in moving subdivision business forward. We also welcome any thoughts and suggestions on this topic (email wheatlandhills.bod@gmail.com). You can keep up to date on this issue by periodically reviewing progress on our website at this link:

http://www.wheatlandhills.org/Contents/04_Covenants_and_Bylaws/05_2018_Proposed_Amended_Bylaws.html