

All,

This is to confirm the results of last night's vote of the MVF Representatives on two issues: the Capital Contribution Fee By-Law amendment and the MVF assessment ceiling increase. Both passed with a majority of those voting.

As those who were present know, there was some confusion about the requirements for passage of the two issues. According to the MVF By-Laws, the requirement for **increasing the assessment ceiling** is more stringent than the requirement for amending the by-laws and "shall require **the assent of two-thirds (2/3) of the total votes** of all Members who are voting in person or by proxy or through a representative...at a meeting duly called for this purpose, written notice of which shall be sent to all Members at least thirty (30) days in advance and shall set forth the purpose of the meeting." (Article III – Membership, Section 2). The vote in favor of the assessment ceiling increase was well above the 2/3 affirmative votes required.

The requirement for **amending the By-laws** states: "These By-laws may be altered, amended or repealed at a regular or special meeting of the Members, **by a vote of a majority of a quorum**...of all Members present, in person, through a representative or by proxy..." (Article XVI – Amendments, Section 1). Therefore, although the initial affirmative vote for the Capital Contribution Fee just missed the 2/3 mark, it was well above the simple majority needed.

The recorded votes were:

Total number of possible votes was 22,769 (if every entity within Montgomery Village had voted by Representative, ballot or proxy).

The number of votes actually recorded by Representative, ballot or proxy was **16,922**.

For the Capital Contribution Fee:

Votes in favor: 10,496

Votes against: 6,426

(Votes required for passage: 8,462 – simple majority of those present to vote + ballots/proxies)

For the assessment ceiling increase:

Votes in favor: 12,092

Votes against: 4,830

(Votes required for passage: 11,281 – 2/3 of those present to vote + ballots/proxies)

**Montgomery Village Foundation, Inc.
2011 Representatives Vote
September, 19, 2011**

TOTAL VOTES POSSIBLE 22,743

Simple Majority (1)

Requires 2/3

Quorum 13,646

CCF Vote

Ceiling Vote

Total votes in attendance 16,922

VOTE PASSES

VOTE PASSES

6,426 10,496

4,830 12,092

for Passage

8,462

11,281

<u>NAME</u>	<u>UNITS</u>	<u>VOTES</u>	<u>QUORUM</u>	<u>Roll Call</u>	<u>NO</u>	<u>YES</u>	<u>NO</u>	<u>YES</u>
Eastgate	443	886	532	x		x		x
East Village	1,389	2,778	1,667	x	x			x
Maryland Place	276	552	331	x		x		x
Middle Village	528	1,056	634					
Northgate	1,149	2,298	1,379	x	x			x
North Village	888	1,776	1,066	x		x		x
Patton Ridge	1,072	2,144	1,286	x		x		x
South Village	1,010	2,020	1,212	x		x	x	
Stedwick	1,260	2,520	1,512					
Whetstone	447	894	536	x		x		x
Horizon Run	154	308	185					
Thomas Choice	103	206	124					
TC Gardens	300	600	360	x		x	x	
Center Ct	132	264	158	x		x	x	
Christopher Ct	266	532	319	x	x		x	
Heron's Cove	406	812	487	x	x		x	
Normandie I	162	324	194	x		x		x
Normandie II	288	576	346					
Park Place I	40	80	48					
Park Place II	42	84	50	x		x		x
Breckenridge	298	596	358	x		x	x	
Poplar Spring	18	10	22	x	6	4	6	4
Cider Mill	864	864	518					
Walker House	211	211	127					
Sunrise	147	147	88	x		x		x
Avalon	205	205	123	x		x		x

(1) Simple majority is 50% of votes present plus 1.