

**PROPERTY OWNERS' ASSOCIATION  
OF COUNTRY CLUB ESTATES OF FONTANA, WISCONSIN**

**PROXY / BALLOT**

At the annual meeting of the members of Property Owners' Association of Country Club Estates of Fontana, Wisconsin (the "Association") scheduled to be held at 11:00 a.m. on June 15<sup>th</sup>, 2024 (including any adjournments thereof, the "Meeting"), there are several agenda items that will be voted on by the members of the Association (the "Members").

You have two choices with regard to voting on these items: you may either attend the Meeting in person, or, if you cannot attend in person, you may give your proxy to any other Member in good standing, including a director, to vote on your behalf- as long as that proxy holder will be present in person at the Meeting. If you give your proxy to another Member, you may allow them to vote for you as they choose, or you may direct them to vote as you indicate on your ballot. It is important that a quorum of Members be present at the Meeting, either in person or by proxy, so if you cannot attend the Meeting in person, please designate a proxy holder who will be in attendance at the Meeting, in the space provided below.

I hereby (**CHOOSE ONLY ONE**):

- Assign my proxy and appoint the person(s) named below in the PROXY section to cast my ballot and vote in their sole discretion on all matters that come before the Meeting as my proxy, with full power of substitution in my name, or
- Assign my proxy and appoint the person(s) named below in the PROXY section to cast my ballot and vote on all matters that come before the Meeting as my proxy, with full power of substitution in my name, provided that, to the extent that I have indicated any choices in the BALLOT section below, my proxy shall cast my vote as indicated on my ballot.

=====

**PROXY**

Printed Name(s) of Proxy Giver<sup>1</sup>: \_\_\_\_\_

CCE Street Address or Parcel ID#: \_\_\_\_\_

Signature(s): \_\_\_\_\_

Date: \_\_\_\_\_

My proxy holder shall vote as my representative as indicated by my choice above, and I hereby ratify and affirm all such actions taken by my proxy holder. This proxy revokes all other proxies previously given by me in relation to the Meeting, and shall be valid for a period of 11 months, unless earlier revoked by me (upon written notice delivered to the Secretary of the Association).

Printed Name of Proxy Holder \_\_\_\_\_(if left blank, Glenn Aldinger and Sandra Hibbard, and each of them, are hereby appointed to serve as my proxy).

<sup>1</sup> If property is held jointly with others, **all** persons should sign. Trustees, administrators, etc., should include title and authority. Entity owners should provide the full name and title of the authorized person signing the proxy.

**BALLOT**

**Agenda Item #1 – Election of New Directors**

Do I vote in favor of the following Members to serve as directors of the Association? There are two seats of two-year terms, from June 2024 to June 2026 (so vote for no more than two).

[Redacted Name]

- Yes**
- No**

[Redacted Name]

- Yes**
- No**

[Redacted Name]

- Yes**
- No**

[Redacted Name]

- Yes**
- No**

**Agenda Item #2 – Approval of Proposed 2024-25 Budget and Assessment**

Do I vote in favor of the proposed 2024-25 budget as presented by the Treasurer of the Association, along with the proposed \$375 regular annual assessment per lot? [*The Board of Directors of the Association (the "Board") recommends approval.*]

- Yes**
- No**

**Agenda Item #3 – Approval of Proposed 2024 Special Assessment**

Do I vote in favor of the proposed 2024 special assessment for the removal of the water tower structure, in the amount of \$100 per lot? [*The Board recommends approval.*]

- Yes**
- No**

**BALLOT, Continued**

**Agenda Item #4 - New Bylaws (Future Amendments and Voting)**

Do I vote in favor of the following, restated Section 8 of Article IV of the Bylaws of the Association (the "Bylaws")? [*The Board recommends approval, to keep voting consistent with the past practices of the Association.*]

ARTICLE IV  
\* \* \*

Section 8: The manner of voting by ballot or by a showing of hands shall be at the discretion of the presiding officer. When a quorum is present in person or represented by proxy at any meeting, a majority of votes cast shall decide any question brought before the meeting, except that any amendment to the Articles of Organization or these Bylaws shall require approval by two-thirds of the votes cast at any such meeting.

- Yes**
- No**

**Agenda Item #5 - New Bylaws (Spending Limits)**

Do I vote in favor of the following, restated sentence, which shall replace the existing second sentence of Section 1 of Article V of the Bylaws? [*The Board recommends approval, as current insurance charges and other expenses of the Association are rapidly approaching the existing \$25,000.00 limit.*]

ARTICLE V  
\* \* \*

But no single contract, loan, evidence of indebtedness, transaction, etc. of the Corporation in which the consideration exceeds the sum of Fifty Thousand Dollars (\$50,000.00), nor real estate conveyances of any nature, shall be made by the Board of Directors unless such contract, loan, evidence of indebtedness, transaction, real estate conveyance, etc. shall have first been approved by the members of the Corporation.

- Yes**
- No**

**BALLOT, Continued**

**Agenda Item #6 - New Bylaws (Enforcement Provisions)**

Do I vote in favor of the following, new Section 2 of Article VI of the Bylaws? [*The Board recommends approval.*]

ARTICLE VI  
\* \* \*

Section 2: In addition to all other remedies available at law or in equity, the Corporation shall have the right to seek immediate enforcement of these Bylaws, any rules or regulations contained in these Bylaws or otherwise duly adopted by the Board of Directors, and/or the Articles of Organization, by means of specific performance or injunction, without any requirement to post a bond or other security. The Corporation shall further have the right to recover its court costs and reasonable attorneys' fees in any successful action brought against a member to (i) enforce, or recover damages for any violation of, these Bylaws, any rules or regulations contained in these Bylaws or otherwise duly adopted by the Board of Directors, or the Articles of Organization, and/or (ii) collect any past due assessments or fines levied under these Bylaws, the Articles of Organization or pursuant to applicable law.

- Yes**
- No**

**Agenda Item #7 - New Bylaws (Rental Eligibility)**

Do I vote in favor of the following, new Section 10, subsection 1 of Article VII of the Bylaws? [*The Board recommends approval.*]

ARTICLE VII  
\* \* \*

Section 10: The following rules shall apply to the rental of properties within Country Club Estates, on and after July 1, 2024:

1. Only persons who are members of the Corporation, in good standing, shall be allowed to rent their respective properties to third parties, and no assignment or sublease of any permitted rental shall be allowed. No property shall be rented to any person, except in compliance with these Bylaws, all rules and regulations contained in these Bylaws or otherwise duly adopted by the Board of Directors, and all applicable federal, state and local laws and ordinances (including without limitation all building and safety codes), regardless of whether any such rental is structured as a lease, license or other arrangement, and regardless of whether monetary payment serves as consideration for the rental.

- Yes**
- No**

**BALLOT, Continued**

**Agenda Item #8 - New Bylaws (Term of Rental)**

Do I vote in favor of the following, new Section 10, subsection 2 of Article VII of the Bylaws? [*The Board recommends approval.*]

ARTICLE VII  
\* \* \*

Section 10: The following rules shall apply to the rental of properties within Country Club Estates, on and after July 1, 2024:

\* \* \*

2. Beginning on September 1, 2024, no property may be rented for a term of less than thirty (30) consecutive days; provided however, that notwithstanding the foregoing, any member of the Corporation in good standing and possessing, as of June 15, 2024, a valid tourist rooming house license from both the Village of Fontana and State of Wisconsin for any property within Country Club Estates may continue to rent the property so licensed for periods of no less than seven (7) consecutive days until the first to occur of (i) the date on which that person no longer holds fee simple title to such property, or (ii) the date on which that person no longer holds a valid tourist rooming house license from either the Village or State of Wisconsin for such property.

**Yes**

**No**

**Agenda Item #9 - New Bylaws (Registration of Rentals)**

Do I vote in favor of the following, new Section 10, subsection 3 of Article VII of the Bylaws? [*The Board recommends approval.*]

ARTICLE VII  
\* \* \*

Section 10: The following rules shall apply to the rental of properties within Country Club Estates, on and after July 1, 2024:

\* \* \*

3. All properties offered for rent shall first be registered with the Secretary of the Corporation, and the owner of each such property shall provide the Secretary, prior to the start of each lease term, with (i) full contact information for each tenant (including their mailing address, cellular telephone number and email address), (ii) the make, model and license plate of all tenant owned vehicles that will be parked overnight within County Club Estates in relation to the rental, (iii) the dates of the lease term, and (iv) such other information as may be reasonably requested by the Secretary of the Corporation in relation to the rental. All such information shall be supplemented and amended as necessary to keep it current throughout each lease term.

**Yes**

**No**

**BALLOT, Continued**

**Agenda Item #10 - New Bylaws (Rental Fees)**

Do I vote in favor of the following, new Section 10, subsection 4 of Article VII of the Bylaws? [*The Board recommends approval.*]

ARTICLE VII  
\* \* \*

Section 10: The following rules shall apply to the rental of properties within Country Club Estates, on and after July 1, 2024:

\* \* \*

4. Prior to any property being offered for rent for a term of less than six (6) consecutive months, the member wishing to so offer such property shall first pay to the Secretary of the Corporation (i) a yearly rental registration fee in the amount of no less than One Thousand Dollars (\$1,000.00), which amount shall be subject to change on a year to year basis in the Board of Director's reasonable discretion, and (ii) a refundable rental deposit in the amount of no less than Two Thousand Five Hundred Dollars (\$2,500.00), which the amount shall be subject to change on a year to year basis in the Board of Director's reasonable discretion. Any portion of such rental deposit not otherwise subject to deduction as provided herein shall be refunded to such member upon the sale of such property, or at such time as the property will no longer be offered for rent in the future.

**Yes**

**No**

**Agenda Item #11 - New Bylaws (Use of Amenities)**

Do I vote in favor of the following, new Section 10, subsection 5 of Article VII of the Bylaws? [*The Board recommends approval.*]

ARTICLE VII  
\* \* \*

Section 10: The following rules shall apply to the rental of properties within Country Club Estates, on and after July 1, 2024:

\* \* \*

5. Tenants renting any property for a term of less than six (6) consecutive months shall not be allowed the use of any of Country Club Estates' common areas or amenities (including without limitation, "Back 40", tennis, pickleball and basketball courts, beach passes, beach parking lot, piers, pier slips/ramps, buoys, and kayak/paddleboard racks). The use of such common areas and amenities by all other tenants shall be subject to their compliance with such rules and regulations governing such use as may be adopted by the Board of Directors, from time to time.

**Yes**

**No**

**BALLOT, Continued**

**Agenda Item #12 - New Bylaws (Conduct of Tenants)**

Do I vote in favor of the following, new Section 10, subsection 6 of Article VII of the Bylaws? [*The Board recommends approval.*]

ARTICLE VII  
\* \* \*

Section 10: The following rules shall apply to the rental of properties within Country Club Estates, on and after July 1, 2024:

\* \* \*

6. All members shall be responsible for the conduct of their tenants and their tenants guests and invitees, and any violation by the tenant of any member, or any guest or invitee or any such tenant, of these Bylaws, any rules and regulations contained in these Bylaws or otherwise duly adopted by the Board of Directors, or any federal, state or local law or ordinance while within Country Club Estates, shall be deemed a violation of the same by the member themselves, for all purposes under these Bylaws.

- Yes**
- No**

SAMPLE BALLOT

**BALLOT, Continued**

**Agenda Item #13 - New Bylaws (Rental Fines)**

Do I vote in favor of the following, new Section 10, subsection 7 of Article VII of the Bylaws? [*The Board recommends approval.*]

ARTICLE VII  
\* \* \*

Section 10: The following rules shall apply to the rental of properties within Country Club Estates, on and after July 1, 2024:

\* \* \*

7. In addition to all other remedies available to the Corporation at law or in equity, if (i) any member violates any of the rules contained in this Section 10, or (ii) any tenant of any member, or any guest or invitee of any such tenant, violates any provision of these Bylaws, any rules and regulations contained in these Bylaws or otherwise duly adopted by the Board of Directors, or any federal, state or local law or ordinance while within Country Club Estates, then the member shall be fined by the Board of Directors in the following manner: (i) Five Hundred Dollars (\$500.00) for the first violation within any twenty-four (24) month period; (ii) Seven Hundred Fifty Dollars (\$750.00) for the second violation within any twenty-four (24) month period; and (iii) One Thousand Two Hundred Fifty Dollars (\$1,250.00) for the third violation within any twenty-four (24) month period, which sums shall be either (i) immediately deducted from any refundable rental deposit paid as provided herein, with the member replenishing the amount of said deposit by the amount so deducted prior to any future rental of any property, or (ii) otherwise paid by the member within thirty (30) days of the issuance of the fine; provided that upon the third such violation, the member shall also forfeit their right to conduct any future rentals of any property within Country Club Estates for a period of twenty-four (24) months thereafter. Multiple violations that occur on the same date shall count as one (1) violation. The provisions of Section 5 of Article III of these Bylaws shall apply to all such fines, in the same manner as “assessments” thereunder.

- Yes**
- No**

**Agenda Item #14 - New Bylaws (Rental Monitoring)**

Do I vote in favor of the following, new Section 10, subsection 8 of Article VII of the Bylaws? [*The Board recommends approval.*]

ARTICLE VII  
\* \* \*

Section 10: The following rules shall apply to the rental of properties within Country Club Estates, on and after July 1, 2024:

\* \* \*

8. The Board of Directors is authorized to monitor compliance with these rules as they deem necessary or appropriate, including without limitation, through the use of third party monitoring services.

- Yes**
- No**



**BALLOT, Continued**

**Agenda Item #15 - New Bylaws (Additional Rules)**

Do I vote in favor of the following, new Section 11 of Article VII of the Bylaws? [*The Board recommends approval.*]

ARTICLE VII  
\* \* \*

Section 11: In addition to the other powers enumerated in these Bylaws and the Articles of Organization, the Board of Directors shall have the right, from time to time, to adopt, amend and repeal such other rules and regulations as they deem necessary or appropriate, in their reasonable discretion, for the administration and maintenance of Country Club Estates as a “first class” community. Any new rule or regulation or any revision to an existing rule and regulation shall become effective immediately upon distribution to the members of the Corporation and shall thereupon be deemed incorporated into and made part of these Bylaws.

- Yes**
- No**

**Agenda Item #16 – Amendment to Articles of Organization**

Do I vote in favor of the following, restated sentence, which shall replace the existing third sentence of Article 6 of the Articles of Organization of the Association? [*The Board recommends approval.*]

Every record owner of each lot within Country Club Estates, whether one or more persons, is, and shall automatically and without further action be, a member of this corporation, subject to the provisions of the Articles of Organization and the By-Laws.

- Yes**
- No**

Printed Name(s) of Property Owner \_\_\_\_\_

CCE Street Address or Parcel ID#: \_\_\_\_\_