



BOARD OF OVERSEERS

Policy Number: 107
Policy Name: Determination of Voter Eligibility Policy
Version: 1.1
Related forms: Voting Eligibility Trust Form

Approved: July 10, 2011
Original: July 13, 2008

Determination of Voter Eligibility Policy

Article VI of the Bustins Island Village Corporation (BIVC) By-Laws states that “The Overseers of the corporation shall determine who are the legal voters at any meeting, and shall prepare a list of said voters at least twenty-four hours before said meeting, or during its progress.”

Qualifying Documentation:

1. Current Freeport tax records as held by the BIVC Clerk
2. Trust – In addition to tax records, a signed BIVC form stating name of trust, lot numbers, and trustees. Form must be updated if there is any change.
3. For a recent transaction not yet filed with Freeport - Copy of the deed or BIVC trust form
4. For someone recently deceased (the change not yet filed with Freeport) - a copy of the will, or a letter from the executor or probating attorney stating lots and current ownership
5. LLC* - signed BIVC form stating name of LLC, lot numbers, and members. Form must be updated if there is change.
6. Corporations do not have a vote

Documentation to support qualification for voting rights must be submitted to the BIVC Clerk on or before the date of the Annual Meeting.

*The Board of Overseers has been advised by counsel that under the provisions of Section 9 of the Bustins Island Village Corporation enabling act of 1913 as subsequently amended only natural persons may vote. In his opinion, only persons holding property directly or as trustees of a trust holding the property may vote. Corporations, including LLC's, are not entitled to vote. To give potential voters time to make changes in how their property is held, the Board of Overseers has voted to allow members of an LLC to vote at the 2011 Annual Meeting as they have for the past several years. However, beginning with the 2012 Annual Meeting, property held by LLC's will not be entitled to a vote.