

Other Document

The Pointe South Mountain Residential Association

PROCEDURES FOR ELECTION OF POINTE SOUTH MOUNTAIN BOARD MEMBERS

I. Communication to Homeowners

1. CALENDAR
 - A. MAILING OF CALL FOR CANDIDATES PACKET: Shortly after the 3rd Tuesday of September (3 months prior to the Annual Meeting in December).
 - B. FILING DEADLINE: 4th Tuesday of October (minimum of 40 days after the request for candidates)
 - C. MAILING OF BALLOT PACKET: Thursday after the 4th Tuesday of October (a minimum of 40 days prior to the Annual Meeting in December).
 - D. CANDIDATES NIGHT: Saturday after the 2nd Tuesday of November (approximately 7-14 days after ballots have been mailed to Homeowners).
 - E. BALLOT RECEIPT DEADLINE: 5 PM on Monday, the day before the Annual Meeting
 - F. BALLOT CERTIFICATION AND COUNT: Annual Meeting
 - G. ANNUAL MEETING: 2nd Tuesday of December.
2. CALL FOR CANDIDATES PACKET: The property management company shall mail to all Homeowners a comprehensive letter regarding the election of Board Members including a candidate form for Homeowners who are interested in running as a candidate...
 - A. CALL FOR CANDIDATES LETTER: This letter shall include **ALL** the dates, times, and places that are involved in the election process as noted above.
 - B. CANDIDATE FORM: The candidate form must clearly state that candidates have the alternative of preparing their own single 8.5" x 11" page which will be simply copied as submitted and mailed to Homeowners. Otherwise, the management company shall transcribe the candidate's handwritten submission which the candidate may proof and correct (not change) prior to mailing. The candidate may include any of the following information on their form: lot number, address, phone numbers, email address, website, experience, qualification and/or proposed agenda.
3. BALLOT PACKET: Prepared and mailed by the property management company.
 - A. COVER LETTER: The cover letter shall remind all homeowners of the following:
 - (1) Only Homeowners in good standing may vote.
 - (2) Single Family Homeowners will register two votes for each residence owned. Courthouse owners will register one vote for each residence owned.
 - (3) Homeowners may optionally vote at the Annual Meeting.
 - (4) **ALL** the dates, times, and places that are involved in the election process as noted above.
 - B. CANDIDATE FORMS - Forms submitted by each candidate for the Board of Directors.
 - C. BALLOTS & MAILING: Ballots shall instruct Homeowners of the number of Directors to be elected and that the Homeowner may vote for an equal number of candidates. Ballots shall include the names of all candidates plus as many blank lines for "Write-In" candidates as the number of Directors to be elected. The order of the names on the ballots shall correspond to the order in which their candidates' forms were submitted followed by the Write-In lines. If two or more candidates' forms were received simultaneously, the order shall be determined by drawing of lots.
 - D. BALLOT IDENTIFICATION: Each ballot must have a uniquely identifying but encoded number — not one that is easily guessed — and which is maintained in a confidential list. Ballots for single family residences and courthouses shall be of different colors for ease of differentiation. Additionally, the ballot shall be folded inwards when placed in the envelope so that it can not be read through the envelope.
 - E. RETURN ENVELOPES Each return envelope shall contain the lot number and an indication of single family home or courthouse. The return envelopes shall be addressed to one of the following: (1) the property management company, (2) the Association attorney or (3) a lockbox rented for the election at the discretion of the Board. Any ballots received or collected prior to the date for counting will be kept in a safe place under lock and key.

II. Candidates Night

1. All candidates should have approximately 5 – 7 minutes to introduce themselves and explain why they are running. The order of the opening statements shall correspond to the order in which the candidates' forms were submitted and their names have been placed on the ballot.
2. Homeowners may direct questions to a particular candidate, but all candidates shall have an opportunity to respond to all questions. In addition, each candidate shall have the right to respond to another candidate's answer if that answer asserted something about that candidate.
3. There should not be a time limit on the length of this meeting. The meeting should continue as long as homeowners have new questions.

III. Securing and Counting Pointe South Mountain Board Election Ballots

1. Ballots should be kept under lock and key until the meeting at which they will be counted. The Board shall designate the trusted individuals to transport the ballots to the meeting.
2. The management company will provide personnel to check in Homeowners, notifying each if they are (1) current in payment of their dues, (2) not prevented from voting per any provision of the CC&Rs or Bylaws, and thus eligible to vote. Those eligible to vote but from whom a return ballot was not received will be given a ballot differentiated from the mail ballots by paper color or some designated marking.
3. The Secretary of the Board will select six Homeowners to count ballots. The individuals selected should include a mixture of single-family Homeowners and Courthouse owners. Further, they should be unaligned with any candidate or a balanced mixture of partisans. The Secretary shall have the option of selecting no more than two employees of the management company in lieu of two Homeowners.
4. The property management company will provide experienced personnel to assist the ballot counters.
5. The counting will take place in an area separate from the Homeowners seating area but where observers may monitor the counting process.
6. The property management company will provide a list of Homeowners and their status to the counters.
7. The counters will be divided into two teams. One team will be assigned the Single Family Home ballots and the other team will be assigned the Courthouse ballots.
8. Each team will validate each envelope against the Homeowner list provided by the property management company. Ballots from ineligible Homeowners will be retained and double-checked by the property management company.
9. Each team will then remove the ballot from each valid envelope, separating the ballots from the envelopes in a manner which will ensure the privacy of each Homeowner's ballot.
10. One member of each team will then select each ballot, calling out the names of the votes cast while making the ballot visible for verification by the other team members. The other two members will maintain a count of the votes by candidate. Any ballot in which the Homeowner's intent cannot be reasonably determined by the team together with consultation of the property management company and/or Association attorney will be disqualified.
11. The tally sheets for each team must match exactly. If they do not, then the count must be repeated until they do.
12. The tally sheets must be signed by the team members then are collected and preserved by the management company.
13. The two teams will then switch ballots and count the other set.
14. Again, the tally sheets for each team must match exactly. If they do not, then the count must be repeated until they do.
15. The tally sheets must be signed by the team members then are collected and preserved by the management company.
16. The final check is that the totals from the first count exactly match the totals from the second count. If they do not, then the count must be repeated until they do.
17. The property management company will then compute the vote total, multiplying the number of Single Family Home votes cast by 2 and adding the Courthouse votes for the adjusted totals. They will then order the candidates by highest to lowest vote count and provide that information in writing to the Board Secretary.
18. The Board Secretary will then announce the election results.
19. All ballots, envelopes, tally sheets, disqualified envelopes and disqualified ballots must be retained and filed by the property management company for a minimum of one year.