

High Lonesome Ranch Estates Property Owners' Association

ELECTIONS *INSTRUCTIONS AND PROCEDURES*

DRAFT DRAFT

As of 16 October 2023

1. OVERVIEW: Elections will be administered by the Election Committee which will oversee the third-party organization/s conducting the election. The Bylaws require the maximum use of Electronic voting, but all members have the right to receive absentee ballots and to vote in person. These nomination and voting policies and procedures are governed by Arizona Revised Statute (ARS) 33-1803, ARS 33- 1804, ARS 33-1812, and ARS 10-3708; the Association's Declaration of Conditions, Covenants, Restrictions, and Easements; and the Association's Bylaws.

2. MISSION:

A. The Elections Committee (EC) oversees elections on behalf of the Board of Directors. The EC will consist of the Vice President, the Secretary, and two nonofficer directors. Any member running for election will be substituted by another director.

B. The Association will engage a third party, or third parties, to conduct all aspects of the election after the secretary provides the validated voter list to the voting software vendor.

2. PROCEDURES:

A. Election Timeline: The election timeline will follow statutory requirements. See sample attachment below for a possible timeline to be used.

B. Notice of the Meeting: The secretary will prepare the notice of the meeting for concurrence of the committee members. It will be mailed using a commercial mailing service that shows delivery of materials to the Postal Service. The notice will invite members to nominate themselves or others and will provide the information on how members may participate (online or in-person) including the date and time of the meeting, the location or options, and the agenda for the meeting.

C. Nominations: See Section 5.1 of the Bylaws.

D. Verification of Mailing and Email Addresses: *The secretary maintains a list of validated email addresses at all times, which list is provided to the online voting software vendor. Voters wishing to receive paper ballots will notify the secretary of this and the secretary will maintain a standing list of paper ballot voters. See Section 5.2 of the Bylaws for additional information.*

E. Members in Good Standing: Prior to an election, the Secretary will prepare a consolidated roster of members who are in good standing.

F. Ballot Material: *Ballots will be produced by the online voting software and will comply with ARS 33-1812 notwithstanding ARS 10-3708. Paper ballots will be printed copies of the*

online ballot.

- G. Voting at the Annual/Special Meeting:** Property owners may turn in their paper ballots in person or cast their vote in person at the annual meeting. In person voting at the meeting will use a computer with access to the online voting software.
- H. Election Feedback:** The election committee will consider feedback received as possible process update points following an election.
- I. Election Materials:** All election materials, electronic and/or paper will be maintained IAW ARS.

Attachment 1: Sample elections Timelines

Timeline

At all times:

Secretary maintains validated owner list

Hearings are conducted routinely to suspend voting rights.

For Annual Meeting:

Secretary establishes eligible voter list. Fellow EC members validate list. It is sent to the vendor along with notice information.

Vendor or the Secretary sends notices. The timeframes are in statute. ("at least ten days but not more than sixty days before the meeting date")

Members respond to notice information (nominations, paper ballot requests)

Secretary or other director sends candidates and measures for ballot to vendor or prepares ballot in the online software

Vendor mails paper ballots and enables online voting ("shall be at least seven days after the date that the board delivers the unvoted ballot to the member" so ballots must be delivered to the USPS no later than seven days before the meeting and as early as possible before that)

For Special Meeting:

(Must take place within 30 days after receipt of a petition if petition driven)

"shall be at least seven days after the date that the board delivers the unvoted ballot to the member"

Same steps just on a compressed time frame watching the 7 day time limit for ballot delivery to the postal service. Note that corporate counsel has stated that legally, delivery takes place when the ballots are in the custody of the Postal Service.