



High Lonesome Ranch Estates Property Owners' Association

NOMINATING AND ELECTIONS COMMITTEE MISSION AND PROCEDURES

For approval as of 1 July 2021

1. MISSION

- A. The Nominating and Elections Committee (NEC) assists the Board of Directors in recruiting nominees for open board positions and managing the election process prior to and during the Annual Meeting of Members (Property Owners) and Special Elections. In the event of a board vacancy to be filled by appointment, the NEC recruits volunteers for consideration (Bylaws, 5.1).
- B. The NEC shall consist of a Board officer who acts as the Chair and at least two Members of the Association. NEC members must be in good standing with the Association.
- C. Nomination and voting policies and procedures are governed by Article 6 of the Association's Conditions, Covenants, Restrictions, and Easements (CCREs) (2000); Articles III, IV, and V of our Bylaws (2014); and Arizona state law (e.g., ARS 33-1812); among other guidance.

2. PROCEDURES

- A. **Annual Meeting Election of Officers:** An Annual Meeting of Members of the Association shall be scheduled during the first quarter of the calendar year. The election of open Board of Director positions shall be held at that meeting. Election to the Board of Directors shall be by secret written ballot.
- B. **NEC Timeline:** See Enclosure 1.
- C. **Nominations:** Not less than 60 days prior to the Annual Meeting or 45 days prior to a Special Election, the NEC shall send in writing to all Members a call for nominations. The NEC shall recruit a number of nominees that is not less than the number of open positions to be elected and may be as many as desired. Nominees will be requested to submit a statement about why they would like to serve on the board. Nominees for the Board of Directors must be property owners in good standing with the Association. Nominations will close not less than 45 days prior to the Annual Meeting or 35 days prior to a special election. No nominations may be made from the floor at the Annual Meeting or Special Election. (Encl 2 Sample Nominations Recruitment Letter)



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D. **Ballot Material:** The NEC shall prepare, review, and mail to all property owners the materials relevant to the election, including, but not limited to, voting instructions, nominee statements, one ballot per lot owned, and self-addressed ballot return envelope. Such mailing shall occur not less than 30 days prior to the Annual Meeting and a special election. Property owners may mail their completed ballots or bring them to the election. (Encl 3: Sample ballot and Voting Instructions)

<http://www.hlrpoa.com> P.O. Box 215, Elfrida, AZ 85610 Nominating and Elections Committee Page

E. **Ballot Return Envelope:** All ballot return envelopes must include the property owner's name, lot number(s) owned and signature on the exterior. Owner's signature required by AZ State Statute 33-1812.

F. **Custodian of Ballots:** The NEC shall appoint a Custodian of Ballots who shall receive all mail-in ballots and retain them in a secure ballot box (for which they do not have the key) to assure no alteration to or tampering with ballot envelopes. A designated Board representative will retain the key to the secure ballot box.

G. **Incumbent Board Members Running for Re-Election:** Incumbent board members who run for re-election shall not be engaged in the NEC process. Once the ballots are mailed to property owners, no incumbent board member running for re-election shall have custody of or access to the Association mailbox keys or the secure ballot box key.

H. **Close of Mail-In Ballots:** The final day that mail-in ballots shall be accepted is the third business day prior to the Annual Meeting or Special Election meeting.

I. **Close of Balloting:** Property owners may bring ballots to the Annual Meeting and place them in the secure ballot box. The NEC shall provide extra ballots (10), voting instructions, nominee statements, and ballot return envelopes (10) at the Annual Meeting for those who did not use the materials mailed to them. Ballots cast at the Annual Meeting must be placed in an envelope with the property owner's name, lot number(s) and signature on the outside and sealed before placing in the ballot box. The presiding officer of the Annual Meeting shall announce, before vote counting begins, that voting shall be closed, after which time no ballots will be accepted.

J. **Members in Good Standing:** Immediately prior to the Annual Meeting, the Secretary will provide the NEC a roster of Members in good standing who are eligible to vote in accordance with Bylaws Section 5.2 (generally, current on dues payment and not in violation of Association documents).

K. **Counting of Votes:** Counting of votes shall be conducted during the Annual Meeting or Special Election by the NEC and designated volunteers under the guidance of the NEC



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Chairperson. The Secretary (or his/her designee) will assist the NEC as needed to verify property owner status, names, or lot numbers. The NEC shall organize a process to include, but not be limited to, collating ballots with the property owner roster, opening ballot envelopes, confirming appropriate number of votes cast per ballot, eliminating ineligible votes, and counting votes cast. All actions taken in the counting of votes will be done to ensure the secrecy of the ballots. No ballots will be written on. Detailed instructions on the ballot counting process are listed in Enclosure 4: Ballot Counting Procedures.

L. Ineligible Votes: The NEC shall withhold from counting those ballots that cannot be identified as valid ballots. Reasons a ballot may not be valid include incorrect number of votes, lot ownership cannot be confirmed, ballot is illegible, ballot envelope not signed, or member is not in good standing. Any ballots withheld shall be reviewed by the NEC Chairperson and Secretary prior to the close of vote counting. Every effort will be made to count as many votes as possible assuring a fair, open, and honest election.

M. Close of Vote Count: Upon completion of the above, eligible votes shall be tallied a minimum of two times or until two consecutive tallies accomplish equivalent numbers. The election results will be given to the Annual Meeting presiding officer for announcement to the meeting. In case of a tie vote, the Board shall decide the outcome. Upon conclusion of voting, all ballot materials shall be collected by the NEC and retained in Association records. Each person handling ballots and participating in the vote count shall sign their name and date on the relevant documents (e.g., member roster, vote tally sheets) as if signing an affidavit stating the below. Encl 5: Sample Vote Tally sheet with Affidavit

N. Affidavit: "I swear that in the performance of my duties in the election process, to the best of my knowledge, no ballot has been discarded, destroyed, or otherwise tampered with. Information learned as part of the ballot tallying shall remain confidential and private."

O. Post-Election Meeting of NEC: Prior to the end of the second quarter of the calendar year, the NEC shall solicit property owner input and convene a meeting to review the nomination and election procedures and shall make recommendations, if any, to the Board about alterations to the procedures. The Board shall discuss and vote upon adoption of such changes prior to the end of the third quarter of the calendar year for use in the upcoming election. Such changes shall result in the updating of this document.

Enclosure 1: Nominating and Elections Committee Timeline

Enclosure 2: Sample Nomination Recruitment Letter



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Enclosure 3: Sample Ballot and Voting Instructions

Enclosure 4: Ballot Counting Procedures

Enclosure 5: Sample Vote Tally Sheet with Affidavit

ENCLOSURE 1: Nominating and Elections Committee Timeline Annual

Election

- D (Annual Meeting Day) minus 60 days: Mail all property owners information about the date, time, and location of the Annual Meeting of the Members, the number of upcoming board vacancies, and the call for members to run for the board vacancies.
- D minus 45 days: Receive and consolidate the list of members running for the board vacancy(ies). Prepare ballot material.
- D minus 30 days: Mail ballots to every property owner.
- D minus 3 days: Conduct the final check of the Association mailbox for mail-in ballots.
- D day: Annual Meeting and voting day.
- Not Later End of 2d Quarter: NEC captures lessons learned from past election and recommends updates to NEC procedures to the board.
- Not Later Than End of 3d Quarter: Board votes on updated NEC procedures. Special

Election

- S minus 45 days: Mail all property owners information about the date, time, and location of the Special Election meeting, the number of board vacancies, and the call for members to run for the board vacancies.
- S minus 35 days: Receive and consolidate the list of members running for the board vacancy(ies). Prepare ballot material.
- S minus 30 days: Mail ballots to every property owner.
- S minus 3 days: Conduct the final check of the Association mailbox for mail-in ballots.
- S day: Special Election Meeting and Voting day.

ENCLOSURE 2: Sample Nomination Recruitment (Annual or Special)

XXXX



High Lonesome Ranch Estates Property Owners' Association



Dear HLR Property Owners,

In accordance with our governing documents, High Lonesome Ranch Estates will host its Annual Membership Meeting and election on DAY, DATE and TIME at LOCATION. Every property owner is welcome and encouraged to attend.

During the annual membership/ special election meeting we will vote on candidates to fill two vacant board positions, each for a three-year term. The purpose of this letter is to recruit volunteers to run for office to fill the two positions. We encourage any property owner to run for election.

Duties of the board of directors are described in our 2014 Bylaws, Section 7.2. The Bylaws can be found on our website (hlrpoa.com) under the Governing Documents tab. To serve on the board, a property owner must be willing to devote the time and effort to conduct Association business, agree with the Ethics Statement for HLR Board of Directors, become familiar with our HLR governing documents, attend a majority of board meetings, and be a member in good standing. To serve on the board, you do not need to live on the ranch, and you may attend board meetings in person or by phone.

If you are interested in running for a board position, please submit a brief (less than 200 words) statement about yourself and why you would like to serve on the board to our Nomination and Elections Committee Chairperson NAME, at admin@hlrpoa.com or P.O. Box 215, Elfrida, AZ 85610, to arrive no later than DATE. Candidate statements will then be mailed out to association members with the election ballots.

We hope you will volunteer and become engaged in serving in our Association. We look forward to hearing from you. If you have questions, please call NAME at PHONE NUMBER or contact any board member at admin@hlrpoa.com.

Sincerely,

NAME

Chair, Nomination and Elections Committee

PHONE; EMAIL ADDRESS

ENCLOSURE 3: SAMPLE VOTING PACKET (Instructions, Ballots & Candidate Info Form)



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20XX VOTING INFORMATION

XX of the five seats on the Board of Directors of the High Lonesome Ranch (HLR) Estates Property Owners' Association will be elected at the Annual Property Association Member Meeting scheduled for DATE, TIME and LOCATION

The Annual Member Meeting will **start officially at TIME** and consist of an AGENDA, counting of the ballots and announcement of the newly elected board member. Immediately after the annual member meeting there will be a regular board meeting. Every property owner is welcome and encouraged to attend.

Once you have completed your ballot **and** the enclosed Information Form, please return both to the Association in the enclosed pre-addressed envelope **or** bring it to the annual meeting. Mailed ballots must be received at the Association office by close of business on **DAY, date** in order to be counted.

You must put your name, lot number(s) and signature on the exterior of the sealed ballot envelope. Your mailing return address should also be on the front side of the exterior return envelope. If you do not know your lot number, contact the board at admin@hlrpoa.com or call NAME, NEC Chair, PHONE. If you do not put your name & lot # on the exterior of your ballot envelope, your vote will not be counted. Having your name and lot # on the outside of the sealed ballot envelope protects the privacy of your vote in the counting process in accordance with our bylaws and allows the Nominating and Elections Committee to ensure only eligible votes are counted.

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SAMPLE BALLOT 20XX

We are electing two HLR Property Owners to fill two director positions this year. Cumulative voting is allowed. Cumulative voting is explained in our HLR Bylaws, Section 5.2 Election.

Enclosed you should have received one ballot for every lot owned. Since there are two positions up for election, the maximum number of total votes per ballot is two (2).

- If your vote # exceeds **two** votes, the entire ballot will be void.
- Only votes from owners whose association dues are current/paid in full will be counted.

Write the number of votes that you are casting for each candidate to the left of their name:

_____ NAME



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_____ NAME

_____ NAME

_____ (You may write in a candidate here.) _____

_____ (You may write in a candidate here.)

SAMPLE 20XX HLR Candidate Information

(Submitted by the candidates; listed in alphabetical order)

Name	Blah Blah Blah
Name	Blah Blah Blah
Name	Blah Blah Blah

ENCLOSURE 4: Ballot Counting Procedures

1. The NEC Chairperson oversees the ballot counting process.
2. The Secretary (or designee) assists the NEC Chairperson as needed to clarify information about property owner status, names, and lot numbers. Secretary may write on ballot envelopes to clarify information when discrepancies occur. No one shall write on the ballots.



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3. Detailed procedures are divided, generally, into (i) checking ballot envelopes, (ii) separating ballots from envelopes, and (iii) counting votes. A. Volunteer #1:

- (1) Check each ballot envelope to compare the name and lot number(s) against the approved roster of property owners. Check to ensure property owners have signed the outside of the ballot envelopes.
- (2) Set aside envelopes if the property owner is not in good standing or if the lot numbers or lot quantity do not match the property owner roster. Set aside any ballot envelope not signed. Give these to NEC Chairperson for resolution.
- (3) Ensure the ballot box is empty and pass all checked ballot envelopes to Volunteer #2.

B. Volunteer #2:

- (1) Slit open each envelope and ensure the number of ballot sheets enclosed does not exceed the number of lots the Member owns. (Example: If the property owner owns two lots, the envelope should contain no more than two ballot sheets.)
- (2) If the envelope contains more ballot sheets than owned lots, restuff the envelope and pass to the NEC Chairperson for resolution.
- (3) Separate ballot sheets from envelopes and stack ballots face down. Pass stack of ballot sheets to Volunteer #3. NEC Chairperson collects and retains empty envelopes. C.

Volunteer #3:

- (1) Ensure each ballot sheet contains no more votes than the number of open board positions. (Example: If there are two board positions up for election, each ballot sheet can contain no more than two votes.)
- (2) Set aside any ballot sheets that exceed the number of allowed votes and pass to the NEC Chairperson for resolution. Ballots with fewer votes than the allowed maximum



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will continue to be counted. (Example: While the maximum number of votes allowed may be two, the property owner may decide to use only one vote.)

(3) For each valid ballot, write on the vote tally sheet by the candidates' names the number of votes each candidate receives. (Enclosure 5: Sample Vote Tally Sheet) (4) Write the names of write-in candidates and number of votes received, as needed.

(5) Pass ballot sheets to Volunteer #4.

D. Volunteer #4: Repeat the same procedures listed above for Volunteer #3.

E. Volunteers #3 and #4: Tally the total of number of votes a minimum of two times or until two consecutive tallies match and until the tallies of Volunteers #3 and #4 match.

F. Volunteers #1 through #4 and the NEC Chairperson will sign their names on the bottom of the two tally sheets and property owner roster as per signing an affidavit (see paragraph 2.N. of NEC Mission and Procedures document).

G. The NEC Chairperson will collect all ballots, tally sheets, property owner roster, envelopes, and other election materials.

4. The NEC Chairman will ensure vote counting materials are on hand which include: blank ballots and envelopes (10 each), candidate statements; secure ballot box; ballot stamp (red), list of members and lots in good standing; counting procedure handout (4); ballot baskets (min 4); vote tally sheets (2 sets of two); pens/pencils, rubber bands, stapler, and large trash bags.

ENCLOSURE 5: SAMPLE VOTE TALLY SHEET AND AFFIDAVIT

2021 High Lonesome Ranch Estates - Vote Tally Sheet

Date/Location: _____

Vote Counter (name): _____ **Signature:** _____



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Candidate and Vote Count	First Count	Second Count	Third Count
XXXXXX			
XXXXXX			
XXXXXX			
XXXXXX			
Write-In:			
Write-In:			
Write-In:			
Write-In:			

**202X High Lonesome Ranch Estates - Vote Counting Oath for
Nominating Committee members, custodians of ballots, and couriers**



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*I swear that in the performance of my **duties** in the **election process**, to the **best** of my knowledge, no ballot has been **discarded**, **destroyed** or **otherwise tampered with**.
Information learned as part of the **ballot tallying** shall remain **confidential** and **private**.*

Signature:	Signature:
Printed Name:	Printed Name:
Signature:	Signature:
Printed Name:	Printed Name:
Signature:	Signature:
Printed Name:	Printed Name:
Signature:	Signature:
Printed Name:	Printed Name:
Signature:	Signature:
Printed Name:	Printed Name:



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All signature dated XX March 202X unless annotated with a different date.