

STONEMASTER HOMEOWNERS ASSOCIATION

MEMBERSHIP ELECTION VOTING RULES AND PROCEDURES

Article I. INTRODUCTION

Section 1.01 In accordance with the Stonewater Homeowners Association Amended and Restated Bylaws (Article V, Section 7), the Board of Directors adopted these Election Rules and Procedures on July 13, 2020 and shall become effective upon adoption.

Article II. RULES

Section 2.01 Election Candidates must declare their intentions at least thirty (30) days in advance and Members are to be notified at least twenty (20) days in advance of the meeting held for the election of Directors.

Section 2.02 Election Candidates must be able to meet the Board of Directors qualifications as stated in Bylaws Article V, Section 8; and comply with the Board Member Code of Ethics, Behavior, and Conduct Rules and adhere to the Code of Conduct throughout their campaign in order to obtain the Director position.

Section 2.03 Secret Ballots shall be used for all elections involving the election and removal of Directors with Member identities being only potentially known to the Board approved Third-Party Administrator (TPA).

Section 2.04 Members in good standing shall cast their vote by an official ballot (electronic or paper) whether absentee or in person; with their ballots being directly delivered to the TPA. All lots with a valid email address will be sent a link for electronic voting, however, any member may request a paper ballot instead. Only one ballot will be issued per lot.

Section 2.05 Only one vote may be cast per lot. Multiple Owners, among themselves, unanimously agree, and if they cannot agree no vote shall be cast. Unless the Secretary has been previously notified in writing within thirty (30) days of the date set for the election, any one of the Multiple Owners shall be entitled to cast the vote of all such members.

Section 2.06 If quorum is not met on the first attempt, any ballots cast will be retained and counted once quorum is achieved. Once a vote is cast, it cannot be changed.

Section 2.07 Proxies maybe used for achieving quorum and no ballot will be issued.

Section 2.08 Automatic recount shall be performed in cases where the margin of victory is within 5 or less votes and may be witnessed by the impacted Candidates. These results are not subject to challenge.

Article III. TIMELINE AND PROCEDURES

Section 3.01 The election will be overseen by a TPA (third-party provider). The aforementioned timeline is for planning purposes under the best of circumstances. Adjustments can be made to conform to the approved TPA's process.

Section 3.02 60 or More Days Before Meeting.

- 1) Set date, time and location for the Annual Meeting and a backup if quorum is not met.
- 2) Board to approve the election TPA.
- 3) Management Company confirms Member email accounts are up-to-date and which Members require personal delivery of meeting notices.

Section 3.03 60-45 Days Before Meeting.

- 1) Management Company sends pending election notice via email and confirms date on website. The deadline for submittal of candidate nominations shall be between 45 to 30 days before the Annual Meeting.
- 2) Notify members currently ineligible to vote to make their payment by the record date (30 days prior to meeting) to restore their voting rights.

Section 3.04 45-30 Days Before Meeting.

- 1) Confirm the director nominees are qualified to run and finalize list of nominees.
- 2) Send nominees an information package and request candidate statements be returned 25-30 days before the meeting.
- 3) Prepare official notice of meeting, set up online voting system with qualified candidates, and in-person ballots with TPA.
- 4) Management Company to update member database, flagging voting restrictions (those submitted in writing or ineligible due to nonpayment) and supply to TPA. The Management Company will also to tabulate the number of eligible voters (quorum denominator).

Section 3.05 30-20 days Before the Meeting.

- 1) Send official notice of meeting, candidate statements, and voting instructions via email or personal delivery.
- 2) Open online and telephone (if available through TPA) voting and issue any requested paper ballots.

Section 3.06 20-7 days Before the Meeting.

- 1) TPA to mail paper ballots as requested (but no later than 7 days prior to meeting) with delivery deadline requirements clearly marked.

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- 2) Email a meeting reminder to Members.

Section 3.07 Annual Membership Meeting.

- 1) **Just prior to the meeting**, the Managing Agent is to prepare meeting sign-in sheets with homeowners listed (blank line should be made available for spouse to sign). The sheet can indicate those who have submitted a ballot to the TPA to assist in determining meeting quorum.
- 2) All attendees shall sign-in before attending the meeting. Proxy holder will sign the sign-in next to the proxy's Lot.
- 3) Management Company will combine online voting count and those lots in attendance **who have yet to cast their ballot** to determine quorum.
- 4) Candidates will make statements and maybe followed by a Q&A session (time permitting).
- 5) Members may vote online or mail their paper ballots to the TPA. The President will announce closing the polls (may add up to 5 business days if attendees wish to mail their paper ballots after the meeting).
- 6) After the closing of the polls, the Secretary (or other Officer if the Secretary is up for election), will review the TPA report and certify results.
- 7) Results will be announced by the meeting's Secretary and the date of the new Board's first meeting (start of their term). Once the results are announced, the election results may not be challenged.

Section 3.08 Week After the Meeting.

- 1) Email the results of the election to the Membership.
- 2) Remove candidate statements from website and upload meeting presentations.
- 3) Cancel any backup date venue.
- 4) Retain election sign-in and TPA result report for one year; destroy all other election documents.
- 5) If needed, contact webmaster to update Board Members on website and collect signed Board Member Code of Ethics, Behavior and Conduct Rules from new Board Members.

Article IV. Fairness in Elections

Section 4.01 No members may use the Association's membership email addresses for their campaign or other purpose.

Section 4.02 The Association cannot expressly advocate for the election or defeat of any candidate that is on the Association election ballot. Candidate statements belong to the candidate and are not the views of the Association.

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Section 4.03 The Association has specified the qualifications for Board of Director Candidates in its Bylaws (Article V, Section 8), required disclosures (Article V, Section 5), procedures for the nomination of candidates as set forth in this document and the Association's Bylaws (Article V, Section 6), and cause for forfeiture (Article V, Section 9).

Section 4.04 Campaigns shall be focused on a candidate's qualifications, points of view, community involvement, voting record, and vision for the Association. Candidates and Members are encouraged to conduct campaigns with a high standard of ethical conduct with respect for the entire community. All Candidates shall adhere to the Board of Directors Code of Conduct (Bylaws Article VI) and Board Member Code of Ethics, Behavior and Conduct Rules during their campaign.

Section 4.05 Any Member using a public forum, social media, mail, flyers or other form of mass communication are encouraged to be good neighbors and shall not defame a candidate. Members in violation of this rule may be subject to fines for each occurrence.