

**Business Policies and
their related Procedures**

Policy Number: A-15
Scheduled Review Date: As Needed
Resolution/Motion: 2023-01-21
Form Reference:
Governing Documents Reference: Bylaw 5.01/8.08
Association Rules
Article 20
Policy Number Reference: C-1

ELECTION POLICY AND PROCEDURES

Purpose: The purpose of A-15 is to provide consistent guidelines and instructions for the election of directors and approval/disapproval of other Association business that may be brought before the members of the Association.

Policy: A meeting of the members shall be held annually on the third Saturday in June for the purpose of electing directors and transacting other business that may come before the members. The calendar for the voting procedure shall conform to the California Civil Code and PMCPOA Article 20 Election Rules.

Procedure: 1. Calendar for the annual meeting of the members voting process.

October (prior year)

The **general manager** solicits bids for the inspector of elections for the meeting of the members. Attorneys, law firms, managers and management companies providing the Association with services other than solely as an inspector of elections are prohibited from serving as inspectors.

November (prior year)

The **board of directors** approves the inspector of elections for the meeting of the members.

January 1st

Letters of intent for the board of directors open positions for the next fiscal year may be submitted. The candidate's election package will be provided to the candidate after January 1st.

January 15th

The **corporate secretary** sends a letter to chairpersons of each standing committee requesting one member to serve on the election committee. The Association provides a notice of nomination procedures and deadline by general notice. Included is how to submit nominations per election rules, nomination deadline, and candidate and director qualifications.

March 1st:

The **corporate secretary** provides the corporate attorney with any proposed bylaw changes along with the governing documents committee's impact statement of those changes for legal review.

March 26th:

The deadline for candidates to file the letter of intent, the candidate filing form and the biography/resume is March 26th at 5:00 p.m. If March 26th falls on a Saturday, Sunday, or holiday, then the deadline is at 5:00 p.m. the first business day following March 26th.

March 30th:

Give ten day's individual notice to any non-qualified candidate that they are not qualified to serve on the board, stating the reasons and offering an opportunity to participate in IDR on a business day of their choosing between 10 and 15 calendar days after the notice.

Last day to complete IDR for any non-qualifying candidates. After the close of the nomination period, the receipt of all nominations, and the completion of any non-qualifying candidate IDR (or the passing of that deadline), and before mailing the pre-ballot notice, prepare the candidate registration list and the voter list to be ready for any verification requests.

April 15th:

Finalize the candidate registration list. Send the pre-ballot notice by general notice (or individual notice, if requested), including

1. the date, time and physical address to mail or hand-deliver ballots to the inspector(s);
2. the date time and location of ballot-counting meeting;
3. the list of candidates to appear on the ballots (essentially, the candidate registration list); and
4. the voter list and candidate registration list correction deadline.

This date also begins the period during which members may verify the accuracy of their own information in the voter and candidate registration lists period.

April 17th:**At the April meeting of the board of directors:**

The **board of directors** proofreads and approves the draft election packet and draft ballot as prepared by the inspector of elections and authorized in bylaw

8.08. The packet shall contain:

1. the meeting agenda for the meeting of the members
2. the ballot
3. the notice of the annual meeting
4. the candidate filing forms (without the candidate contact information) and biographies/resumes from the candidate for director.
5. any bylaw changes with impact statement(s)
6. a postage-paid return envelope.
7. the secret ballot envelope
8. any other information as directed by the board

Immediately after the April meeting:

Once the packet is approved, the **corporate secretary** directs and supervises the printing of the packet, sets printing deadlines to ensure the mailing shall take place no less than thirty (30) days prior to the annual meeting of the members date as stated in the bylaws.

The corporate secretary determines and notifies the candidates of the dates of the “meet the candidates” members open forums hosted by the election committee and moderated by the corporate secretary or their designee.

The election packet is mailed to the members no later than 30 days prior to the annual meeting of the members. This shall be completed by the **inspector of elections company**.

The **corporate secretary** arranges for mementos for retiring directors.

May 10th:

This is the last day for members to report errors or omissions in the voter list or candidate registration list to the inspector(s) of election. Any errors or omissions must be changed or corrected within two (2) business days of being reported. Members are allowed to verify their own information only on either list. The Association will not provide a copy of the voter list or candidate registration list to any owner during the election process. They may be subject to disclosure after the election as part of a records request.

May 15th to May 20th:

These are the earliest and latest dates to mail or otherwise deliver ballots to the members. Also, it is the last date to deliver election rules to the members by either individual delivery (mail) or posting them to the Association's internet website address identified on the ballot. Also the Association must finalize and retain the voter list (containing all owners of record as of the date the ballots were mailed or otherwise delivered).

June 19th:

The annual meeting of the members is held at 1 p.m.

July 2nd:

This is the last day to provide general notice (mail or posting) of the tabulated election results (setting forth the number of votes for each director).

2. Election committee responsibilities for the annual meeting of the members election:

The election committee shall:

1. Solicit qualified candidates to run for the office of director of the Association.
2. Advise candidates of the final due date for filing and the required forms that must be submitted

3. Advise candidates that they must follow the election rules and the instructions for candidates set forth in the election policy and procedure.

4. Host the "meet the candidates" forum(s).

3. Instructions for candidates:

Each candidate must submit a letter of intent in order to receive the election package.

The election package shall contain the following:

1. Article 20 of the Association rules (election rules)
2. Election policy and procedures (A-15) which includes the candidate filing form which must be completed and returned along with a one-page biography/resume to the business office prior to 5:00 p.m. on March 26th. If March 26th falls on a Saturday, Sunday, or holiday the deadline shall be 5:00 p.m. on the first business day thereafter.

The oath of office will be administered at the annual meeting of the members.

4. Inspector of elections

The inspector of elections will be selected by vote of the board of directors following an open-bid process in which qualified candidates are invited to bid. The individual or firm selected as inspector of elections is required to have a First-Class U.S. Postal Service return postage account in order to handle the return postage for the ballots. PMCPOA will be billed by the inspector of elections for the actual amount of the return postage.

The inspector of elections will comply with the requirements of Civil Code 5110 or its replacement section upon its replacement or amendment.

The inspector of elections may appoint, and must oversee, additional persons to verify signatures as designated in Civil Code 5110 or its replacement section upon its replacement or amendment and to count and tabulate votes as the inspector deems appropriate. However, the appointed individuals may not be a member of the board of directors, a candidate for the board, or related to any member of the board of directors or candidate for the board.

The inspector of elections will comply with the rules and regulations detailed in the Pine Mountain Club Property Owners Association bylaws, the election rules, and the election policy and procedures. Prior to the mailing of the election packet to members, the general manager will provide the inspector of elections with copies of the election rules, the election policy and procedures, the PMCPOA bylaws, the candidates' disclosure form, the candidates' biography/resume and a current Bluebook.

Approved:


Corporate Secretary


General Manager

Date:

January 21, 2023

January 21, 2023

CANDIDATE FILING FORM

1. A candidate must be qualified according to bylaw 6.03 and Article 20 Election Rules.
2. A candidate biography/resume is required. The biography/resume shall be typed on one side of one 8 ½ x 11 piece of paper. Include experience, qualifications, and election platform.
3. A candidate is required to complete and submit this form.
4. **Filing Deadline:** These documents must be submitted to the Association office no later than 5:00 p.m. on March 26. If March 26 falls on a Saturday, Sunday, or holiday the deadline shall be 5:00 p.m. on the first business day thereafter.

CONTACT INFORMATION

Name _____
Date Received: _____
Mailing address _____
City _____ State _____ Zip _____
Home telephone _____ Work _____
E-mail address _____

Ownership. Are you on title to a lot in the Association?
_____ YES _____ NO

Co-Ownership. Are you a co-owner of a lot in the Association with another candidate or anyone who will be on the board if you are elected?
_____ YES _____ NO

Assessments. Are you current in the payment of all regular and special assessments due and payable to the Association as well as late fees and interest or have paid under protest or have an approved payment plan?
_____ YES _____ NO

Length of membership. Have you been a member of PMCPOA for one year?
_____ YES _____ NO

Fidelity Bond Coverage. Do you have a criminal conviction that would, if you were elected, either prevent the Association from purchasing the fidelity bond coverage required by Civil Code section 5806 or terminate the Association's existing fidelity bond coverage?
_____ YES _____ NO