

Holly Lake Ranch Association 2018 Election of Board Members Paper Absentee Ballot Procedures

Summary

This document contains detailed procedures for the design, distribution, and processing of paper absentee ballots used in the HLRA 2018 Election of Board Members.

These procedures assures the election is fair, open, and impartial. The procedures also assure that paper absentee ballot security is maintained throughout the process.

These procedures comply with applicable Texas Law and HLRA Bylaws concerning a membership vote taken outside of a meeting.

Ballot Design

- ***Ballot Numbering:***

Each absentee ballot will have a unique pre-printed ballot number assigned. The ballot number is used only to identify duplicate ballots. The ballot number cannot be used to identify the member to which it is sent. The ballot number will be used during the counting process validation step to assure that each ballot submitted is an original. If multiple ballots are submitted with the same number, all ballots containing that number will be rejected as "Not an original ballot".

- ***Candidate Listing Order:***

Candidate positions on the ballot are numbered top to bottom, then left to right (if more than 4 four Candidates). The order of Candidate names on the ballot will be the same as the order in which Candidate Applications are received by the HLRA office.

- ***Completed Ballot Submission Methods:***

Members may submit their completed paper absentee ballots by postal mail to PO Box 690, Hawkins, TX, 75765-0690 or by placing their ballot in the official ballot box in the HLRA office.

***** Ballots placed in the drop box outside the HLRA office will be discarded. *****

- ***Ballot Submission Deadline:***

The deadline for receipt of paper absentee ballots by postal mail to the PO Box is 5:00 PM, November 29, 2018.

The deadline for receipt of paper absentee ballots using the sealed ballot box is 5:00 PM, November 29, 2018.

***** Ballots received after the above deadlines will not be counted. *****

Ballot Production and Distribution to Members

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- **Ballot Printing:**

Paper absentee ballots will be printed using HLRA owned/leased printers. Printing will be performed by HLRA office staff with the assistance of Election Committee members if needed.

- **Ballot Mailing:**

Paper absentee ballots will be distributed to Association Members as an insert in the November 2018 monthly mailing. **No ballot return envelope will be included.**

Folding and stuffing will be accomplished by HLRA office staff using HLRA owned/leased equipment. Election Committee members will assist if required.

Ballot Retrieval Procedures

Over 1,900 ballots will be distributed to members. Historically, an average of 800 ballots have been returned by members. The PO Box is incapable of holding this amount of mail. Therefore, it is necessary to periodically retrieve submitted ballots from the PO Box throughout the voting period.

- Each Tuesday and Friday beginning October 26 through November 27 a minimum of two Election Committee members will retrieve all mail from the PO Box.
- A final ballot retrieval will be done at 5:00 PM, November 29, 2018.
- Ballots delivered to the PO Box after 5:00 PM, November 29, 2018 will not be counted.
- The retrieved mail will be deposited it into a tote secured with steel cable, padlock, and tamper detection seals.
- Between ballot retrievals, the secured tote will be stored in a locked closet in the HLRA office.

Candidate appointed observers

As a courtesy, each Candidate may appoint one (1) individual to observe the vote counting process. Each Candidate must provide contact information for her/his appointed observer to the Election Committee no later than November 23, 2018. Even though the election is not being conducted as a “vote by secret ballot” as described in TPC 209.0058(d), the rules concerning candidate appointed observers given by TPC 209.0058(d)(3) will be followed. Specifically, *“each candidate may name one person to observe the counting of the ballots, provided that this does not entitle any observer to see the name of the person who cast any ballot, and that any disruptive observer may be removed.”*

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Ballot Counters

Ballot counting will be accomplished by a team that consists of a two (2) person Ballot Validation Group, three (3) separate three-person Vote Tallying Groups, and a two (2) person Vote Tally Auditor Group.

The Vote Tallying Groups will consist of individuals randomly selected from a list of volunteer HLRA Members who have expressed an interest in participating in the ballot counting process. See Volunteer Selection Procedure below. Volunteers must satisfy the restrictions stated in TPC 209.00594(a) (cannot be related within “three degrees” to a Candidate by blood or relationship). Volunteers are required to sign the Election Committee Volunteer Confidentiality Agreement. (See 209.00594(b-1))

The Ballot Validation Group and Vote Tally Auditor Group must have access to sensitive Membership information and therefore will consist solely of Election Committee Members.

Volunteer Selection Procedure

Each of the three (3) Vote Tallying Groups will consist of three (3) volunteers from the HLRA Membership.

- Once the final roster of Candidates is known, the Election Committee will solicit the HLRA Membership for volunteers to participate in the vote counting process. The solicitation can be made any time prior to the Ballot Counting date. **The solicitation will clearly state that volunteers selected are required to sign the Election Committee Volunteer Confidentiality Agreement.** The list of interested individuals will be accumulated.
- On November 26, 2018 the Election Committee will randomly select a total of twelve (12) individuals from the volunteers list.
- The selected individuals will be notified of their selection and provided the necessary details. If the volunteer indicates they are unable for any reason to participate in the counting process, another volunteer will be selected from the list. The process continues until twelve (12) volunteers have committed to participate.
- Prior to commencing ballot counting, the twelve (12) volunteers will be randomly assigned to one of the three (3) vote tallying groups (identified as groups A, B, and C), or the relief group. The relief group will assist with the overall counting process and fill in for members of the tallying groups as needed.

Vote Counting Procedure Review

The ballot counting process will be performed beginning at 8:00 AM, November 30, 2018.

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Prior to beginning the counting of ballots, the entire counting team will review the counting process.

Any questions should be addressed until everyone involved is comfortable with the process and understands their responsibilities.

A review of TPC 209.00594(b-1) will be done and everyone involved will be reminded that all information related to the vote count is considered confidential by HLRA.

Volunteers will be asked to read and sign the Election Committee Volunteer Confidentiality Agreement.

Vote Counting General Procedure

The counting team consists of a two-person ballot validation group, three (3) three-person vote tallying groups, and a two-person vote tally auditor group.

- The ballot validation group will consist of Election Committee members. They validate each ballot using the Ballot Validation Procedures below. Both validation members initial every ballot in the space provided at the bottom of the ballot. Validated ballots are then grouped into batches of 25.
- A ballot rejection form will be completed for each rejected ballot. The ballot and form are then passed to the auditor group for confirmation the ballot is invalid. The auditor group will keep a running total of the number of invalid ballots. Once ballot counting is completed, the auditor group will record the total number of invalid ballots on the Master Tally Sheet. Invalid ballots are then placed in the tote that will be used to secure the ballots after completion of the ballot counting.
- The ballot batches are passed in rotation to vote tally groups A, B, and C. Each vote counter individually records votes from each ballot onto a ballot batch vote tally worksheet. Each counter in the group initials every ballot in the area provided at the bottom of the ballot. As each counter completes counting a ballot, the ballot is passed to the next counter in the group. As each counter completes a batch, the batch tally sheet is passed to the auditor group.
- When the entire batch has been counted by all counters in the tally group, the ballot batch is passed to the auditor group. The auditor group verifies that each counter recorded the same vote tally for the batch.
- If there is a discrepancy in the batch tally sheets, the entire batch will be recounted by a different tally group. If needed the entire counting team will examine each ballot in the batch to determine why the counts differ. If necessary, the counting team will refer to Texas Election code 65.009 to determine the intent of the Member's vote.

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- Once the counts match, the auditor group records the batch tally count on the Master Tally Sheet, combines the batch tally sheets with the ballots in the batch, and places them in a tote that will be used to secure the ballots following completion of counting.
- Once all ballots have been counted the auditor group sums the batch tally counts to produce the final vote results.
- The auditor group will give the final results to the Election Committee Chairperson or Vice-Chairperson, who will then communicate the results to the Association General Manger.
- All ballots and associated counting documents will be then secured as described below.
- As a final step, a review of TPC 209.00594(b-1) will again be done and everyone will be reminded that details of the vote count are confidential information owned by HLRA. All Committee members and volunteers will be reminded that they are prohibited from communicating any details of the Election Vote they may have obtained during the counting process to any unauthorized persons.

Ballot Validation Procedure

Every ballot must be validated before it is counted. The validation procedure assures the ballot is authentic, complete, the Member is casting only one ballot in the Election, and it satisfies all requirements of Texas law and HLRA By-laws. Every ballot rejected must have a rejection form attached.

- **Undeliverable Ballot Handling:**
 - Before any submitted ballots are counted, the Validation group will retrieve all envelopes marked as undeliverable by the US Postal Service. An annotation will be made for each member whose ballot was not delivered. This assures that no one can vote on behalf of a member who is known to be unreachable.
- **Ballot is authentic:**
 - Ballot must be original (no copies).
- **Ballot is complete:**
 - Member number is required and must be valid.
- **Ballot meets requirements of Texas law and HLRA By-laws:**
 - Member signature is required.
 - Texas Election Code 65.009 Counting Irregularly Marked Ballots.

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- Texas Election Code 65.011 Over Voting.
- Member, as identified by her/his Member Number, is qualified to cast a ballot in the Election and has cast only one ballot in the Election.

Rejected Ballot Procedure

An Election Ballot Reject Form must be completed and attached to any ballot that:

- Is returned by the US Postal Service as undeliverable.
- Is not an original ballot.
- Member Number is missing, invalid, or ineligible to vote in the election.
- Is not signed.
- Has more Candidate votes than are allowed for the Election.
- Is marked in such a way that it is impossible using reasonable means to determine the Members intention.
- The Member has submitted multiple ballots.
- The Member
 - is not the sole owner of a lot or lots and
 - is part of a multi-owner group and
 - is not the Voter Designation for that Group and
 - is not the first Member in the multi-owner group to cast a ballot.
 - **(IMPORTANT: See Multi-owner Group Procedures in the 2018 Election of Board Members Procedures document)**

Secure Paper Absentee Ballots After Counting

After all ballots have been processed and the election results obtained, all ballots and related ballot counting materials will be placed in a tote. The serial number of a tamper detection label will be annotated on a paper and every member of the counting team will sign the paper. Each member of the counting team will receive a copy of the paper. The original signed paper will be placed in the tote. The tote will then be secured using cabling and a pad lock such that nothing can be added to or removed from the tote without removing the pad lock and cable. The serial numbered tamper detection label will be placed on the pad lock such that the lock cannot be opened without removing the tamper seal. The secured tote will then be placed in the designated locked closet in the HLRA office.

Election Material Disposal

The standard membership vote document retention period is six (6) months following the announcement of the election results. On or after June 1, 2019 all material in the secured tote will be destroyed by shredding. The scheduled disposal date may be delayed by direction of the Board of Directors, a court of law, or at the discretion of the Election Committee.