

Holly Lake Ranch Association

2018 Election of Board Member Procedures

Authority

In accordance with HLRA Bylaws and the HLRA Membership Vote Policies and Procedures, an election of Board Members is being conducted by the Holly Lake Ranch Election Committee. This document describes the procedures for conducting the 2018 Election of Board Members.

For the year 2018, three Board positions will be filled. The one individual elected having the highest number of votes shall have a term of two years and ten months (December 2018 – October 2021) and the two individuals elected receiving the second and third highest number of votes shall have a term of one year and 10 months (December 2018 – October 2020), subject to State Law and Association By-laws changes.

This election is governed by applicable sections of Texas Property Code Chapter 209 and HLRA Bylaws dated July 11, 2018 pertaining to a vote taken outside of a meeting. This election vote will be conducted in accordance with the Membership Voting Policies and Procedures dated July 18, 2017.

Definitions

The following definitions apply throughout this document;

- **“Association”** means the Holly Lake Ranch Association.
- **“Bylaws”** means the Holly Lake Ranch Association Bylaws in effect at the time the Candidate Solicitation Letter is circulated to the Membership.
- **“Membership Voting Policies and Procedures”** means the Board approved Membership voting Policies and Procedures and its appendices in effect at the time the Candidate Solicitation Letter is circulated to the Membership.
- **“Texas Law”** means any law established by the State of Texas that is applicable to the Association and its operation in effect at the time the Candidate Solicitation Letter is circulated to the Membership unless otherwise superseded by subsequent Texas law or a decision by a court of law having applicable jurisdiction. This includes, but is not limited to, Texas Property Code Chapter 209.
- **“Board of Directors”** and **“Board”** means the Holly Lake Ranch Association Board of Directors.
- **“Committee”** means the Election Committee established by the Board to design, plan, and execute Membership voting activities on behalf of the Association.
- **“Property Owner”** means an individual, group, or organization that is/are the legal owner(s) of at least one lot within the confines of Holly Lake Ranch.
- **“Multiple Owner Group”** means two or more Property Owners that are co-owners of one or more lots within Holly Lake Ranch as defined by Article II, Section 2 of the Association Bylaws.
- **“Member”** means an individual who is a member of the Association as defined in the Association By-laws, is the legal spouse of a Member, or is the legally designated representative of the Member or Member’s estate.
- **“Members”** and **“Membership”** means collectively the Members of the Association as defined above.

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- **“Governing Documents”** means any and all official Association documents that govern the operation and business of the Association. These include the Association Articles of Incorporation and any other document identified by applicable Texas law and/or deemed by the Board to be a Governing Document of the Association.
- **“Election of Board Members”** means the voting process in its entirety for the election of members to the Association Board of Directors.
- **“Voter Signature”** means a written signature or its electronic facsimile, or other form of electronic signature generally considered to be legal by applicable law for the purpose of acknowledging electronic documents and transactions.
- **“TPC”** is an acronym for Texas Property Code.
- **“Election Calendar”** includes all individual dates and date periods related to an Election of Board Members. Election dates and periods shall comply with applicable Texas law and Association By-laws in effect on the date the Election Ballot(s) are distributed to the Membership.
- **“Voting Method”** means any method by which an Association Member may cast a vote in an Election of Board Members. Permitted voting methods are defined by applicable Texas law and Association By-laws.
- **“Ballot”** means any paper or electronic form designed by the Committee and approved by the Board for the purpose of allowing an Association Member to cast a vote in an Election of Board Members.
- **“Reasonable Special Accommodation”** means any alternative or modified voting method or procedure established specifically to accommodate a Member that cannot cast a vote using the voting method(s) and procedures chosen for the Election. “Reasonable” excludes anything that is excessively expensive, exposes the Committee or Association to potential liabilities, requires travel beyond the confines of Holly Lake Ranch, or violates applicable Texas law or Association By-laws.

Supporting Documents

This is the master procedures document for conducting the above described election. The following supporting documents contain detailed information and procedures for conducting the election.

- *Membership Voting Policies and Procedures*
 - This document contains the general policies and procedures applicable to all HLRA Membership votes.
- *Membership Voting Policies and Procedures Appendix A*
 - This document contains the Election Committee Code of Conduct which requires all Election Committee Members to be impartial in their actions as committee members and to avoid activities that may raise concern about the integrity of a membership vote.
- *Membership Voting Policies and Procedures Appendix B*
 - This document contains the Voter Designation form referenced in the Association’s Bylaws Article II, Section 2. The form allows members who are members of a Multiple-Owner Group to designation one member within the group to vote on behalf of the entire Multiple-Owner Group.

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- 2018 Election of Board Members Paper Absentee Ballot Procedures
 - This document contains procedures related specifically to paper absentee ballot production, handling, and counting.
- 2018 Election of Board Members Candidate Solicitation Letter
 - This document contains the letter officially soliciting members to become candidates in the election as required by TPC 209.00593(a-1).
- 2018 Election of Board Members Candidate Application
 - This document contains procedures related specifically to paper absentee ballot production, handling, and counting.
- 2018 Election of Board Members Paper Absentee Ballot Rejection Form
 - This document will be used to record reason(s) a submitted paper absentee ballot is rejected.
- 2018 Election of Board Members Paper Absentee Ballot
 - This is the paper absentee ballot to be used in the election.
- 2018 Election of Board Members Overview & Recommendation
 - This document is a summary of the election to be presented to the Board.
- 2018 Election of Board Members Budget Spreadsheet
 - This document contains the estimated costs for conducting the election. The document is also used to track actual expenses.
- 2018 Election of Board Members Calendar
 - This document contains a detailed list of dates and associated actions required to complete the election.
- 2018 Election of Board Members Candidate Calendar
 - This document contains a summary of election calendar dates and periods of important to candidates in the election.

Election Design

In accordance with HLRA Bylaws, the votes cast in this election will be taken outside of a meeting of the members.

- **Election Calendar:** Key dates for this election are in accordance with applicable Texas law governing votes taken outside of a meeting. A detailed breakdown of all dates can be found in the supporting document 2018 Election of Board Members Calendar. Results of the election will be communicated to the Board of Directors and the Association General Manager no later than 5:00 PM, November 30, 2018 unless delayed by unforeseen circumstances.
- **Voting Methods:** The only voting method offered in this election is paper absentee ballots which satisfies the TPC 209.00592(a-1) requirement that members be allowed to vote by absentee ballot or proxy. Ballots will be distributed to eligible members in the November HLRA statement mailing on or

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about November 1, 2018. Details for producing, distributing, submitting, and counting paper absentee ballots can be found in the supporting document [2018 Election of Board Members Paper Absentee Ballot Procedures](#)

- **Requests for Special Accommodation:** Members who cannot cast their vote by paper absentee ballot may request a special accommodation by sending an email to election@hollylakeinfo.com or calling the HLRA office. The Election Committee will work with the requesting member on a case by case basis to determine the best way to meet their needs.
- **Ballot Design:** The ballot for this election will list each candidate's name as provided on the candidate application form. Members will indicate their candidate selections by placing an 'X' or check mark in the box next to each candidate name. Members will be allowed to vote for 1, 2 or 3 candidates. Voting for more than 3 candidates will invalidate the ballot. The supporting document [2018 Election of Board Members Paper Absentee Ballot](#) contains the ballot.

2018 Election of Board Members Calendar

Key dates for this election are in accordance with applicable Texas law and HLRA Bylaws governing votes taken outside of a meeting. The following key dates have been established to assure the election is completed before the HLRA Annual Meeting on December 1, 2018. A detailed breakdown of all dates can be found in the supporting document [2018 Election of Board Members Calendar](#).

- **Candidate Information Packages Available at HLRA Office:** 8:00 AM, September 20, 2018
- **Post Notice of Election, Candidate Solicitation at Entrances:** September 20, 2018
 - This establishes the minimum 10-day advance notice date to members as required by Texas Property Code 209.00593(a-1).
- **Distribute Candidate Solicitation Letter in October Statement Mailing:** September 25, 2018
- **Candidate Application Deadline:** 5:00 PM, October 15, 2018
- **Candidate Background Check Completion:** October 16, 2018
- **Candidate Roster and Ballot Design Finalized:** October 17, 2018
- **Voter Eligibility Cutoff:** 5:00 PM, October 17, 2018
 - Transfer of property ownership after the cutoff will not affect the eligibility of members to cast a ballot in this election.
 - Voter Designation Forms submitted after this deadline will not affect the eligibility of members to cast a ballot in this election.
- **Candidate Orientation:** 6:30 PM, October 23, 2018
- **Distribution of Ballots to Membership:** October 25, 2018
 - This establishes the minimum 20-day advance notice date to members as required by Texas Property Code 209.0058(a-1).
- **Deadline to Identify Candidate Appointed Observers:** November 23, 5:00 PM.
 - As a courtesy, each candidate may appoint one (1) individual to observe the ballot counting process. Candidates must notify the Election Committee of their chosen observer.
- **Ballot Submission Deadline:** 5:00 PM, November 29, 2018
 - Ballots received after this deadline will not be counted.

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- **Ballot Counting:** 8:00 AM November 30, 2018
 - Ballot counting will be performed on November 30, 2018.
- **Election Results:** 5:00 PM, November 30, 2018
 - Barring unforeseen circumstances, election results will be released to the Association General Manger no later than 5:00 PM November 30, 2018.
- **New Director Orientation:** 10:00 AM, December 1, 2018
- **HLRA Annual Meeting:** December 1, 2018
 - Results of the election will be announced by the Board of Directors during the Annual Meeting.
 - Newly elected Board members will be seated.

Election Cost

The cost to conduct this election will not exceed \$1500. A detailed breakdown of estimated cost components are contained in the supporting document [2018 Election of Board Members Budget Spreadsheet](#).

Ballot Retrieval:

Complete details of ballot retrieval, storage, and counting can be found in the accompanying document [2018 Election of Board Members Paper Absentee Ballot Procedures](#).

- The PO Box is not capable of holding the anticipated number of submitted ballots.
- Ballots will be retrieved by two (2) Election Committee Members from the PO Box each Tuesday and Friday beginning October 26, 2018.
- The final ballot retrieval will be at 5:00 PM, November 29, 2018.
- Ballots retrieved from the PO Box will be placed in a secured tote which will be stored in a locked closet inside the HLRA office.
- The Ballot Box will be removed from the HLRA office at 5:00 PM, November 29, 2018.
- Prior to counting, ballots will be secured using a combination of physical locks and tamper detection seals. See [2018 Election of Board Members Paper Absentee Ballot Procedures](#) for details.

Ballot Counting: Paper Absentee Ballots will counted on November 30, 2018. See 2018 [Election of Board Members Paper Absentee Ballot Procedures](#) for details.

Election Results: Barring unforeseen circumstances, 2018 Election of Board Member Results will be provided by the Election Committee Chairperson or Vice-Chairperson to the HLRA Board of Directors and General Manger no later than 5:00 PM, November 30, 2018. The General Manager will communicate the results to the Candidates.

Multi-Owner Group Procedures

HLRA By-laws Article II Section 2 (Voting Rights) stipulates that multiple owners (“owner group”) of a lot or lots are entitled to only one vote. It also stipulates that the owner group may file a Voter Designation Form with the Association. In the absence of a form on file, the first Member of the owner group to vote is deemed to be the vote for the entire owner group.

Additionally the HLRA By-laws Article III Section 9 (Cumulative Voting) states “*No member shall be entitled to cumulate his vote at any election of the Association.*” This means that a Member, as identified by her/his Member Number, is allowed to cast only one ballot in an Election. Therefore, a single Member who is the sole owner of a lot or lots and also part of an owner group cannot cast a ballot as a sole owner and cast a separate ballot on behalf of the owner group.

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During preparations for an Election, the Election Committee will perform a Voter qualification review of the Association Membership roster. For each multiple-owner group identified, the Election Committee will determine if a Voter Designation Form is on file with HLRA office. If no form has been filed, all Members who are part of the multiple-owner group will be notified by postal letter of their voting rights relative to Article II Section 2 of the HLRA bylaws. The involved members will be advised of their right to file a Voter Designation form with the HLRA Office as well as identifying any deadline for submitting the form in time for the 2018 Election of Board Members.

The Multiple Owner Group Voting Decision Chart (separate document) provides a guide for determining if a Member may cast a ballot. This job aid will be used during the Ballot Validation step of the ballot counting procedures. See 2018 [Election of Board Members Paper Absentee Ballot Procedures](#) for details.