



**1. Purpose**

The purpose of this document is to establish procedures for how Pine Cone Acres Homeowners Association, Inc. (“PCAHA”) shall conduct its elections, fairly and impartially and in accordance with CCIOA regulations. This policy sets forth criteria for conducting the candidate search, voting and the election of PCAHA Members who wish to volunteer to run for a seat on the PCAHA Board of Directors and/or the Architectural Control Committee. All PCAHA elections shall be conducted by secret, mail-in ballot procedure, modeled after the El Paso County election process.

**2. Election Timeline**

**May/June:**

The Board of Directors shall call for candidates to volunteer to serve on the PCAHA Board of Directors and/or Architectural Control Committee for available positions by mail and/or email. The output of this task will be the slate of candidates. Prospective candidates shall be verified as to their eligibility by the Treasurer and/or the Secretary prior to the ballots being printed in July.

Members seeking to become candidates for election to the PCAHA Board of Directors and Architectural Control Committee shall submit their name and state their desire to be a candidate in writing to the Board Secretary or his/her designee no later than the second Friday in June. “In writing” may be construed to mean an actual written document, or by email. No verbal declarations or write-in nominations at the Annual Meeting will be accepted.

The final slate of candidates will be presented to the Board of Directors by email, and will be presented for consideration to the Members in the Board Meeting Minutes, by mail or email when necessary, and will also be posted on the PCAHA website.

**July:**

Ballots will be printed mid-July and all ballots must be mailed to the entire Membership by USPS, and shall be postmarked at least 30 days before the Annual Meeting date held in August.

**August:**

At the PCAHA Annual Meeting and election, the ballots and/or proxies will be counted and the new Board of Directors will arrange to meet within one week after elections to select officers.

Officer positions will be voted on by the new Board of Directors and will be posted on the website and also announced in the Board Meeting Minutes.

### **3. Candidate Eligibility**

Members seeking election to the PCAHA Board of Directors and/or Architectural Control Committee must be deemed eligible to run for office. To be deemed eligible, a candidate must:

- (a) be an Owner of a property in PCAHA; and
- (b) be named on the deed of said property (which the Board must be able to verify on either the El Paso County Assessor's website or the El Paso Clerk & Recorder Official Public Records Search website); and
- (c) be current on all Annual Assessments, special Assessments, fees and late charges, if any, by July 31<sup>st</sup>; and
- (d) reside within the Pine Cone Acres subdivision.

A prospective candidate who cannot be verified on the deed of the property and/or who is not current on Assessments, special Assessments, fees and late charges, must meet the eligibility requirements prior to submitting their name for nomination. However, any eligibility requirements must be completely met, with proof provided to the Treasurer and/or Secretary, prior to the ballots being printed in mid-July. Prospective candidates who do not reside in the PCAHA subdivision shall be deemed ineligible to run for office, regardless of being able to meet the other eligibility requirements.

### **4. Ballot Packet**

At least 30 days prior to the Annual Meeting date, Members will receive one ballot packet containing:

- (a) the ballot to be marked and counted, which shall be printed with spaces to vote for their choice of candidate currently running for any Board of Director seat(s) and/or Architectural Control Committee seat(s) available;
- (b) two envelopes (one envelope for returning the ballot, clearly marked for the Member to provide their signature and their Lot number, and one self-addressed-stamped envelope for the return of the sealed envelope containing their ballot); and
- (c) clear instructions for completing/marketing their ballot.

### **5. Procedure for Voting**

- (a) Each Lot is permitted one vote to be cast by a Member in good standing.
- (b) Duplicate voting from one Lot will not be allowed.
- (c) Each ballot will be marked as desired, voting for no more than one candidate per available position. Members may choose not to vote for one or more available positions. Therefore, vote tallies may differ on different seats due to differential Member participation.

- (d) The Member will place the marked ballot into the envelope with “Signature and Lot # \_\_\_” printed on the flap and seal it.
- (e) The eligible Member will sign their name and write their Lot number over the seal of the envelope in the place provided.
- (f) After sealing the envelope, the Member will mail the ballot by USPS in the self-addressed-stamped envelope provided in the ballot packet, in time to reach the Board Secretary prior to the posted date of the Annual Meeting.
- (g) Verification of eligibility will take place on or before the day of the meeting, or in some instances as soon as ballots and/or proxies are received in the mail.
- (h) Same-day ballots and/or proxies must be received prior to the Annual Meeting.
- (i) Any emergency voting situations will be handled at the discretion of the Board President, Vice President and Secretary.
- (j) Ballots and/or proxies received after the Annual Meeting will be treated as ineligible and set aside along with any other ineligible ballots.
- (k) Ballot envelopes and/or proxies received lacking a signature and Lot number will not be counted, set aside and deemed ineligible.
- (l) Proxy instructions may be found on the website at <https://pineconeacres.wordpress.com> or contact the Secretary or a Board Member.

## **6. Eligibility of Ballots and/or Proxies, Counting and Result**

Once received, each sealed ballot envelope marked only with the Member Lot number and signature will be given to the Treasurer and/or the Secretary, who will verify eligibility of the Member to cast a ballot and/or proxy in the election. The sealed ballots and/or proxies from all Members, having been verified and deemed eligible to vote, will be collected to be counted later during the Annual Meeting.

At the Annual Meeting, eligible Member mailing envelopes will be opened, the unmarked/sealed ballot envelopes inside removed and set aside to be opened later when the ballots and/or proxies are counted. The envelopes marked with the Lot number and signature (the ones used to establish eligibility) will be separated from the actual ballot envelopes and bundled separately for storage as required by CCIOA.

Two to three volunteer PCAHA homeowners shall be responsible for opening the ballot envelopes and counting the ballots and/or proxies. If more than three should volunteer, names shall be drawn.

No Board Members or candidates will participate in the ballot counting. Each vote counter shall be provided with a tally sheet where they will record the votes they count. In the event the tallies do not match, then the process will be repeated until all three tallies agree. Those final tally sheets shall be signed and dated by the vote counters and stored with the entire ballot package as required by CCIOA.

The winners of the final vote tally will be announced before the end of the Annual Meeting, included in the Annual Meeting Minutes and posted on the PCAHA website.

**7. Oath of Office**

All duly elected Board of Directors and Architectural Control Committee members shall agree to faithfully perform their duties to Pine Cone Acres Homeowners Association, Inc., to which he/she has been elected, in accordance with its governing documents (Covenants, Bylaws, Articles of Incorporation, and including the Policies and Procedures of Pine Cone Acres Homeowners Association, Inc.) and all local, state and federal laws, including the Colorado Common Interest Ownership Act (“CCIOA”). All elected Board of Directors and Architectural Control Committee members shall pledge to comply with the PCAHA governing documents and shall not use the title of Board of Director and/or Architectural Control Committee member for personal gain, or attempt to use their position for the furtherance of any personal agenda or goal, and must at all times work toward accomplishing whatever is in the best interest of the collective Membership of PCAHA.

**8. Storage of Ineligible/Eligible Ballots and/or Proxies Following an Election**

Any ballots and/or proxies having been deemed ineligible will remain sealed and will be set aside. After the election, the uncounted/sealed ineligible ballots and/or proxies, counted eligible ballots and/or proxies, and tally sheets will be placed in storage for one year after the election, action, or vote to which they relate, as required by CCIOA; with all HOA records to be maintained by the PCAHA Secretary.

The Board may review this Election Procedures Policy and update as needed.

**PINE CONE ACRES HOMEOWNERS ASSOCIATION, INC.**

*Revised and Approved this 20th day of August 2017*