

HIGH DESERT RESIDENTIAL OWNERS' ASSOCIATION, INC.

VOTING MEMBER ELECTION PROCEDURE

Authority

HDROA Bylaws, Article II, Section 2.3 establishes the structure for electing Voting Members and Alternates within each Village and the procedures for voting when a vote of the HDROA membership is required, and the authority of the Board to appoint a Voting Member for a Village in the event of a vacancy.

HDROA By-Laws, Article III, Sections 3.16 and 3.17, establishes the powers and duties of the Board of Directors necessary for the administration of the Association's affairs.

HDROA By-Laws, Article V, Section 5.3 authorizes the Nominating Committee to supervise the election of Voting Members and Alternates.

Purpose of the Policy

This policy describes rules and administrative procedures for conducting regular biennial elections in each Village for the purpose of electing one or more Voting Members, as required by Section 2.3 of the By-Laws. In particular this policy specifies procedures for:

- A. Conducting elections;
- B. The scheduling of elections;
- C. Resignation of a Voting Member in the event of election to the Board; and
- D. The appointment of Voting Members by the Board of Directors

Definitions

Statement of Interest (SOI). A form submitted to indicate interest in volunteering for HDROA. The purpose of submitting an SOI is to communicate the volunteer's interest and qualifications, and to start the Board approval process.

Policies

A. ELECTION PROCEDURES FOR WRITTEN BALLOTS

The Board of Directors has approved the following procedure for the election of candidates as Voting Members and Alternates by written ballot (note that the timeline for these steps is provided in Exhibit A):

1. Solicitation and Receipt of Statements of Interest:

The Nominating Committee will prepare an article for the May Apache Plume announcing the upcoming Voting Member elections in addition to an announcement for inclusion in the May through August High Desert Bulletin about the upcoming election.

A solicitation of Statements of Interest (SOI) will be prepared by the Nominating Committee and sent to the Community Manager. The solicitation will note that

names and email addresses of elected Voting Members and Alternates will be posted on the website. The solicitation shall include a deadline for returning SOIs that is 15 days after the mailing date. The Community Manager will send the solicitation to the printer for mailing to all property owners of the Villages due for elections and will include the Statement of Interest form for Voting Members obtainable from the High Desert website.

Statements of Interest will be filled out by interested candidates and returned to the Community Manager within 15 days by mail, in-person, or through the High Desert website.

2. Ballots and Voting:

The Statement of Interest forms will be validated by the Community Manager for eligibility.

Should no interest be expressed for the Voting Member position in a Village, the Nominating Committee shall interact with Village property owners to attempt to recruit volunteer(s). The Community Manager will provide a list of these property owners to the Nominating Committee, including contact information.

A ballot shall be prepared by the Community Manager tailored for each Village conducting an election, using a template prepared by the Nominating Committee, and including the following:

- a. List of all candidates. If a village has no candidate, the ballot will state that the village will not be represented in association votes, and encourage the residents to consider writing their name in on the ballot.
- b. Biography of each candidate, as provided on the Statement of Interest form.
- c. Complete voting instructions to provide the name, address and signature of a single owner per property and date by which the ballot must be returned to the management company in order to be counted. The date shall be specified as 15 days after the date of the mailing.
- d. Space on the ballot will be provided for “write-in” candidates.
- e. Stamped self-addressed return envelope.
- f. Procedures for returning ballots by mail or email.

The ballots will be checked by the Nominating Committee and will be mailed by the management company to each property owner’s current address in the Association’s file.

Property owners (members) will vote and return the ballots by the date specified in the letter.

3. Election Results:

The management company and two members of the Nominating Committee will validate and tabulate the ballots. As specified in Section 2.3 of the By-Laws: (1) the candidate(s) who receives the greatest number of votes shall be elected to serve a term of two years and until a successor is elected, and (2) candidates who

are not elected as Voting Members shall serve as Alternate Voting Members for the Village, to the extent positions are available, in order of the number of votes received, continuing until all positions are filled. The Community Manager will record the results following Exhibit B and keep the results readily available to assist with filling any Voting Member vacancy that arises.

If there is a tie, the Nominating Committee will contact the affected candidates to achieve agreement among them on who will fill the Voting Member versus Alternate Voting Member positions. The Nominating Committee Chair will notify the Community Manager of the results.

A written Certification of Election Results will be provided by the Community Manager to the Secretary of the High Desert Board of Directors within one week of the close of the voting period, or after the resolution of ties, whichever is later. This shall include but not be limited to the following:

- a. Total number of votes cast for each candidate in descending order.
- b. Total number of ballots received.
- c. Total number of votes cast.
- d. Total number of votes disqualified, and reason for disqualification.
- e. Total number of tie votes and results of the resolution process (coin toss or mutual consent).
- f. Detailed account of any noteworthy incidents.
- g. Listing of Voting Member(s) not resigning at the end of their terms who have agreed to continue to serve a subsequent term because no candidates applied.

All candidates will be notified by the Community Manager of the results in writing. The vote count will not be disclosed unless requested by the candidates. The Community Manager will inform newly elected Voting Members that they need to sign and return the Code of Conduct form (Exhibit C) and will provide the form to the Voting Members. Newly elected Voting Members will sign the Code of Conduct and return it to the Community Manager.

A notification of election results will be posted by the Community Manager on the High Desert website the next day and be reported by the Community Manager in the next Apache Plume. The elected Voting Members and Alternates will be listed in the order of votes received on the High Desert webpage showing the Voting Members' and Alternates' contact information.

The ballots and all other pertinent data will be stored by the Community Manager in High Desert files for at least five years. The number of votes received per candidate must be maintained and easily retrieved for use if a Voting Member vacancy arises.

4. Voting Member Training:

The Voting Member Chair will conduct a training session for new Voting Members and Alternate Voting Members before the October Quarterly Voting Member Information Meeting.

B. VILLAGE ELECTION SCHEDULE

Biennial elections for village Voting Members shall be held according to the following schedule:

ODD NUMBERED YEARS	EVEN NUMBERED YEARS
Aerie	Chaco Compound
Canyons	Chamisa Trail
Chaco Ridge	Desert Song
Desert Highlands	Enclave
Desert Mountain	Legends
Desert Sky	Overlook
Highlands	Pinon Point
Mountain Highlands	Solterra
Trailhead	Sunset Ridge
Trillium	Tierra del Oso
West Highlands	Wilderness Compound
Wilderness Cañon	Wilderness Estates
	Wilderness Village

C. APPOINTING INTERIM VOTING MEMBERS

From time to time, regular elections have failed to produce the requisite number of Voting Members or Alternates because of a lack of candidates willing to run for these offices. In addition, vacancies are sometimes created because of resignation, death, or removal from office. The purpose of this policy is to address the conditions under which the Board may appoint interim Voting Members, as allowed by Section 2.3 of the By-Laws.

The Board with the assistance of the management company shall make every possible effort to actively reach out to homeowners to fill a full complement of voting members from each village. In reaching out, the village residents should be notified that they may not have any or full representation in matters affecting their community. This is to ensure all owners will have the opportunity to be represented in HOA recorded votes.

If a Village fails to elect its authorized number of Voting Members or a vacancy is created because of resignation, death, or removal, and at least one qualified candidate subsequently comes forth and volunteers to fill the vacant position(s), the Board may appoint one or more of said volunteers as interim Voting Member(s) and/or as interim Alternate Voting Member(s) to fill such vacancy or vacancies. Such Voting Member(s) or Alternate Voting Member(s) shall be from the Village with the vacancy. The Board must notify the Village of such an appointment. Unless written objection is made and delivered to the Board by an Owner of a Unit in the Village, or by a Village Association or Village Committee, if any, said appointed interim Voting Member(s) and interim Alternate Voting Member(s) may serve until the next regular election, and shall have the same authority as a Voting Member who has been elected.

The Community Manager will notify the Board and Voting Member Chair if a Voting Member or Alternate Voting Member resigns or dies during their term. The Community Manager will also notify the Voting Member Chair if a Voting Member or Alternate Voting Member is appointed by the Board to fill a vacancy. The Community Manager will notify the High Desert website liaison about any changes in Voting Member or Alternate Voting Member status so the website can be updated.

D. RESIGNATION UPON ELECTION TO THE BOARD

The Voting Members and Alternate Voting Members are elected to act on all Association matters requiring a vote of the HDROA members.

If a Voting Member or Alternate Voting Member is elected to serve on the Board of Directors, the following steps shall be taken:

1. The Voting Member or Alternate Voting Member elected to the Board of Directors shall resign immediately to avoid possible conflicts.
2. The Alternate Voting Member receiving the highest number of votes at the time of the Village election shall become the Voting Member for that Village and will serve out the existing term of the Voting Member elected to the Board.
3. In the event an Alternate Voting Member assumes Voting Member status and there is a need for an Alternate Voting Member, then the individual receiving the highest number of votes not elected shall become the Alternate Voting Member for that Village and will serve out the existing term of the Alternate elected to the Board.

This policy replaces the following policies previously adopted by the Board:

- Voting Procedures adopted by the Board of Directors on April 10, 2002
- Resignation Policy adopted by the Board of Directors on November 4, 2003
- Interim Election Policy adopted by the Board of Directors on August 13, 2008
- Election Schedule adopted by the Board of Directors on March 17, 2010
- Voting Member Election Policy adopted by the Board of Directors on November 21, 2013
- Voting Member Election Policy adopted by the Board of Directors on April 18, 2023

Adopted by the Board of Directors on March 19, 2024

George Marsh, President of the Association

Exhibit A

Action	Responsible Person	Deadline
Solicitation and Receipt of Statements of Interest		
Article for Apache Plume	Apache Plume Liaison	May
Announcement in High Desert Bulletin	Nominating Committee	May - August
Prepare letter and SOI	Nominating Committee	June 20
Mail letters and SOIs	Community Manager	June 30
Submit SOIs	Property Owners	July 15
Ballots and Voting		
Validate submitted SOIs	Community Manager	August 2
Recruit candidates for villages without SOIs	Nominating Committee	August 4
Prepare ballots for VM election for each affected village	Community Manager	August 5
Check ballots for each village	Nominating Committee	August 6
Mail ballots	Community Manager	August 13
Vote and return ballots	Property Owners	Sept 1
Election Results		
Validate ballots and tabulate results	Community Manager	Sept 9
Reconcile ties	Nominating Committee	Sept 13
Notify Board/Certify Results	Community Manager/ Board	Sept Board Mtg
Notify candidates	Community Manager	2 Days after Mtg
Post results on website/Apache Plume	Community Manager	Sept 20
Return Codes of Conduct to Community Manager	New VMs	Sept 30
Voter Member Training		
	VM Chair	Oct 15

Exhibit B

Election Date	Number of Votes Received	Name	Email	Phone	Village	# Lots
					Aerie	74
		Voting Member 1			74/2=37 per VM	
		Voting Member 2			74/2=37 per VM	
		Alternate VM 1				
		Alternate VM 2				
					Canyons	65
		Voting Member 1			65/2 =32.5 per VM	
		Voting Member 2			65/2 =32.5 per VM	
		Alternate VM 1				
		Alternate VM 2				
					Chaco Compound	22
		Voting Member 1			22 per VM	
		Alternate VM 1				
					Chaco Ridge	50
		Voting Member 1			50 per VM	
		Alternate VM 1				
					Chamisa Trail	82
		Voting Member 1			82/2= 41 per VM	
		Voting Member 2			82/2= 41 per VM	
		Alternate VM 1				
		Alternate VM 2				
					Desert Highlands	67
		Voting Member 1			67/2=33.5 per VM	
		Voting Member 2			67/2=33.5 per VM	
		Alternate VM 1				
		Alternate VM 2				
					Desert Mountain	180
		Voting Member 1			180/4 =45 per VM	
		Voting Member 2			180/4 =45 per VM	
		Voting Member 3			180/4 =45 per VM	
		Voting Member 4			180/4 =45 per VM	
		Alternate VM 1				
		Alternate VM 2				
		Alternate VM 3				
		Alternate VM 4				

Election Date	Number of Votes Received	Name	Email	Phone	Village	# Lots
					Desert Sky	79
		Voting Member 1			79/2= 39.5 per VM	
		Voting Member 2			79/2= 39.5 per VM	
		Alternate VM 1				
		Alternate VM 2				
					Desert Song	26
		Voting Member 1			26 per VM	
		Alternate VM 1				
					Enclave	66
		Voting Member 1			66/2= 33 per VM	
		Voting Member 2			66/2= 33 per VM	
		Alternate VM 1				
		Alternate VM 2				
					Highlands	128
		Voting Member 1			128/3=42.67	
		Voting Member 2			128/3=42.67	
		Voting Member 3			128/3=42.67	
		Alternate VM 1				
		Alternate VM 2				
		Alternate VM 3				
					Legends	48
		Voting Member 1			48 per VM	
		Alternate VM 1				
					Mountain Highlands	68
		Voting Member 1			68/2=34 per VM	
		Voting Member 2			68/2=34 per VM	
		Alternate VM 1				
		Alternate VM 2				
					Overlook	67
		Voting Member 1			67/2 =33.5 per VM	
		Voting Member 2			67/2 =33.5 per VM	
		Alternate VM 1				
		Alternate VM 2				
					Pinon Point	70
		Voting Member 1			70/2 = 35 Per VM	
		Voting Member 2			70/2 = 35 Per VM	
		Alternate VM 1				
		Alternate VM 2				

Election Date	Number of Votes Received	Name	Email	Phone	Village	# Lots
					Solterra	68
		Voting Member 1			68/2= 34 per VM	
		Voting Member 2			68/2= 34 per VM	
		Alternate VM 1				
		Alternate VM 2				
					Sunset Ridge	110
		Voting Member 1			110/3 =36.67	
		Voting Member 2			110/3 =36.67	
		Voting Member 3			110/3=36.67	
		Alternate VM 1				
		Alternate VM 2				
		Alternate VM 3				
					Tierra Del Oso	45
		Voting Member 1			45 per VM	
		Alternate VM 1				
					Trailhead	28
		Voting Member 1			28 per VM	
		Alternate VM 1				
					Trillium	118
		Voting Member 1			118/3= 39.33 per VM	
		Voting Member 2			118/3= 39.33 per VM	
		Voting Member 3			118/3= 39.33 per VM	
		Alternate VM 1				
		Alternate VM 2				
		Alternate VM 3				
					West Highlands	33
		Voting Member 1			33 per VM	
		Alternate VM 1				
					Wilderness Canon	19
		Voting Member 1			19 per VM	
		Alternate VM 1				
					Wilderness Compound	26
		Voting Member 1			28 per VM	
		Alternate VM 1				
					Wilderness Estates	27
		Voting Member 1			27 per VM	
		Alternate VM 1				

Election Date	Number of Votes Received	Name	Email	Phone	Village	# Lots
					Wilderness Village	57
		Voting Member 1			57/2= 28.5	
		Voting Member 2			57/2= 28.5	
		Alternate VM 1				
		Alternate VM 2				

Exhibit C
CODE OF CONDUCT
FOR VOTING MEMBERS

1. **Application.** This Code of Conduct applies to both Voting Members and Alternate Voting Members, who are collectively referred to as “Voting Members.”
2. **Voting Members shall act in the best interests of the Association as a whole.**
Voting Members serve the entire community, shall strive to do what is best for the Association as a whole, shall not use their positions for private gain, and are expected to maintain the highest standards with respect to their conduct involving the Association. Voting Members shall not take any official action for the primary purpose of directly enhancing the Members’ financial interest or position.
3. **Voting Members shall comply with governing documents and applicable law.**
Voting Members shall use their best efforts at all times to make reasonable recommendations to the Board that are consistent with the declaration, bylaws, and other governing documents of the Association, and with applicable federal, state, and local laws.
4. **Voting Members shall work within the Association's framework.** Voting Members shall at all times work within the Association’s framework and abide by the system of governance established by the governing documents, and not attempt to exercise any power that is not specifically entrusted to them under the governing documents of the Association.
5. **Voting Members shall refrain from interfering with the Management of the Association or contractor hired by the Association.** Any concern with either the management of the Association or work performed by any contractor shall be referred to the Board.
6. **Voting Members shall disclose conflicts of interest.** A Voting Member shall immediately disclose to the Board any real or potential financial conflict of interest regarding any aspect of the business operations of the Association. A Voting Member shall not attempt to influence any member of the Board or Management staff with respect to any action that would directly affect the Voting Member’s financial interest. This does not include the interest that the Voting Member has in common with the other members of the Village represented by the Voting Member.
7. **Voting Members shall maintain confidentiality when appropriate.** A Voting Member shall not use confidential information acquired by reason of the Member’s position for that Member’s private gain or for the private gain of another.
8. **Voting Members shall behave professionally at meetings.** Voting Members shall conduct themselves at all meetings in a professional and businesslike manner and shall not engage in personal attacks against others, including but not limited to Voting Members, members of the Board, Management staff, and High Desert residents, either at meetings or through the Association’s email groups. Differences of opinion are to be expressed in a professional and businesslike manner.