

**HIGH DESERT RESIDENTIAL OWNERS ASSOCIATION, INC.**

**VOTING MEMBER ELECTION POLICY**

**Authority**

HDROA Bylaws, Article II, Section 2.3 establishes the structure of electing a Voting Member for each 50 Units within the Village and the voting procedures requiring a membership vote.

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

**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. In particular this policy specifies procedures for:

- A. Conducting the election
- B. Conducting interim elections or appointments
- C. The schedule of elections
- D. Resignation of a Voting Member in the event of election to the Board

**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:

1. At least 90 days (but not more than 120 days) prior to the expiration of each Village Voting Member or Alternate Voting Member term, an election notice will be sent to all members of the Village to include a Statement of Interest form for Voting Members and Alternate Voting Members to be filled out by interested candidates and returned to the management company within 30 days after the date of the notice.
2. Upon close of the nomination period (30 days from the date of notice) the "Statement of Interest" forms will be validated for eligibility and a ballot prepared, to include the following:
  - a. List of all candidates and the position for which they are volunteering, if noted.
  - b. Biography of each candidate, as provided on the Statement of Interest form.
  - c. Complete voting instructions to include name, address and signature of owner and date by which the ballot must be returned to the management company in order to be counted.
  - d. Space on the ballot will be provided for "write-in" candidates.
  - e. Stamped self-addressed return envelope.

The ballot will be mailed to each member's then current address in the Association's file.

3. The management company will validate and tabulate the ballots. A written Certification of Election Results will be provided to the Secretary of the High Desert Board of Directors as soon as the results are known. This shall include but not 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 their disqualification
  - e. Total number of tie votes and results of resolution process (coin toss or mutual consent).
  - f. Detailed account of any noteworthy incidents.
4. All candidates will be notified of the results in writing. The vote count will not be disclosed unless requested by the candidates. A notification of election results will be sent to all village members within 30 days of the tabulation.
5. The ballots and all other pertinent data will be stored until the next election.
6. Pursuant to Section 2.3(a) of the Bylaws, the members of a Village may by written petition request that the election of a Voting Member or Alternate Voting Member be held by a meeting. In addition, the Board may determine that elections, or a particular election, be held by a meeting of the Village members instead of by written ballot.

**B. VILLAGE ELECTION SCHEDULE**

Biennial elections for village Voting Members shall be held in the month of September according to the following schedule:

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

### C. INTERIM ELECTIONS

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. The purpose of this policy is to address the conditions under which additional, interim elections will be held between regularly scheduled elections to elect interim Voting Members, and to address the conditions under which the Board may appoint interim Voting Members.

1. The Board of Directors will call for and conduct interim Village Voting Member elections only under the following circumstances:
  - a. As required under Section 2.3(a) of the By-Laws in the event of the death, disability, resignation or removal of an elected Voting Member where there is no alternate Voting Member available to serve; and
  - b. Where the elected Voting Members of a Village unanimously request such an election for the purpose of presenting candidates for additional Alternate Voting Member positions beyond the minimum number required.

Elections may be conducted by mail or at a duly constituted Village meeting. All election expenses will be borne by the Association. In the situation described in paragraph b above, only one interim election will be approved during any two-year election cycle and the Board will not be required to solicit additional candidates for the positions.

2. Where a Village fails, due to a shortage of candidates, in a regular or interim election to elect its authorized number of Voting Members and at least one Alternate Voting Member, and qualified candidates subsequently come forth and volunteer 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 to fill such vacancy or vacancies. Unless written objection is made and delivered to the Board by the Owner of a Unit in the Village, or by the Village Association or Village Committee, if any, said appointed interim Voting Member(s) and interim Alternate Voting Member may serve until the next regular election or regularly scheduled interim election, whichever comes first.

### D. RESIGNATION

The Voting Members and Alternate Voting Members are elected to act on all Association matters requiring a vote of the members and it has been determined that a Voting Member or Alternate Voting Member elected to the Board of Directors may be in conflict with their duties as a Director.

Should a Voting Member or Alternate Voting Member be elected to serve on the Board of Directors, empowering him/her to perform all duties necessary for the administration of the Association's affairs, 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.
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 assume the Alternate Voting Member status.

This policy replaces these 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

**Adopted by the Board of Directors on November 21, 2013**