

Woodstone Election Procedures

Purpose The purpose of this document is to establish a uniform set of procedures governing all elections conducted by the Woodstone Council of Co-Owners.

Board of Administration responsibility The Woodstone Bylaws designate the President and Secretary of the Board of Administration to conduct and document meetings of the Council of Co-Owners. Accordingly, the Board President, in consultation with the Board and with assistance of the Secretary, should oversee all preparation and implementation of elections to ensure their integrity and accuracy in faithfully enacting the will of Woodstone homeowners. Specific responsibilities may be delegated by the President to other Board members, to the Property Manager or to other homeowners involved in preparations.

Woodstone election procedures, continued

Timeline

- November meeting. Remind Board members of the forthcoming March meeting of the Council of Co-Owners and identify those members whose terms expire at that time. Solicit suggestions of prospective candidates among the Woodstone community of homeowners and contact any prospects to ask for their consideration of serving as Board members. Set a time and place for the meeting and make arrangements accordingly.
- Review Bylaws requirements for elections (summarized in *Appendix A*).
- January 15. Prepare and distribute to homeowners a notice of the Annual meeting of the Council of Co-Owners, naming Board members whose terms are ending, announcing the forthcoming election of Board members and soliciting candidates to fill vacancies. Remind homeowners that all obligations, dues, and fines owed to the Woodstone Homeowners Association must be satisfied in order to attend and vote at the meeting. Give a deadline by which candidates must declare in order for their names to be printed on the ballot. Note that write-in candidates usually are at a disadvantage to those whose names are printed on the ballot. Include a proxy form to be filled out by any homeowner wishing to designate a proxy. (A template proxy form is herewith included in *Appendix B*.)
- February 15. Request a listing of homeowners delinquent in their obligations. Notify any declared candidates who are delinquent that in order to attend and vote at the meeting all obligations must be satisfied.
- Two weeks prior to meeting. Print ballots comprising names of all candidates plus blank lines for write-ins. On the ballot include instructions reminding that **to be valid a ballot must vote for the number, and only the number, of candidates as there are vacancies to be filled.**
- Distribute a list, **but no ballots**, of all declared candidates to all homeowners in advance of the meeting.
- President appoints poll workers to check and validate meeting attendees and, separately, ballot workers (comprising two continuing Board members and two volunteer homeowners) to collect, preserve and count ballots.

continued on next page

Woodstone election procedures, continued

Timeline, continued

- Just before the actual meeting of the Council of Co-Owners uniformly mark all ballots with a validating stamp to ensure that only official ballots, no counterfeits, are cast. To preserve anonymity of the voting process ballots should be individually indistinguishable.
- During the meeting, early in the agenda, President announces that elections are open, reads the existing slate of candidates whose names appear on the ballot, asks if there are any further nominations. At close of nominations announce that any floor nominations will be write-in candidates. President proceeds through the roster of candidates, both those printed on the ballot and those added by nomination from the floor, asking whether each wishes to make a pre-election statement (limited to 5 minutes). At the end of statements by candidates the President announces the meeting is in recess to allow votes to be cast and reminds all that to be valid a ballot must vote for the number, and only the number, of candidates as there are vacancies to be filled.
- Attendees receive official ballots, one per voting unit plus the number of proxies held, from designated poll workers, mark and deposit them, folded, into boxes or other suitable closed containers supervised by ballot workers to ensure anonymity of the vote. From the time that voting commences until the final tally of votes ballot boxes must remain in possession and control of the designated ballot takers. Following the tally all ballots should be bound into the care of a designated caretaker who secures them in case the vote is contested.
- As the meeting continues with other business, ballot workers tally the votes, secure the ballots and provide a written statement of the election outcome, the total number of votes cast, the number received by each candidate and the winners. All ballot workers sign the statement, thereby affirming the accuracy and integrity of the election results.
- Any ties in outcome, or failure of leading candidates to garner a majority of total votes cast, must be re-voted until all Board vacancies are filled.
[See *Robert's Rules of Order Newly Revised, 10th Edition*. pp. 424-427]
- Once the election is complete and the meeting agenda done, the President announces, before adjourning, an organizational meeting time and place for the new Board to elect officers for the coming year.

Appendix A: Bylaws election requirements

From the **Woodstone Bylaws** [2009]:

- The Board of Administration comprises nine owners (or designated representative of an owning corporation) elected at the annual meeting of the Council of Co-Owners. The term of a Board member is three years, or until a successor is duly elected by the Council of Co-Owners and qualified or until removed in the manner provided in the Bylaws. Vacancies on the Board may be temporarily filled by Board election only until the next annual meeting of the Council of Co-Owners.
- Only homeowners in compliance with all requirements and conditions of Master Deed and Bylaws may vote.
- Only one vote may be cast per Woodstone constructed unit; one-third (1/3) vote per unconstructed unit.
- Votes may be cast in person or by proxy. Proxies must be in writing for the designated meeting and filed with Board Secretary prior to voting.
- Notice must be given, in writing, not less than seven nor more than fifteen days before the meeting, to all owners stating the time, place and purpose for which the meeting is called.
- A quorum at any meeting of the Council of Co-Owners consists of one-third (1/3) of the total number eligible to vote.
- To be valid a ballot must vote for the number, and only the number, of vacancies to be filled by the election as stipulated in Article III, Section 2 of the Bylaws: “Each co-owner or co-owners of a unit on each ballot is required to cast his vote for as many persons as there are administrators to be elected.” (Example: If there are three vacancies then only ballots showing votes for three candidates may be counted. All others are invalid and may not be tallied for any candidate.)
- The affirmative vote of a majority of Co-Owners present at any meeting is required to adopt any resolution, elect any Director, make any decision or take any action except that the Bylaws and the system administration may be modified only in the manner set forth in Article II, Section 10 of the Bylaws.

Appendix B: Proxy Template

Woodstone Homeowner's Association, Johnson City, TN

Proxy

The undersigned member of Woodstone Homeowner's Association hereby appoints the following person:

(Name of person appointed as proxy)

As his/her true and lawful attorney, agent and proxy, to vote in the undersigned's interest at the annual meeting of the Woodstone Homeowner's Association called for March XX, 2XXX and at any adjournments thereof. I direct my agent to vote in accordance with the instructions attached and all actions said appointee may take, to include non-attendance, at such a meeting or adjournment as described above. Further, the undersigned hereby revokes any proxy or proxies heretofore given.

IN WITNESS WHEREOF, The undersigned has executed this proxy on this

the _____ day of _____, 2XXX

BY: _____
(Signature of unit owner)

Unit Number: _____

Street Address: _____

BY: _____
(Signature of co-owner, if interest held jointly)

Please sign as your name appears on your unit deed. If your unit is held jointly each owner should sign. Please complete, date, sign, and deliver this proxy document to your designated appointed proxy.

From Woodstone Rules (as amended 20080519)"4. Fees are due on the first day of each month and are late after the tenth. When homeowner fees are thirty days delinquent the Property Manager will proceed to disconnect all services provided by Woodstone to a unit and, in accordance with Woodstone Master Deed and Bylaws, **while in arrears the homeowner will be ineligible to vote, either in person or by proxy, in any Woodstone election.**"