

**VENTANA LAKES RULES FOR THE ELECTION COMMITTEE**  
*Procedures for the Election Committee were adopted by the Board in 2008.*

**Table of Contents**

<b>Rule 1. Establishment and Purpose</b> .....	1
<b>Rule 2. Election and Recall Processes</b> .....	1
<b>Rule 3. Duties of Chairperson</b> .....	1
<b>Rule 4. Term Limit of Chairperson</b> .....	2
<b>Rule 5. Time Schedule for Board Elections</b> .....	2
<b>Rule 6. Identification of Voters</b> .....	2
<b>Rule 7. Voting By Mail or in Management Office</b> .....	2
<b>Rule 8. Envelope is Required; Proper Marks Required</b> .....	2
<b>Rule 9. Errors on Ballots; Replacements</b> .....	3
<b>Rule 10. Write-In Candidates for the Board</b> .....	3
<b>Rule 11. Procedures for Candidates for the Board</b> .....	3
<b>Rule 12. Candidates Interviewed by the Community Prior to Elections</b> .....	4
<b>Rule 13. Campaign Limits on Election Day; Observers Prohibited</b> .....	4
<b>Rule 14. New Election Issues</b> .....	5
<b>Rule 15. Recall of Board Member</b> .....	5

**Rule 1. Establishment and Purpose**

The Election Committee is established to process the Election of the Board of Directors each year, and to process voting for the removal of A Board member pursuant to A.R.S. § 33-1213 when required.

*Adopted January 20, 2010.*

**Rule 2. Election and Recall Processes**

These processes appear in Article 1 of the Ventana Lakes Rules. The Election Committee is charged with using these processes and recommending changes to these processes to the Board of Directors when deemed necessary.

*Adopted January 20, 2010.*

**Rule 3. Duties of Chairperson**

The Chair of the Election Committee is charged with the following responsibilities:

1. Overseeing and coordinating the work of the volunteers who serve on the committee.
2. Writing newsletter articles for the annual election campaign, to include instructions and deadlines for the community.
3. Through the Management Office, reserving dates, times and space for:
  - a. “Meet the Candidates” sessions in the Yacht Club;
  - b. Drawing for Ballot Position,
  - c. Folding papers to mail,
  - d. Doing mailings marking off absentee ballots the day before the election;
  - e. Holding meetings for election workers prior to election day in the Yacht Club;
  - f. The Election in the Yacht Club;
  - g. Vote Counting, in the Billiard room.

4. Ensuring that the Management Office has supplies for the election, including envelopes of the necessary sizes.
5. Ensuring that the Election Procedures are published annually as part of the election process.

*Duty #5 was decided by the Board October 12, 2009, as an alternative to publishing all of the Election Procedures in the Rules for Homeowners. Re-Adopted January 20, 2010.*

#### **Rule 4. Term Limit of Chairperson**

The Chairperson of the Election Committee shall step down after three years in that position. Such chairperson may re-apply for that position and may be re-appointed by the Board of Directors.

*Adopted January 20, 2010.*

#### **Rule 5. Time Schedule for Board Elections**

- A. Ballots will be mailed to each registered owner of each property within Ventana Lakes at least 30 days before the Annual Meeting in March.
- B. Voting in person takes place on Election Day, which is the date of the Annual Meeting between 1:00 and 4:00 p.m. in the Yacht Club. (Alternative mail-in or delivered ballots are allowed in accordance with this Section.) The doors will close at 4:00 p.m.
- C. All votes are counted after the doors are closed, and the results of the election are announced at the Board Meeting scheduled for 7:00 p.m. the day of the Annual Meeting. New Board Directors are immediately seated. See Bylaws Article IV, Sec. F.

*Adopted January 20, 2010.*

#### **Rule 6. Identification of Voters**

- A. A valid VLPOA identification badge or printed identification showing Proof of Residency will be required to vote at an election for the Board of Directors.
- B. The name of each voting homeowner shall be listed in the official voting records as maintained by the election committee.

*Formerly #2004-28 Proof of Residency for Voting on Election Day, October 20, 2004. Re Adopted January 20, 2010.*

#### **Rule 7. Voting By Mail or in Management Office**

- A. Homeowners who prefer to vote by mail, may mail their ballot in the envelope provided with the mailed ballot, no later than the deadline given in the mailing.
- B. Homeowners may otherwise deliver the ballot in the envelope provided into the Management Office, no later than 2:00 p.m. on the date provided with the ballot. The ballot, in the envelope, shall be deposited into the locked voting box there. (Key is not kept in the office.)

*Adopted January 20, 2010.*

#### **Rule 8. Envelope is Required; Proper Marks Required**

- A. The return envelope provided to homeowners when the ballots are mailed contains a code number that identifies each ballot as valid. (The code number is used only to validate that the ballot within was lawfully received and returned by a property owner and is not a duplicate. No one can use this number to learn how a person voted or connect that ballot to the homeowner.)

- B. If the code number is marked over or scratched out, the vote shall not be counted (because the people certifying the envelopes will be unable to certify that the ballot has been cast by a lawful voter.)
- C. Ballots mailed or placed in the locked voting box without the envelope shall not be counted.
- D. Property owners who have delinquent assessments are not entitled to vote. The date assessments must be paid by is listed in the letter sent out with the Absentee Ballot.
- E. Voters may designate their vote for a listed or write-in candidate by an “x” or by a checkmark.

*Adopted January 20, 2010.*

**Rule 9. Errors on Ballots; Replacements**

- A. The Election Committee shall not replace the absentee ballot or the envelope if a homeowner claims it is lost or an error was made on the ballot. The homeowner must vote in person on Election Day at the Yacht Club.
- B. Once a ballot is mailed or placed in the ballot box, the homeowner cannot change their vote.

*Adopted January 20, 2010.*

**Rule 10. Write-In Candidates for the Board**

- A. Any homeowner may write in the name of a Ventana Lakes homeowner who meets the requirements of the CC&R’s but whose name is not listed on the ballot, and vote for that person.
- B. As long as the written name is recognizable the vote will be counted, even if it is not spelled correctly.

*Paragraph B was approved by vote of the Board for the 2009 election. Re-Adopted January 20, 2010.*

**Rule 11. Method of Voting**

- A. Pursuant to governing documents, Members in good standing shall be entitled to vote. In any election, One Voting Membership for each Lot owned shall be allowed. In any election of the directors, every Membership entitled to vote in such an election shall have the number of votes equal to the number of vacancies.
- B. Fractional voting is not allowed and cumulative voting is prohibited, so only one vote may be cast for each open position on the Board. This allows only one mark beside each named candidate on the ballot, or beside a write-in candidate in place of a named candidate on the ballot. If there are more marks than there are open positions on the Board, the ballot cannot be counted.
- C. If there are fewer marks (votes) on the ballot than there are open positions, the votes marked shall be counted if all other requirements are met.

*Rule 11 was approved by the Board in the July 2010 Board Meeting for the 2011 election.*

**Rule 12. Procedures for Candidates for the Board**

- A. Any homeowner 55 years of age or older in Ventana Lakes is eligible to run for a seat on the Board of Directors in accordance with the requirements of the CC&R’s.
- B. Candidates wishing to have their name on the ballot must submit a Declaration of Candidacy and documentation (driver’s license, passport, pictured government ID card) of age to the Management Office by the date announced by the Election Committee each year.

- C. Candidates who do not submit their Declaration of Candidacy by the date announced will be considered to be “Write-In” Candidates once proof of age is provided to the Management Office. Write-in Candidates may participate in Candidates’ Interviews.
- D. Any Community “Write-In” Candidate (individuals who were unaware they were being nominated) who successfully obtain sufficient votes to win the election must provide proof of age prior to validation of winning the seat.
- E. The Declaration of Candidacy is a simple written statement indicating the candidate’s desire to be a candidate and willingness to serve if elected. The candidate may, or may not, include a digital resume (CD or e-mail) not to exceed 350 words to be printed unedited (except for font) in the *Ventana Views*. Submit this to [manager@vlpoa.org](mailto:manager@vlpoa.org). *This material will be refused if it attacks another person in any manner.*
- F. Candidates wishing to have resumes printed in the January and February issues of the *Ventana Views* must submit the resumes no later than the date and time announced by the Election Committee each year.
- G. Candidates wishing to have resumes printed only in the February, issue of *Ventana Views* must submit their resumes no later than the date and time announced by the Election Committee each year.
- H. As an alternative, Candidates wishing to have a full page flyer of their own design in the *Ventana Views* must submit it in digital format (CD or by e-mail) along with payment of \$170 (two sides) or \$85 (single side) by the same deadlines provided above. Material submitted will also be placed on the Ventana Lakes website and may be longer than the material submitted for the Ventana Lakes newsletter and may include a photo.

*Adopted January 20, 2010. A, B, C and D were updated in the July 2010 Board Meeting.*

### **Rule 13. Candidates Interviewed by the Community Prior to Elections**

- A. Candidates, or someone acting on their behalf, will draw numbers for order of seating and speaking and appearing on the ballot. This is done after the deadline for candidates to have their name on the ballot.
- B. There will be three “Meet the Candidates” interviews where individual candidates may declare their qualifications and state their positions on issues. Individual members of the community will be able to question the candidates on about their qualifications and positions on issues. The Election Committee will announce the dates and times each year.
- C. Each Candidate will have two minutes for opening and two minutes for closing statements. Members of the community may sign up to ask questions of the Candidates. Questions will be asked after the opening statements. If time allows, community members who have not signed up will also be allowed to ask questions. After two hours, the moderator will call for the two minute closing statements from each of the candidates in the same order as the opening statements.

*Adopted January 20, 2010. Updated July 2010.*

### **Rule 13. Campaign Limits on Election Day; Observers Prohibited**

On the day of the election for a term of the Board of Directors, there shall be no campaigning for or against any candidate in the voting area building or within a 75 feet perimeter bordering the polling place. Candidates may not observe ballot counting.

*Formerly 2004-27 Campaign Limits on Election Day Oct. 20, 2004, Revised 2006-01; specification of "feet" added per legal advice 2007. Re-Adopted January 20, 2010, including amendment prohibiting observers.*

**Rule 14. New Election Issues**

Any issue on election day that does not have a previously approved response, such issue(s) will have a decision made that is final based on joint agreement between the Chairperson of the Election Committee and the Community Manager.

*Formerly 2004-29 Election issues that do not have a defined response. October 20, 2004. Re- Adopted January 20, 2010.*

**Rule 15. Recall of Board Member**

- A. Board members may be recalled by the members of the Association pursuant to A.R.S. § 33-1813. *Removal of board member; special meeting.* The procedures used by the Election Committee for this process are in the Bylaws, Article IV, Sec. N.).
- B. Any person filing a petition for recall shall file it with the Community Manager, who is responsible for transmission to the Attorney for validation and for contacting the Election Committee to begin the recall process.

*Based on law and current practice. Adopted January 20, 2010.*

*Rule 11 and Rule 12 A, B, C, D were modified by the Board of Director during the July 2010 Board Meeting*