

# FRIENDLY VALLEY ASSOCIATION 6A ELECTION RULES

**Approved by Board of Directors June 2020**

The Election Committee Chairperson appointed by the Community Council is approved to handle Association Elections and election materials per the Community Council Bylaws.

This person shall have the responsibility of maintain custody of Association election material for one year in the event any legal action should occur challenging the results of that election. After one year they may be discarded.

## New election timeline and mailings:

1. Nomination Procedures: At least 30 days before the deadline for the return of nominations, the Association shall by general notice, deliver to all members the Notice of the Procedure and deadline for submitting a nomination.
2. Candidate Nomination Forms: A candidate nomination form must be delivered to all owners, providing a reasonable deadline for response. The Association will have this form included with Nomination Procedures stated above. It should provide at least 30 days to return their candidate nomination forms.
3. Mailing Prior to Secret Ballot Distribution: At least 60 days before the election, (and/or 30 days before secret ballots are mailed to owners), the Association shall provide general notice to the members of all the following:
  - a. The date/time by which; the physical address where; ballots are to be returned by mail or handed to inspector of elections;
  - b. The date, time, and location of the meeting at which the ballots will be counted;
  - c. The list of all candidate's names that will appear on the ballot.
4. Secret Ballot Procedure:The inspector of elections shall have delivered to each member of the association not less than 30 days prior to the election date:
  - a. Ballots and 2 preaddressed envelopes with instructions on how to return ballots;
  - b. A copy of the association election rules by individual delivery.
5. All candidates or members who have a point of view during a campaign shall be provided equal access to any media or newsletters to express themselves for purposes relating to the election.
6. The inspector of elections shall not deny a ballot to a member for any reason other than not being a member at the time when ballots are distributed. **Associations can no longer suspend an owner's voting rights.**

7. Associations must now maintain a candidate list and a voter list, which shall include the name, voting power, and either the physical address of the voter's separate interest, the parcel number, or both and the mailing address, if different from the physical address. Associations must permit members to verify the accuracy of their individual information on both lists at least 30 days prior to the ballots being distributed. The association or member shall report any errors or omissions to either list to the inspector who shall make the corrections within 2 business days. An association cannot deny a ballot to a person with general power of attorney for a member. Associations must maintain the sealed ballots, signed voter envelopes, voter list, proxies and candidate registration list. These are election materials subject to inspection by a member before, and after tabulation and returned ballots.

### **Qualifications, Term of Office:**

1. The affairs of the Association shall be managed by a Board of five (5) Directors.
2. **Qualifications to be Nominated as a Candidate:**
  - a. Must be a resident owner;
  - b. Have lived in the association for at least 1 year;
  - c. Must not be delinquent in the payment of any regular or special assessment levied by the Association, unless has entered into payment plan with the Association.
  - d. Must not serve on the board, if would be serving at the same time as co-owner of the unit they share;
  - e. Cannot be if he/she has been convicted of a felony that prevents the Association's fidelity bond insurance coverage;
  - f. Owners may nominate themselves or another person.
3. **The 5 Directors shall be elected by rules that dictate their terms as originally stated in the Association 6A By-laws.**
  - a. 2 candidates that receive the highest number of votes shall hold office for period of 2 years
  - b. And the 3 candidates who shall receive the next highest number of votes shall hold the office for a period of 1 year. The respective terms of office shall begin immediately after each annual meeting.
  - c. The number of Directors shall not be less than 3 at any time.