

River Mountain Ranch
Property Owner's Association
P.O. Box 182
Wimberley, TX 78676

www.rivermountainranch.org

River Mountain Ranch Subdivision

The State of Texas

County of Hays

Policy # 3 - River Mountain Ranch Board Election Process

Purpose: Define the process for electing regular members of the River Mountain Ranch POA to serve on the Board of Directors. This policy defines the various phases of the River Mountain Ranch voting process which includes: Annual Voter Registration, Voting (eVote or paper ballot through US Mail), and announcement of results. This policy supplements the Election Process defined under the Association's Bylaws and is primarily intended for use by the POA Board members as a standard process guide for the conduct of an election while providing the POA membership with an overall view of the nomination and election process. The **Bylaws** are posted on the Association's website and may be downloaded from the Documents & Maps page at this address:

http://www.rivermountainranch.org/docs_maps.html.

Policy Details: Starting in 2012, regular members of the River Mountain Ranch POA (a regular member of the Association is defined as someone that owns one or more lots in River Mountain Ranch) will have two choices on how they would like to vote. First, you will be able to decide to **VOTE ON-LINE** by using an electronic ballot (**eVote**) or second, you may decide to continue to vote by using a **PAPER BALLOT through the US MAIL**. It is the general intention of the POA Board to move towards maximizing the number of members that utilize the eVoting method due to the ease and efficiency of use while being in full compliance with the Texas Property Code governing HOA/ POA Board elections.

*Additionally, the recent changes to the Texas Property Code **require all members of a Home Owner's Association (HOA) or Property Owner's Association (POA) to ensure that they have provided an up-to-date email address and physical mailing address to their Association.***

1. Phase 1: Annual Voter Registration for New Regular Members. The following is a summary of the Annual Voter Registration process for new regular members of the Association:

- a. The **POA Communications Director or designated Board Member** shall obtain the data list of regular members of the Association as of 30 June of every year from the Association's Bookkeeper.
- b. The **POA Communications Director or designated Board Member** shall create a **unique ballot serial/registration number** for each new regular member of the

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Association. Each number will contain at least 5 digits as follows: digits 1 & 2 will be the last two numbers of the year and digits 3 through 5 will be started at 001 through however many new regular members there are in the POA. **A new regular member is defined as a new RMR property owner since 1 January of that year that has not previously registered to eVote.** The listing will also include a weighting factor for each serial/registration number based upon the number of lots owned by that property owner, i.e., the property owner will receive one vote for each lot owned. The **POA Communications Director or designated Board Member** shall create a file of the data in a **CSV format** for upload to the secure eVoting website. During 2012, existing regular members of the Association were provided with unique registration numbers. Those members will continue to use those registration numbers as long as they remain River Mountain Ranch property owners. Once a property is sold, it is the option of the POA Board to either delete the previous owner's registration number (which is tied to the property address), reassign the registration number to the new owner, or issue a new registration number to the new property owner. It is the POA Board's responsibility to ensure that the registration numbers match the property owner's name and address contained in both the billing list of record (see 1a above) and the registered voters list on both the eVoting website and the list of members desiring to continue to utilize paper ballots. Incorrect and/or mismatch registration numbers, names, and addresses must be corrected prior to the beginning of an election.

- c. **Register to vote only once.** Please note that regular members of the POA will only have to register once to vote electronically in 2012 and all subsequent years that you remain a regular member of the POA, i.e., a River Mountain Ranch property owner. It is, however, recommended that all registered voters check their registration data (email address, mailing address, etc) every year to ensure that the information is correct and in compliance with the Texas Property Code. This data is important as it will be used to mail or email voting information to registered participants. If new regular members want to vote electronically (eVote), they must register to vote. If any regular member does not register by the end of the registration period, 30 November of each year, then he/she will have to vote by mail-in paper ballot.
- d. The **POA Communications Director or designated Board Member** shall prepare a postcard for mailing to each of the regular members on the list and a companion email to those members that have subscribed to the RMRPOA Email List that provides the ballot serial/registration number and the URL for the online voter registration process. The postcard and/or the email shall be transmitted to each member on the list during the first 15 days of July of each year. Voter registration will be open from 15 July through 30 November of every year. An example of the postcard and/or the email that shall be sent is as follows:

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River Mountain Ranch POA Online Vote Registration

The Voter Registration period for the River Mountain Ranch POA is open from 15 July 20XX through 30 November 20XX.

To register, login the website listed below and use your unique registration code also listed below.

<http://rmrpoa.communicatehoa.com/protected/accountSignup.php>

Your ballot serial / voting registration code is: *(place ballot registration number here)*

Thanks,

River Mountain Ranch POA Board

2. Phase 2 - Nominations and Board Election - Coordinate the mailings, web postings, and associated documents with the Board Member selected to be the Chair of the Nominating Committee required for the conduct of the Annual Board Election in accordance with the applicable sections of the Bylaws. During September of each year, the Board will choose the date for the Annual POA Meeting to be held in January of the following year. The date typically chosen is the Saturday before the NFL Conference Championships. This date is key because everything related to the election is planned backward from that date. Prepare and obtain Board approval for all documents related to the election prior to mailing in accordance with the Bylaws according to the timeline shown below per the Bylaws:

<p>Nominating Letters Mailed NLT date (Not less than 20 days prior to deadline for nominations)</p>	<p>Nominations Due date (Arbitrary date but early enough to prepare the data for mailing on the Ballot Mailing date)</p>	<p>Ballots Mailed NET date (Not earlier than 30 days prior to Annual Meeting)</p>	<p>Ballots Mailed NLT date & eVoting Opened (Not less than 20 days prior to Annual Meeting)</p>	<p>Meeting Notice Mailed NLT date (At least 10 days prior to and no more than 60 days prior to Annual Meeting)</p>	<p>Receive Mail-in Ballot Deadline & eVoting Closed (48 hours prior to Annual Meeting)</p>	<p>Count Ballots & Receive eVoting Tally from 3d Party (24 hours prior to Annual Meeting)</p>	<p>Annual Meeting (To be held on the third Saturday in January)</p>
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3. Phase 2A - Formation of the Nominating Committee - Form this committee in coordination with other Board Members during 1-30 September of each year. A Board Member is selected as Chair of the Nominating Committee and two (2) volunteers from the regular members are chosen at-large (cannot be current Board Members). The formation of the Nominating Committee is announced on the RMRPOA website. The Nominating Committee (but in reality, these are prepared by the

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Communications Chair) prepare the following documents, obtain Board approval, and mail them to the regular members only (associate members are not eligible to participate in Board elections).

a. **Nominating Letter:** Prepare and mail the nominating letter to every regular member of the Association not later than 15 October. Do not mail to associate members. The Nominating Period will last from the mailing date of the letter in October to not later than 30 November. Those regular members registered to eVote will also be receive a copy of the Nominating Letter via email.

b. **Work Slate of Nominees:** Coordinate with and assist the Nominating Committee and the Board Treasurer in ensuring that the persons nominated for election to the Board are “regular members and have agreed to serve for two (2) years” prior to validating the nominations. The nominees must be screened to ensure that they meet the qualifications for Directors in accordance with Texas Property Code Section 209.00591 and Section 209.00592. This screening process should be completed within 2 weeks of the closing date of the Nominating Period but not later than the regular December Board meeting. During this time period, the Nominating Committee must obtain the standard Biographical Sketch from each validated Nominee. Once the slate of nominees are approved by the Board, the Communications Chair will prepare the following documents (must have been approved for release by the Board) for mailing to all regular members:

(1) **Ballot Letter:** Prepare and mail the ballot letter to every regular member of the Association (whether they are registered to eVote or not) not later 20 days prior to the Annual Meeting. Do not mail to associate members. The Ballot Letter consists of the letter discussing the election plus the standard biographical sketch for each candidate. The actual voting Ballot, with detachable receipt, is also enclosed in the envelope with the Ballot Letter. The information contained in the letter will also be posted on the eVoting website. The eVoting system will send an automatically generated email notification with the website URL to all POA members registered to eVote on the day that the ballot letter and paper ballots are mailed announcing that the election has started. Additional emails will be automatically generated to remind members to eVote on a periodic basis during the election period.

(2) **Ballot with Assigned Ballot Registration/Serial Number (accompanies item a above):** The Ballot Serial Number that has been assigned to each regular member is placed on each paper Ballot to ensure that each regular member gets the proper number of votes (1 vote per lot owned). Do not send Ballots to associate members. The information contained on the ballot will also be posted on the eVoting website. The eVoting system will send an automatically generated email notification with the website URL to all POA members registered to eVote on the day that the ballot letter and paper ballots are mailed announcing that the election has started. Additional emails will be automatically generated to remind members to eVote on a periodic basis during the election period.

4. **Counting Ballots and the Announcement of Election Results:** Once the election has been closed (48 hours prior to the Annual POA meeting), the results of eVoting will be obtained from the third party eVoting vendor in the form of a CSV file containing the registration number, the weighting

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factor, and who the person voted for by name, including any write-in candidates and combined with the results of the paper ballots (counted by the nominating committee) by the Nominating Committee members and provided to the Board Secretary. Texas Property Code #209.0059 states " A person who is a candidate in the property owners association election or who is otherwise the subject of an association vote or a person related to that person within the third degree by consanguinity or affinity, may not tabulate or otherwise be given access to the ballots cast in that election or vote as provided by this section." It is very important that the persons counting the ballots ensure that each regular member voting has not cast both an eVote and a paper ballot. In cases such as this, the eVote will be counted as valid and the paper ballot disqualified. Additionally, a person voting for a write-in candidate cannot vote for the same person multiple times, i.e., if there are three open slots and voter A writes-in the same name for each of the three slots, then it is counted as only one vote and NOT three votes. Please note that the ballots should be counted twice with one person reading the votes and the other tallying the count and then they should switch positions for the second count to ensure that the tally of votes is correct and above reproach. The Board Secretary will announce the results of the election at the Annual Meeting in January of each year.

CERTIFICATION

"I, the undersigned, being the President of River Mountain Ranch -- Wimberley Property Owners Association hereby certify that the foregoing Resolution was adopted by a majority of the River Mountain Ranch-- Wimberley Property Owners Association Board of Directors."

By: _____

President, River Mountain Ranch -- Wimberley
Property Owners Association

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, by _____ ,
the President of River Mountain Ranch -- Wimberley Property Owners Association on the _____ day
of _____ ,201___, to certify which witness my hand and seal of office.

NOTARY PUBLIC, State of Texas