



TIMBER LAKES PROPERTY OWNERS ASSOCIATION

P.O. Box 218 Heber, Utah 84032

TLPOA ANNUAL ELECTION GUIDELINES

I. GENERAL PROVISIONS

- A. Prior to each Annual Meeting, the board of directors shall appoint a Nominating Committee chairperson, from the board of Directors and a committee of two (2) or more members of the association, who will serve as the nominating committee, from the close of such annual meeting until the close of the next annual meeting. Appointments shall be announced at each annual meeting. (Bylaws: Article V Section 1)

If possible, the outgoing and incoming nominating committees shall meet with the board chairperson after the election to evaluate the election proceedings.

- B. The Nominating Committee chairperson will provide all necessary election materials to the new committee.
- C. All election expenses shall be born by the TLPOA budget. (Submit signed receipts to the office manager for reimbursement.)
- D. The Nominating Committee shall nominate applicants for election to the board at the Annual Meeting. (Bylaws article V section 1)
- E. Voters must be legal owners of property in Timber Lakes. (Articles of incorporation article 6)
- F. Voters must be current with dues and assessments in order to vote. (Bylaws article VII section (b))
- G. The ballot must be mailed with the Notice of the Annual Meeting, no later than thirty days prior to the Annual Meeting, which is to be held the second Saturday in July. (Article III Sec. 3)
- H. Notice of the Annual Meeting is to be posted at the TLPOA office and on the TLPOA Web page thirty days prior to the day the meeting is held.
- I. No director or personnel shall conceal, destroy, mutilate or in any way tamper with ballots or election materials.



TIMBER LAKES PROPERTY OWNERS ASSOCIATION

P.O. Box 218 Heber, Utah 84032

II. CANDIDATES

- A. Candidate forms may be obtained from the TLPOA office, the Nominating Committee chairperson or a member of the election committee. (Attachment #1)
- B. Candidates must be lot owners and eligible to vote. (A knowledge of TLPOA legal documents would be helpful)
- C. Winning candidates in the annual meeting election will be sworn in at the conclusion of that meeting.
- D. Under penalty of candidacy forfeiture, no candidate for the board or his /her immediate family, shall have access to any opened ballots or proxies other than his/her own ballot(s) or proxy.

III. BALLOTS (See Attachment #2)

- A. Candidate names shall be listed alphabetically on the ballot.
- B. Official ballots shall provide blank lines for write-in candidates.
- C. Ballots shall provide a proxy line for those wishing to give their vote to the TLPOA board of directors.
- D. Ballots shall be mailed to all Timber Lakes lot owners a minimum of thirty (30) days prior to the annual meeting.
 - 1. Each lot owner shall be mailed one ballot per lot and one return envelope-addressed, but without postage.
 - 2. Each lot owner shall be mailed a candidate's information sheet. (if available)
 - 3. All lot owner address labels are to show the lot number(s) above the lot owner's name.
- E. Only Official Meeting Ballots shall be used to vote in person at the Annual Meeting.
- F. The Nominating Committee chairperson shall provide two (2) lockable ballot boxes.



TIMBER LAKES PROPERTY OWNERS ASSOCIATION

P.O. Box 218 Heber, Utah 84032

IV. ELECTION

A. MAIL-IN BALLOTS

1. Mail-in ballots shall be printed on white to insure that they are not used at the annual meeting.
2. The TLPOA office clerk is responsible for receiving and marking the returned ballot envelopes.
 - a. The clerk shall place a green mark on the unopened envelope if the lot owner is “paid-up” on all dues and assessments.
 - b. The clerk shall place a red mark on the unopened envelope if the lot owner is not current on all dues and assessments.
 - c. The Election Master Roster shall be marked by the office clerk upon the return of each ballot envelope. A green mark (and “G”) shall be placed by the lot number of each lot, when a ballot envelope has been received for that lot and it is eligible to vote. A red mark (and “R”) shall be placed by the lot number of each lot, when a ballot envelope has been received for that lot, and it is not eligible to vote.
 - d. The marked unopened envelopes shall be placed in a locked ballot box. The TLPOA president and the director chairperson shall keep the keys to the ballot box. However, if either president or the director chairperson is an incumbent candidate, the vice president shall keep a set of keys.

B. MEETING BALLOTS

1. Meeting ballots shall be printed on colored paper (yellow) to distinguish them from the Mail-in Ballots, so Mail-in ballots are not used at the meeting.
2. A ballot shall be voted at the annual meeting and may be obtained at the cashier table upon verification of “paid-up” status according to the Election Master Roster
2. After the president’s welcome, etc. the board chairperson will introduce the candidates and call for any nominations from the floor.
3. Each candidate may give a 3-minute speech (timed).
4. A board member will present the pros & cons for any resolutions on the ballot.



TIMBER LAKES PROPERTY OWNERS ASSOCIATION

P.O. Box 218 Heber, Utah 84032

5. Polls will be open for 5 minutes. Marked ballots shall be collected and taken to the counting judges for tally.

C. COUNTING BALLOTS

1. The nominating committee is to assign up to 6 counting judges.
2. The office clerk shall deliver the locked ballot box and its contents to a room at the annual meeting where ballots will be counted.
3. Counting judges shall work in pairs; one reading the ballot & one recording the tally marks on the tally list form. (Attachment #3)
4. A ballot shall be marked **VOID** and placed in envelope marked **VOID** if:
 - A. More names have been marked than are called for on the ballot;
 - B. The voter's choices are not clear.
 - C. Write-in votes are for fictitious persons, non-persons, or persons clearly not eligible to qualify for office.
 - D. If one section of the ballot is ruled as void that shall not void sections that are marked correctly.
 - E. Voided Ballots shall count towards meeting the quorum requirements.
5. Counted ballots shall be stored in an envelope marked **COUNTED BALLOTS**. Each counting team shall have their own set of envelopes.
6. Proxy ballots shall be placed in an envelope marked **PROXY**. The TLPOA board shall cast the proxy votes. The TLPOA board shall meet prior to the election and determine how to vote the proxies. A copy of Attachment #6 shall be filled out and presented to the Nominating Committee chairperson. A separate tally sheet shall be filled out for the proxies.
7. The total from each ballot tally list shall be combined on the master tally sheet to determine the winners. (Attachment #4)
8. The Nominating Committee chairperson shall report to the audience the candidates receiving the three highest numbers of votes.
9. At the conclusion of the annual meeting, the president shall administer the oath of office to the new directors. (Attachment #5)
 - A. If the president is an incumbent (candidate) the Nominating Committee chairperson shall administer the oath of office.



TIMBER LAKES PROPERTY OWNERS ASSOCIATION

P.O. Box 218 Heber, Utah 84032

10. The counting judges shall meet one to two hours prior to the annual meeting and shall count the mail-in ballots. The results of this count shall be kept confidential and shall not be discussed with anyone outside of the counting judges.

11. Separate tally sheets shall be kept for mail-in and meeting ballots.

F. ELECTION CHALLENGES

Any lot owner contesting election results must present a written request for a recount within thirty (30) days after the annual meeting. The guidelines for contesting an election must fall within one of the following:

1. Fraud or corruption;
2. Matters of candidate ineligibility;
3. An error by election personnel which affected the outcome of the election.

Members of the prior and incoming nominating committee shall be present for the recount and certify their findings.

After recount the results will be given to the TLPOA board. This recount is final and no other contest is permitted.

G. ARCHIVAL

Original forms and information shall be placed in the election archive data file in the TLPOA office.

When the election contest is complete, or when a thirty (30) day waiting period has ended the current nominating board chairpersons shall dispose of the election materials with the exception of materials that are part of the election archive data file.

H. AMMENDMENTS

Amendments to this document shall require the approval of a minimum of six of the nine directors.



TIMBER LAKES PROPERTY OWNERS ASSOCIATION

P.O. Box 218 Heber, Utah 84032

Attachment #1

**DECLARATION OF CANDIDACY
BY**

_____ for the office of TLPOA DIRECTOR
(Print candidate's name)

DATE: _____

I, _____ Declare my intention of becoming a candidate for the office of Director on the Timber Lakes Property Owners Association Board. I do solemnly swear (or affirm) that I qualify to hold said office according to its Bylaws, Declaration of Protective Covenants, Maintenance Agreement, & Articles of Incorporation.

I own lot(s) # _____ in Timber Lakes.

I reside at _____

(Address- include zip)

Phone: _____

Fax: _____

E-mail: _____

I will not knowingly violate any TLPOA policies or procedures governing this association.

Signature of Candidate

**TO BE RETURNED TO THE TLPOA OFFICE
BY _____**

(OVER-PLEASE FILL OUT BACK SIDE)



TIMBER LAKES PROPERTY OWNERS ASSOCIATION

P.O. Box 218 Heber, Utah 84032

What areas are you most interested in serving on the TLPOA Board? (Security, Roads, Plan Approval, Government Liaison, Newsletter, or Recreation)

Please list experience/education you have relating to your choice that may be helpful.

How do you feel you can best help on the Board and serve the people of Timber Lakes?



TIMBER LAKES PROPERTY OWNERS ASSOCIATION

P.O. Box 218 Heber, Utah 84032

Attachment #2

	<p>OFFICIAL BALLOT</p> <p>TLPOA Board Election Heber, Utah Date: July _____</p>
<p>VOTING INSTRUCTIONS: To vote for a candidate place a cross (X) in the square at the right of the name of the person, or write in the name(s) of write-in candidate(s), or place a cross (x) in the square at the right of the Proxy.</p>	
<p>For DIRECTOR Three Year Term</p>	<p>Vote for Three (3) only</p>
<p>Write-in Candidate(s)</p>	
<p>PROXY: I assign my vote(s) to the TLPOA Board as proxy to cast my vote(s).</p>	

	<p>OFFICIAL BALLOT</p> <p>TLPOA Board Election Heber, Utah Date: July _____</p>
<p>VOTING INSTRUCTIONS: To vote for a candidate place a cross (X) in the square at the right of the name of the person, or write in the name(s) of write-in candidate(s), or place a cross (x) in the square at the right of the Proxy.</p>	
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	<p>OFFICIAL BALLOT</p> <p>TLPOA Board Election Heber, Utah Date: July _____</p>
<p>VOTING INSTRUCTIONS: To vote for a candidate place a cross (X) in the square at the right of the name of the person, or write in the name(s) of write-in candidate(s), or place a cross (x) in the square at the right of the Proxy.</p>	
<p>For DIRECTOR Three Year Term</p>	<p>Vote for Three (3) only</p>
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Attachment #3

TALLY LIST

COUNTING JUDGES NAMES: _____

Type of Ballots being counted _____

Sheet Number. _____.

Candidate Name/Resolution:																Total Votes			
5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100
105	110	115	120	125	130	135	140	145	150	155	160	165	170	175	180	185	190	195	200
205	210	215	220	225	230	235	240	245	250	255	260	265	270	275	280	285	290	295	300
305	310	315	320	325	330	335	340	345	350	355	360	365	370	275	280	385	390	395	400

Candidate Name/Resolution:																Total Votes			
5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100
105	110	115	120	125	130	135	140	145	150	155	160	165	170	175	180	185	190	195	200
205	210	215	220	225	230	235	240	245	250	255	260	265	270	275	280	285	290	295	300
305	310	315	320	325	330	335	340	345	350	355	360	365	370	275	280	385	390	395	400

Candidate Name/Resolution:																Total Votes			
5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100
105	110	115	120	125	130	135	140	145	150	155	160	165	170	175	180	185	190	195	200
205	210	215	220	225	230	235	240	245	250	255	260	265	270	275	280	285	290	295	300
305	310	315	320	325	330	335	340	345	350	355	360	365	370	275	280	385	390	395	400

Candidate Name/Resolution:																Total Votes			
5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100
105	110	115	120	125	130	135	140	145	150	155	160	165	170	175	180	185	190	195	200
205	210	215	220	225	230	235	240	245	250	255	260	265	270	275	280	285	290	295	300
305	310	315	320	325	330	335	340	345	350	355	360	365	370	275	280	385	390	395	400

Candidate Name/Resolution:																Total Votes			
5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100
105	110	115	120	125	130	135	140	145	150	155	160	165	170	175	180	185	190	195	200
205	210	215	220	225	230	235	240	245	250	255	260	265	270	275	280	285	290	295	300
305	310	315	320	325	330	335	340	345	350	355	360	365	370	275	280	385	390	395	400



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Attachment #4

MASTER TALLY SHEET

TLPOA BOARD ELECTION

Date: _____

TALLY #	Candidate/ Resolution	Candidate/ Resolution	Candidate/ Resolution	Candidate/ Resolution	Candidate/ Resolution	Candidate/ Resolution	Candidate/ Resolution	Candidate/ Resolution	Candidate/ Resolution
Total:									

We, Judges(s) of the above tally sheets, do hereby certify that it is a true and correct list of all the persons voted for at the TLPOA Annual Meeting and the number of votes cast for each candidate respectively named.

_____.

_____.

_____.

_____.

_____.

_____.



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Attachment #5

Oath of Office
Of the
Timber Lakes Property Owners Association

I (state name) do solemnly swear that I will support, obey and defend the By-laws, Declaration of Protective Covenants, Articles of Incorporation, and Maintenance Agreement of the Timber Lakes Property Owners Association. I will not knowingly violate any policy or procedure of this association. I will discharge the duties of this office of director with fidelity.

Affirmed:

Sworn on this the _____ day of _____, _____

By. _____



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Attachment #6

TLPOA Board Proxy Vote

The TLPOA Board casts its Proxy Votes as follows:

1. Candidate. _____.

2. Candidate. _____.

3. Candidate. _____.

1. Resolution/Issue _____.

2. Resolution/Issue _____.

3. Resolution/Issue _____.

Approved by the TLPOA Board on this ____ Day of July ____

President

Vice President

Secretary/ Treasures



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Attachment #7

Election Checklist

1. Appoint Nominating Committee Chairperson
2. Appoint Nominating Committee
3. All Candidate Resumes received by May 1st.
4. All Resolutions to be on the ballot completed by May 15th.
5. President's letter to be mailed with the ballots complete by May 15th
6. Ballot design complete by May 15th
7. Ballots printed by May 20th
8. #10 envelopes, #9 envelopes (with return address and lot numbers), #6 envelopes (stamped "OFFICIAL BALLOTS ONLY", prepared and ready to mail by May 20th).
9. Two copies of the Master Roster one week prior to Annual Meeting. Marked. Green means mail-in ballot envelope received and eligible to vote. Red (or Pink) means mail-in ballot envelope received but not eligible to vote.
10. A-Z lists broken down into five sections (A-C; D-H; I-M; N-R; S-Z) one week prior to the Annual Meeting. Prior to the Annual meeting the A-Z lists will be marked in Orange if a mail-in ballot envelope was received. The A-Z lists are to be marked at the annual meeting as follows. Yellow means meeting ballot picked up. Blue means paid on the day of the election and meeting ballot picked up.
11. Update information letter.



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Revision History

		<u>Approved</u>
Revision 1		March 23, 2000
Revision 2	Added paragraph II D	June 26, 2000
Revision 3	Modified wording of sections: I H; III E; IV A; IV A c; IV B 1; IV C 5; IV C 6; and IV C 9. Added sections: IV B 1; IV C 4 D; IV C 4 E; IV C 10; IV C 11 and Attachments #5, #6 and #7.	May 31, 2001
Revision 4	Added letter designation for colors Section IV 2c; Modified Attachments 2,3, 4, and 5	July 5, 2001

Approved July 5, 2001

President

Vice President

Secretary/Treasurer
