

# Wellington Condo III Homeowners Association

## Elections Policy and Procedure

BE IT RESOLVED, the Association hereby adopts the following procedures governing the use of proxies, how elections are conducted, and how votes are tallied.

### 1. Scope:

To adopt a procedure and policy outlining procedures to be followed for conducting elections and voting.

### 2. Specifics:

#### Use of Proxies

1. Only the owner(s) of record may vote.
2. If a member is unable to attend a meeting and wishes to have representation for voting at meetings, he or she may complete a proxy form authorizing the chairman of the meeting or another natural person specifically named on the proxy. If no other person is specifically named, then the chairman of the meeting shall represent the proxy.
3. The use of general proxies shall be allowed at all meetings of the association including but not limited to board meetings, special meetings, annual meetings, and budget ratification meetings.
4. Proxies should be mailed, faxed, or emailed prior to the meeting to the management company.
5. Unsigned proxies will be disqualified.
6. Proxies obtained through fraud or misrepresentations are invalid.
7. The association has the right to reject a proxy when it has a reasonable, good faith basis to doubt the signature's validity or the signatory's authority to sign for the unit owner.

#### Elections

1. Elections for board positions shall be held by secret ballot unless otherwise decided by the voting members
2. Printed ballots shall be distributed, one to each qualified member, during the registration process.

3. Prior to the election, the chairman shall ask for two members attending the meeting who are no candidates for the office to act as election judges. These neutral third parties will count the ballots and announce the results.

#### Other Voting

1. Other voting measures shall be by voice count unless:
  - A. Two or more voting members specifically request a secret ballot, or
  - B. A voice vote is too close to clearly ascertain the outcome.
2. Counting may be done by hand count. Most effective is to do a “count down” method. All those voting raise their hand and then count off as they lower their hand.
2. Should a secret written ballot be needed, election judges shall be given appointed to conduct the count and announce the results.

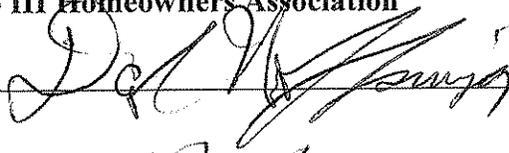
#### Tie Votes

1. In the event of a tie vote in which there is a board member seeking re-election, the incumbent shall prevail.
  2. In the event of a tie vote in which there are no board members seeking re-election, the winner shall be selected by a coin toss by an election judge.
  3. In the event of a tie vote on any other non-election ballot issue, the issue shall fail.
3. **Definitions:** Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning therein.
  4. **Supplement to Law:** The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.
  5. **Deviations:** The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.
  6. **Amendment:** The Board of Directors may amend this procedure from time to time.

**President's Certification:** The undersigned, being the President of the Association, certifies that the Board of Directors of the Association adopted the foregoing resolution and in witness thereof, the undersigned has subscribed his/her name.

**Wellington Condo III Homeowners Association**

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**President**



**Effective Date:** \_\_\_\_\_

3/4/09