

ELECTIONS COMMITTEE CHARTER

The Board of Directors hereby adopts this charter for the conduct of the Elections Committee, effective March 1, 2017.

1. For all ballot measures before the association, the Directors shall appoint one or three Inspector(s) of Election. The Inspector(s) of Election shall be independent third party/parties, and shall not be a member of the Board, or a person, business entity or subdivision of a business entity that is currently employed or under contract to the association. In the case of an election of directors, the Inspector(s) of Election also may not be a candidate or related to a candidate for election.
2. All ballot measures, including, without limitation, election, or removal of directors, elections regarding assessments, legally requiring a vote of the members, amendments to the governing documents, or grant of exclusive use of common area property, shall be held by secret ballot.
3. The Inspector(s) of Election shall do all of the following:
 - a. Determine the number of memberships entitled to vote and voting power of each;
 - b. Determine the authenticity, validity and effect of proxies, if any;
 - c. Receive ballots or designate a location for the receipt of ballots;
 - d. Hear and determine all challenges and questions in any way arising out of or in connection with the right to vote;
 - e. Count and tabulate all votes pursuant to the Election Rules and prevailing statutes;
 - f. Determine when the polls shall close, consistent with the governing documents;
 - g. Determine the tabulated results of the election;
 - h. Retain custody of the ballots or designate a location for the retention of the ballots following tabulation and until the time allowed by the California Corporations Code for challenging the election has expired;
 - i. Perform any acts as may be proper to conduct the election with fairness to all members in accordance with the Civil Code, the Corporations Code, and all applicable rules of the association regarding the conduct of the election that are not in conflict with the law.
 - j. In addition to the above, the Inspector(s) of Election may also appoint volunteers to assist with the counting and tabulation of ballots/votes, which volunteers must also be independent parties as specified herein.
4. Proxies may be requested by members who desire to give to another member the power to vote on behalf of that member.
5. Votes shall be counted and tabulated by the Inspector(s) of Election, together with volunteers as may be appointed by the Inspector(s) of Election for this purpose, in public at a properly noticed open meeting of the Board of Directors or members. Candidates and other members of the association may witness the counting and tabulation of the votes. No person, including a member of the association or an employee of the management company, shall open or otherwise review any ballot prior to the time and place at which the ballots are counted and tabulated. After the transfer of the ballots to the association in a secure place for no less than one year after the date of the election.