

ADDITIONAL DEDICATORY INSTRUMENTS
OF
PINE HOLLOW HOMEOWNERS ASSOCIATION, INC.

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BEFORE ME, the undersigned authority, on this day personally appeared the below named person, who, being by me first duly sworn, states the following:

My name is Charles M. Jordan. I am over 21 years of age and of sound mind. I am capable of making, and authorized to make, this affidavit. I am personally acquainted with the facts herein stated. I am the agent and attorney-in-fact of the following (herein the "Association"): **PINE HOLLOW HOMEOWNERS ASSOCIATION, INC.** Pursuant to the Texas Property Code, Section 202.006, the following documents are the originals, or true and correct copies of the originals, of governing instruments of the Association:

- 1. Pine Hollow HOA Election Guidelines.

DATED this the 5th day of April 2012.

PINE HOLLOW HOMEOWNERS ASSOCIATION, INC.

By: Charles M. Jordan, attorney in fact & agent

Print Name: Charles M. Jordan

THE STATE OF TEXAS
COUNTY OF HARRIS

THIS affidavit was **acknowledged** before me on the 5th day of April 2012 by Charles M. Jordan, who stated that he is the attorney-in-fact and agent for the above-named Association.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Sandra Chapa
Stamp or Print Name of Notary



AFTER RECORDING RETURN TO :

Charles M. Jordan
Daughtry & Jordan, P.C.- SC
17044 El Camino Real
Houston, TX 77058
281-480-6888- Office

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Pine Hollow HOA Election Guidelines

REVISION 2

Effective January 1, 2012

Pine Hollow Subdivision

Guidelines for the Election of the Board of Trustee Positions

1. Introduction:

These Guidelines, pursuant to provisions in the Pine Hollow Subdivision Association's Bylaws and Declaration of Covenants and Restrictions (DCR) (both together are known as "Governing Documents"), establish how the Association's Board of Trustees are elected. These Governing Documents are also subject to Texas law found in the Texas Property Code and the Texas Business Organization Code. In the event of any conflict between these Guidelines, the Association's Governing Documents and Texas law, this is the order of precedence: Texas law; then DCR; then Bylaws; and then finally, these Guidelines. In addition, these Guidelines only govern the process for the election of the Association's Board of Trustees and do not apply for other types of voting by the Association's Membership.

2. Definitions:

Absentee Ballot – an official *Ballot* which is used to vote for a specific candidate when a *Member Entitled to Vote* cannot be present for any reason at the *Association's* election meeting. A valid absentee *Ballot* has the same effect as a *Ballot* cast in person at the election meeting. The *Ballot* must be signed by the Association Member Entitled to Vote.

Absentee Voting – is voting directly (not through a proxy) for a specific candidate through the use of an *Absentee Ballot* by a *Member Entitled to Vote* when that Member cannot be present for any reason at the *Association's* meeting to elect a Trustee of the Board.

Association – refers to the Pine Hollow Homeowners' Association, a Texas Non-profit Corporation, its successors and assigns.

Association's Management Company – the management company hired by the *Association* to provide financial, administrative, operational, and other management services.

Association Member – each record owner, whether one or more persons or entities, of a Lot in the Pine Hollow Subdivision in Pearland, Texas is automatically a Member of the *Association* and will remain as such until his/her property ownership ceases under law for any reason.

Association Members Entitled to Vote – All *Association Members* are entitled to vote – there are no limitations or restrictions other than owning a Lot in the Pine Hollow Subdivision in Pearland, Texas. There is one vote for each Lot regardless of how many record owners there are of that one Lot.

Ballot – refers to a written document prepared in accordance with these Guidelines and handed or mailed to the *Association Members* to cast their vote in a particular election. The *Ballot* must be signed by the Association Member Entitled to Vote.

3. Qualifications for Voting and Voting Power of Memberships:

All *Association Members* shall be considered *Association Members Entitled to Vote* for purposes of these Guidelines. There are no other requirements or restrictions on *Association Member* to be considered an *Association Members Entitled to Vote*, (i.e., such as the requirement to be current in the payment of all Assessments, penalties or charges, etc). See Tex. Prop. Code Section 209.0059

Currently, there is only a single class of membership in the *Association*. Each vote by an *Association Member Entitled to Vote* is entitled to the same weight in any election.

4. Candidate Nomination, Declaration & Recognition Process:

Any *Association Member Entitled to Vote* that is seeking election to the *Board of Trustees* will be considered a "Qualified Candidate" and eligible for election to the Board. All candidates for the *Board of Trustees* must submit a Candidate Declaration form to the Community Association, Management Company (as described on the form) before the proscribed deadline. Specifically, candidates for an available *Board of Trustees* position must declare in writing (using the Candidate Declaration form) to the *Election Oversight Committee* that they have reviewed, understood, and intend to comply with the *Association's* elections guidelines prior to being considered a valid *Declared Candidate* and permitted to run in an election. At the time of declaration, candidates will be notified of all deadlines and required submissions.

In the event that candidates choose to nominate themselves from the floor, such candidate must have submitted a Candidate Declaration form to the *Election Oversight Committee* prior to the deadline announced at the election meeting in order to be considered a "write-in" candidate (see section 7 below). If such submission is not made prior to this deadline, the potential candidate will be considered an "undeclared candidate" and will not be permitted to run for a candidate position at that election. However, per Tex. Prop. Code Section 209.00592(b)(2) and (b)(3), "(1) [a]n absentee or electronic ballot may not be counted...if the owner attends any meeting to vote in person....and (2) may not be counted on the final vote of a proposal if the motion was amended at the meeting to be different from the exact language on the absentee or electronic ballot."

Candidate Declaration Form must be received by the management company by XXXX/XX: (management representative) Community Association, Management Company Address., City, State Zip code, XXX@XXX.com (e-mail), or (XXX) XXX-XXXX (fax). Please contact Management Company at (XXX) XXX-XXXX if you have any questions.

Candidate Profile & Platform Summary

Name:
Address:
E-Mail Address:
Phone:

Candidate Profile (maximum of 300 words): << type your profile here, can include educational background, prior community service or experience, platform summary, priorities and goals if elected, or anything else you feel will be relevant to your candidacy or the Association>>

Candidate Profile & Platform Summary must be received by the management company by XX/XX/XX: *(management representative)* Community Association, Management Company Address, City, State Zip Code, XXX@XXX.com (e-mail), or (XXX) XXX-XXXX (fax). Please contact Management Company at (XXX) XXX-XXXX if you have any questions.

Candidates will be listed in alphabetical order based on their last name in all correspondence related to the election distributed or presented by the *Board of Trustees*, the *Association's Management Company* and the *Election Oversight Committee*. All forms of mass communications related to the election that is distributed to the membership by the *Association*, the *Board of Trustees*, *Association's Management Company* and the *Election Oversight Committee* that acknowledges any individual as a candidate for the open Board position must recognize all declared candidates in the same manner (described above). References by the *Association*, the *Board of Trustees*, *Association's Management Company* and the *Election Oversight Committee* that provides residential addresses, phone number, e-mail addresses or other contact information will be consistent for candidates if made available by the candidate.

5. Requirements for Fair and Respectful Campaigning by a Candidate

Under all circumstances, candidates are to maintain an appropriate level of respect and civility during campaigning which will be moderated by the *Election Oversight Committee*. Each candidate shall focus their statements and campaign materials upon the substantive issues facing the *Association*, including that candidate's qualifications and his or her stance on various issues. A candidate may likewise express disagreement with a position taken by another candidate or explain why he or she believes they are more qualified for the position than other candidates. Nevertheless, all candidates and their representatives shall refrain from making personal attacks upon the character of other candidates, Board Members or other members of the *Association* or engaging in other "negative" campaigning that does not focus upon substantive issues of the HOA in any form of correspondence, advertising or communication. In advertising their candidacy, candidates or their representatives must comply with the City of Pearland Ordinance No. 509-H, Chapter 24, *Sign Requirements* and Texas Property Code §202.009 that addresses political campaign signs on public and private property. In addition, all candidates and their campaign team must adhere to all city and state campaign ordinances and laws regardless of whether or not they are specifically covered in these Guidelines. The *Election Oversight Committee* at their sole discretion will report any violations by a candidate to the governing authority.

Association Member, *Board of Trustees* or any interested parties can contact the *Election Oversight Committee* if there are concerns about violations of these guidelines by any candidate or party. The *Election Oversight Committee* has the sole responsibility to determine whether a violation of these guidelines occurred and whether remedial or punitive measures will be applied. The *Election Oversight Committee* will have broad enforcement powers to ensure the fairness and integrity of the HOA election process (see section 9 below).

All campaign signs displayed within the HOA must have specific approval of the property owner. For HOA common areas, a candidate must get approval from Board which must be a formal documented Board decision as reflected in the Board meeting minutes (approval is insufficient if it is not given pursuant to an official board meeting and action). All HOA campaign signs can only be displayed less than 90 days prior to the posted election date and must be removed within 10 days after the election. In addition, only one campaign sign per candidate per yard/lot will be allowed.

6. Voting Process Prior to Election Meeting:

No proxy voting (i.e., delegation of an *Association Member's* voting right to another *Association Member* in his/her absence) is allowed for election of *Association's Board of Trustees*. Each *Association Member* must personally cast their own vote under the provisions of these sections. When electing the *Association's Board of Trustees*, Members may vote for a candidate (1) in person at the *Association's* election meeting, (2) through an *Absentee Ballot* by hand delivering or mailing to the *Association's Management Company* by that voting Member only (no other person or entity can submit an *Absentee Ballot* on behalf of the voting *Association Member*) within the deadline, or (3) at any *Early Voting* locations if the *Election Oversight Committee* at their sole discretion, provides for such. An *Absentee Ballot* or *Early Voting Ballot* will not be counted, even if properly delivered, if the *Association Member* attends any election meeting to vote in person. Any vote cast at a meeting by an *Association Member* supersedes any vote submitted by absentee or early ballot previously submitted for the election.

Any deficiencies in the completion of an *Absentee Ballot*, improper collection of an *Absentee Ballot*, or a vote cast not by a *Member Entitled to Vote* will void that attempted vote. *Association Member* with voided *Absentee Ballots* can attend the election meeting and re-cast their vote; otherwise the *Absentee Ballot* may be used for quorum purposes only.

All *Absentee Ballots* submitted to the *Association's Management Company* must be received or postmarked no later than 7 days prior to the scheduled start of the *Association's* election meeting to be counted.

If an election is rescheduled after the expiration of the current term of a *Board Member*, the current board cannot appointed a *Board Member* to serve in the interim (even the current expired *Board Member*). Once a *Board Member's* term has expired, the board must operate with the remaining elected *Board Members* until a valid election can be conducted – in other words, *Board Members* may not be appointed to positions whose terms have expired and may only be appointed in cases of "resignation, death or disability." (see Texas Prop. Code 209.00593).

a. Early Voting

The *Election Oversight Committee* may at its sole discretion administer *Early Voting* for the election of Homeowners Association Board Member(s). The locations, dates, times of *Early Voting* will be communicated to *Association's Members*. Any special rules needed to administer or govern *Early Voting* will be coordinated and executed by the *Election Oversight Committee* and adopted by the Homeowners Association's Board. However, the *Early Voting* process of validating residents' ability to vote, residents' identity, ballot format, and collection of such ballot should be similar to the protocols followed during the elections meeting.

b. Absentee Voting:

The current year's official *Absentee Ballots* will be made available to *Association Members* at least 30 days prior to the *Board of Trustees* election meeting. When mailing *Absentee Ballots* to *Association Members*, the *Association's Management Company* will include a return envelope. If the official ballot is

lost, the Member may contact the *Association's Management Company* to obtain a replacement. The *Election Oversight Committee* may also implement additional security measures like ballot embossing, markings or other security measures to ensure the integrity of the election process. *Absentee Ballots* can only be mailed in directly or hand-delivered to the *Association's Management Company* by the person casting such ballot. The *Absentee Ballot* should be filled out and folded as indicated on the form. That is, the bottom half of the form (where voting for a candidate is selected) should be folded and sealed with tape or staples to ensure the privacy/secretcy of the ballot cast (the top half of the ballot is left unsealed to verify they are an *Association Member Entitled to Vote*). The *Election Oversight Committee* through the *Association's Management Company* will ensure that all submitted *Absentee Ballots* are valid (i.e., cast by an *Association Member Entitled to Vote*) and that only one vote is cast per Lot of the Pine Hollow Subdivision. The format of the Absentee Ballot is:

Pine Hollow Homeowners Association 201_ Members Meeting

ABSENTEE ELECTION BALLOT

KNOW ALL MEN BY THESE PRESENTS:

The undersigned owner(s) of the property identified as (property address - mandatory), located within the PINE HOLLOW HOMEOWNERS ASSOCIATION hereby constitute and cast votes only as I specifically instruct in reference to the Board of Trustee Election to come before the PINE HOLLOW HOMEOWNERS ASSOCIATION meeting to be held on (month) (day) (year) at (time), at the (location).

The undersigned ratifies and confirms any and all acts and things that the ballot may do or cause to be done via execution of the undersigned's voting rights in the premises, whether at the meeting referred to above, or at any change, adjournment, or continuations of the meeting, and revoke all prior ballots previously executed. In no event shall this ballot be valid for a period longer than ten (10) days after the date of the meeting for which it was given.

By casting your vote via absentee ballot you will forgo the opportunity to consider and vote on any action from the floor on these proposals, if a meeting is held. This means that if there are amendments to these proposals your votes will not be counted on the final vote on these measures. If you desire to retain this ability, please attend any meeting in person. You may submit an absentee ballot and later choose to attend any meeting in person, in which case any in-person vote will prevail.

Name(s) of Owners: _____ (mandatory)

Signature: _____ (mandatory) Date: _____ (mandatory)

Phone: _____ (optional)

E-Mail: _____ (optional)

Check only ONE of the following two choices (do not select both "For Quorum Purposes Only" and "Limited Powers" options below):

For Quorum Purposes Only (check if appropriate)

_____ I hereby authorize and instruct that my ballot to be used only for the purpose of establishing a quorum. I do not intend to vote for any candidates to be elected for the Board of Directors.

If voting for a candidate below, fold this section along fold line and seal these edges with tape or staples to keep your vote secret

Limited Powers (check if appropriate)

_____ I hereby specifically authorize and instruct my vote to be cast in reference to the Election of Board Members:

Election of Board Members

Please mark your votes for candidates to be elected to the Board of Directors. Based on the current open Board Member position(s) open, you may vote for (#) candidate(s).

_____ <candidate #1's name>

_____ <candidate #2's name>

_____ <candidate #3's name>

_____ (write in candidate)

_____ (write in candidate)

Fold the two sets of black triangular markers together along the fold line and then seal edges of folded section with tape or staples to maintain the secrecy of your vote. Put this Absentee Election Ballot into an envelope and mail or hand deliver to Community Association, Address, City, State Zip Code. Election ballots must be submitted or postmarked to the management company by (month) (date) (year). Any ballots received after this date, except for those cast at the election meeting specified above will be voided.

If voting for a candidate below, fold this section along fold line and seal these edges with tape or staples to keep your vote secret

For an *Absentee Ballot* to be valid, it must be the current official version of the *Absentee Ballot*, it must have the same or less number of candidate(s) selected for each of the Board Member positions up for election (e.g., if two Board positions are up for election, only two or less candidates can be selected), it must have the *Association Member's* name & address, it must be signed and dated, possess any additional security markings that may be used to ensure the integrity of the ballot, and received only by the *Association's Management Company* within the deadline. In addition, *Absentee Ballots* can only be mailed or delivered by the Member casting the vote.

In the event that a homeowner does not receive an *Absentee Ballot* or loses the ballot, it is the homeowner's responsibility to contact the *Election Oversight Committee* or the *Association's Management Company* so that a duplicate ballot can be provided. The *Election Oversight Committee* and *Association's Management Company* will check to ensure that a vote has not been cast by a particular household before issuing a duplicate ballot. If a ballot has already been cast by a particular household, the *Election Oversight* will notify the homeowner that a vote has already been cast for their property and subsequent votes will be voided unless the homeowner attends the election meeting and casts their vote in person.

In the event that multiple votes for a lot are cast, the ballot with the oldest date will be given effect while all other votes will be voided. If a determination cannot be made as to which ballot was cast first, the vote shall be treated as quorum only.

However, Tex. Prop. Code Section 209.00592(b)(2) and (b)(3) states, "(1) [a]n absentee or electronic ballot may not be counted...if the owner attends any meeting to vote in person...and (2) may not be counted on the final vote of a proposal if the motion was amended at the meeting to be different from the exact language on the absentee or electronic ballot." [Emphasis added.]

7. Voting Process at Election Meeting:

Between three and five days prior to the election meeting, the *Election Oversight Committee* will determine and verify all the *Association Members Entitled to Vote*. *Association Members* voting in person at the election meeting must check-in with the *Election Oversight Committee* and verify ownership of a Pine Hollow Lot. At check in, the *Election Oversight Committee* shall distribute *Ballots* to all *Association Members Entitled to Vote* who have who wish to vote. A sample of the ballot follows:

Fold this section along fold line to keep your vote secret

201_ Election Ballot for the Election of Board Members

Please mark your votes for candidates to be elected to the Board of Directors. Based on the current open Board Member position(s) open, you may vote for (#) candidate(s).

_____ <candidate #1's name>

_____ <candidate #2's name>

_____ <candidate #3's name>

_____ (write in candidate)

_____ (write in candidate)

Name(s) of Owners: _____ (mandatory)

Signature: _____ (mandatory) Date: _____ (mandatory)

Fold line

Fold

Guidelines for

a Quorum Not Established

Per the Association's Amendment to By-Laws Regarding Quorum signed in 2011 and authorized by Texas Property Code Section 209.00593(b), quorum for the purposes of holding a Board of Director's Election is defined as follows: "if quorum is not present or represented [at a meeting in which a Board election will take place], the meeting shall be adjourned without notice other than announcement at the meeting, and immediately reconvened for the sole purpose of election of directors. At the reconvened meeting, quorum shall be all those members counted as present whether in person or by proxy, absentee ballot, electronic ballot, or any other method of representative or delegated voting. Directors shall be elected by a majority of those votes." Therefore, quorum shall be deemed to be the members counted as present at the meeting (by any method) and thus, quorum shall be established for purposes of holding the Board of Directors election.

b Quorum Established

Otherwise, if a quorum is established, then as defined in the agenda of the election meeting, the *Election Oversight Committee* will provide an overview of the Guidelines governing the election meeting and then request nominations for Board Members from the floor. Subsequently, the *Election Oversight Committee* will announce, "the deadline for Candidate Declaration forms will occur in 5 minutes." After this deadline for new nominations has expired, the *Election Oversight Committee* will terminate the acceptance of any new nominations. All new candidates that declared within the deadline will then be given the 5 additional minutes to submit their Candidate Declaration form. New candidates that are declared after the announced deadline has expired will be treated as an *Undeclared Candidate* and will then not be permitted to run in that election.

Subsequently, the order of the candidate introductory speeches will be randomly drawn by the *Election Oversight Committee* at the election meeting in plain view of the Membership. Each candidate (who has submitted the Candidate Declaration form within the proscribed deadline) will be given 5 minutes (firm) to introduce his/her candidacy and address the Membership at the election meeting (withdrawn candidates or *Undeclared Candidates* will not be allocated any time for introduction or an opening statement). A one-minute warning will be announced by the *Election Oversight Committee* before expiration of the candidate's time limit. After the introductory speech, no rebuttal by other candidates, current Board Members, or *Association Members* will be allowed except if included in a candidate's own introductory speech.

During the election, the *Election Oversight Committee* will exclusively control who has the floor and is allowed to speak. After all introductory speeches are made, any *Association Member* is allowed to ask only one question and must be directed to all candidate(s) (the question must be less than 1 minute (firm) in duration and must be asked in the form of a question) – no statements of approval or support will be allowed. A line will be formed on a first-come-first-served basis for *Association Members* to ask their questions under the control and direction of the *Election Oversight Committee*. Each *Declared Candidate(s)* is allowed up to 2 minutes (firm) to directly answer the question. A 30 second warning will

be announced before expiration of each candidate's time limit for their response. Additional questions by any *Association Member* will be permitted only after all *Association Members* are given the opportunity to ask a question and as time permits. At the conclusion, each valid *Declared Candidate* will be given 2 minutes (firm) to summarize his/her candidacy (*withdrawn candidates* or *Undeclared Candidates* will not be allocated any time for a summary). A 30 second warning will be announced by the *Election Oversight Committee* before expiration of the candidate's time limit. The order of presentations for each Candidate's summary will be in reverse order to that of the introductory speeches. Policing of all procedural requirements of conducting the election meeting will be supervised and controlled exclusively by the *Election Oversight Committee*.

After sufficient time for all *Association Members* to vote, all *Ballots* will be collected. The *Election Oversight Committee* will re-assess the authenticity and validity of all *Absentee Ballots* and *Early Voting Ballots* (if conducted) and the *Election Vote Tabulators* will tabulate all votes cast. Thereafter the *Election Oversight Committee* will announce the results of the election at the end of the meeting as outlined in the meeting agenda.

At the conclusion of the election meeting, the *Election Oversight Committee* will outline the process to contest, challenge, or seek a recount of the election.

Only *Election Vote Tabulators* (either the *Election Oversight Committee* members or those designated by this committee) are allowed access to ballots. The *Election Vote Tabulators* cannot be someone who is a candidate or related to a candidate in the given election. The *Election Vote Tabulators* shall not disclose how anyone voted.

Following tabulation of the votes, the *Ballots* shall be transferred by the *Election Oversight Committee* to the *Association's Management Company* acting for the Association, which shall keep the *Ballots* in a secure location for the period of time as designated by either the records retention policy or by governing law, which ever is longer. All ballots will be preserved whether nullified or not. Ballots can only be viewed/inspected by the *Election Vote Tabulators* or those duly authorized under law including Texas Prop. Code Sec. 209.0057 & 209.00594 – not even a Board Member is allowed to inspect unless otherwise authorized by law.

8. Contesting the Results of an Election

a. Requesting a Recount

Any *Association Member* may, not later than the 15th day after the date of the meeting at which the election was held, require a recount of the votes. A demand for a recount must be submitted in writing by certified mail, return receipt requested, or by delivery by the United States Postal Service with signature confirmation service to the Association's mailing address. Or the demand may be delivered in person to the *Association's Management Company* or to the address to which absentee ballots are mailed. A courtesy copy of the demand should be mailed to the chair of the *Election Oversight Committee*. The recount then shall be governed by Texas Property Code section 209.0057.

b. Formally Contesting the Election

Any *Declared Candidate* has 15 calendar days from the date of the election to deliver written notification that they are contesting the results of an election. This notification shall be sent by certified mail or delivered in person to: 1) the Association's mailing address as reflected on the latest management certificate filed under Section 209.004, 2) to the Association's Managing Agent as reflected in the latest management certificate (usually the *Association's Management Company*, or 3) to the address to which absentee and proxy ballots are mailed. (See Tex. Prop. Code Section 209.0057.) All late notifications shall be rejected. This written notification must include the *Declared Candidate's* facts and rationale for believing that the results of the election should not be valid, including any suspected instances of noncompliance of the Election Guidelines that warrant a review by the *Election Oversight Committee*.

The *Election Oversight Committee* has 30 calendar days from the receipt of the notification to make a final decision on the contest. Based on the circumstances, the *Election Oversight Committee* has an option to obtain one 15-calendar day extension from the Board. All decisions of the *Election Oversight Committee* shall be final. If the *Election Oversight Committee* rules that a new election is required, the *Election Oversight Committee* will set any special procedures and the schedule for the new election.

9. Election Oversight Committee:

The *Election Oversight Committee* will consist of three or five appointed members as well as Board Member liaison(s) to this committee. The *Board of Trustees* shall appoint members of the *Election Oversight Committee* for a term of three years each. The *Election Oversight Committee Members* may be *Association Members*, but shall not be a member of the *Board of Trustees*, a candidate for the Board or related to or reside with a current member of the *Board of Trustees* or candidate for the Board. If a conflict of interest is established for any given election, the *Board of Trustees* must recuse the affected *Election Oversight Committee* member and substitute a temporary qualified *Association Member* to the *Election Oversight Committee* to oversee that election. The *Association's Management Company's* representative or any other person not expressly disqualified under this Rule may serve on the *Election Oversight Committee*. The *Election Oversight Committee* may appoint and oversee additional persons to count/tabulate votes on a temporary basis or help with general administration of the election, subject to Texas Property Code section 209.00594. The *Election Oversight Committee* will also recommend to the *Board of Trustees* updates, revisions or amendments to these Guidelines, as necessary to ensure the continued fairness of the election process. The Board liaison(s) to this committee shall not have any voting privileges and cannot be a candidate for the upcoming election. The function of the Board liaison is to help assist the *Elections Oversight Committee* in carrying out the election process.

The *Election Oversight Committee* has the following responsibilities:

- (1) ownership of the elections guidelines document,
- (2) execution of all activities associated with the election, including but not limited to:
 - determine the information and write ups to be distributed to the membership,

- preparation of documents for mail out, newsletter format, website format or any other format,
 - preparation for any mail out specifically related to the election such as copying, stuffing envelopes and stamping,
 - any arrangements and manpower associated with early voting or the election meeting,
 - any other special arrangements that are required to conduct the election
- (3) to hear all challenges and questions in any way arising out of or in connection with the right to vote or the election, and to determine whether anyone has violated provisions of these Guidelines
- have broad enforcement powers to remedy the violation and apply any remedial or punitive measures against any candidate
- (4) ensuring that deadlines as established by this guideline are met,
- (5) to determine which *Association Members* are entitled to vote,
- (6) to determine the authenticity and validity of *Absentee Ballots*,
- (7) to arrange for the tabulation of all votes,
- (8) to determine the results of the election,
- (9) to perform any other acts necessary to assure the fairness of the election including postponing the election itself.

The *Election Oversight Committee* will have broad enforcement powers to ensure the fairness and integrity of the HOA election process. These include (but are not limited to) 1) requiring that a candidate issue a retraction letter to cure any misrepresentation whether negligent or intentional, 2) having the *Election Oversight Committee* publically admonish a candidate for violation of the Guidelines, and 3) limiting a candidate's floor time given at the election meeting. The *Election Oversight Committee* is given wide discretion to administer any recourse for violations of the Guidelines. In addition, any actions by a candidate's campaign team or their representatives will be imputed to the candidate himself/herself.

The *Election Oversight Committee* may consult with others, including the *Board of Trustees* with respect to performing their duties. The current *Election Oversight Committee* members' names, contact information and the name of the chair will be available to the membership.

The *Election Oversight Committee* shall perform their duties impartially, in good faith, to the best of their ability, and as expeditiously as possible. An *Election Oversight Committee* member shall not publically endorse any candidate in the election. Any *Election Oversight Committee* member wishing to actively/publically support a candidate must recuse themselves for the given election. In such case, a temporary *Election Oversight Committee* member will be appointed by the Board.

In order to conduct *Election Oversight Committee* business, a majority of the members must be present to establish a quorum. The decision or act of a majority of the *Election Oversight Committee* shall be

deemed to be the decision/act of the entire *Election Oversight Committee*. The *Election Oversight Committee* has complete discretion to render a decision on any of these "Guidelines for the Election of the Board of Trustees" and its decision is final.

Retribution against *Election Oversight Committee* members post election is prohibited in any form by the existing or newly elected Board of Trustee members. Post election, any Board member correspondence to an *Election Oversight Committee* member must be sent to all *Election Oversight Committee* members regardless of the nature of the correspondence. Any questionable e-mails will be forward to the entire Board of Trustees and the HOA attorney.

10. Timeline Chart

The following Standard Timeline Chart for an Election will be posted to HOA website and also given to each declared candidate once the dates are set. The Compressed Timeline Chart will also be posted to the HOA website if a new/ rescheduled election is required.

Standard Timeline Chart for election

Event	Minimum Days prior to election (except where otherwise noted)
Board announces upcoming election and requests candidate declarations	10 – 60 per Tex. Prop. Code Section 209.0056. (The Association may choose to give Members the maximum amount of notice under the statute which is 60 days.)
Candidate declarations and profiles deadline for inclusion in communications	15 (prior to Absentee Ballot Distribution)
Absentee Ballot Distribution and Candidate Profiles Available to Membership and election meeting notice flyer	30
Deadline for Member submission of absentee ballots to Management Company	7
Oversight Committee determines member eligibility to vote	3
Election Meeting	0
Deadline for written notice to contest election results	-15 per Tex. Prop. Code Section 209.0057.

Election Oversight Committee decision on contested election	-45 per Tex. Prop. Code Section 209.0057.
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Compressed Timeline Chart for a Rescheduled/Postponed Election

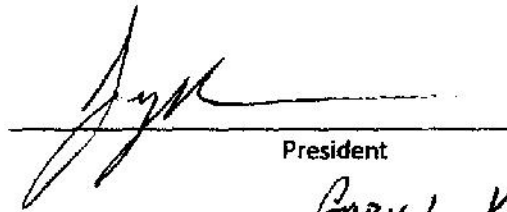
Event	Minimum Days prior to election (except where otherwise noted)
Board announces rescheduling of election	10 – 60 per Tex. Prop. Code Section 209.0056. (The Association may choose to give Members the maximum amount of notice under the statute which is 60 days.)
Absentee Ballot Distribution and Candidate Profiles Available to Membership and election meeting notice flyer	30
Deadline for Member submission of absentee ballots to Management Company	7
Oversight Committee determines member eligibility to vote	3
Election Meeting	0
Deadline for written notice for a recount of the election results	-15 per Tex. Prop. Code Section 209.0057.
Deadline for written notice to contest election results	-15 per Tex. Prop. Code Section 209.0057.
Election Oversight Committee decision on contested election	-45 per Tex. Prop. Code Section 209.0057.

**PRESIDENT'S
AND
SECRETARY'S**

CERTIFICATION: The undersigned, respectively being the President and Secretary of the Pine Hollow Homeowners Association, Inc., a Texas nonprofit corporation, certify that the foregoing policy was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the Association on 23 JAN 2012 and in witness thereof, the undersigned has subscribed his/her names.

PINE HOLLOW HOMEOWNERS ASSOCIATION, Inc.
a Texas non-profit corporation,

By:

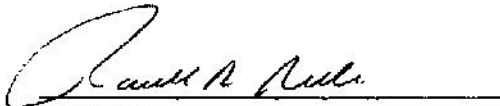


President

GARY L. KERIZ

Print Name:

Attested:



Secretary

RONALD A. RICCA

Print Name:

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