

Park Glen Neighborhood Association

2023 Election Guidelines

(Adopted by Board on 5-16-23)

Please note the following guidelines are just that, guidelines. In the event the Association deviates or fails to comply with any of these guidelines but such failure or deviation does not violate the Association's governing documents or State law, then it will not operate to invalidate the election or any process associated therewith.

Election Timeline

- By June 23rd - Mailing to all homeowners notifying of the annual meeting, the opportunity and procedures for homeowners to file as candidates, and an overview of the voting process. The mailing may also contain other topics, as the Board desires.
- By June 23rd – Communicate the election, candidate filing opportunity, and guidelines via the ParkGlen.org website, e-mail messages sent to our e-blast list, and Facebook posts. Repeat between June 30th – July 11th and again between July 15-21.
- By June 23rd Candidate filing period opens. Post candidates & candidate statements on website as they come in and candidate eligibility is verified.
- July 25th – Candidate filing period closes. All filings must be received by the end of the day on this date, regardless of the sending method.
- By July 26th - send candidate names and statements to YesElections, each candidate, the existing Board members, and the ParkGlen.org webmaster.
- By July 28th - YesElections prepares candidate information sheets, ballots, information letters, & voting website.
- By July 31st - PGNA provides final approval of print materials to YesElections.
- By August 9th – YesElections mails letter, mail-in ballot, & candidate information sheet to each homeowner.
- By August 11th - Advance Voting period opens.
- September 12th (Tuesday) at noon - Advance voting period ends for receipt in YES Elections office of mail in ballot.
- September 12th (Tuesday) - Online voting will be available until 7:30 pm.
- September 12th (Tuesday) - The Annual Meeting will be held in-person and online at 7pm. In-person voting will be available at the in-person meeting from 7:00 pm - 7:30 pm, or via a ballot drop box by 6:00 p.m until September 12th. Assuming quorum is met, results will be made known at or after the meeting.

Election Coordinator

The Association's contracted community manager will serve as the "Election Coordinator" for 2023 and will:

- ensure that the process is kept free from reliance on or inappropriate involvement by biased parties,
- ensure homeowner confidence in the process,
- maintain competence and completeness of the process,
- provide direction on all matters that do not rise to the level of requiring Board action.

The Election Coordinator may utilize other trusted parties in coordinating the election. Any expenditures or financial commitments must be authorized by the Board in advance.

Candidate Filing Process

The Election Coordinator will collect candidate filings, verify homeowner status, communicate receipt of filings to filers, and provide candidate information to the community's webmaster and to YesElections.

The candidate filing form and relevant filing guidelines will appear on the Park Glen website by June 23rd. The form will contain these questions:

1. Name
2. Position Being Sought
3. Candidate Statement – this statement (up to 75 words) will be provided to Park Glen Neighborhood Association homeowners, so feel free to include anything that you want voting members to know. If your statement includes more than 75 words, only the first 75 will be used. The statement will not be edited or proofed in any way, other than to eliminate any off-color or non-family-friendly content.
4. Address of Park Glen Home of which you are an owner
5. E-mail address
6. Phone number

The information from questions 4, 5, and 6 will be used only by the Election Coordinator. The information from 1, 2, and 3 will be published on the website and provided to all members before advance voting.

Ideally, candidates will be able to file by as many of these methods as the Election Coordinator can support: mail, in-person, fax, or e-mail. All filings (even mailed filings) must be received by the Election Coordinator by the end of the last day of the filing period.

The guiding principle will be to have an open, inclusive, fair election, so the Election Coordinator will have the responsibility of working with potential candidates to ensure their inclusion if they desire to run and are Park Glen homeowners.

Upon receipt of a candidate filing, the Election Coordinator will:

- verify that the applicant is personally listed as a Park Glen homeowner on Tarrant Appraisal District records or has otherwise proven ownership of a Park Glen home to the satisfaction of the Election Coordinator,
- confirm acceptance of the filing to the candidate by e-mail within 48 hours of receipt or by July 26th whichever is earlier, including the actual typed "candidate statement" that the Election Coordinator intends to submit for publication and use in the election (to give the candidate an opportunity to correct anything).
- Relay the candidate's name, position being sought, and candidate statement to the ParkGlen.org webmaster within 48 hours of receipt or by July 26th, whichever is earlier, so that the candidate's information can be promptly added to the website.

After the close of the candidate filing period, no changes may be made to the filed information or candidate statement, and all filed candidates must remain on the ballot, even if a candidate wishes to withdraw from the race, chooses to not serve if elected, is no longer able to take office, or is no longer eligible to take office. The scenario of a candidate being elected and unwilling, unable, or ineligible to serve will be resolved according to the vacancy provisions of the bylaws.

The coordinator will create a single document that lists all the candidates, positions being sought, and filing statements. Candidates will be listed on all documents, ballots, and forms by the position being sought, then in the order that filings were received. Within four days after the filing period ends, the coordinator will submit the complete document to YesElections, each candidate, the existing Board

members, and the ParkGlen.org webmaster. YesElections will use the information to prepare the candidate information sheet to be sent to all homeowners. The ParkGlen.org webmaster will use the information to verify and add to the candidate information already posted on the website.

Before Advance Voting Starts

Before the start of the advance voting period, YesElections is to send voting information to exactly 3,317 homeowners of record, using an owner address list from the Association's management company and provided to YesElections by the date that they have specified to need that file.

The mailing from YesElections to each homeowner will be in a white envelope with the words "PARK GLEN NEIGHBORHOOD ASSOCIATION" and the words "Ballot Enclosed" across the front in red. The envelope will contain:

- An explanation of the election and the voting process, including
 - Instructions and individual access code for online voting via YesElection's website.
 - An explanation of the option and procedure for each homeowner to request from YesElections a personalized proxy form that a homeowner may fill out and send to YesElections to designate another homeowner to vote on the homeowner's behalf in person at the September 12th annual meeting.
- A candidate information sheet that shows the name, office being sought, and candidate statement of each candidate who filed.
- A personalized paper "absentee" ballot that a homeowner may fill out and send to YesElections.
- A preprinted return envelope (but not postage-paid).

At the time that the envelopes are mailed, the YesElections website should be ready within two days to accommodate online voting, including the display of candidate names and filing statements submitted by the candidates.

Content of Ballots and Forms

Online ballots, paper ballots, and proxy forms will all have the opportunity to vote "for quorum on the Board election only," without voting for particular candidates (as allowed by Texas Property Code 209.00592-b-1).

Online ballots, paper ballots, and proxy forms will have a write-in blank for each of the seven positions.

Paper ballots or proxy forms submitted by members must be signed (per Texas Property Code 209.0058).

Online and absentee ballots will have this notice (required by Texas Property Code 209.00592-c-3): "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."

Since common sense and Texas law (Property Code 209.00592-b-1 and -3) clearly indicate that advance votes may be counted on matters only if the exact text of the measure appeared on the advance

ballot, the following notice is to be added to online and absentee ballots: "Even if the required quorum of members is met for the Board election (represented by advance voting before the September 12th annual meeting and in-person voting on September 12th) , it is highly possible that a quorum will not be represented for any other issue that might come before the membership at the annual meeting."

Proxy forms will not be preprinted with the name or title of any specific person or officer as a default, possible, or suggested proxyholder. Homeowners filling out a proxy form must write in the name of the desired proxyholder.

Proxy forms will allow a homeowner to:

- direct the specific candidates to be voted for by the proxyholder,
- write in the names of specific people to be voted for by the proxyholder, or
- designate that the proxyholder may select the candidates to be voted for.

Advance Voting / Proxies

In advance of the September 12th Annual Meeting, a homeowner may:

- Vote in advance online using the access code provided by YesElections, by 7:30 pm on September 12th .
- Vote in advance by returning to YesElections the absentee ballot provided by YesElections, for receipt in YesElection's office by 12 noon September 12th .
- Designate another Park Glen homeowner as his or her proxy (to cast a vote on his or her behalf in person on September 12th) by requesting a personalized proxy form from YesElections, filling out the paper "proxy form" and returning it to YesElections. Just before the annual meeting, YesElections will provide this proxy information to the Election Coordinator. The proxyholder must cast an in-person vote on behalf of the original voter in the same manner as any other in-person voter (see "In-Person Voting" below).

Any homeowner who has a question about the voting process or needs help in voting should call YesElections at 866-384-9978. Inquiries to YesElections must allow sufficient time for the appropriate information, forms, access, or resolution to be provided. If insufficient time remains to meet a request or supply information, the only remedy to the homeowner will be to vote in person on September 12th.

On a regular basis throughout advance voting, YesElections will communicate to the Election Coordinator the number of votes cast and proxies submitted so far. This information will be posted on the Park Glen website and relayed by the Election Coordinator to candidates, existing members of the Board, and the ParkGlen.org webmaster.

In-Person Voting

In-person voting on September 12th will be conducted under the direction of the Election Coordinator, who may recruit and utilize other trusted volunteers.

If attending the in-person annual meeting: Computers and/or tablets with Internet access will be available for homeowners to cast votes in person from 7:00 pm -7:30 pm. Paper ballots, as similar as possible to the "absentee ballot" sent out by YesElections, will be available as a backup to online voting. Copies of candidate filing statements will also be available. Submitted paper ballots must be signed (per Texas Property Code 209.0058).

If attending the online annual meeting: A ballot drop box will take the place of in-person voting at the meeting. This drop box is outside NMI's front door and will accept ballots up to 6:00 pm on September 12th. The offices of NMI (Neighborhood Management, Inc.) are located at 5421 Basswood Blvd Suite 710 (next to Premier Eye Care). Paper ballots, as similar as possible to the "absentee ballot" sent out by YesElections, will be used. Submitted paper ballots must be signed (per Texas Property Code 209.0058).

If a homeowner voted in advance and wishes to vote in person, YesElections and the Election Coordinator must ensure that only the in-person vote counts (per Texas Property Code 209.00592-b-2, "any vote cast at a meeting by a property owner supersedes any vote submitted by absentee or electronic ballot previously submitted").

In-person voters will be given personalized voting credentials or a paper ballot from the Election Coordinator, who may require identification from any person wishing to vote. If a person who is not on YesElection's list of eligible voters wishes to vote in person, the Election Coordinator must be sufficiently satisfied that the person is a Park Glen homeowner before allowing the person to vote.

Assuming quorum is met, the Election Coordinator and YesElections will work together to ensure that complete vote results are provided in the annual meeting very quickly after voting is over.

If Quorum is not Met

Quorum is 10% of Association members voting by any authorized method. If quorum is not met at the initial annual meeting or any reconvened meeting:

- No voting results are to be made known.
- The meeting will be recessed and voting will be extended.
- The meeting is to be reconvened at a convenient location set by the Association President and a convenient time and date between 5 and 14 days later set by the Election Coordinator. The time and place of the reconvened meeting is to be announced before the meeting is recessed.
- The list of candidates will not change.
- Votes already cast will count (unless a voter replaces his or her vote in an allowable way).
- A non-personalized proxy form (as similar as possible to the proxy form sent out by YesElections) will be quickly made available on the Park Glen website and may be mass-produced for solicitation and collection by any Park Glen homeowner, to be voted in person by proxyholders at subsequent reconvened meetings until quorum is met.

Other Guidelines

If a home has a different owner after the owner address file is prepared for YesElections, the new owner may vote by:

- obtaining the voting information from the previous owner
- voting in person on September 12th.

At the in-person annual meeting, three \$50 gift cards will be purchased by the Association and given away as door prizes at the annual meeting. Only homeowners present at the in-person meeting who have voted either in advance or at the meeting will be eligible for the random drawing. One entry per Park Glen property. Door prizes will not be able to be given away to those attending online.

The elected President, Vice President, and Secretary will be the candidate in each of those races receiving the greatest number of votes. The elected Directors will be the four candidates receiving the greatest number of votes among all candidates running for Director. This is according to Section 7.6 of the Association Bylaws.

If a Board is not elected on September 12 (e.g. lack of quorum or meeting postponed), the existing Board will continue, but action between September 12th and the date a Board has been appropriately elected is to be limited to that necessary to perpetuate the Association and to resolve emergency situations, with all action taken subject to review and/or reversal by the Board that is eventually elected.