

## SVOA Election Procedural Policy

### **Authority:**

#### **Oregon Revised Statutes**

- 94.647 Use of written ballot for approving or rejecting matters subject to meeting of association members; procedures; exceptions.
- 94.655 Quorum for association meetings.
- 94.658 Voting or granting consent.
- 94.660 Method of voting or consenting.
- 94.670 Association duty to keep documents

#### **CC&R's**

- 8.3 Voting Rights

#### **By-Laws**

- Article 2
- Article 3 (3.11 ballot meeting defined as mail-in ballot)

#### **Roberts Rules of Order Newly Revised 10<sup>th</sup> edition**

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## VOTING BY MAIL AND BY MEETING

### **Eligibility**

#### **The Secretary will determine members in good standing eligible to participate in balloting.**

- The Secretary will certify a list of eligible voters, including those acting in a fiduciary capacity, prior to the mailing or distribution of ballots. Proxies distributed and received are to be recorded on the eligibility list prior to distribution of ballots.
- Each Assessment Unit shall be entitled to one vote and will receive a separate ballot for each assessment unit.

#### *Proxies*

- An attorney in fact, executor, administrator, guardian, conservator or trustee may vote or grant consent with respect to a lot owned or held in fiduciary capacity by providing documentation to the Secretary of the Association.
- Owners may grant proxy authority for someone else to vote on their behalf.

### **Announcement**

#### **Questions to be decided by ballot meeting (mail-in ballot) or by membership meeting will**

- be announced at least 10 days prior to mailing or distributing the ballot.
- be delivered to every Association member eligible to vote on the matter.
- state if a mail-in ballot or a membership meeting.
- include the option of assigning a proxy (see below).

#### **for a mail-in ballot**

- State the subject matter of the vote.
- Give instructions for completing the ballot.
- State a date and time certain for return of ballots. Ballots received after the date certain for return will not be counted.

- State the address for return of the ballots.
- State the quorum required to authorize the action.
- State the percentage required for approval.
- Include a secrecy envelope.
- Include a return identification envelope to be signed by the owner, proxy holder, or fiduciary with check boxes indicating “owner” or “proxy holder”.

Ballots are to be distributed by mail or by hand at least 10 days in advance of the date certain return.

*Proxies*

- will include instructions for obtaining and assigning a proxy.
- will state a date certain for return prior to ballot distribution.
- must state who is receiving the proxy.
- must be dated and signed by the owner.
- must be delivered to the Secretary **prior to** the date the ballots are to be distributed.

**Actions to be taken for either mail-in ballot or membership meeting**

- Give instructions for completing the ballot.
- Provide an opportunity to vote for or against the action.
- Provide multi-family facilities a ballot for each vote they have the right to cast.

**Procedures for a membership meeting**

- Proxies are recorded as received before being registered on a certified list.
- Members register before the beginning of the meeting next to their name on a certified list.
- Registration and proxies are tallied to determine when a quorum (20%) of eligible voters is reached.
- A ballot is given to each member or proxy holder when they register.
- When the meeting is convened, voting matters are explained. The President announces that a quorum exists, asks if all are registered, then the ballot box is open.  
(If a quorum is not reached the meeting is adjourned and no counting of ballots takes place).
- When all have voted, the President announces the ballot box closed.
- Tellers retire to count the vote. (Registrars may serve as tellers).

See **Announcing Results** below.

**Procedures for a mail-in ballot**

**Neither identification nor secrecy envelopes are to be opened, or tallied before the date and time certain specified in the announcement.**

**Ballots will be tallied and recorded according to provisions outlined in Roberts Rules of Order.**

**The Secretary will determine when a quorum has been reached.**

**Ballot count is to be taken within 48 hours of the date certain return.**

- The Secretary will appoint at least three tellers. The Secretary serves as Chief Teller.
- The Secretary will preside over the counting of ballots.
- The ballot box is opened in a private area with only observers and election tellers present.
- Identification envelopes will be examined for signatures and recorded against the list of eligible

voters.

- The Chief Teller monitors opening of the envelopes, hears the reading, and watches the tally.
  - 1<sup>st</sup> teller removes the secrecy envelope from the signature envelope.
  - 2<sup>nd</sup> teller removes ballot from secrecy envelope, keeps the envelope and hands the ballot to next teller.
    - Signature on the secrecy envelope instead of the identification envelope will be allowed.
  - 3rd teller unfolds and stacks ballots.
  - One teller then reads each ballot as the Chief Teller watches and two tellers each record on tally sheet.
  - When recording is complete, tellers tally the count to verify agreement; if **not** in agreement, a recount is done.

*Determining validity*

- Ballots not received by the date certain return specified in the announcement will be declared ineligible and will not be counted.
- Ballot questions with both an affirmative and negative vote are to be declared invalid for that question.
- Ballots received with proxies attached are invalid.
- More than one ballot in a secrecy envelope invalidates those ballots
- Ballots of which validity is questionable will be determined by the Secretary.
- The Secretary will prepare a tellers report at the end of counting.

**Announcing Results**

- The Tellers' report will be delivered to the President of the Board. The President will announce the results of balloting. Association members will be notified of the results within 10 days after the Tellers' report has been delivered to the President. The notification will be made by email as authorized, or by hard copy USPS.
- Ballots and Tellers' report are to be maintained for a period of one year or as required by Oregon Revised Statute 94.670.

**Conflict of Interest**

The Election Committee and the tellers will be chosen for accuracy and dependability, and will not have had a direct personal involvement in production of the matter(s) brought to ballot. (Robert's Rules, p. 400)