

Property Owners Association of Hilltop Lakes, Inc.

REVISED & RESTATED

NOMINATING & ELECTIONS PROCEDURES

1. PURPOSE

- 1.1. According to our Bylaws, Article VII, Section 7.1, a Nominating/Elections Committee shall be appointed by the Board of Directors no earlier than the January regular meeting of the Directors. This procedure establishes an effective, accountable and transparent framework for organizing, managing and holding annual nominations and elections of directors. According to Section 7.2 of the Bylaws, voting can take place either in person on the day of the election, on early election dates if scheduled by the committee, or by mail-in ballot. Mail-in-ballots must be requested thru the Association's business office, either by phone (936-855-2222) or via the website – www.hilltoplakes.com.

2. SCOPE

- 2.1. The Nominating/Elections Committee shall consist of six (6) members of the Association, one of which shall be an appointed member of the Board of Directors to serve as Chair of the Committee. The Nominating/Elections Committee shall serve from the time of appointment until the close of the next annual meeting of the Association. The committee will ensure that procedures are in place and they are enforced.

3. PROCEDURE

- 3.1. As soon as the Nominating/Elections Committee is established the Chair of the committee will call a meeting and initiate a Nominations/Elections Schedule for the year. Meetings of the committee will occur at least once per month and minutes of the meetings will be maintained.
- 3.2. The Nominating/Elections Committee will review current Bylaws and make any recommendations to the Board (via the chair) for revisions or edits. All forms used in previous elections will be reviewed and updated as appropriate.
- 3.3. The Association's business office will ensure that the voter list is correct and

property owners' addresses are current, based on updates provided by property owners.

- 3.4. Once the Nominating/Elections Schedule has been developed it will help guide the process and provide important information to property owners as well as potential candidates.
- 3.5. Prior to sending out notifications, the Nominating/Elections Committee will ensure the Candidate Application Form is ready and will start soliciting candidates for nomination beginning up to ninety (90) days, by not less than sixty (60 days), prior to the election. Applications will be available to all property owners at the Welcome Center and must be submitted within thirty (30 days) of when the applications became available. Candidates shall submit the following information to the Nominating/Elections Committee by the noted deadline: **Candidate Application Form**, a short personal biography, and the **Release of Information** form to authorize the Association to conduct a background check. This information will be provided in the Nominating/Elections Schedule.
- 3.6. Within seven (7) days of the close of the nominating process, the Nominating/Elections Committee shall meet to verify the applicants' eligibility and submit the final slate of candidates for election to the Board of Directors. Once the candidates have been vetted, the Chair of the Nominating/Elections Committee shall contact them by phone, if available, email, or other methods.
- 3.7. Within seven (7) days of confirming the candidates, the Nominating/Elections Committee will convene with all candidates to draw for ballot position and to review information concerning the Candidate Forums that will be sponsored by the Committee. Candidates do not have to be present and may send someone of their choice to participate in the random drawing. Candidate Forums will be scheduled by Nominating/Elections Committee.

4. RESPONSIBILITIES

Compliance, monitoring, and ballot review

- 4.1. All mail-in-ballots will be sent only to those who have requested one as provided in Section 1.1. Property owners requesting mail-in ballot(s) must provide contact information (address/phone/email) and section/block/lot number(s) of those lots that are charged a maintenance fee. Administrative staff will verify the information (compare it to Association records) and confirm number of ballots to be sent to property owner. Nominations/Election Committee members will send the ballot and instruction sheet to the property owner who

requested the ballot no earlier than sixty (60) days before the date of the election and no later than the date defined on the Nominations/Elections Schedule.

4.2. The Nominating/Elections Committee will determine ballot counting procedures to provide efficiency, accountability, and savings to the Association.

- The ballots will identify each candidate by name.
- Only three (3) candidates can be selected by bubbling in the corresponding name.
- Ballots with more than three (3) candidates bubbled in on the ballot will not be counted.
- Mail-in ballots must be completed per the instructions mailed with the ballot.
- Mail-in ballots must be submitted by either (1) mailing into the dedicated post office box or (2) drop off at the polls during either early voting or election day voting hours. Ballots dropped off at the Welcome Center or in any other 'drop box' will not be counted.
- If a property owner wishes to vote in person after requesting a mail-in ballot, the property owner must bring the ballot mailed out with them to the poll to cast the vote. Replacement ballots will not be provided after the mail-in ballot has been sent.
- "Write-in" candidate(s) may be added to the back of the ballot. The number of candidates bubbled in on the front, plus the "Write-in" on the back cannot include more than 3 candidates in total – ballot will be disqualified for having four (4) or more votes.
- If voting in person during early voting or on the day of the election, valid government issued ID or Association issued ID must be presented and Association staff will verify property owner information. Verified owners will sign the voter list as indication of ballot received.
- Assistance with voting at in-person voting stations may be provided only by Nomination & Elections Committee members.
- A #2 pencil must be used on all ballots to bubble in candidate choices.

4.3. A dedicated post office address has been set up for all mail-in ballots. The Nominating/Elections Committee has put a hold on mail for this box until the day of the election. The Nominating/Elections Committee does not have access to the box nor will they have a key. All – mail-in ballots must be received by the date and time that is in the Nominating/Elections Schedule. Mail-in-ballots that are received after the final date will remain in the post office until after the election. On the day of the election two (2) members from the Nominating/Elections Committee as well as the Chair of the Nominating/Elections Committee will pick the ballots up and take them to the voting station in a locked/tamper-proof sealed

container.

- 4.4. Walk-in voting will occur for early voting or on election day as provided in the Nominating/Elections Schedule. All ballots for walk-in voting will be dropped in a box by the voter and the box will have a locked and tamper proof fastener attached. The tallying of the ballots will begin when the poll closes on Election Day.

5. TABULATION OF VOTES

The determination of eligibility and tabulation of votes shall proceed under the supervision of not less than five (5) voting members, one of which must be a current member of the Board of Directors.

5.1 The Nominating/Elections Committee may enlist staff members and volunteers to help in the tallying of votes. Candidates may wish to have "Observers" present.

5.2 After the poll closes on election day, all ballots will be publicly counted for immediate tabulation. Any discrepancies will be verified by the Nominating/Elections Committee and it will be documented why the ballot was not counted.

5.3 The three (3) candidates with the highest number of votes will be the new members of the Board of Directors.

5.4 Ties shall be decided by casting lots.

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6. Records management

- 6.1. All ballots will be sealed and stored for a period of three (3) years in the office where the records of the Association are maintained.

This policy is effective upon recordation in the Public Records of Leon County and supersedes any policy regarding Nominations & Elections Procedures which may have previously been in effect, except as affected by Section 209.005 and/or by this Policy, all other provisions contained in the Declarations, and any other dedicatory instruments shall remain in full force and effect.

CERTIFICATION

I certify that a majority of the Board of the Association adopted the foregoing policy, at a duly called and convened meeting of the Board.

Date: February 8, 2024

Property Owners Association of Hilltop Lakes, Inc.

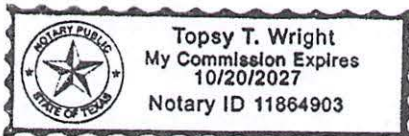


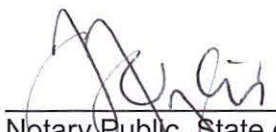
Mark Record, President

STATE OF TEXAS)
)
COUNTY OF LEON)

Before me, the undersigned authority, on this day personally appeared Bill Johnson, President of Property Owners Association of Hilltop Lakes, Inc., a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledge to me that he had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 12 day of FEB, 2024.





Notary Public, State of Texas
TOPSY WRIGHT
Printed Name
My Commission expires: 10/20/2027



Leon County
Christie Wakefield
Leon County Clerk
Centerville, Texas 75833

Instrument Number: 2024- 00466393

As

Recorded On: February 23, 2024

Recordings

Parties: PROPERTY OWNERS ASSOC OF HILLTOP LAKES INC

To

TO THE PUBLIC

Billable Pages: 5

Recorded By: POA OF HILLTOP LAKES

Num Of Pages: 6

Comment: REVISED PROCEDURES

**** Examined and Charged as Follows: ****

Recordings 31.00

Recording Charge: 31.00

**** THIS PAGE IS PART OF THE INSTRUMENT ****

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Leon County, TX

File Information:

Document Number: 2024- 00466393

Receipt Number: 182794

Recorded Date/Time: February 23, 2024 08:18:38A

Book-Vol/Pg: Bk-OR VI-1982 Pg-70

Record and Return To:

POA OF HILLTOP LAKES

HAND DELIVER 2/23/24

CENTERVILLE TX 75833
