

ELECTION POLICY

STATE OF TEXAS

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KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF DENTON

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WHEREAS the Wellington of Flower Mound Residential Association, Inc. (“Association”) is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as “Declarations”); and

WHEREAS, the *Master Declaration of Covenants, Conditions, and Restrictions for Wetherstone*, was filed on January 11, 1993, as Instrument No. 1744, and recorded in Volume 3423, Pages 200 et seq. of the Real Property Records of Denton County, Texas, and said document was amended by that certain *Amended and Restated Master Declaration of Covenants, Conditions and Restrictions for Wellington of Flower Mound*, dated January 16, 1995 and files on February 1, 1995, as Instrument No. 6513 in the Real Property Records of Denton County, Texas, together with each and every amendment and supplement thereto (hereinafter referred to as the “Declaration”); and

WHEREAS, the Board of Directors (“Board”) of the Association desires to establish a policy for elections to provide concise, clear and definitive guidance to property owners for their convenience.

NOW, THEREFORE, the Board has duly adopted the following *Elections Policy*.

Bylaws Control

All votes and elections by the members must be conducted in accordance with the Amended and Restated Bylaws of the Wellington of Flower Mound Residential Association, Inc., filed of record under Clerk’s File No. _____ in the Real Property Records of Denton County, Texas (the “Bylaws”). In the event of a conflict between the Bylaws and this Elections Policy, the Bylaws will control.

Typical Types of Elections:

- Board of Director Elections
- Amendments to the Governing Documents

Board of Director (BOD) Elections

- Held during the February Annual Meeting. Election notification is included in the Annual Meeting notice sent by USPS mail.
- Candidate nominations are collected over a minimum two (2) week period in the month of December. Notice of the nomination period is published in the Association newsletter, on the Association website and included in an email announcement. Candidates who miss this nomination window may announce their desire to run for a board position at the Annual Meeting, prior to a vote by the attending members.
- Prospective candidates are advised that Board members may not have a felony or crime of moral turpitude conviction within the last 20 years. All but one (1) of the board members must live within the community. Prospective candidates are encouraged to have at least six (6) months experience on an Association committee and to be a member in good standing.
- Candidates are to be treated equally with respect to opportunities to communicate with members. Candidates are expected to treat each other with courtesy and respect.
- Candidates receiving the largest number of member votes will be elected and serve a two (2) year term.

Amendments to the Governing Documents

- Held as needed.

- Notification to be mailed by USPS either as a separate mailing or included in the Annual Meeting notification depending upon when the election takes place.

Voting

- One vote per lot.
- Members may vote by ballot at the Association meeting or by proxy, or any other media as determined by the board.
- If voting by proxy, the legal property owner must complete, sign and date the proxy and return it the Association (fax, mail, drop box, etc.).

Vote Tabulation

Prior to the Annual Meeting, the Association staff will:

- Receive proxies
- Confirm the proxy contains the property owner name and address and has been signed
- Remove duplicate proxies (proxy with latest date)
- Count and tabulate the proxies

At the Annual Meeting, the Association staff with two (2) member volunteers, not a member of the board, will:

- Count and tabulate the ballots
- Consolidate proxy and ballot votes

Access to ballots and proxies is restricted to the tabulators who must keep individual voting results confidential.

Recounts

An owner may require a recount no later than 15 days after an election. The request must be sent verified mail (instead of certified mail), return receipt requested. Cost for a recount must be estimated and invoiced to the requester and paid within 30 days. Additional costs incurred will be invoiced to the requester and paid within 30 days. If the cost of the recount is less than what was invoiced the difference will be refunded to the requester. The association and requester must agree upon a person for the recount. If the recount changes the outcome, the requester will be reimbursed for the costs.

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