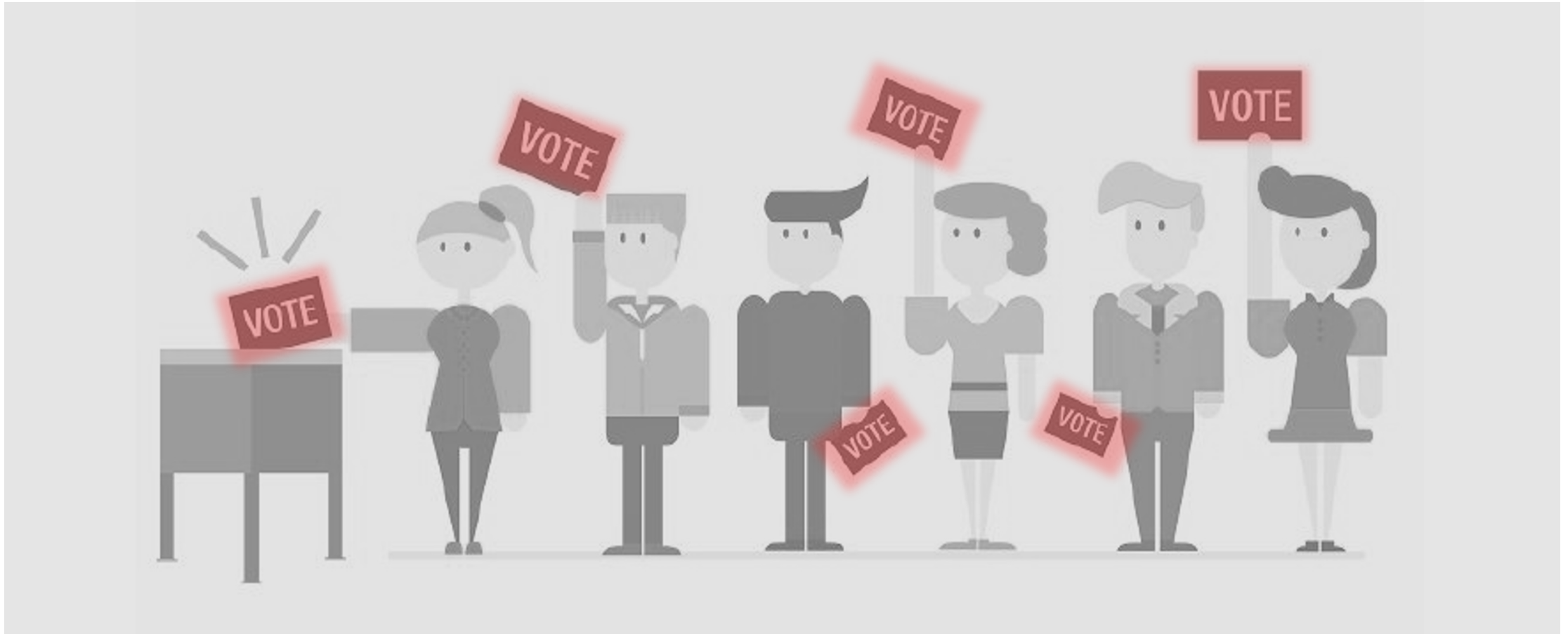


MONTAGE 2022 ELECTION RULE UPDATE



ELECTION COMMITTEE

Overview



- **Committee formed November 2021**
- **Comprised of Inspector of Elections and at least one board member**
- **Committee Roles and Responsibilities**
 - Monitoring changes in State Law requiring changes to Election Rules
 - Reviewing the Election Rules annually and make update recommendations
 - Reviewing and annually update all election related communications and supporting materials
- **Committee Webpage Link <https://wp.me/P679s6-25U>**
- **Election Information <http://montageatmissionhills.org/election-info/>**
- **Inspector of Elections Information <https://wp.me/P679s6-25U>**

ELECTION COMMITTEE

Recent Activities



- **Committee infrastructure established**
 - Created committee charter, webpage and resource library
- **Completed Update to 2020 Election Rules to create new 2022 Election Rules version**
 - Completed over 75 revisions to existing Rules
- **Developed new election process document library of 15 documents to support future elections and IoE**
 - Forms, reports, calendars and transmittals
- **Thanks to Tony Michaelis, Thomas Harper, Shelly Ruegsegger**

ELECTION RULES UPDATE

Overview



HOMEOWNERS ASSOCIATION

- **Five HOA related bills passed the 2021 Legislature and were signed Governor in September/ October**
 - Assembly Bills 1101, 502 and Senate Bills 391, 392 432
- **Bills added clarity to 2020 Election Rule Update**
 - More detail, longer lead times, more steps, increased work, greater cost
- **Bills became law January 1, 2022**
- **New law necessitated updating to Montage Election Rules**
- **Committee and Board have completed their review**
- **Updating Election Rules now requires Membership review and comment**

ELECTION RULES UPDATE

Highlights



- **Board recruitment changes**
 - Member 1 year; 90 days notification; 7 day acknowledgement
- **Uncontested elections / Election by Acclamation allowed**
 - When number of candidates is less than or equal to number of openings
 - Published rules 90 days in advance; has held election within the last 3 years
- **Individual Notice and General Notice requirements clarified**
- **Candidate and Voter Lists inspection requirements**
- **Recall and election timetable extended to 150 days**
- **Propose removal of write-in candidates**
- **Propose removal of nominations from the floor**

ELECTION RULES UPDATE

A Closer Look



• Board Recruitment

- Requires minimum 90 day for nomination process
- All nominations must be acknowledged and accepted or rejected within seven days
- Candidate disqualifiers
 - Being a member less than one year
 - Joint owner is already serving on the Board or is a Board candidate
 - Being delinquent in payment of regular or special assessment
 - Past criminal conviction that would, if the person were elected, prevent the association from purchasing fidelity bond coverage or terminate the association's existing fidelity bond coverage
- Disqualified candidates have right to Internal Dispute Resolution

ELECTION RULES UPDATE

A Closer Look



- **Uncontested Elections / Elections by Acclamation**

- Allows Board appointment of new Board member if number candidates running equal/less than the number of positions open
- Requires ballot election every four years
- Necessitates September start to election process to completed additional steps for March ballot

ELECTION RULES UPDATE

A Closer Look



- **Voters and Candidates Lists**

- Names and addresses 30 days before ballots distributed
- Permit member verification and require correction within two days

- **Individual Notice and General Delivery**

- Individual Notice by email when permission given or mail when no email
- General Notice by posting in newsletter and/or website

- **Record Retention**

- One year retention required
- Records retained by the Inspector or Elections

ELECTION RULES UPDATE

A Closer Look



- **Recall elections**
 - Maximum time for associations to hold the recall and new board member election and vote from 90 to 150 days from date of receipt of recall petition
- **Propose removal of provisions for write-in candidates**
- **Propose removal of provisions for nominations from the floor**

ELECTION RULES UPDATE

Next Steps



- **Board reviewed / approved updates in December / January**
- **Twenty-eight day Membership review begins with March 20 email blast**
- **Election Rule Zoom hearing/discussion Meeting April 14 at 10:00 A.M.**
- **Comments to Inspector of Elections, Scott Reese until April 19 scott.o.reese@gmail.com.**
- **Final 2023 Election Rules recommendation to Board at May meeting**
- **2023 Rules approval notification by general delivery in mid-May**
- **2023 Election Webpage with Election Rules by July 1**