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**RESOLUTION OF THE BOARD OF DIRECTORS OF
HARBOR POINT PROPERTY OWNERS ASSOCIATION
CONCERNING VOTING BY SECRET BALLOT AND ABSENTEE VOTING**

The Board of Directors (the "Board") of the HARBOR POINT PROPERTY OWNERS ASSOCIATION (The "ASSOCIATION"), at a meeting of the Board on December 6, 2022 at which a quorum of the Directors were present as required by the Bylaws of the Association, and after consideration, motion and vote, adopted by a unanimous vote of the directors present, the following resolution concerning the voting by secret ballot and absentee voting in accordance with the By-Laws of the Harbor Point Property Owners Association. This resolution supersedes the December 2, 2018 Board Resolution concerning Voting by Secret Ballots and Absentee Voting.

RESOLVED Where as the membership of the Harbor Point Property Association on May 7, 2016 has passed a motion to amend the By-Laws of the Association to allow for secret ballots during elections requiring written ballots. The Association's formal policy as to voting by secret ballot and absentee voting shall be as follows:

1. The right to vote by any member of the Association may not be denied regardless of the members standing.
2. The Association shall maintain a current property owners list and shall indicate on such list who received ballots and shall indicate the total number of ballots issued for the election and or initiative.
3. Ballots shall be of a specific design and/or color specific to the election and shall not be of the same design or color for the past three elections. Each ballot shall be specific as to the issues and include the date of the meeting at which ballots are cast. Each initiative for a change to the Deed Restrictions or By-Laws shall list a yes and no choice for each initiative.
 - a. When Board of Director positions are listed for election, the names of such candidates shall be listed alphabetically on the ballot. A Board member seeking re-election may be identified as a current Director with the following notation after their name indicating an incumbent: (I).
 - b. Ballot initiatives requiring a written ballot, deed restriction and/or By-Law changes shall be specific in nature i.e., indication whether a deed restriction or by-law, the appropriate paragraph number and heading or Article Number, paragraph designation etc. and the exact change being sought by the initiative.
4. Access to ballots prior to, during the voting process and vote counting shall be governed by the laws of the State of Texas. (Tx. Property Code 209.00594)
5. Early voting shall be allowed at the business office of the Association for a period of time authorized by the Board of Directors. Early vote ballots shall be placed in a locked ballot box, and the voting list shall indicate that such member has voted.
6. Proxy voting shall be allowed both during early voting and at such meeting where voting will take place. Proxies shall only be valid for an eleven (11) month period and must be in writing and signed by the property owner assigning such proxy. The proxy notice shall be retained by the proxy holder and the voting list shall indicate that the homeowner assigning the proxy has voted.

7. Absentee voting shall be allowed in accordance with the following:
- a. Requests for absentee ballots shall be required of the property owner at least 15 business days prior to the date of the meeting at which ballots will be cast. All requests shall include a self addressed, postage paid return envelope. When the ballots are mailed the voting list shall indicate that the person voted as absentee.
 - b. The following advisory MUST be included by the Association with each absentee ballot solicitation.

"By casting your vote via absentee ballot you will forego 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 vote s 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."
 - c. Absentee ballots must be returned to the Association Office by the close of business the day prior to the meeting at which votes will be cast. Absentee ballots must be enclosed in a plain envelope marked as "absentee ballot". This envelope must be enclosed within a mailing envelope which, when opened, at the time of ballot counting, will be destroyed and the blank envelope containing the ballot opened.
8. Votes shall be counted by any public office holder in the County where the election is held, or if not available a person or persons approved by the Board of Directors. A candidate for a Director position has the right to have a designated observer observe the counting process. Any Association member may also observe such counting.
- a. The total ballots counted shall not exceed the number of ballots issued. If the ballots counted exceeds the ballots issued the results are invalid and the vote re-held at a later date.
 - b. A blank ballot or a ballot indicating a yes or no vote which is left blank for an individual question on the ballot shall be counted as a non-vote and shall not be counted toward any percentage required for passage.
9. All records, i.e., voting list, ballots and vote tallies shall be retained by the Association until the required period of time has passed as required by the Laws of the State of Texas for any challenge and/or recount to the election or vote. If no request for a recount and all notifications and payments are not received in event of a request for recount by the statutory period, the records shall be destroyed AFTER the results are recorded by the Secretary in the meeting minutes and approved at the next meeting of the Board of Directors.

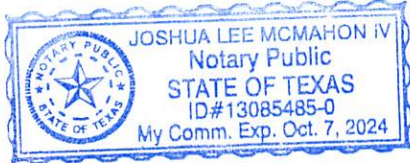
By:



STAN NEVILL, President

THE STATE OF TEXAS §
§
COUNTY OF POLK §

This instrument was acknowledged before me on the 28th day of December, 2022 by STAN NEVILL, President, HP Owners Association, doing business as Harbor Point Property Owners Association, on behalf of said Association.



Josh Lee McMahon IV
NOTARY PUBLIC, STATE OF TEXAS

AFTER FILING RETURN TO:
Skelton Slusher Barnhill Watkins Wells PLLC
501 W. Church Street
Livingston, Texas

FILED
at 10:20 o'clock A M
JAN 03 2023

SHASTA BERGMAN
COUNTY CLERK, TRINITY CO., TEXAS
By: [Signature] CLERK

THE STATE OF TEXAS
COUNTY OF TRINITY

I hereby certify that the instrument was FILED on the date and at the time stated herein by me and was duly RECORDED in the Official Public Records of Trinity County, Texas in the Volume and Page as noted herein by me.

Shasta Bergman
County Clerk, Trinity County
By: [Signature] Deputy 