



Election Handbook

Revised 2022



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Items to be added:

- Annual Meeting Announcement & Agenda
- Annual Meeting Notice -Electronic Voting Instructions
- Annual Meeting Notice – Paper Ballot Requests
- Election Summary Report



Nominating and Elections Calendar/Timeline

	Calendar Event	Who	Schedule	Flexibility	Date/Time
	<u>Call for NEC Volunteers</u>	Manager	August	30-days before September Board Meeting	
	Appoint NEC Members & Chairperson	Board	HOA Board at Sept. Board Mtg	No less than 120-days prior to Annual Meeting (AM)	
	Set Annual Meeting	Board	HOA Board at November Meeting	March: No later than March 31	
	Schedule First NEC Meeting	Board President		No later than Dec 15th	
	<u>Create Election Calendar and review NEC Process</u>	NEC	AM minus 100 days	No later than Jan 2 nd	
	Populate website calendar	Manager			
	<u>NEC Meeting: Review / Approve Call for Candidate Mailing Materials</u>	Manager/NEC	AM minus 90 days	No later than Jan NEC Meeting	
	Mailout Call for Candidates	Manager	AM minus 80 days	REQUIRED / FIXED	
	Candidate Application Deadline	Candidates	AM minus 50 days	REQUIRED / FIXED	
	<u>Candidate Questions Due from Owners (Forum)</u>	Owners	AM minus 50 days	FLEXIBLE	
	Meet the Candidates Introduction Video	Candidates / Manager	AM minus 45 days	FLEXIBLE	
	Review Annual Meeting Notice, Election & Voting Instructions		AM minus 45 days	REQUIRED/FIXED Feb NEC Mtg	
	Begin Setup of Voting Website	Manager	AM minus 45 days	No later than February 15 th	
	Election Supplies on hand		AM minus 40 days	No later than February 20 th	
	Update Assn Rolls – Owners of Record		AM minus 40 days	No later than February 20 th	
	Annual Meeting Notice/Election Instructions Copying/Stuffing Complete		AM minus 35 days	No later than last week of Feb	



	Annual Meeting Notice & Election Instruction Mailout		AM minus 30 days	REQUIRED/FIXED 10-30 days (Bylaw)	
	Meet the Candidates Forum		AM minus 20-40 days	FLEXIBLE	
	Deadline to request mailed Paper Ballots		AM minus 14-days	FIXED	
	Ballot Due		AM minus 3 days	REQUIRED/FIXED ED	
	Ballot Counting & Tabulations		AM minus 1 day	REQUIRED/FIXED ED	

Notes: REQUIRED/FIXED dates are set by either CC&R, State Statute or Common Sense to meet outside time demands (Postal Delay being the most obvious). The intent is to allow some flexibility without requiring fixed dates for everything.



Purpose of the Nominating and Election Committee & Procedural Manual

I. Purpose and Term of Committee

The Nominating and Election Committee shall nominate candidates for the Directors' positions to be elected and filled by Members annually. The members of this Committee shall oversee all elections during a one-year term that begins at least 120 days before the Annual Meeting each year.

Per Bylaws - Article X, Section 10.1 Purpose and Term of Committee

II. Reason for this Manual

This "Civano Elections Handbook" was developed to aid the Association in establishing and maintaining consistent, transparent, and efficient procedures for conducting Association elections in a manner that ensures compliance with the Association's governing documents, as well as the legal requirements of the State of Arizona, while also safeguarding the membership's confidence in the integrity of the Association's election processes.

Please see Bylaws, Article X, Section 10.3 Nominating and Election Procedures.

There shall be a Nominating and Election Procedures Manual. This Manual and any amendments thereto require the approval of the Board.

III. Purposes of Elections

If a proposed action by the Civano 1: Neighborhood 1 Association, Inc. (the "Association") is brought before the membership for a vote, the Association must conduct an election. An action by the membership of the Association determined through voting may be for several different purposes, including:

- a. Election of Board Directors
- b. Amendment or Termination of the Covenants, Conditions and Restrictions
- c. Matters brought before the Members at any meeting of the Association Membership
- d. Deciding on any Association issue deemed appropriate by the Board of Directors

IV. Arizona State Statutes Governing Election Process

- a. Planned Communities Act: ARS § 33-1812 Proxies, absentee ballots; definition:

<https://www.azleg.gov/ars/33/01812.htm>

- b. Non Profit Corporation Act: ARS § 10-3708 Action by written ballot, online voting: <https://www.azleg.gov/ars/10/03708.htm>



Role of the Nominating and Election Committee

The Association's Bylaws stipulate that the Nominating and Election Committee (the "NEC") shall oversee all elections. Members of the NEC are appointed by the Association's President, with approval of a majority of the Board of Directors, for a term of one year that begins at least 120 days before the Association's Annual Meeting of the Membership.

Any Board Members whose terms are not expiring may be a member of this Committee and the appointment of any Board Member (s) and of the Committee Chairperson is at the discretion of the President.

Because the NEC is charged with overseeing all aspects of Association elections, it is essential that the NEC perform its functions in a manner that ensures the integrity, fairness and transparency of the election process.

Key tasks of the Nominating and Election Committee include:

- Establishing the overall timeline for the election process;
- Preparing all informational materials relating to the election process;
- Organizing the mailings of election materials;
- Receiving applications from prospective candidates for open positions on the Board of Directors;
- Reviewing candidate applications to confirm eligibility (i.e., that the candidate is a "Member in good standing," meaning his/her assessment account is current).
- Soliciting a Candidate Statement in a consistent format from each prospective candidate;
- Nominating a slate of candidates for open positions on the Board of Directors;
- Preparing the ballot and instructions for voting, while allowing for the addition of "write-in" candidates;
- Issuing all official ballots;
- Overseeing the placing of ballots into the ballot box;
- Maintaining anonymity of ballots;
- Opening ballots, counting votes and tabulating election results;
- Certifying results to the Board of Directors and the Board of Directors shall certify the election and announce the results to the Membership either at a meeting, or by written notification to the Membership, if "Action by Written Ballot" is used without a meeting.



General Committee Guidelines

- Members of the NEC are appointed by the Association's President with approval of the Board of Directors;
- Appointment of the NEC Chair is at the discretion of the Association's President
- NEC shall provide advance notice of its meetings to the Association Membership;
- NEC meetings shall be open to Association Members;
- NEC shall keep meeting minutes, which should be submitted in a timely manner to the HOA Manager for posting on the HOA website;
- Any NEC Member may be removed without cause at any time by the Board;
- The HOA Manager shall assist the NEC Members to assure compliance with the Association's governing documents;
- The NEC Chair is authorized to consult and plan with the HOA Manager and other Community Management staff Members.
- Only Members of the Association may be appointed as Members of the NEC;
- A majority of the NEC constitutes a quorum;
- An act of the majority of the NEC Members present at any meeting where there is a quorum shall be considered an act of the NEC;
- NEC shall conduct its business in a manner demonstrating its good faith efforts to comply with the procedures set forth in the Association's governing documents and this Election Handbook.



Role and Responsibilities of the Committee Chair

The Chair supervises the activity of the Committee and ensures the coordination of all its activities, while ensuring that all the tasks of the Committee are completed in compliance with these Guidelines and Procedures.

It is also the responsibility of the Chair to bring matters needing the attention of the Board of Directors to the HOA Manager. The Nominating and Election Committee (hereinafter known as NEC) Chair is authorized to consult and plan with the HOA Manager and other Community Management staff Members.

Election Subcommittee. The Board shall authorize the NEC Chairperson to appoint an Election Subcommittee, consisting of HOA Members, who may volunteer to assist with election-related activities.

Mailing Out the Ballot Packets. The HOA Manager and staff are available to assist the NEC with the mailing logistics and printing of the ballot packet materials. Close communication between the NEC Chair and the HOA Manager is necessary to ensure that everyone is clear about their respective responsibilities and to plan for adequate help with getting various tasks completed according to schedule. Recruiting volunteers to assist with folding, stacking, stuffing envelopes, sealing and stamping is highly recommended.

Custody of the Ballot Box. The HOA Manager maintains custody of the Ballot Box in the HOA Office. The HOA Manager holds the key to one of the two locks on the box and the NEC Chair holds the key to the other lock. Opening of the locked Ballot Box requires the participation of both the HOA Manager and the NEC Chair. Prior to the start of a new election process, the Ballot Box should have been emptied out of any materials from the previous election and retained by the HOA Manager. NEC Chair may appoint a Designee from the Committee to open the box in his/her absence.

In order to document the chain of custody over the contents of the Ballot Box, a "Ballot Box Opening Log Sheet" is maintained and kept inside the locked box. Whenever the locked Ballot Box is opened, the date, time, and purpose are noted on the Log Sheet, which is then signed by both the HOA Manager and the NEC Chair.

Appoint Vote Counters or Help in Opening Ballots. The NEC Chair may appoint two members of the NEC Committee or Election Subcommittee as vote counters. NEC Chair may appoint volunteers to assist in opening, stacking and counting envelopes.

Point of Contact for Questions or Clarification. The NEC Chair shall serve as the point-of-contact for questions or procedural clarification during all stages of the vote count. Any questions should be clearly stated to the Chair.

The NEC vote tabulators should confer and reach agreement in their decision that a ballot is "invalid". If the vote tabulators do not reach agreement or have questions, they should direct questions to the NEC



Chair for clarification or discussion and resolution by the group. NEC Chair may engage all NEC Committee Members in reaching a decision as to ballot validation.

After discussion, the NEC Chair makes the final call and renders the decision as to validity of the ballot. If the NEC Chair determines that a ballot is "invalid", then none of the votes indicated on the ballot should be counted

Final Call at a Voting Meeting and Initiate Opening of Ballot Box for Count. The NEC Chair announces final call to the Members who are voting In Person to deposit their completed ballots in the Ballot Box. NEC Chair (or designee) and HOA Manager open separate locks on Ballot Box and then signs and dates "Ballot Box Opening Log".

Write-In Candidate Contact. If a "Write-In" candidate receives the highest votes and is determined to be eligible, then the NEC Chair will contact the individual immediately to confirm that he or she is willing and able to accept a position on the Board of Directors. If "Write-In" candidate declines to accept the position on the Board of Directors, then the NEC selects the next candidate with the most votes and the process of determining if Candidate is willing to accept the position is repeated until the next eligible candidate with the most number of votes accepts the position on the Board of Directors.

Ballot Count Summary Sheet and Election Summary Report. NEC Chair completes the "Ballot Count Summary Sheet" and then the "Election Summary Report", which is provided to the HOA Board, as soon as possible. The NEC Chair requests that the HOA Manager posts the "Election Summary Report" on the HOA website, as soon as possible, but no later than the following day after the NEC has finalized the election results. The NEC Chair also requests that the HOA Manager send the "Election Summary Report" to any member who submitted an "Elections Results Notification Request Form" with their ballot. The Nominating and Election Committee will not convey the election results to Election Observers.



Candidate's Forum Process

1. INTRODUCTION: CHAIR, NOMINATING & ELECTION COMMITTEE
2. MODERATED BY: LEAGUE OF WOMEN VOTERS
3. DUE TO TIME CONSTRAINT AND NUMBER OF CANDIDATES ONLY 8 QUESTIONS SENT IN BY THE COMMUNITY WILL BE ASKED OF EACH CANDIDATE.
4. NO QUESTIONS WILL BE TAKEN FROM THE AUDIENCE BUT CANDIDATES WILL BE AVAILABLE TO ANSWER QUESTIONS ONCE THE FORUM HAS CLOSED.
5. EACH CANDIDATE WILL HAVE AN OPPORTUNITY TO PRESENT A 2 MINUTE OPENING STATEMENT.
6. THERE WILL BE UP TO 8 ROUNDS OF QUESTIONS WITH 1 QUESTION FOR EACH ROUND UNTIL ALL CANDIDATES HAVE HAD AN OPPORTUNITY TO RESPOND TO ALL QUESTIONS.
7. CANDIDATES HAVE 90 SECONDS TO ANSWER EACH QUESTION.
8. EACH ROUND WILL START WITH A DIFFERENT CANDIDATE UNTIL EACH CANDIDATE HAS HAD THE OPPORTUNITY TO BE THE FIRST TO SPEAK.
9. AFTER ALL CANDIDATES HAVE ANSWERED ALL QUESTIONS, THEY WILL HAVE AN OPPORTUNITY TO PRESENT A 2 MINUTE CLOSING STATEMENT.
10. CANDIDATES WILL BE AVAILABLE TO ANSWER QUESTIONS ONCE THE FORUM IS COMPLETED.



Rules of Conduct – Candidates Forum

1. Due to time constraints please refrain from applauding or cheering.
2. No shouting out comments or questions from the audience.
3. Respect the right of all people to hold different opinions.
4. Attendees who are disruptive will be asked once to refrain from such behavior.
5. Second disruptive behavior attendee will be asked to leave.



Three Ways of Voting – Two Different Election Statutes

The three ways for Civano 1 Neighborhood 1 Members to vote on Association issues include:

Voting in person (and by Absentee Ballot or Electronic Voting)

- A.R.S. § 33-1812 (Proxies, absentee ballots; definition) stipulates that planned communities, such as Civano 1: Neighborhood 1 Association, Inc., “shall provide for votes to be cast **in person** and **by absentee ballot** and may provide for voting by *some other form of delivery*.” Electronic voting comes under the category of: “*other form of delivery*.” Votes allocated to a unit may not be cast pursuant to a proxy.
- Association Bylaws stipulate that, “**At any meeting of the Membership, the Members shall be entitled to vote** on each matter brought before the membership.” And that, “The Board shall provide for votes to be cast **by absentee ballot** at any meeting of the Association.”

Action by Written Ballot (without a meeting)

- A.R.S. § 10-3708 (**Action by written ballot**) authorizes non-profit corporations, such as the Civano 1: Neighborhood 1 Association, Inc., to take any action without a meeting that could be taken at a meeting of its members, if the Association delivers a “**written ballot**” to every member entitled to vote on the matter.
- Association Bylaws authorize the Board of Directors to use “**mail-in ballots**” in place of voting at a meeting (including an Annual Meeting), on any election or vote on any issue it deems appropriate, including the election of Directors.”

Who May Vote in Civano Elections?

Every owner of a Civano lot or parcel is a member of the Association. Furthermore, the Bylaws stipulate that, “When more than one (1) Person holds an ownership interest in any Lot or Parcel, each Person is a Member.

If a member owns multiple lots or parcels in Civano, the member is entitled to cast multiple votes – one for each lot owned, or as allocated in the Declaration for ownership of parcels.

When more than one person or entity holds an ownership interest in any lot or parcel, the vote for that lot or parcel shall be exercised as jointly agreed upon by the owners. In no event shall the owners of a lot or parcel cast more votes than is allocated in the Declaration.

The Board of Directors has resolved that “all Parcel/Lot Owners in Civano 1: Neighborhood 1 shall be allowed to vote in elections even though they may be delinquent in their obligation to pay assessments or other charges to the Association.



Written or Absentee Ballot Collection Process

Regardless of whether voting will be taking place by Written Ballot (without a meeting), in accordance with A.R.S. § 10-3708, or by In-Person Voting at a meeting of the membership with the use of Absentee Ballots, in accordance with A.R.S. § 33-1812, Written Ballots and Absentee Ballots are collected and processed similarly.

The instructions mailed out with the ballot materials should clearly indicate the deadline for returning to the HOA Office the completed Written Ballot or completed Absentee Ballot.

If the instructions are followed correctly, the completed ballot printed on colored paper will be sealed inside the colored security envelope labeled, "SECRET BALLOT", which, in turn, will be inserted in the stamped colored ballot return envelope addressed to the HOA Office.

The instructions should indicate that ballots may be mailed back to the HOA office or hand-delivered to the HOA office during normal business hours.

Logging in Returned Ballots

When the HOA office receives returned Written Ballots or Absentee Ballots, either by U.S. Postal Service delivery or by personal delivery, the colored envelope immediately alerts the HOA Manager and staff that they have received a "ballot". Each ballot envelope received will be date and time-stamped and initialed by the HOA staff.

The HOA Manager then conducts an initial ballot validation process by reading the Lot Number indicated on the return address label of the colored ballot return envelope and logging it in by yellow highlighting the corresponding Lot Number on the previously prepared Ballot Validation Association Membership List. This version of the Membership List should be sorted by Lot Numbers, in ascending order, and printed without listing the name(s) of the lot owners, to help ensure the secrecy of the ballots.

Later, this yellow-highlighted Ballot Validation Association Membership List will be turned over to the NEC once the deadline has passed for returning completed Written Ballots or Absentee Ballots. The NEC conducts a second ballot validation process, using the same list, before it begins the vote tabulation process.

Any ballots received after the official deadline for returning Written Ballots or Absentee Ballots has passed, should be date and time-stamped, initialed by the HOA staff member, and marked "RECEIVED LATE". These late ballots should not be logged in or yellow-highlighted on the Ballot Validation Association Membership List. They should also not be placed in the Ballot Box. Rather, they should be kept separately and retained for record keeping purposes by the HOA Manager.



Ballot Box Security Procedures

After the HOA Manager has logged in and verified the returned ballots against the Ballot Validation Association Membership List, the colored ballot return envelopes should be deposited unopened into the double-locked Ballot Box.

The same process is followed whether using a Written Ballot without a meeting procedure for voting or an Absentee Ballot procedure in conjunction with in-person voting at a meeting of the Association membership.

The HOA Manager maintains custody of the Ballot Box in the HOA Office. The HOA Manager holds the key to one of the two locks on the box; and the NEC Chair holds the key to the other lock. Thus, any opening of the locked Ballot Box requires the participation of both the HOA Manager and the NEC Chair. Prior to the start of a new election process, the Ballot Box should have been emptied out of any materials from the previous election and retained by the HOA Manager.

The locked Ballot Box should not be opened until the NEC is ready to begin the ballot counting process.

In order to document the chain of custody over the contents of the Ballot Box, a "Ballot Box Opening Log Sheet" is maintained and kept inside the locked box. Whenever the locked Ballot Box is opened, the date, time, and purpose are noted on the Log Sheet, which is then signed by both the HOA Manager and the NEC Chair.



In-Person Voting Process

If the election is being conducted by In-Person voting in conjunction with a meeting of the Association membership, in accordance with the provisions in A.R.S. § 33-1812, then the NEC needs to be prepared to manage both ways of allowable voting: in-person voting at the meeting itself and voting by Absentee Ballot prior to the meeting.

The deadline for receiving Absentee Ballots should be established as the close of business at the HOA Office on the day prior to the meeting of the Association membership.

Managing the two ways of voting in this type of election requires careful planning and methodical procedures for signing in members on a current Meeting Attendance Membership List and comparing their respective Lot Numbers against the yellow-highlighted Lot Numbers on the official Ballot Validation Association Membership List, which indicates which Lots have already cast Absentee Ballots.

The Regular Ballots to be used for casting votes at the Association meeting by members who have not already voted by Absentee Ballot should be printed on different colored paper than the Absentee Ballot. The return envelopes for Regular Ballots should be the same color as the Regular Ballot. Using different colored paper for the Absentee Ballots and the Regular Ballots allows the NEC to quickly and easily distinguish the two different ballots, which will be helpful in determining whether a quorum has been achieved for the meeting.

The text on the Regular Ballot with respect to the voting section of the ballot should be identical to that of the Absentee Ballot. However, **the word, “Absentee”**, should be removed from the ballot title. The instructions on the Regular Ballot should also be modified to remove all references regarding how to mail in or return the Absentee Ballot.

HOA staff and the NEC must carefully coordinate the member sign-in process to track the following information:

- a. HOA staff should ensure that all members attending the Association meeting sign in on a current “Meeting Attendance Membership List” under their Lot and/or Parcel Number.
- b. The NEC should then check the attending members’ Lot and/or Parcel Number on the “Ballot Validation Association Membership List”. If their Lot/Parcel Number is yellow-highlighted, it indicates that an Absentee Ballot has already been received for their Lot/Parcel and therefore another ballot may not be cast for their Lot/Parcel at the meeting. If their Lot/Parcel Number is not yellow-highlighted, then the NEC should green-highlight their Lot/Parcel Number on the “Ballot Validation Association Membership List” and issue them a Regular Ballot for casting at the meeting.



**Owners of multiple lots should be provided a separate ballot for each lot owned.
Owners of parcels should be provided the number of separate ballots to which they
are entitled according to the formula in the CC&Rs (Article 7, Section 7.1).**

For each Regular Ballot issued, the member should also be given two envelopes: a security envelope labeled "SECRET BALLOT" and a colored ballot return envelope. The security envelope, into which the tri-folded, completed ballot is sealed, should have no other identifying information on it. The security envelope, with the completed ballot sealed inside is then inserted into the colored ballot return envelope for depositing into the Ballot Box. The NEC should write the Lot or Parcel Number associated with the ballot in the return address label area of the colored ballot return envelope.

This careful tracking is necessary to ensure that no more than the allocated votes are cast for a particular Lot or Parcel, as well as in determining whether a quorum has been achieved for the election to be valid.



Processing the paper ballots:

1. NEC Chair and HOA Manager will open and empty the Ballot Box simultaneously and note opening on ballot box sign in sheet.
2. NEC Committee members will sort all the ballots in ascending order according to the Lot Numbers listed on their return address label.
3. Recommended supplies: Empty envelope boxes or something similar hold the ballots conveniently. Electric letter opener. Trash can for discarded envelopes.
4. NEC will now conduct a second ballot validation process by crosschecking the Lot Numbers on the outside return label of the return envelopes against the Lot Numbers that are either yellow-highlighted or green-highlighted on the Ballot Validation Association Membership List.
5. When the match is verified between the Lot Number listed on the return address label of the ballot return envelope and the highlighted Lot Number on the Ballot Validation Association Membership List, a check mark should be added next to the highlighted Lot Number on the List and also next to the return address label on the ballot return envelope.
6. NEC will annotate numbers in numerical order on the bottom corner of each ballot.
7. NEC will verify the count against the number of ballots received on the Membership list.
8. Recommended supplies: Empty envelope boxes or something similar hold the ballots conveniently. Electric letter opener. Trash can for discarded envelopes.

In-Person Voting

If voting is in conjunction with a meeting of the Association membership:

1. NEC will have green-highlighted the Lot/Parcel Numbers on the Ballot Validation Association Membership List of those members who were provided a Regular Ballot upon their arrival at the meeting for casting their ballot in person, because the NEC verified that they had not previously cast a vote by Absentee Ballot.
2. This ballot validation process verifies that no more than one returned ballot envelope has been received from each Lot Number; or in the case of Parcels, the number of votes allocated to that parcel by the CC&Rs.



3. The NEC should attempt to reconcile any discrepancies identified between the highlighted Lot/Parcel Numbers on the Ballot Validation Association Membership List and the Lot/Parcel Numbers on the return address labels of the ballot return envelopes removed from the Ballot Box.
4. Any discrepancies that cannot be resolved should be noted in the Election Summary Report provided to the Board.



1. An Election Monitor will be designated by the NEC.
2. Election Monitor's responsibility will be to ensure the integrity of the election process during the Ballot Count.
3. Prior to the start of the Ballot Count process Election Monitor will ensure that the "QUIET" sign has been posted in the Rotunda.
4. Prior to the start of the Ballot Count process Election Monitor will ensure sure that all attendees outside of NEC members are instructed in the process of the election and behavior expected during the process or they will be asked to leave.
5. Election Monitor will distribute a written synopsis of the Election Process to all attendees and will ensure that an Election Manual is available for attendees use.
6. Election Monitor will ensure that only Committee member open the ballot box and match names to master sheet and ensure that these Members are not distracted or count interfered with.
7. Election Monitor will ensure ballot counters are able to count ballots without interference, noise, or distractions.
8. Election Monitor will ensure that all attendees remain 8' from ballot counters and that any conversation be kept to a whisper so as to not distract ballot counters or they will be asked to leave.
9. If any attendee observes an election infraction or has an election process question, they are to raise their hand to attract attention of Election Monitor. No shout outs will be tolerated.



Counting the Ballots

The NEC should conduct the ballot counting process immediately after all voting has **closed**. It is recommended that the NEC use Microsoft Excel or similar spreadsheet program to count votes. If Microsoft Excel is used, the NEC members should confirm that designated ballot counters are prepared to use the software, or conduct a brief Excel training session, if necessary. The HOA Manager should be available during the ballot counting process to assist the NEC with logistics.

In the case of an election using voting by Written Ballot without a meeting of the Association membership, the ballot count should take place immediately following the officially announced deadline for returning ballots.

In the case of an election using In-Person Voting and Absentee Ballots in conjunction with a meeting of the Association membership, the ballot count should begin immediately after the close of voting at the meeting.

The ballot counting process can take approximately 2-3 hours, depending on the complexity of the ballot and the vote tabulation process, including the number of candidates, the number of write-in candidates that members add to their ballots and the number of ballot measures. The NEC Chair may appoint two members of the NEC Committee or Election Subcommittee as vote counters or to open. The NEC should have already recruited volunteers to help open envelopes and appointed them to a subcommittee prior to the opening of the envelopes. The NEC Chair shall serve as the point-of-contact for questions or procedural clarification during all stages of the vote count. Any questions should be clearly stated to the Chair.

Preparation of Vote Tally Excel Sheets

1. It is recommended that the NEC set up identical spreadsheets on two separate laptops to record the vote counts. Alternatively, a set of pre-printed tabulation forms could be formatted similarly for manually recording the vote counts.
2. The spreadsheet should be prepared in advance with the nominated candidates and/or ballot measures listed as the headers of separate vertical columns. If any write-in candidates emerge as the ballots are being processed, their names can be added as headers of additional columns. The votes indicated on each separate ballot being processed are then recorded along subsequent horizontal rows, by initiating a new row, scrolling across and inserting a “1” in the column under the corresponding candidate’s name.
3. A “subtotal” row should be inserted directly under the “header” row listing the name of each candidate atop a separate column and then a “freeze pane” command inserted



immediately below the “subtotal” row. This formatting of the spreadsheet allows the NEC vote counters to easily compare their ongoing vote counts for the various candidates and/or ballot measures, even as additional horizontal rows are added when each new ballot is processed.

4. The spreadsheet’s automatic numbering of the horizontal rows allows the vote counters to easily keep track when a batch of 10 ballots has been processed, signaling that they should compare their vote subtotals and investigate any discrepancies. The spreadsheet’s automatic numbering of the horizontal rows also indicates the total number of ballots cast.

Vote Tabulation

1. The ballots should be processed in batches of ten (10) by two NEC members working side-by-side but separately to tabulate the votes on each ballot, so they can cross-check each other’s counts.
2. After counting 10 ballots, the two NEC vote counters should confer to verify that they have the same vote counts for the various candidates and/or ballot measures. This method helps ensure that any vote count discrepancies that may arise can be easily and quickly resolved.
3. Once processed, each batch of 10 ballots should then be paper-clipped together and set in a pile facedown.

When the ballot counting is completed and the accuracy of the vote counts verified between the two NEC vote counters, be sure to “lock” the spreadsheet so that no inadvertent changes can be made to the document. A further guarantee against any alterations to the vote tabulation spreadsheet is to convert it into a Portable Document Format (PDF) document that cannot be edited. The Chair should request verbal confirmation from each ballot tabulator that the file has been locked for editing.

“Invalid Ballots”

The NEC vote tabulators should determine a ballot to be “Invalid” if:

- a. More votes are marked on the ballot than allowed, or;
- b. More than one ballot has been cast for the same Lot Number, or;
- c. More ballots have been cast for the same Parcel Number than allocated to that Parcel by the CC&Rs.

In the case of b) or c) above, all such ballots cast shall be declared “Invalid”.



- If a ballot has been marked with multiple votes for a single candidate (although contrary to the ballot instructions), but the total votes cast has not exceeded the number of votes allowed, then the ballot should not be invalidated. Rather, just one (1) vote should be tallied for the candidate indicated and the additional votes indicated for that candidate should be ignored.
- The two NEC vote tabulators should confer and reach agreement in their decision that a ballot is “invalid”. If the vote tabulators do not reach agreement or have questions, they should direct questions to the point-of-contact (NEC Chair) for clarification or discussion and resolution by the group.
- If the NEC determines that a ballot is “invalid”, then none of the votes indicated on the ballot should be counted.
- Such a ballot should be labeled “Invalid Ballot”, initialed by the NEC members and separated from the other ballots. They should be retained, however, as part of the election records. At the conclusion of ballot processing, the number of “invalid” ballots should be counted and indicated in the Election Summary Report delivered to the Board of Directors.



Determining Election Winners for Board of Director Positions

The first step in determining the election winners is to identify the candidate receiving the most votes for each category of open Land Use Classification position on the Board of Directors.

If the continuing members on the Board of Directors whose positions are not up for election already fulfill the Land Use Classification representation requirements, then the ballot should not have listed candidates by their Land Use Classification category. In this situation, all positions to be filled on the Board of Directors are essentially “open” positions awarded to the candidates receiving the highest number of votes, without regard to the Land Use Classification of the lot or parcel they own.

If necessary, once the mandatory representation on the Board for each Land Use Classification has been achieved, the NEC should then determine the winners of any remaining open positions on the Board, based on the highest number of votes received, regardless of their indicated Land Use Classification, until all positions are filled.

If the vote tallies indicate that the potential winner of one of the Land Use Classification positions or other open position on the Board is a write-in candidate, then the NEC must first determine that the individual is both eligible and willing to serve on the Board before declaring him or her an election winner. In such a situation, the NEC should immediately request that the HOA Manager verify whether the write-in candidate is a member “in good standing” of the Association. Essentially, this is a check to ensure that their Association assessment account is current.

If the write-in candidate is not a member “in good standing”, then he or she is not eligible to serve on the Board, according to the Association’s Bylaws. In this case, the NEC should then proceed to the candidate receiving the next highest number of votes.

If the HOA Manager verifies that the write-in candidate is “in good standing”, then the NEC should immediately contact the individual to confirm that he or she is willing and able to serve on the Board of Directors. If confirmed affirmatively, then the NEC should identify that write-in candidate as one of the election winners. However, if the write-in candidate declines, the NEC should then proceed to the candidate receiving the next highest number of votes.

The NEC should not prematurely announce or reveal the election results to observers or others, until it has certified the election results to the Board and formally announced the results to the membership either at a meeting or, if Written Ballots were used in the absence of a meeting, by posting on the HOA website and through written notification to the members.



Instructions for the Election Summary Report

When all the ballots have been processed and the vote tallies completed (whether using Written Ballots for an election without a meeting; or using ballots cast In Person, along with Absentee Ballots or electronic voting, for an election conducted in conjunction with a meeting of the Association membership), the NEC should then prepare its Election Summary Report to formally document the election results to the Board of Directors. The NEC should make every effort to complete the Election Summary Report and transmit it to the Association President as quickly as possible after the vote count has been completed and the winners determined.

The Election Summary Report should include the following information:

- The total number of ballots cast.
- The total number of ballots that were In-Person Ballots.
- The total number of ballots that were Absentee ballots.
- The total number of ballots that were electronic ballots.
- The number of ballots needed for a quorum to validate the election and whether or not a quorum was achieved.
- The NEC's determination of the winning candidate for the different open Land Use Classification positions on the Board, and the winners of any remaining open positions on the Board.
- The number of votes received by each candidate, including any write-in candidates, in descending order.
- In the case of a ballot measure, the number of "For" votes and the number of "Against" votes and the NEC's determination of whether the ballot measure has passed.
- The total number of ballots received that were determined by the NEC to be "Invalid".

Preserving Ballot Materials

The NEC should ensure that the HOA Manager preserves all the ballots received, including those received after the voting deadline, as well as all associated ballot materials, until the subsequent election cycle has been fully completed. Preserving ballot materials is necessary in the event there is a legal challenge of the election results or of the manner in which the election was conducted. In accordance with ARS 33-1812, Ballots, envelopes and related materials, including sign-in sheets if used, shall be retained in electronic or paper format and made available for member inspection for at least one year after completion of the election.



SAMPLE – Letter from the President

Date

Dear Committee Members,

I want to take this opportunity to thank all of you on the behalf of the Board and myself for agreeing to serve on the Nomination and Election Committee. Your time, your energy and your enthusiasm are greatly appreciated.

As you know, selecting new Board Directors is an important task that helps to direct the future of this Community. I want to express my personal appreciation for your contribution to preserving the integrity of our election process and to a successful outcome.

This is only possible through your commitment of time and effort, which is especially notable given your normal responsibilities.

Again, thank you for your continued commitment to this Community and its homeowners.

I have reviewed our required timeline, and it seems the best day/time for our meetings is on Tuesday, December 1st at 5:30 pm. I look forward to working with you again in the future.

Sincerely,

Civano 1 Board President



SAMPLE – Volunteer Interest Statement

Committee Volunteer Statement of Interest

Name: _____ Lot: _____

Lot: _____

Address: _____

Phone: _____ E-Mail: _____

Circle the committee(s) you would like to participate on:

Design Review Committee (DRC)

Civano Common Area Asset (CCAA)

Nominating & Election Committee

Budget & Finance Committee

Events Committee

Other: _____

Briefly state your skills and interest for the chosen committee(s), what you hope to accomplish for Civano, and that you understand the nature of this commitment:

I certify that I am a homeowner of Civano I: Neighborhood I Association in and that I will uphold the governing documents as written.

Signature:

Please return this application to:

Civano I: Neighborhood I Association

10501 E Seven Generations Way #109, Tucson, AZ 85747

Email: hoa@civano1.com Phone: (520) 546-3862



SAMPLE – Call for Candidates Mailing

Call For Candidates Mailing

TO: Members of Civano 1: Neighborhood 1 Association
FROM: Nominating & Elections Committee
SUBJECT: 2022 Annual Election

Date

The Civano HOA Board of Directors has requested that the Nominating and Elections Committee proceed to conduct the 2022 Annual Election pursuant to the Planned Communities Act which will include electronic voting, absentee voting and in-person voting.

Your voice in your community governance is heard through your participation in the Board of Directors' election. It is important and greatly appreciated.

Please support your community by filling out the attached Candidate Application to serve on the Board of Directors.

OPENINGS ON BOARD OF DIRECTORS

There are **four (4)** positions on the Board of Directors to be filled in the **2022** Annual Election. Per Section 6.2 of the Bylaws and Section 6.2.2 of the CCRs for Civano I, there shall be at least one director from each Land Use Classification. This year we will be electing one Commercial, one Multi-Use, and two Single Family Directors.

CANDIDATES' FORUM AND VIDEO

All nominated Candidates are invited to participate in the Candidate video on **February 18, 2022** and the Candidates' Forum at the Community Activity Center on **March 6, 2022**. The Candidates' Forum will be video recorded and made available via link at <https://Civano.org> for those who are unable to attend in person.

VOTING ELIGIBILITY

All owners of a Lot or Parcel in Civano 1 are eligible to vote in the upcoming **2022** Annual Election. One ballot may be cast for each Lot owned. Owners of multiple lots will receive the corresponding number of Ballots. Owners of Commercial and Unsubdivided Parcels will receive ballots for each vote attributed to the Parcels in the Civano governing documents.

Per the CCRs Section 7.1, Single Family Lots are allocated 1 vote each. Commercial Parcels and Unsubdivided Single Family Parcels receive 3 votes per net acre. There are 674 votes allocated to Single Family, 13 votes allocated to Commercial/Retail, and 6 votes allocated to the Unsubdivided Single Family Parcel. There are a total of 693 votes in Civano I: Neighborhood I Association, Inc.

ABSENTEE VOTING, ELECTRONIC VOTING, AND IN-PERSON VOTING



The HOA will be sending out your Voting Instructions on **February 25, 2022**. To be counted, your completed ballot must be received at the HOA office by **March 25, 2022 at 4:00 pm**. Election results will be announced **March 30, 2022** and will be posted on the HOA website <https://Civano.org>. To expedite the vote tabulation process, the Nominating and Elections Committee encourages the use of absentee or electronic voting.

2022 ANNUAL ELECTION SCHEDULE

February 4, 2022	Application Deadline (4:00pm)
February 15, 2022	Candidate Questions from Membership Deadline (4:00 pm)
February 25, 2022	Ballot & Voting instructions sent out by HOA
March 6, 2022	Meet the Candidates Forum – In Person (3:00 pm)
March 25, 2022	Deadline for HOA to receive Absentee or Electronic Ballots (4:00 pm)
March 28, 2022	Vote Counting and Election Results Tabulation (10:00 am – Noon)
March 29, 2022	In-Person Ballots will be provided at Annual meeting (Tabulation After meeting)
March 30, 2022	Election Results Posted to Civano.org



CALL FOR CANDIDATES
2022 Board of Directors Election

Nominations are currently open for **four (4)** positions on the Board of Directors of the Civano 1: Neighborhood 1 Association (the “Association”).

If you are interested in serving our community in this capacity, please complete and return the attached **“Candidate Application Form”** to the HOA Office.

Qualifications

- Candidates for a position on the Board of Directors must be members in “good standing” of the Association. Candidates may not be delinquent in the payment of any Association assessments on the date of the application deadline.
- Co-owners of Lots are not permitted to serve on the Board of Directors at the same time. If two co-owners of the same Lot are candidates in the election, only the co-owner receiving the most votes would serve on the Board of Directors.
- Candidates must be Owners of a Lot or Parcel in Civano 1. Candidate’s name must appear on the official Pima County Records of Title, as the property owner. In the case of ownership by a corporation or other legal entity, that corporation or entity shall designate to the Association, in writing, its representative for purposes of election to the Board of Directors and Membership in the Association.

Additional Information for Candidates

- Any Association member may nominate herself or himself or another Association member for election to the Board of Directors.
- Positions on the Board of Directors are designated by type of Land Use Classification. Candidates must specify the Land Use Classification position on the Board of Directors for which they are qualified and are running. If a candidate owns more than one type of Lot, she/he must choose which Land Use Classification position on the Board of Directors she/he is running for. Lot Number indicates the type of Land Use Classification: **Commercial/Retail** (Initial Tract Plat Lots 162-165); **Mixed Use** (Initial Tract Plat Lots 30-42, 82-99); and **Single Family Residential** (all other Lot Numbers).
- Candidates must complete and return the attached **“Candidate Application Form.”**
- Deadline for submitting the Candidate Application Form is **February 4, 2022, at 4:00 pm.**
- Candidates are invited and strongly encouraged to participate in the **“Meet the Candidates Forum”** on **Sunday, March 6, 2020 at 3:00 pm**, at the Neighborhood Activity Center.
- **Four** Directors will be elected for a two-year term, which will expire at the conclusion of the annual election in **2024.**



Candidate Application Form

Civano 1: Neighborhood 1 Association
2022 Board of Directors Election

Candidate's Name: _____
(Print your name as you wish it to appear on the ballot)

Land Use Classification: Please indicate the Land Use classification applying for, you may only choose one.

Residential

Mixed-Use Residential

Commercial/Retail

Candidate's Signature: _____

Candidate's Civano Property Address

Address: _____

City, State & Zip: _____

Candidate's Mailing Address (if different from above):

Address: _____

City, State & Zip: _____

Candidate's Primary Contact Number: _____

Candidate's Primary E-mail Address: _____



2022 BOARD ELECTION CANDIDATE STATEMENT

PLEASE PRINT NAME: _____

Please respond to the following questions. Your "Candidate Statement" will be published unedited in election materials mailed to all Civano I; Neighborhood 1 Association Members with the ballot materials.

Deadline for submitting the completed Candidate Application Form and Candidate Statement to the HOA Office is **February 4, 2022 before 4:00 PM.**

1. Why do you want to be on the Board?

2. Every Board member is a volunteer. Have you volunteered and been a Member of any HOA Board or committee? Please describe any volunteer position you have held, your role and how your experience will benefit Civano HOA.



3. Do you have a working knowledge of the following governing documents? Please be specific:
CC&Rs, Bylaws, and Articles of Incorporation; Resolutions/Policies; Budget and Reserve Funds; Reserve Study; and the Planned Communities Act.

Please say how you acquired that knowledge.

Additional Comments – Please tell us why you are the best candidate:



SAMPLE – Questions for the Candidates

Civano 1: Neighborhood 1 Association

2022 Board of Directors Election

Questions for the Candidates

The Nominations & Elections Committee will be hosting a “Meet the Candidates Forum” on **Sunday, March 6th, from 3:00 PM to 4:30 PM**, in the Neighborhood Activity Center.

You are welcome to submit up to three questions for the candidates to address during the Forum. Please email your questions (hoa@civano1.com) or drop off this completed form **no later than Monday, February 28, 2022, at 10:00 AM**.

Question #1

Question #2

Question #3



SAMPLE – Absentee/Paper Ballot

ABSENTEE BALLOT

The governing documents require that one Director from each of the three Land Use Classifications in Civano is represented. Two of the expiring terms for the 2022 election are held by a Commercial/Retail and Mixed-Use Owner, and at least one owner from Commercial/Retail and one from Mixed-Use needs to be elected to fulfill the requirement. The remaining two expiring terms may be filled by owners from any Land Use Classification in Civano.

Vote for ONE (1) or up to FOUR (4) Candidates total by marking boxes with “X”

BALLOTS WITH MORE THAN FOUR (4) CANDIDATES SELECTED WILL BE INVALID

<input type="checkbox"/>	Chris Shipley	(Single Family Residential Owner)
<input type="checkbox"/>	Lyndell (Lyndy) Roe	(Single Family Residential Owner)
<input type="checkbox"/>	Hannah Walker	(Single Family Residential Owner)
<input type="checkbox"/>	_____	(Write-In Candidate)
<input type="checkbox"/>	_____	(Write-In Candidate)
<input type="checkbox"/>	_____	(Write-In Candidate)
<input type="checkbox"/>	Angelina Hannum	(Mixed-Use Residential Owner)
<input type="checkbox"/>	_____	(Mixed-Use Write-In Candidate)
<input type="checkbox"/>	Les Shipley	(Commercial/Retail Owner)
<input type="checkbox"/>	_____	(Commercial Write-In Candidate)

Quorum Requirements: 15% of the eligible votes

Number of Eligible Votes: 693

Votes required to meet quorum: 104

Your Absentee Ballot must be received by the HOA office located at 10501 E. Seven Generations Way, Suite 109 by 4:00 pm on Friday, March 25, 2022 in order to be counted.

This Absentee Ballot may only be cast by the Member(s) to whom it is issued.



SAMPLE – Annual Meeting Notice