

## COMMITTEE GUIDELINES

### Elections Committee May 2019

#### I. GENERAL

The Elections Committee is set forth and established in Article XI of the Bylaws. The committee's purpose is to secure nominations for election to the Board of Trustees (BOT or Board), count ballots and oversee the election process. The committee will serve from January until September, or until six months after the election is final, whichever occurs later, at which time all election material will be destroyed and the committee will be automatically dissolved. A new committee will be formed for the following year. A nominal election cycle schedule is in Appendix A.

#### II. PURPOSE

The Elections Committee of Crosspointe Swim & Racquet, Inc. shall be responsible for:

1. Making nominations for election to the BOT; as it shall at its discretion determine, but not less than the number of vacancies that are to be filled.
2. Overseeing the nomination and election of Trustees in accordance with procedures outlined in Section 13.1 Chapter 10 Virginia Nonstock Corporation Act, the Crosspointe HOA Declaration, Bylaws, and Resolution(s) as amended and adopted by the BOT, and these Guidelines:
  - a. Publishing a call for candidates to the BOT.
  - b. Publishing Candidates Biographies
  - c. Verifying eligibility of candidates and ballots.
  - d. Verifying and counting ballots and certifying election results
  - e. Addressing any post-election issues as necessary

#### III. ORGANIZATION

The membership of this Committee shall be organized as follows:

1. Committee Chairperson. The Board of Trustees will appoint the Chairperson of the Elections Committee in October or November of each year. The Chairperson will be selected from among the trustees whose term is not expiring. The Board will set the date for the Annual Meeting at its December meeting.
2. Committee Members. The committee shall be comprised of at least two homeowners in good standing, in addition to the Chairperson, as recommended by the Committee Chairperson and approved by the Board.
  - a. It will be the Chairperson's responsibility to recommend at least two additional committee members for appointment by the BOT in December or January.
  - b. Prospective committee members shall be selected from homeowners who are in good standing and not running for the Board.

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- c. The Chairperson will exercise discretion in designating approved committee members as primary and alternate members.
- d. In the event that one or more members of the Elections Committee is not in attendance at the annual meeting, then either an approved alternate member will serve, or as needed a call may be made to those homeowners in good standing and in attendance at the annual meeting to serve on the Elections Committee.
- e. The Board of Trustees is to appoint members to fill vacancies if so necessary.

#### IV. OPERATIONS

1. Meetings. The Elections Committee will be required to hold at least one regular meeting in January or February, to set the nominations for the annual election to the Board of Trustees, and review and organize the draft ballot. A sample ballot is in Appendix B.

The Elections Committee will attend the annual association meeting in order to fulfill its duties to verify and count ballots.

Upon request from the Board, the committee shall convene to address any matter put to the committee.

2. Communications. The Chair in either the October and or November/December Chronicle, or on the Association web site, shall publish a call for candidates to the Board of Trustees. During the same time frame, the Chair may also publish a call for Elections Committee members.
3. Nominee Biographical Sketch. Each nominee will be asked to provide a brief biographical sketch (bios) to be published in the Chronicle, on the web site, and included with the annual meeting notice and ballot. All bios are to be limited to 250 words or less and should include such information as the nominee determines to be in his or her best interest. In the event a nominee submits a bio statement that exceeds the 250 word limit, the nominee will be requested to revise the bio and comply with the prescribed word limit. Failure to do so in a timely manner that supports the annual meeting notice schedule will result in the bio being truncated.

The Elections Committee is to publish a nominee's bio as submitted, however the Elections Committee, with due notice to the nominee, may elect not to print a bio if such bio is found to be inflammatory, derogatory, or otherwise not in accordance with Crosspointe standards for Chronicle publication. All bios shall have the same required due date, normally due with a candidate's nomination submission.

4. Extension of Time Limits. In the event that the requisite number of nominees is not available by the established January deadline, the Elections Committee is to extend the

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deadline for nominations to a date no later than as feasible to develop and copy an election ballot for mailing with the annual meeting notice.

An announcement of the extension of time shall be published in the Chronicle, on the web site, and, in the discretion of the Chairperson, in social media. If no further nominees are forthcoming after the extension of time, the Elections Committee shall move forward with publication of the ballot with the names of the nominees available.

5. Confidentiality. The names of nominees will be made available to any member, in good standing.
6. Annual Meeting. The Chairperson, in addition to counting ballots shall:
  - a. Ensure that Committee members sign the Oath and Duties of Inspectors of Elections form prior to the election; and that they certify the results on the same form as soon as practicable after completion of the election. A sample Oath and Duties of Inspectors of Elections form is in Appendix C.
  - b. Present the BOT nominees.
  - c. Call for Nominations from the floor. A sample Write-In ballot to be used in the event that there is a nomination from the floor is in Appendix D.
  - d. Close the nomination process.
  - e. Tally the votes and record tally on a tally sheet. A Sample Tally Sheet is in Appendix E.
  - f. Announce the election results, including
    - i. the number of votes per nominee, and
    - ii. Ballots cast.
  - g. Prepare a Certification of Election memorandum with the results of the election to be signed by the Board Secretary. A Sample memo is in Appendix F.
  - h. In the event of a tie that requires a runoff, oversee the runoff voting. A sample ballot and procedures are included in Appendix G to these Guidelines.
  - i. Write an article for publication announcing the results of the election.

#### Appendices

- A. Nominal Annual Election Cycle Schedule
- B. Sample Ballot
- C. Sample Oath and Duties of Inspectors of Elections Form
- D. Sample Write-In Ballot
- E. Sample Tally Sheet
- F. Sample Certification of Election

**COMMITTEE GUIDELINES**

**Election Committee  
May 2019**

Howard M. Kaufer  
Howard M. Kaufer, President  
Crosspointe Swim and Racquet, Inc.

8/14/19  
Date

Attest: Larry Rice  
Larry Rice, Secretary  
Crosspointe Swim and Racquet, Inc.

10 July 2019  
Date

# COMMITTEE GUIDELINES

## Elections Committee May 2019

### Appendix A

#### Nominal Annual Election Cycle Schedule:

Board appoints Elections Committee chair	Oct-Nov
Chair recommends committee (primary/alternate) members to the Board	Nov-Dec
Board approves committee members	Nov-Dec-Jan
Board sets the tentative date for Annual Association (March) meeting	Dec
Chair drafts Call for Nominations article for publication	Nov-Dec
Elections Committee meets in open session	Jan-Feb
Committee affirms Nominees good standing and reviews draft ballot	
Chair drafts Nomination article for Chronicle and Web site	Jan-Feb
Board reviews committee recommended ballot	Feb
Annual Meeting notice and ballot completed and mailed to residents	Feb-Mar

**CROSSPOINTE SWIM & RACQUET, INC.**  
8275 Glen Eagles Lane, Fairfax Station, VA 22039  
[Insert Year of election] ANNUAL MEETING  
BALLOT FOR TRUSTEES ELECTION and PROXY FORM

**Crosspointe needs 10% of eligible members to attend in person or provide their proxy for quorum to hold the annual meeting and election.**

1. **Read the candidates' statements.**
2. **Choose up to [Inset 4 or 5 as applicable] candidates by checking the boxes next to their names.** Write-in candidates must be properly nominated from the floor at the meeting and the nomination accepted by the candidate and approved by the Elections Committee. (Note: Five trustees are not up for election this year and will continue to serve their elected terms.)
3. **If you cannot attend the meeting in person (or are unsure whether you can attend), please mark the Proxy Appointment box below** so that you will be counted for purposes of establishing quorum at the meeting. If you later decide to attend the meeting in person, your proxy will be revoked when you register.
4. Print your name and address (of your lot or dwelling within Crosspointe), and sign and date the ballot/proxy form in the spaces provided below. Ballot must be signed by the owner/member of Crosspointe to be valid. This information is required so the election committee can verify your membership and voting qualification.
5. **Return your ballot/proxy form by [Insert date of Annual Meeting],** using one of the following ways:
  - a. Mail to the address listed above. Mailed forms must be received by close of business (4:30 p.m.) on [Insert date of Annual Meeting].
  - b. Place this form in the ballot box inside the Community Center during normal business hours (9-4:30) by close of business on [Insert date of Annual Meeting].
  - c. Drop this form in the lockbox outside the Community Center at the address listed above until close of business (4:30 p.m.) [Insert date of Annual Meeting].
  - d. Place in the ballot box at the Annual Meeting at or before 7:30 p.m.  
**Ballots received after the above specified times on [Insert date of Annual Meeting], will be considered ineligible.**

**BALLOT – [Insert Year of election] BOARD OF TRUSTEES CANDIDATES ELECTION. Check the box to the left of the names of the candidates you intend to receive your vote. You may vote for up to [Insert 4 or 5 as applicable] candidates.**

Candidate A                       Candidate B                       Candidate C                       Candidate D  
 Candidate E                       Candidate F

Write in Candidate(s) (must be nominated from the floor) \_\_\_\_\_

*To help protect the secrecy of your vote, this section will be removed from the above ballot following review and verification of owner data, quorum, and vote count by the Elections Committee.*

**QUORUM PROXY APPOINTMENT** – Please check the following box to appoint a proxy in order to count for quorum purposes (if you cannot attend the meeting in person). This does not affect your vote.

I hereby appoint [Insert name of Board Secretary], Secretary, or in his absence, [Insert name], Trustee, as my proxy for the sole purpose of establishing quorum at the [Inset year of the meeting] Annual Meeting (and any adjournments or reconvening thereof), including voting in favor of adjourning and reconvening to a later date/time until a quorum is present.

**SIGNATURE** – Ballot must be signed by the owner/member of Crosspointe to be valid

NAME: \_\_\_\_\_ (owner/member of Crosspointe)  
(Please Print)

ADDRESS: \_\_\_\_\_ (lot/dwelling within Crosspointe)

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**CROSSPOINTE SWIM AND RACQUET, INC.  
ANNUAL MEETING [INSERT DATE OF ANNUAL MEETING]**

**OATH AND DUTIES OF INSPECTORS OF ELECTIONS**

**INSPECTORS OF ELECTIONS OATH:**

Specifically, Section 13.1 - 847.1 of the Virginia Non-Stock Corporation Act, as amended, now requires any persons appointed as elections inspectors to oversee the election of directors at a membership meeting to sign and take an oath to faithfully execute their duties as an inspector with strict impartiality and according to the best of his/her ability.

I \_\_\_\_\_ do hereby promise to faithfully  
(PRINT NAME)  
execute the duties of inspector with strict impartiality and to the best of my ability.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**INSPECTORS OF ELECTIONS DUTIES:**

Section 13.1 - 847.1 of the Virginia Non-Stock Corporation Act further requires appointed inspectors of election to: i) ascertain the number of members and voting power of each, ii) determine the number of members represented at a meeting and the validity of proxies and ballots, iii) count all votes, iv) determine, and retain, for a reasonable period a record of disposition of any challenges made to any determination of the inspectors, and v) certify their determination of the number of members represented at the meeting and their count of all votes.

- i. Determine the number of members and the voting power of each.
  - a. Total Number Eligible to Vote: \_\_\_\_\_
  - b. Voting Percentage of Members:      One vote per unit  
   See attached List of Voting Percent
- ii. Determine the number of members represented at the meeting and the validity of proxies and ballots.
  - a. Total Members Present: \_\_\_\_\_
  - b. Total validated Proxies: \_\_\_\_\_
- iii. Count all Votes.
  - a. See attached Vote Tally Sheet
- iv. This certification and other paper records of the Annual Meeting will be maintained at the office of Crosspointe Swim and Racquet, Inc., 8275 Glen Eagles Lane, Fairfax Station, VA 22039.
- v. I \_\_\_\_\_ hereby certify the information recorded above  
(Print Name)  
and/or attached hereto is accurate to the best of my knowledge.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

CROSSPOINTE SWIM & RACQUET, INC.  
8275 Glen Eagles Lane, Fairfax Station, VA 22039  
[Insert Year of election] ANNUAL MEETING

WRITE-IN BALLOT FOR TRUSTEES ELECTION and PROXY FORM

**BALLOT – [Insert Year of election] BOARD OF TRUSTEES CANDIDATES ELECTION. Check the box to the left of the names of the candidates you intend to receive your vote. You may vote for up to [Insert 4 or 5 as applicable] candidates.**

- Candidate A                       Candidate B                       Candidate C                       Candidate D
- Candidate E                       Candidate F

Write in Candidate(s) (must be nominated from the floor) \_\_\_\_\_ [ ]  
\_\_\_\_\_ [ ]

*To help protect the secrecy of your vote, this section will be removed from the above ballot following review and verification of owner data, quorum, and vote count by the Elections Committee.*

**Check this box if this is a replacement ballot. The Elections Committee will remove your previous ballot and use this ballot for tallying you votes**

**SIGNATURE – Ballot must be signed by the owner/member of Crosspointe to be valid**

NAME: \_\_\_\_\_ (owner/member of Crosspointe)  
(Please Print)

ADDRESS: \_\_\_\_\_ (lot/dwelling within Crosspointe)

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

CROSSPOINTE SWIM & RACQUET, INC.  
8275 Glen Eagles Lane, Fairfax Station, VA 22039  
[Insert Year of election] ANNUAL MEETING

WRITE-IN BALLOT FOR TRUSTEES ELECTION and PROXY FORM

**BALLOT – [Insert Year of election] BOARD OF TRUSTEES CANDIDATES ELECTION. Check the box to the left of the names of the candidates you intend to receive your vote. You may vote for up to [Insert 4 or 5 as applicable] candidates.**

- Candidate A                       Candidate B                       Candidate C                       Candidate D
- Candidate E                       Candidate F

Write in Candidate(s) (must be nominated from the floor) \_\_\_\_\_ [ ]  
\_\_\_\_\_ [ ]

*To help protect the secrecy of your vote, this section will be removed from the above ballot following review and verification of owner data, quorum, and vote count by the Elections Committee.*

**Check this box if this is a replacement ballot. The Elections Committee will remove your previous ballot and use this ballot for tallying you votes**

**SIGNATURE – Ballot must be signed by the owner/member of Crosspointe to be valid**

NAME: \_\_\_\_\_ (owner/member of Crosspointe)  
(Please Print)

ADDRESS: \_\_\_\_\_ (lot/dwelling within Crosspointe)

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_



Appendix E

Total Number of Valid Ballots Cast	
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**Total  
this  
Line      Total  
Votes**

Candidate A	Total for Candidate																																	

Candidate B	Total for Candidate																																		

Candidate C	Total for Candidate																																		

Candidate D	Total for Candidate																																			

Candidate E	Total for Candidate																																					

Write in #1:																										
Write in #2:																										

**CROSSPOINTE SWIM AND RACQUET, INC.  
CERTIFICATION OF ANNUAL ELECTION**

On behalf of the Corporation and its Board of Trustees, I hereby certify that the results of the **[Insert Date of Annual Meeting]** election to the Board of Trustees, noted below, are as recorded by the Chairman and Members of the Elections Committee in their Oaths and Duties of Inspectors and Elections forms, as well as the Vote Tally Sheet provided by the Chairman of the Elections Committee, these documents to be held by Community Management as a permanent record of the **[Insert year of election]** election.

Total Validated Ballots \_\_\_\_\_

Vote Tally per Candidate:

- [Candidate A] \_\_\_\_\_
- [Candidate B] \_\_\_\_\_
- [Candidate C] \_\_\_\_\_
- [Candidate D] \_\_\_\_\_
- [Candidate E] \_\_\_\_\_
- [Candidate F] \_\_\_\_\_

Write-In Candidate	_____	_____
	<b>Name</b>	<b>Vote Tally</b>
Write-In Candidate	_____	_____
	<b>Name</b>	<b>Vote Tally</b>

- Elected to the Board of Trustees:
- 1 \_\_\_\_\_
  - 2 \_\_\_\_\_
  - 3 \_\_\_\_\_
  - 4 \_\_\_\_\_
  - 5 \_\_\_\_\_

There were \_\_\_\_\_ write-in candidates or nominees from the floor at the annual meeting.

\_\_\_\_\_  
**[Insert Name], Secretary**

\_\_\_\_\_  
**Date**

**IN THE EVENT OF A TIE VOTE FOR ELECTION TO THE BOARD OF TRUSTEES**

The Chairperson of the Elections Committee will announce that there is a tie among (number) of candidates and that a runoff vote is necessary to determine election to the Board. He or she will then:

- 1) Instruct the attendees that they may vote for one of the candidates if there is a two way tie; two of the three candidates if there is a three-way tie, and so on.
- 2) Explain that only one vote per residence is permitted, thus joint owners/members may submit only one ballot.
- 3) Allow sufficient time, e.g., 10 minutes, for attendees to cast their ballots.
- 4) The Elections Committee will collect the ballots, follow the same procedures as with the regular ballots in certifying the ballots' validity and determining the results. The Chairperson will announce the outcome.

**OTHER CONSIDERATIONS**

The Elections Committee should have on hand printed ballots on light-colored paper, which will help distinguish the run-off ballots from the regular ballots.

The runoff ballots will be subject to the same recordkeeping requirements as the regular ballots.

A white board or blackboard should be available to display the names of the runoff candidates prior to the runoff voting.

**BOARD OF TRUSTEES ELECTION – SAMPLE RUNOFF BALLOT**

In the event of a two-way tie, write the name of the candidate you prefer:

\_\_\_\_\_

In the event of a multiple tie, write the names of the candidates you prefer:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

YOUR NAME: \_\_\_\_\_ (owner/member)

(Please print)

ADDRESS: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_