Lake of the Woods Association, Inc.
Policy Resolution 2014-2
(Regarding the Elections Process)

WHEREAS, Article V of the bylaws gives the board of directors the authority to amend and adopt association bylaws, rules, and/or regulations and

WHEREAS, there is a need for regular review of LOWA Bylaws for completeness and clarity and

WHEREAS, there is a need for clear, concise and consistent bylaws for LOWA Elections procedures, the Elections Committee having met and deliberated concerning Elections Procedures and recommended to the Board certain changes and those changes having been reviewed and amended by the Rules Committee, the following language is recommended for approval and publication.

IV. Meetings, Members, Agendas, Voting

Section B. Annual Meeting. The annual meeting of the members of the Association for the announcement of the election results to replace those Directors whose terms have expired or been vacated and for the transaction of other such business as may properly come before the meeting shall be held at ten o’clock in the morning on Labor Day (the first Monday in September) of each year. Failure to hold the annual meeting at the designated time shall not work any forfeiture of the charter, or dissolution, of the Association.

Section F. Voting at Meetings

2. Method of Voting: At any meeting at which a vote of the membership is to be taken, the members in good standing may vote by being present in person or by proxy. There shall be included in the mailing of the notice of the meeting such ballots or proxies as may be required to enable each member in good standing to cast his/her vote or votes.

4. Quorum: At any annual meeting or special meeting of the membership of Lake of the Woods Association, Inc., when the membership is voting on any question, a quorum shall exist if members holding one-tenth (1/10) of the votes entitled to be cast, as defined by these Bylaws, shall be present in person or by proxy.
Article V.

A. Board of Directors

3. Nominations

A Nominating Committee shall be established by the Board of Directors whose duty it shall be to prepare a list of nominees for the position of Director. The list of nominees must be received by the Board no later than the Monday before the mid-May Board of Directors meeting. The Board will approve the list of nominees at the mid-May meeting.

4. Nominations by Petition

Members may also run for the office of Director by submitting a petition signed by at least 250 lot owners who are eligible to vote in the election. Petitions must be submitted to the Board of Directors and received at the Holcomb Building no later than 5:00 PM on Thursday in the week prior to the first Board of Directors meeting in June. All accepted nominees shall be given the same rights and privileges during the election process as those nominees who are recommended by the Nominating Committee and accepted by the Board of Directors.

5. Elections.

There shall be included in the notice of the annual meeting of the members, given to the members pursuant to Paragraph 3 of Article V of the Articles of Incorporation, a list of candidates for election to the Board of Directors.

The Board of Directors shall establish an Elections Committee to prepare the ballots and proxies, conduct the election, and, after certification by the Association Secretary that the voters submitting ballots or proxies were eligible so to do, tally the valid votes.

Candidates applying for election to the Board of Directors must submit applications through the use of the standard form (Board of Directors—Candidate Application) available at the Holcomb Building or on the Association website to the Nominating Committee which must be received each year by 5:00 PM April 30.

The annual LOWA election will close at 1:00 PM on the Saturday immediately preceding Labor Day. No ballots will be accepted following the close of the election. Members are encouraged to submit their ballots by any means necessary so that they are delivered to the Board Secretary at the Holcomb Building by the closing day and time. Mailed ballots that arrive after the closing day/time will not be counted regardless of postmark. The LOWA Secretary, LOWA Director of Finance, and the Elections Committee Chair will validate voting members in good standing following the closing of the election. Ballots will then be prepared for counting by the Elections Committee. Ballots will be counted by the Elections Committee on the Saturday immediately preceding LABOR DAY. A recount of votes will automatically be required immediately if there are twenty (20) or less votes between candidates when the outcome could change the results of the election.
The Elections Committee will list the candidates for three year terms in the order of the number of valid votes received by each, and in like manner, the names of any candidates to fill unexpired terms.

The results shall be submitted to the Board of Directors before the annual meeting of the members. The Board of Directors shall certify the election of those candidates in the order of votes received to fill the vacancy or vacancies for which they were candidates.

In the event of ties, a drawing of names will be conducted, with first name drawn declared the candidate as the chosen position of Director.

7. Meetings. The Board of Directors shall hold its annual meeting within 15 days after the annual meeting of the Association for the purpose of seating the new Directors, acknowledging the efforts of the departing Directors, organizing, electing officers, and considering any other business that properly may be brought before the meeting. Meetings of the Board may be scheduled at regular intervals or called at any time by the President or a majority of the Board of Directors. Notice of the time and place of any annual or special meeting shall be given to each Director at least three days in advance of such meeting, unless a majority of the Directors sign a waiver of such notice. A majority of the whole Board of Directors shall constitute a quorum for the purpose of discharging the functions of the Board. The President or designated person shall preside at meetings. The presiding officer, if that individual be a Director, shall have no vote except to create or break a tie.

All official meetings of the Board shall be conducted in accordance with Robert's Rules of Order, Newly Revised, or other widely recognized rules governing order and decorum in meetings. A Parliamentarian may be appointed by the Board of Directors.

(Note: Current sections 5 through 9 will be renumbered as 6 through 10)

Effective Date: March 1, 2014

LAKE OF THE WOODS ASSOCIATION, INC.

By:  

James Walsh, President

ATTEST:

I, as Secretary for Lake of the Woods Association, Inc., hereby attest that the foregoing Policy Resolution 2014-2 was adopted by the Board of Directors at a duly-held and noticed Board of Directors meeting held on the 1st day of March, 2014.

Louisa Rucker, Secretary