

ELECTION RULES, PROCEDURES, AND GUIDELINES
OF
WOODLAND LAKES CIVIC CLUB INC.

Generally, all owners of property subject to the property owners' association have the right to vote in elections for board members, propositions, and issues regarding the rights and responsibilities of property owners.

The Woodland Lakes Civic Club, Inc. has adopted election rules in accordance with the procedures prescribed by Civil Code 5105 (Davis-Stirling Act), Article 4, as follows:

1. Any changes to the association's Election Rules may not be made less than 90 days prior to an election.
2. Ensure that if any candidate or member advocating a point of view is provided access to association media, newsletters, or internet websites during a campaign, for purposes that are reasonably related to that election, equal access shall be provided to all candidates and members advocating a point of view, including those not endorsed by the board, for purposes that are reasonably related to the election. The association shall not edit or redact any content from these communications, but may include a statement specifying that the candidate or member, and not the association, is responsible for that content.
3. Ensure access to the common area meeting space, if any exists, during a campaign, at no cost, to all candidates, including those who are not incumbents, and to all members advocating a point of view, including those not endorsed by the board, for purposes reasonably related to the election.
4. Candidate Qualifications.
 - a. An association may disqualify any nominee, or standing board member, if that person is not a current member (Owner of a property) within the association, and must have been an association member for at least one year prior to their notice of candidacy.
 - b. A candidate may nominate themselves for a board position.
 - c. A candidate for a board seat should be current in the payment of any regular or special assessment. A candidate's failure to pay late charges, interest and late fees and costs may not be used as a basis for disqualification if that candidate has entered a payment plan or been provided an opportunity to participate in internal dispute resolution.
 - d. A candidate may be disqualified if that person discloses, or the association is aware or becomes aware, of a past criminal conviction that would, if the person was elected, prevent the association from purchasing the required Fidelity Bond Coverage, or terminate the association's existing Fidelity Bond Coverage.
5. Number of Votes: A total of 2-two votes (ballots) shall accrue to each separate parcel of property as follows:

- a. One or more individuals, regardless of marital, family relationship or other relationship, all of whom shall be bona fide purchasers under Contract of Sale (or owners) of any individual, non-adjoining property shall be entitled to a maximum of 2-two votes.
- b. These 2-two votes (ballots) may be cast separately.
- c. See By-Laws of Woodland Lakes Civic Club, Article III for additional clarification.
- d. All votes (ballots) must be signed by the property owner, in ink.
 - i. Any unsigned vote (ballot) will be marked "VOID" and not counted.

6. Voting

- a. The voting rights of an owner may be cast or given:
 - i. In person, in absentia, or by proxy at a meeting of the property owners' association;
 - ii. By absentee ballot in accordance with this section; or
 - iii. By any method of representative or delegated voting provided by a dedicatory instrument.
 - iv. Electronic voting is not an option, at this time, until suitable electronic voting software and capability is available.
- b. An Absentee Ballot (A ballot submitted via mail):
 - i. Must be signed by the property owner.
 - ii. May be counted as an owner present and voting for the purpose of establishing a quorum only for items appearing on the ballot;
 - iii. Will not be counted, even if properly delivered, if the owner attends any meeting to vote in person, so that any vote cast at a meeting by a property owner supersedes any vote submitted by absentee or electronic ballot previously submitted for that proposal; and
 - iv. May not be counted on the final vote of a proposal if the motion was amended at the meeting to be different from the exact language on the absentee or electronic ballot.
 - v. A nomination taken from the floor in a board member election is not considered an amendment to the proposal for the election.
 - vi. Instructions for delivery of the completed absentee ballot:
 1. An absentee ballot shall be delivered to The Woodland Lakes Civic Club, Inc. (WLCC), P.O. Box 255, Magnolia, TX, 77355; or,
 2. An absentee ballot may also be placed in the lock-box located outside the clubhouse door (only available about 7 days prior to the election date).
 3. All ballots shall be received by WLCC no later than 11:00 AM on the day of the election. Ballot received after that time will be marked "VOID" and not counted.
 - vii. NOTE: By casting your vote via absentee ballot you will forgo the opportunity to consider and vote on any action from the floor on any newly presented proposal, if a meeting is held. This means that if there are amendments to these proposals your votes 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, and nullify that absentee ballot.

- c. A Proxy Ballot (A ballot filled out by a 2nd party for the authorized voter):
 - i. An authorized voter may vote by proxy, having a 2nd party represent them at the voting location.
 - ii. The authorized voter must sign an Authorization of Proxy for the Purposes of Voting, including the name of the authorized proxy, or the proxy must provide a legal Power of Attorney.
 - 1. See *Exhibit B – Authorization of Voting Proxy Form*.
 - iii. All votes by proxy shall be presented, in person by the authorized proxy no later than 11:00 AM, at the authorized voting location, on the day of the election.

7. Voter Verification and Vote Counting

- a. All votes received at the voting location by 11:00 AM on the day of the election and deemed valid, shall be counted.
 - i. If a voter submits more than the allotted 2-two votes per property, all the votes submitted by that voter, for that property, shall be deemed invalid, and not counted.
 - ii. All votes deemed invalid shall be noted as "VOID" and saved.
 - iii. A candidate for office may request 1-one person (a 2nd party not on the ballot, and not a member of the board) to witness the verification, counting and tabulation of votes. This 2nd party shall only witness the process, and not be involved in any other manner.
- b. An Inspection Committee of no less than 3-three shall be formed from volunteers at the meeting on the day of the vote to verify, count and tabulate voting results.
 - i. The committee may not include any current Board Member.
 - ii. The committee shall verify, count, and tabulate votes in a closed room, not open to the public, other than an approved witness.
 - iii. The committee shall designate one member as Lead Member, who will be responsible for answering/resolving committee member questions during the counting process, and to read the voting results at the end of counting.
 - iv. Committee Members, and any witness are forbidden, by Texas Law, of disclosing to any other person how an individual has voted.
 - v. For each vote received the committee shall:
 - 1. Verify that each ballot is signed by the voter.
 - 2. Using WLCC Property Records, verify the voter is a member of the association.
 - 3. Make a mark against the WLCC Property Records indicating that a maximum of 2-two votes have been cast by that property owner.
 - 4. For "write-in" candidates, verify that candidate is also a member of the WLCC association.
 - 5. A committee member shall, verbally, read each ballot choice aloud while another committee member logs the vote in the vote register.

6. Immediately following the logging of the votes on that individual ballot, it shall be marked by a committee member to indicate that ballot has been counted.
7. After all votes have counted, record:
 - a. The total number of votes received (no more than 2 votes per property).
 - b. The number of votes for each board position, including write-in votes, and the winner of that board position.
 - c. The number of yay or nay votes for each ballot proposition or amendment, and the passing or removal of that proposition or amendment.
8. **Internal Dispute Resolution:** To provide a "fair, reasonable, and expeditious procedure for resolving a dispute" between the association and a member involving the rights, duties or liabilities. This procedure is referred to as "Meet and Confer" and more commonly as "Internal Dispute Resolution" (IDR). The purpose of IDR is to provide a non-judicial forum to resolve disputes between a member and the association that will not result in a fee or a charge to the member.
 - a. Please refer to WLCC's IDR Statement, attached to this document as "Exhibit A".

Internal Dispute Resolution (IDR)

This procedure is referred to as “Meet and Confer” and more commonly as “Internal Dispute Resolution” (IDR). The purpose of IDR is to provide a non-judicial forum to resolve disputes between a member and the association that will not result in a fee or a charge to the member.

Requirements of IDR Procedure:

The Woodland Lakes Civic Club establishes the following default IDR process (Civil Code Section 5915):

- The party may request the other party to meet and confer in an effort to resolve the dispute. The request must be in writing, with adequate time for the other party to respond (usually 2 weeks before an IDR proceeding).
- A member of an association may refuse a request to meet and confer. The association may not refuse a request to meet and confer.
- The board must designate a director to meet and confer.
- The parties must meet promptly at a mutually convenient time and place, explain their positions to each other, and confer in good faith in an effort to resolve the dispute. The parties may be assisted by an attorney or another person at their own cost when conferring.
- A resolution of the dispute agreed to by the parties must be memorialized in writing and signed by the parties, including the board designee on behalf of the association. That written resolution is binding and judicially enforceable so long as the agreement (1) is not in conflict with the law or the association’s governing documents, and (2) is either consistent with the authority granted by the board to its designee or is ratified by the board.
- A member may not be charged a fee to participate in IDR by the association.

Written Resolution Obtained in IDR

As referenced above, a written resolution signed by the parties to IDR is binding and judicially enforceable provided that it is (1) not in conflict with the law or the association’s governing documents, and (2) is within the board’s authority (or the authority given to the board’s designee) and/or is ratified by the board.

Attorney Assistance at IDR

Any member must provide written notice of their intention to be represented by an attorney a minimum of 30 days before the IDR proceeding.

EXHIBIT B – Authorization of Voting Proxy Form

Authorization of Voting Proxy

Homeowner(s): _____

Address: _____

I hereby give _____ authorization to vote on my
Name of Proxy
Behalf on all Issues put to a vote to the homeowner's of Woodland Lakes during the
election to be held on _____, during the Annual WLCC Meeting.
Day, Date

Homeowner(s) Signature(s): _____ *Signature* _____ *Date*

_____ *Signature* _____ *Date*

Dated: _____

EXECUTED this the 19 day of June, 2023
WOODLAND LAKES CIVIC CLUB, INC.

IN WITNESS WHEREOF, the Woodland Lakes Civic Club, Inc., hereto have executed This Agreement on the day and year first above written.



By: James Edwards
Title: Presidents

ATTEST:



By: Ashlea St. John
Title: Secretary-Treasurer

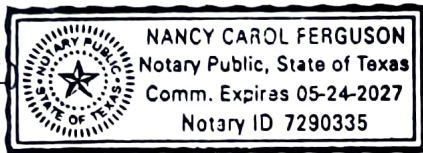
After recording, Return to:
Woodland Lakes Civic Club, Inc.
PO Box 255
Magnolia, Texas 77355

The State of Texas

County of Montgomery

Before me, the undersigned, a Notary Public on this day personally appeared James Edwards, President of Woodland Lakes Civic Club Association, known to me to be the person and officer whose name is subscribed to the forgoing instrument and acknowledge to me that the same was the act of the said Woodland Lakes Civic Club Association, a corporation, and that he executed the same as the act of such corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this 19 day of June, 2023



(SEAL)

Nancy C Ferguson
Notary Public, State of Texas

Nancy C Ferguson
(Printed Name)

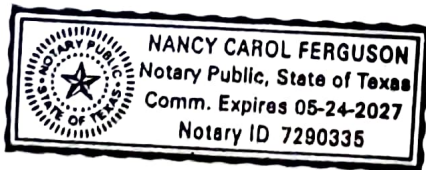
My commission expires on 5-24-27

The State of Texas

County of Montgomery

Before me, the undersigned, a Notary Public on this day personally appeared Ashlea St. John, Secretary-Treasurer of Woodland Lakes Civic Club Association, known to me to be the person and officer whose name is subscribed to the forgoing instrument and acknowledge to me that the same was the act of the said Woodland Lakes Civic Club Association, a corporation, and that she executed the same as the act of such corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this 19 day of June, 2023



(SEAL)

Nancy C Ferguson
Notary Public, State of Texas

Nancy C Ferguson
(Printed Name)

My commission expires on 5-24-27