

Charter of the Election Canvassing Committee For Property Owner Vote to Approve a Procedure for Amendment of Deed Restrictions

- 1.0 PURPOSE:** This charter establishes the POA Election Canvassing Committee to ensure that the voting process is open and fair to property owners.
- 2.0 BACKGROUND:** The current CCS deed restrictions were established in 1965. Those deed restrictions contained some ambiguities that resulted in inconsistent interpretation over time. Consequently, the language needs clarified so that property owners understand the requirements. It is important to note that amendment of the current language needs to be completed in a timely manner because the current deed restrictions are not perpetual and will terminate in 2015 (a little over six years). It will take some time and effort to amend the existing deed restrictions so that we can have a good document in place before 2015 that has been well vetted and is acceptable to property owners. Before the deed restrictions can be amended, we must have an amendment procedure approved by 2/3 of the voting property owners. The proposed procedure for amending the deed restrictions will be presented to all property owners of record for their approval by written ballot. The election will be conducted in accordance with the Legislature of the State of Texas H.B. 1631, Section 1. Title 11, Property Code; Chapter 211, Section 211.001 through Section 211.004.
- 3.0 APPLICABILITY AND SCOPE:** The election canvassing committee will ensure that the election for approving an amendment procedure is open and fair to property owners.
- 4.0 RESPONSIBILITIES:** The election canvassing committee and a committee chairperson will:
- 4.1** Certify that ballots are mailed to all property owners of record to ensure the right of all owners to vote on this amendment is preserved.
 - 4.2** Receive the ballots mailed back from the property owners.
 - 4.3** Canvass and count the votes and determine the outcome.
 - 4.4** If the proposed amendment procedure receives the number of votes required (2/3 of voting property owners), the election canvassing committee chairperson shall certify the result to the presiding officer of the property owner's association. The presiding officer shall file in the real property records of Burnet County an instrument that indicates that the amendment procedure was adopted.
- 5.0 MEMBERSHIP AND CHAIRPERSON RESPONSIBILITIES:**
- 5.1** Committee members are:

Bruce Weir	Chairperson
Mary Cardiff	Member
Nowell Maluski	Member
 - 5.2** The Committee Chairperson will:
 - 5.2.1** Assign committee tasks as needed.
 - 5.2.2** Convene committee meetings as needed.

5.2.3 Approve the meeting agenda and minutes.

5.2.4 Coordinate activities with CCS POA corporate board to promptly resolve issues should they arise. Request assistance from the CCS POA board as needed. The CCSPOA Secretary, Candy Smith, has been designated by the Board as the presiding officer for this election. Her duties include, but are not limited to the following.

- Preparation of the ballots and envelopes to be mailed to property owners (recall that the canvassing committee must certify the mailing).
- Provide a property owners list to the committee so it can cross-check all ballots being mailed against the list. Assist the committee in this cross-checking process.
- Observe the counting of the votes by the canvassing committee. She can also provide assistance and/or any information requested by the committee chairman. After all votes are counted by the canvassing committee, the committee chairman will provide the certified results to the POA presiding officer.
- Brief members of the CCS POA Board and property owners as appropriate

5.2.5 Subsequent to the election, provide recommendations for improving future election procedures.

5.3 Committee members will perform assigned tasks and attend meetings as necessary

6.0 MEETINGS: The committee will meet as needed in person or virtually (e.g., computer, phone, etc.).

7.0 EFFECTIVE DATE AND IMPLEMENTATION: This charter is effective immediately upon approval.

/S/

CB Harrah
Chairman, CCS POA Corporate Board

Date: 11 November 2008

