



Paseo Village Homeowners Association, Inc.

by UNANIMOUS CONSENT

Policy Resolution Number 2021.1209.3/6

Relating to Adoption of “Procedures for Voting on Community Documents”

WHEREAS, Article V of the By-Laws for Paseo Village Homeowners Association, Inc. (“By-Laws”) assigns the Board of Directors (“Board”) all the powers and duties necessary for the administration of the affairs of the Paseo Village Homeowners Association, Inc. (“Association”) and states that the Board may do all such acts and things, except those matters that the Board is prohibited by law, or by these By-Laws, or by the Declaration of Protective Covenants;

WHEREAS, Article VI of the By-Law provides that the directors shall exercise their powers and duties in good faith and in the best interest of the Association and its members:

WHEREAS, the Board of Directors wishes to establish standards for the operation and governance of the Association that serve as guiding principles for both volunteer leaders and members of the Association; and,

WHEREAS, The Board has determined that it is in the best interests of the Association and the Association’s members to adopt “*Procedures for Voting on Community Documents*”

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts “*Procedures for Voting on Community Documents,*” as a guide to the relationship between the Association and its members.

Resolution Type: Custom: Rules and Regulations - Voting
Motion Number: 2021.1209.3/6
Resolution Number: 2021.1209.3/6
Pertaining to: "Procedures for Voting on Community Documents"
Duly Adopted at a meeting of the board of Directors held: December 09th, 2021.

Motion by: Kraig Carpenter

Seconded by: Irma Campos

	VOTE: YES	VOTE: NO	ABSTAIN	ABSENT
_____ President	_____	_____	_____	_____
_____ Vice President	_____	_____	_____	_____
_____ Treasurer	_____	_____	_____	_____
_____ Secretary	_____	_____	_____	_____
_____ Member At Large	_____	_____	_____	_____

ATTEST:

Secretary

Date: _____

Filed: Google Workspace Secretary File.
Book of Minutes: 2021.12.09
Book of Resolutions: 2021.1209.3/6

Date of Recordation: _____ Corporate Seal:

Resolution 2021.1209.3/6 action points are:

1. **Requires Voting by U.S. Mail** with paper ballots on any change in the Community Documents (**Articles of Incorporation, Covenants and By-Laws**) even if a physical meeting is called for the purpose of discussion. Requires all ballots to have the name and address of the registered voter and the deadline on the ballot. Requires ballots be mailed no less than 30 days or more than 50 days before the stated and printed Deadline. Thus, assuring each lot owner they received their ballot. Does not apply to General Elections or other types of voting issues.
2. **Members must Register to Vote.** Requires all Lot owners to designate a single contact person in the household who will conduct their voting. Members that fail to register to vote are considered abstentions per Roberts Rules of Order. Assures members they may change their registration status at any time.
3. **Failure of a new property owner** to notify the association secretary of their official address within 30 days of a change in ownership, in accordance our By-Laws, results in a violation of the Rules and Regulations and a fine of \$25.
4. **Requires ballots that are** returned “signed but unmarked” or “unsigned but marked” to be entered and recorded as an “abstentions.” Thus, in compliance with Robert’s Rules of Order [RONR (10th ed.), p. 400, l. 2-4; p. 416, l. 14-17; PL, p. 227] and per our Covenants and By-Laws.
5. **Requires ballots unreturned by the deadline** to be entered and recorded as an abstentions.
6. **Requires an Elections Committee** of 3 members selected, by volunteer or appointment if no member(s) volunteer, from the membership to tally the ballots.

Our intention was not too fine everyone, but to simply get the ballots back. Whether you vote YES or NO, Proxy, or Absentee, or Abstained is of no consequence. The Board will know you saw the ballot.

NM Law 47-16-9-A. “The association shall provide for votes to be cast in person, by absentee ballot or by proxy and may provide for voting by some other form of delivery.”

D. Where directors or officers are to be elected by members, the bylaws may provide that such elections may be conducted by mail.

E. Votes cast by proxy and by absentee ballot are valid for the purpose of establishing a quorum.

NM Law 47-16-7F Board members and officers; duties; budget. “The board shall provide to all lot owners a statement included with a copy of the annual budget listing all fees and fines that may be charged to a lot owner by the association or any management company retained by the association to act on behalf of the association, including charges for a disclosure certificate pursuant to Subsection H of Section 47-16-12 NMSA 1978.

NMSA 47-16-17 “...or sent by mail not less than ten and no more than fifty days before the meeting. If sent by mail, the notice shall be deemed to be delivered when addressed to a lot owner at the address as it appears in the association's records and deposited in the United States mail, postage prepaid.