



**DC Ranch Association
Board Report 2-4-19 #1**

Subject Matter: Proposed Policy 106 - Neighborhood Voting Members

Background: The Policy Committee presents the accompanying policy regarding the Neighborhood Voting Member program; however, there are still a few unsettled provisions that are outlined below.

Key provisions of this policy address the following:

- Voting member definitions
- Direction regarding processes and expectations associated with the NVM program
- Roles, responsibilities and authorities
- Voting (cumulative voting is prohibited)
- Community Council interaction
- Preparation and training
- Nomination process
- Term, election and removal
- The total number of NVMs (44)
- Serving simultaneously on the Ranch Association Board
- Spouses of Ranch Association board members and NVM board election voting

The policy was first introduced to the Board at its December 10, 2018 meeting. Beforehand, however, it was distributed to the NVMs for comment. Due to the amount of input received from NVMs about the proposed policy, the Policy Committee was asked to review the comments and provide its response. The matter was then slated for the January 7, 2019 board meeting. The committee presented revisions to the original submittal, while considering NVM comments. After discussing provisions related to voting and spouse/related concerns, entertaining comments from the floor and realizing that one NVM's comments were inadvertently not considered, the committee was asked to revisit the document.

Policy Chair Phil Geiger commented as follows: *The Policy Committee met on January 18, 2019; all members were present in addition to one resident NVM. The committee spent a substantial amount of time discussing two concerns: 1) Should NVMs be permitted to cast a ballot for someone running for the board who is a member of his/her family (spouse, life partner, mother, father, sister, brother, child, in-Laws). The committee voted 3-2 to preclude members from being an NVM if someone from their family is a board member, because they could cast ballots in favor of the board member relative and vote for oneself if a candidate for the board. However, the committee agreed that these matters should be fully discussed at the February board meeting, while allowing NVMs to weigh-in via a direct email survey.*

The Board should consider one of the following:

1. *NVMs and Alternate NVMs for the same neighborhood cannot be related (spouse, life partner, mother, father, sister, brother, child, in-Laws) and cannot be co-owners of any property within that neighborhood.*
2. *NVMs and Alternate NVMs for the same neighborhood can be related (spouse, life partner, mother, father, sister, brother, child, in-laws) and can be co-owners of any property within that neighborhood.*

The Board should consider one of the following:

1. *NVMs and Alternate NVMs shall not be related (spouse, life partner, mother, father, sister, brother, child, in-Laws) to a member of the Association board.*
2. *1. NVMs and Alternate NVMs may be related (spouse, life partner, mother, father, sister, brother, child, in-Laws) to a member of the Association board.*

The Board should consider one of the following:

1. *NVMs or Alternate NVMs cannot cast votes for Association board members if they are a candidate for the board.*
2. *NVMs or Alternate NVMs may cast votes for Association board members even if they are a candidate for the board.*

The committee is proposing additional revisions to the prior submittal. New language is highlighted and deleted language is struck-through.

Additionally, during the month of January, all NVMs were surveyed on the following question: Should spouses or relatives of a board members be permitted to serve as an NVM, concurrently? There were 33 responses (75%). Of the responses, there were 19 opposed to the question and 14 who supported the question.

The second part of this initiative is to propose adjustments to the total NVM count, increasing it from 43 to 44. Currently, there are 43 NVM voting blocks. Voting blocks are equivalent to lot counts. The NVM voting block with the fewest votes is Canyon Villas (23); the NVM voting block with the most votes are The Village at Market Street (129).

By making a few adjustments to the voting blocks that NVMs now represent, a more equitable allocation can be achieved, and the new ICON neighborhood can be represented.

The proposed adjustments: 1) increase the total NVM count to 44, 2) reduce the 100+ voting blocks to less than 100 votes and 3) rearrange voting block lines at Park and Manor (1.17), splitting the neighborhood in half. Details are as follows:

1. Create a second NVM position at The Estates (1.11) and adjust the current one voting block of 111 to two voting blocks (55 and 56).
2. Create a second NVM position at The Village at Market Street (2.7) and adjust the current one voting block of 129 to two voting blocks (65 and 64).

3. At Camelot (2.13/2.14) there are three NVMs that coincide with the three neighborhood gates: 93rd Place, 94th Way and 96th Way.
 - a) Add 15 lots to Camelot 93rd Place, adjusting the current vote count of 36 to 51.
 - b) Reduce Camelot 94th Way from 70 to 55 as a result of the foregoing recommendation.
 - c) No change to 96th Way with 60 votes.
4. Add the new 19 lots at The Village at Silverleaf (5.9a) to 102nd Street Horseshoe Canyon (5.9-5.12), bringing the total votes from 67 to 84.
5. Combine Canyon Villas at Silverleaf (T.1) that carries 29 lots, with Canyon Golf Villas (T.4) with 23 lots, for a total of 52 votes.
6. Establish a new NVM and voting block for ICON (T4b), which will eventually have 72 votes.
7. Lower the NVM count in Arcadia (T.7) from three to two, naming them North (62 votes) and South (61 votes).
8. Redraw the district boundaries in Park and Manor (1.17) to include perimeter and interior lots in each district. Presently, one NVM represents all perimeter lots, and the other all interior lots. The new district would be split by the main park with NVM #1 representing Lots 1-42 and Lots 118-156 with 83 votes. NVM #2 would represent lots 43-113 and Lots 119-129 with 82 votes. See the attached map.

Pursuant to Section 102.4c of the policy for the Management and Development of policies, the following applies should the Board wish to move forward with the formal approval process. *When the Policy Committee recommends a new policy or a change to a policy and prior to the Board's formal vote, community members shall be provided with a 30-day comment period, where they are afforded an opportunity to provide input and comment on the proposed policy. The proposed policy or policies will be posted on the community's website, and notice regarding the posting will reflect in the weekly This Week on the Ranch e-mail to DC Ranch residents.*

Recommendation: Conditionally approve a version of the policy for the required 30-day member comment period cited above.



Darren Shaw, Executive Director



**DC Ranch Association
Policy 106
Policy on Neighborhood Voting Members**

Policy 106

Date of Adoption:

Effective Date:

Last Revised: 2-1-2018

Policy on Neighborhood Voting Members (NVMs)

106.1 Introduction: The Association's mission statement is as follows: To serve all DC Ranch Stakeholders through the professional management and protection of the community's fiscal and environmental assets. DC Ranch Association delivers high quality and consistent operations, landscape, maintenance and security services with an emphasis on customer care and open communication that result in sustained property values and exceptional quality of life.

106.2 Purpose: The purpose of this policy is to define the NVM program.

106.3 Definitions: Voting Member (hereinafter referred to as Neighborhood Voting Member or NVM): The representative selected by the Class "A" Members (homeowners) within each "Neighborhood," pursuant to Section 6.4(b) of the CC&Rs, who casts the Class "A" votes attributable to their units on all matters requiring a vote of the membership, except as otherwise provided by the CC&Rs.

The term "Voting Member" shall also refer to the Alternate Voting Member (Alternate NVM) acting in the absence of the Voting Member (CC&Rs 2.32). All Voting Members must reside in the neighborhood they represent and must be in good standing with the Association.

Neighborhoods, for the purposes of this policy, are defined as neighborhood voting-blocks established by the Board.

106.4 Scope: This policy provides direction regarding processes and expectations associated with the NVM program.

106.5 Responsibility/Authority/Delegation: The DC Ranch Association Board of Directors, who delegates some of its responsibilities to the Executive Director, such as the administrative management of the NVM program.

106.6 NMV Roles and Responsibilities:

106.6.a: Neighborhood Voting Members represent neighborhood members who elected them to make voting decisions in their best judgement. They are the primary connection to their neighborhood members and, by their responsibility to select members of the Association Board, they hold an extremely important role at DC Ranch. The hierarchy of Association governance at DC Ranch is as follows:
Neighborhood Voting Members → HOA Board of Directors → Executive Director → DC Ranch Staff.

106.6.b: The primary duties of an NVM are to represent its neighborhood as defined by the Board of Directors, to 1) election of Ranch Association board members ~~vote in the Board's annual elections~~, 2) vote in all Association matters requiring a membership vote, 3) to serve as chair of its Neighborhood Committee, should one be created under Article 5 of the Bylaws and 4) to act as a liaison between the Board and its constituents on matters of importance to the neighborhood, 5) provide a quorum of members for the annual meeting, 6) approval of annual meeting minutes and 7) review the annual budget.

106.6.c: ~~NVMs shall contact all members of their voting block and solicit their vote in connection with all Ranch elections.~~ NVMs cast all allocated votes for director candidates on the ballot in a fair and ethical manner that represents their neighborhood members' sentiments. NVMs are encouraged to seek input on board candidates from their neighborhood members but should cast their votes for the candidate/candidates that the NVM believes would provide the best leadership for the Association. Each lot represents one vote; each vote is counted in each voting block which is determined by the Board.

106.6.d: Cumulative voting is prohibited (Bylaws 3.4(b)). Cumulative voting is defined as a system of voting in an election in which each voter is allowed as many votes as there are candidates and may give all to one candidate or varying numbers to several candidates. Example:

- 30 members in voting block
- 3 director positions being elected via the ballot
- Casting 90 votes for one candidate, or 45 votes for two candidates – not permitted
- No more than a total 30 votes for each candidate selected on the ballot, not to exceed 90 total votes - permitted

106.6.e: NVMs and alternate NVMs are encouraged to attend Association Board meetings whenever possible and communicate meeting highlights to the neighborhood they represent.

106.6.f: NVMs will receive an e-mailed copy of all approved board meeting minutes and are encouraged to forward them to the neighborhood members they represent in a timely manner.

106.6.g: NVMs keep their neighborhood informed of concerns, issues and/or positive comments regarding their neighborhood.

106.6.h: NVMs communicate directly with the management team and Board with meaningful feedback and advice from their neighborhood members.

106.6.i: NVMs shall be knowledgeable about the Association's procedures, policies and processes.

106.6.j: NVMs should maintain a basic understanding of the community's governance structure, e.g. Community Council and Covenant Commission and be familiar with the Association's policies and current business.

106.6.k: NVMs make themselves available as a resource to the Community Council and to the Covenant Commission for all matters requiring communication to and from the neighborhood members they represent, e.g. surveys, special initiatives, etc.

106.6.l: NVMs are encouraged to provide a written or oral update to the Association Board at least annually regarding the neighborhood's status.

106.6.m: NVMs participate in focus groups, when possible, organized by the Association Board, management staff, Community Council or Covenant Commission to solicit advice and recommendations on Board proposals, prior to Board action being taken.

106.6.n: NVM's are to encourage participation by members they represent, in Association and Community Council activities, meetings and programs.

106.6.o: NVMs are encouraged to promote neighborhood events, such as "neighborhood get-togethers," picnics or other neighborhood building activities and to deliver welcome baskets to new members, when available.

106.6.p: NVMs are required to form a Neighborhood Committee if an issue arises that is specific to the neighborhood it represents and requires the input and vote of the members of that neighborhood (Board Policy 107).

106.6.q: In the event a member contacts their NVM about a concern that can and should be addressed by the Association, the NVM shall communicate with the Board or management team clearly defining the situation and desired outcome and shall report back to the member on the result of communication.

106.7 Preparation and Training: All NVMs and Alternate NVMs, regardless of how many years they may have served as an NVM, are expected to attend an annual training session for NVMs, normally scheduled during the third week of January.

106.8 Term, Election and Removal of NVMs and Alternate NVMs: Pursuant to Article 6, Section 4(b) of the Association's CC&Rs the following applies. "Voting Members" – Each Neighborhood shall elect a Voting Member who shall be responsible for casting all votes attributable to Members in the Neighborhood on all Association matters requiring a membership vote, except as otherwise specified in this Declaration or the Bylaws. In addition, each Neighborhood shall elect an Alternate NVM who shall be responsible for casting such votes in the absence of the Voting Member. If the NVM position becomes vacant, the Alternate NVM will fill the NVM role for the remainder of the term.

106.8.a: There are 44 NVM neighborhood voting-blocks allocated by the Board. The 44 NMV neighborhood voting-blocks are provided on a community map labeled Exhibit 1. The Board reserves the right to adjust the total NVM voting-block count.

106.8.b: NVMs and Alternate NVMs shall serve a term of one year until the next annual election (CC&Rs 6.4.b (a)). Said term shall run from January 1 through December 31.

106.8.c: NVMs and Alternate NVMs for the same neighborhood cannot be related (spouse, life partner, mother, father, sister, brother, child, in-law) and cannot be co-owners of any property within that neighborhood.

106.8.d: NVMs and Alternate NVM shall not be related (spouse, life partner, mother father, sister, brother, child, in-law) to a member of the Association Board.

106.8.e: An NVM may not be a member of the Association Board but may be a member of a sub-association board.

106.8.f: A Ranch Association director cannot concurrently serve as an NVM (Board resolution dated May 5, 2014).

106.8.g: The NVM election timeline is approved by the Board at its October board meeting.

106.8.h: Candidate Self Nomination Forms shall be posted on DCRanch.com and available upon request at the Ranch Offices no later than October 1 (see Exhibit 2).

106.8.i: Candidate's Self Nomination Forms shall be submitted to the Ranch Office no later than 5 p.m. on the first Monday of November. Forms may be submitted by e-mail, fax, regular mail or in person.

106.8.j: NVM ballots shall be mailed to each Member with the annual assessment notice, which occurs the last week of November each year. Write-in candidates are permitted on the ballot.

106.8.k: Completed NVM ballots must be received by 5 p.m. MST at the Ranch Offices on the due date. The due date and time will be printed on the ballot. Ballots may be submitted by e-mail, fax, regular mail or in person to Ranch Offices.

106.8.l: The candidate that receives the greatest number of votes from candidate's neighborhood voting-block shall be elected as the NVM, and the candidate receiving the next greatest number of votes shall be elected as the Alternate Voting Member.

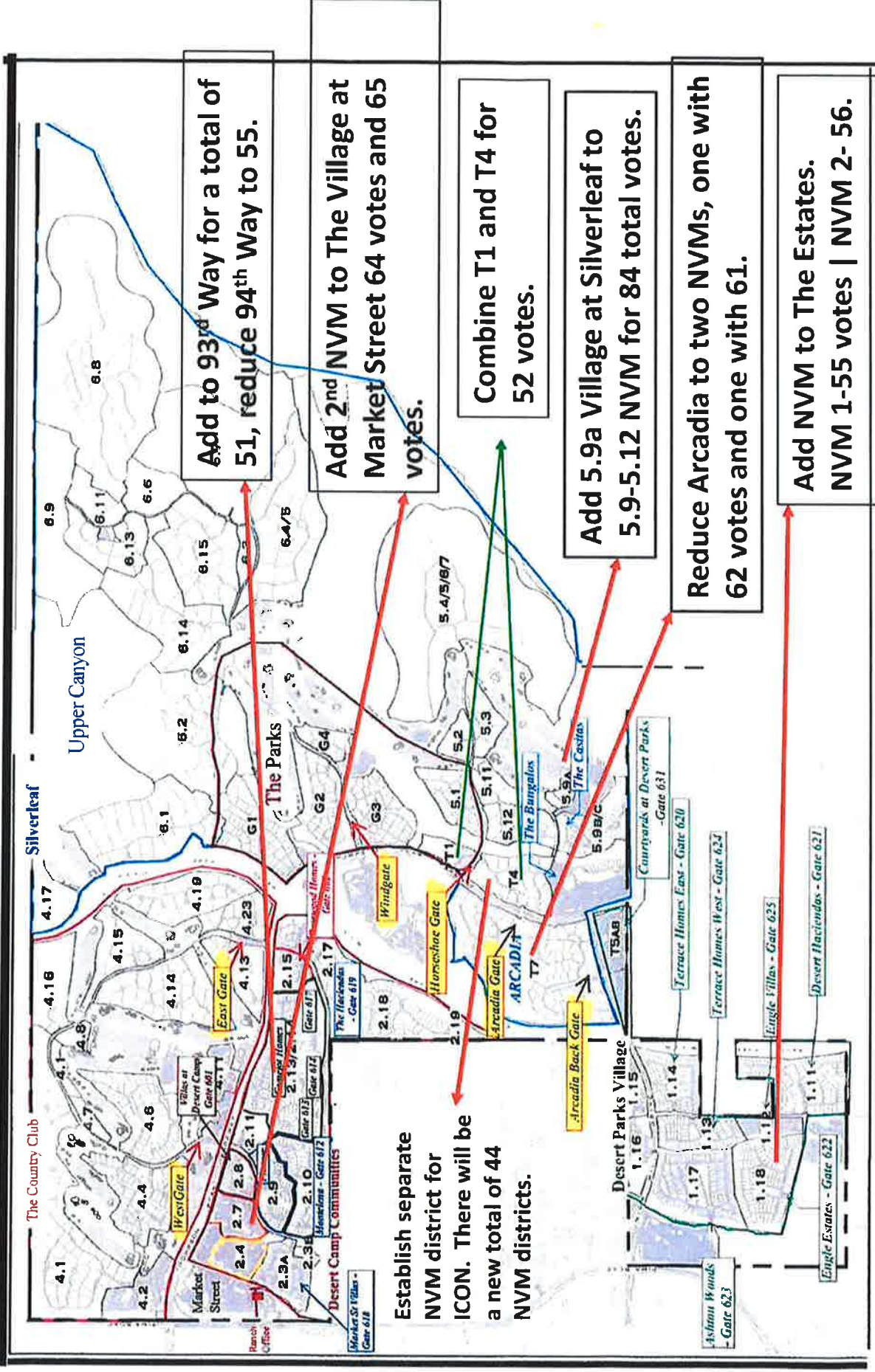
106.8.m: Elected NVMs and Alternate NVMs shall be announced at DCRanch.com prior to December 31 and shall be listed in the *Ranch News*.

106.8.n: In the event where there is no NVM or Alternate NVM in place, an NVM election can take place at any time of the year to fill the vacancy. If there is a member who volunteers to serve as an NVM, an election will take place in that neighborhood's voting-block.

106.8.o: NMVs and Alternate NVM can be removed from office, with or without cause, upon the vote or written petition of owners of a majority of the total number of units owned by Members in the Neighborhood which the NMV represents (CC&Rs 6.4.b(a)).

Approved By: _____ Date _____
Board Secretary

Effective Date: _____



Add to 93rd Way for a total of 51, reduce 94th Way to 55.

Add 2nd NVM to The Village at Market Street 64 votes and 65 votes.

Combine T1 and T4 for 52 votes.

Add 5.9a Village at Silverleaf to 5.9-5.12 NVM for 84 total votes.

Reduce Arcadia to two NVMs, one with 62 votes and one with 61.

Add NVM to The Estates. NVM 1-55 votes | NVM 2- 56.

Establish separate NVM district for ICON. There will be a new total of 44 NVM districts.

Exhibit 1





**Neighborhood Voting Member
Candidate
Application/Statement Form
2019**

Thank you so much for your interest in serving as a Neighborhood Voting Member (NVM) for DC Ranch. Please complete and return this form with your Candidate Statement via fax at **480.513.1505** or e-mail to **terri.raimondi@dcranchinc.com** no later than _____, _____, **2019 at 5 p.m.** Ballots will be mailed to residents the week of during the third week of November.

General Information

Name: _____ Lot Number: _____

DC Ranch Property Address: _____

Telephone (Daytime): _____ Fax: _____

E-mail: _____

Candidate Statement

- **Please attach your Candidate Statement on a separate sheet and submit with this form. Your statement should include a brief paragraph about yourself, your qualifications to serve as a Neighborhood Voting Member and your commitment to cast your neighborhood votes for the Ranch Association Board Elections held in April, in order to make quorum.**

The DC Ranch governing documents outline the NVM roles and responsibilities. Board Policy #106 defines the NVM program. The Ranch Association recommends that NVMs communicate with their constituents to solicit input as to how their vote should be cast. Any other required voting will follow in line with these expectations. Neighborhood Voting Members are expected to stay as informed as their schedule permits with regards to the DC Ranch Community by attending monthly Board of Directors meetings, reading community communications and understanding important issues, the CC&Rs and neighborhood-specific topics.

I attest that I am a resident of DC Ranch, and an owner in the neighborhood that I wish to represent. I am current in the payment of all assessments and fees without any violations, in good standing with the DC Ranch governing documents, and understand the role and responsibilities of an NVM set forth herein.

Applicant's Signature

Date

Last revised 1-21-19