

RESOLUTION # 2024-001 RESCINDING BYLAWS EXHIBIT B

FAIRVIEW ESTATES OF CITRUS HILLS PROPERTY OWNERS ASSOCIATION, INC

WHEREAS, Section 720.306, Florida Statutes(2024) provides Homeowner Association voting and election procedures; and

WHEREAS, On October 1, 1998 the Fairview Estates of Citrus Hills Property Owners Association, Inc. Board of Directors Adopted by Resolution establishing the procedure for the election of Directors to fill a vacancy caused by the expiration of a term of office in conjunction of the Annual Meeting; and

WHEREAS, the Board of Directors has determined it to be in the best interest of the Association to no longer use the Election Procedures as spelled out in the Exhibit B Resolution; and

WHEREAS, the Board of Directors has determined it to be in the best interest of the Association to expand the Fairview Estates Voting procedures to all those allowed by Florida State Statute Chapter 720 (2024):

NOW, THEREFORE, it is resolved as follows:

1. The Association hereby rescinds Fairview Estates of Citrus Hills Property Owners, Inc Bylaws Exhibit B establishing voting procedures for the election of Directors.
2. The Association may elect to use voting procedures as allowed by Florida Statute that are applicable to the type of vote in question. Those votes may include roll call, voice vote, written ballot, or electronic as permitted by Florida Statute.
3. The Association attaches a copy of the hereby rescinded Resolution:
 - Attached hereto is the "Resolution of the Board of Directors establishing the procedure for the election of directors to fill a vacant caused by the expiration of a term of office in conjunction with the Annual Meet" adopted October 1, 1998; and Unless prohibited by law an e-mail notification from an Owner to the Association may be used in lieu of a signed consent or revocation form, in which case the terms of the attached consent and revocation forms are incorporated by reference and shall be deemed affirmed by the Owner when consent is given or revoked by e-mail.

Fairview Estates of Citrus Hills Property Owners Association, Inc.

By:  2024-09-10

Raymond B. Wolfel, President

Date: September 10, 2024

EXHIBIT B

RESOLUTION OF THE BOARD OF DIRECTORS ESTABLISHING THE PROCEDURE FOR THE ELECTION OF DIRECTORS TO FILL A VACANCY CAUSED BY THE EXPIRATION OF A TERM OF OFFICE IN CONJUNCTION WITH THE ANNUAL MEETING

WHEREAS THE Board of Directors of Fairview Estates of Citrus Hills Property Owners' Association, Inc., wishes to provide a clear, uniform policy for the regular Election of Directors to be held in conjunction

with the Annual Meeting as required by Florida Statute 720 as applicable; therefore be it RESOLVED, that the following procedures shall henceforth be used and observed:

1. This policy applies to the regular election to fill vacancies on the Board occurring because of the expiration of a term of office.
2. The regular Election of Directors will be conducted by written secret ballot or otherwise pursuant to Florida Statute 720.306 at the Annual Meeting on the date, time, and place selected by the Board of Directors. Normally, each year members are to elect three Directors, each for a term of three years.
3. The Board of Directors shall not create or appoint any committee for the purpose of nominating a candidate or candidates for election to the Board.
4. The first notice of the date of election shall be mailed not less than 60 days prior to the scheduled election.
5. Any eligible member desiring to be a candidate for the office of Director may qualify by delivering written notice of intent to be a candidate to the Association, not less than 40 days before the scheduled election. **THERE IS NO OTHER WAY AN ELIGIBLE PERSON CAN BECOME A CANDIDATE.** The Association shall issue a receipt to all members submitting written notices of intent to be a candidate
6. Each candidate may submit to the Association a one page (8 1/2" by 11") candidate information sheet (one side only) describing his or her background, education, and qualifications. This sheet must be received at the Association Office not later than 35 days before the election.
7. The Board and the Association are prohibited by law from editing, altering, or modifying the content of a candidate information sheet. Therefore, they are not responsible for the content of those that are submitted. The Association may print one candidate information sheet on each side of a sheet of paper.

8. If there are more qualified candidates than there are Directors to be elected, balloting will be necessary. In that case, the Association shall mail not less than 30 days before the scheduled election a second notice of the election, together with a ballot, a proxy and any information sheets timely submitted by candidates.
9. Accompanying the ballot shall be an outer envelope addressed to the Association and a smaller envelope in which the ballot shall be placed. The exterior of the outer envelope shall indicate the name of the voter, the voter parcel number, plus a space for the signature of the voter.
10. The written ballot shall indicate in alphabetical order by surname, each and every eligible parcel owner who has submitted written notice to the Association of their desire to be a candidate for the Board.
11. Once the ballot is filled out, the voter shall place the completed ballot in the inner smaller envelope and seal the envelope. The ballot envelope shall be placed within the larger outer envelope and then the outer envelope sealed. Each inner ballot envelope shall contain only one ballot.
12. The voter must sign the exterior of the outer envelope in the space provided for their signature and mail or hand deliver it to the Association. Upon receipt by the Association, no ballot may be rescinded or changed. Failure to sign the outer envelope shall render the ballot null and void.
13. The Association shall have available at the meeting additional blank ballots along with additional envelopes for distribution to eligible voters who have not cast their votes.
14. As the first order of business, ballots not yet cast shall be collected. The business of the meeting may continue during this process.
15. The ballots and envelopes shall then be handled by an "Impartial Committee" appointed by the Board. Members of this Committee cannot be: (1) current Board members, (2) Officers or candidates for the Board, (3) spouses of any of the above.
16. The Impartial Committee shall check the signature and parcel number on the outer envelope against a list of qualified voters. Any exterior envelope not signed by the eligible voter shall be marked "Disregard" and any ballot contained therein shall not be counted. The voters shall be checked of on a list as having voted.
17. In the presence of any parcel owners in attendance, all inner envelopes shall first be removed from the outer envelopes and placed into a receptacle. Upon the commencement of opening the outer envelopes, the polls shall be closed, and no more ballots accepted. The inner envelopes shall then be opened and the ballots removed and counted in the presence of any parcel owner present. Any inner envelope containing more than one ballot shall be marked "disregard" and any ballots therein not counted.

18. Elections shall be decided by a plurality of those votes cast. The three candidates receiving the greatest number of votes cast shall fill the term of three-year directors. If two or more candidates for the same position receive the same number of votes, the Association shall conduct a runoff election.

19. If a tie vote occurs, the Board shall mail notice of a runoff election to all members within 7 days of the election at which the tie vote occurred, stating the date of the runoff election. The notice shall include a ballot with the runoff candidates listed alphabetically and the appropriate envelopes, plus information sheets if available. The runoff election must be held not less than 21 days, nor more than 30 days, after the date of the election at which the tie vote occurred.

20. There shall be no quorum requirement; however, at least twenty percent of the eligible voters must cast a ballot in order to have a valid election

21. Notices of election, notices of candidacy for election, information sheets, voting envelopes, ballots, sign-in sheets, and all other papers relating to voting by parcel owners, shall be maintained as part of the official records of the Association for a period of one year from the date of the election, vote, or meeting to which the document relates.

22. Any vacancy occurring on the Board prior to the expiration of a term, except in the case of a vacancy caused by recall, may be filled by the affirmative vote of the majority of the remaining Directors for the remaining term of his or her predecessor in office.

ADOPTED by the Board of Directors of Fairview Estates at Citrus Hills Property Owners' Assoc., Inc., on this 1st day of October, 1998.