

**DAYBREAK COMMUNITY ASSOCIATION, INC.
NOMINATING COMMITTEE CHARTER**

In addition to sections 2.4(b), and 3.4 of the Daybreak Community Association Inc.'s By-Laws, the Nominating Committee Resolution and decisions by the Board of Directors, the Nominating Committee is subject to the following provisions of this Nominating Committee Charter.

1. Appointment of Nominating Committee

- (a) ***Appointment/ Removal of Members.*** The Board of Directors shall appoint the Nominating Committee as deemed appropriate to carry out the purpose of the Association. Nominating Committee Members serve at the discretion of the Board of Directors and may be removed by a majority vote of the Board of Directors.
- (b) ***Eligibility Requirements.*** All Nominating Committee Members must be residents of the Association and in good standing. The Chairperson of the Nominating Committee shall be a member of the Board of Directors. Other than the Chairperson, no Director shall serve on the Nominating Committee. No member of the Nominating Committee, nor a spouse or relative, may be nominated by the Nominating Committee to run for a Director position in the current election.
- (c) ***Applications.*** At least four (4) weeks prior to an Appointment Date (defined herein), the Board of Directors shall provide notice in the Association's newsletter that the Nominating Committee application period is open and shall include the method and deadlines by which to apply. The Board of Directors shall collect the applications and review them to ensure that each applicant meets the Eligibility Requirements set forth in section 1(b) of this Charter. The Board of Directors may then interview eligible candidates. The Board of Directors shall appoint and reaffirm the Nominating Committee Members at least thirty (30) days before an election (the "***Appointment Date***"). The names of the appointed Nominating Committee Members will be announced in the first notification of the election.

2. Organization

- (a) ***Term.*** In accordance with section 3.4 of the Daybreak Community Association's By-Laws, the Nominating Committee shall serve a term of one year or until its successors are appointed. Notwithstanding the foregoing sentence, the Nominating Committee shall serve a term of not less than the day following the Special Meeting for the purpose of the election set forth in section 3(h) of this Charter.
- (b) ***Number of Members.*** The Nominating Committee shall consist of a Chairperson who is a member of the Board of Directors plus at least three (3) but no more than seven (7) resident Members. The appointed Nominating Committee Members will elect one Co-Chairperson. The Co-Chairperson will represent the Nominating Committee if the Chairperson is unable to fulfill the position.

(c) **Commitment.** As required by the Daybreak Community Association's Declarations of Covenants, Conditions and Restrictions, By-Laws, and as recommended by the Board of Directors, the Nominating Committee Members willingly commit to:

- (i) serve and perform the duties of the Nominating Committee demonstrating the utmost responsibility to facilitate a successful election process,
- (ii) meet in a place and at a time that will allow for the effective and productive outcome of the Nominating Committee's objectives,
- (iii) work together in a professional manner with the other Nominating Committee Members and management staff,
- (iv) keep all Nominating Committee work and discussions confidential,
- (v) work together as a group for the best interest of the Daybreak Community Association and not for any personal agenda,
- (vi) facilitate and foster positive, informative, effective, timely, factual, balanced, and pertinent communications with the Board of Directors and the community, and
- (vii) assist in building a sense of community among all members.

3. **Nominating Committee Duties and Responsibilities**

- (a) **Purpose.** The Nominating Committee is charged with the responsibility of providing a fair election for the Members of the Daybreak Community Association. The Nominating Committee will oversee the election and campaign process of the owner Directors to the Daybreak Board of Directors. The Nominating Committee will also oversee any other elections required and approved by the Board of Directors. The attached Exhibit "A" outlines the recommended guidelines and timeline for the election and campaign process. The Nominating Committee shall submit their final process to the Board for approval later than 60 days after their selection.
- (b) **Training.** The Nominating Committee Members shall attend training in which they will be instructed on the Code of Conduct, Review the Resolution and Policies, establishing a quorum, and choosing candidates from various backgrounds, interest, and experience.
- (c) **Meetings.** Meetings will be held as needed at the discretion of the Nominating Committee Members and will be open to the general community. All meetings will require Minutes that will be provided to the Board of Directors on request.
- (d) **Relationship with the Board of Directors.** The Nominating Committee shall supply regular reports on its activities. These reports will be provided in sufficient time to be available at a regularly scheduled meeting of the Board of Directors.
- (e) **Relationship with Management.** Management will serve in support of the Nominating Committee as needed and as requested by the Committee Chairperson. Management staff will provide administrative support and act as a resource to the Nominating Committee as needed. The Nominating Committee shall work with Management to ensure the Association's membership is notified of the upcoming election, and given the opportunity to participate.

- (f) ***Initial Meeting.*** The Nominating Committee Members shall conduct an initial meeting within thirty (15) days of their selection. The purpose of the initial meeting is for the Nominating Committee to develop a timeline, meeting schedule and begin to structure the election and campaign process as stated in 3 (a). The Nominating Committee shall provide their meeting schedule to the Board of Directors no later than 30 days after their selection.
- (g) ***Slate of Candidates.*** The Nominating Committee shall select a slate of candidates to fill positions on the Board of Directors in accordance with the following:
- (i) The Nominating Committee shall coordinate with the Management Staff to administer the candidate application process, assure the timely recruitment of candidates, and distribute candidate and election information to the Association's membership.
 - (ii) The Nominating Committee shall use reasonable efforts to search for qualified candidates to represent a fair diversity which exists within the Daybreak Community Association. Nominations should be done in such a way to include candidates from varied backgrounds, interests, and experiences.
 - (iii) The Nominating Committee shall work with the management staff to vet candidates in an effort to ensure they are in good standing,
 - (iv) The Nominating Committee shall develop and present a candidate orientation session outline to the board for approval. Upon approval the Nominating Committee shall implement the orientation which may include the Associations Attorney, overview of State Law, Board Member responsibilities, Association Governing Documents and process, committees and lifestyle.
 - (v) The Nominating Committee shall present a report to the Board of Directors that includes a slate of candidates to be nominated by the Nominating Committee.
 - (vi) Once the slate of candidates is approved by the Board of Directors, the Nominating Committee shall convene a meeting of all registered candidates to review the Nominating Committee's role and election procedure including format for a "Meet the Candidates Night."
- (h) ***Meet the Candidates.*** The Nominating Committee shall assure that a "Meet the Candidates Night" shall be held no later than three weeks after the ballot distribution. Meet the Candidates Night allows voters an opportunity to become better informed about their choices for elected officials during election season. Meet the Candidates Night can take place in many formats including, but not limited to, one or more of the following:
- (i) Candidates give prepared remarks and attendees ask follow-up questions.
 - (ii) Candidates are asked prepared questions on themes important to the Nominating Committee and the community. Generating questions gathered from the community (via interactive survey).
 - (iii) Candidates and the audience engage in a panel discussion. Questions may be prepared by the Nominating Committee through resident outreach.
 - (iv) Candidates are asked questions that the audience submits on index cards. At the conclusion of the meeting, candidates provide closing statements with an equal amount of time given to each candidate.

Regardless of format, the Nominating Committee shall appoint a moderator who will be present at Meet the Candidates Night and will be responsible for introducing the candidates, starting the dialogue, and keeping the discussion moving.


4. Amendments and Severability

- (a) This Nominating Committee Charter may be amended in the Board of Directors discretion. Any amendments to this Charter are effective if in writing and approved by the Board of Directors in accordance with the Community Charter and Bylaws of Daybreak.
- (b) This Nominating Committee Charter may be amended by the Nominating Committee only if such amendments are in writing and approved by the Board of Directors.
- (c) An amendment to this Nominating Committee Charter is effective upon approval in the manner set forth above, unless a later effective date is specified therein.
- (d) If any term, part, provision, section or amendment to this Nominating Committee Charter is found by the Board or a court of competent jurisdiction to be invalid, unenforceable or inconsistent with the Community Charter and Bylaws of Daybreak, the remainder of the term, part, provision, section or amendment shall remain in full force and effect.

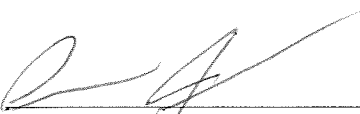
5. Authorizations

- (a) The Nominating Committee does not have the authority to commit or expend Association funds and/or enter into any contract or give directions or instructions to contractors, management or employees and will not communicate or represent the Association's or Committee's business or political interests or positions to other persons outside the Association without the explicit direction of the Board of Directors. Confidential information discussed in Nominating Committee Meetings will not be communicated to any other persons outside the Nominating Committee, Management staff or Board of Directors. This Nominating Committee has not been assigned any direct Association funds to assist in completing Nomination Committee functions or tasks.
- (b) This Nominating Committee Charter was adopted and approved by the Daybreak Community Association Inc.'s Board of Directors on this 30th day of August, 2017.

DAYBREAK COMMUNITY ASSOCIATION, INC.

By: 

Ty McCutcheon, President

By: 

Cameron Jackson, Secretary

Exhibit "A"

Election & Campaign Process

As per Section 3(a) *Nominating Committee Duties and Responsibilities*, the Nominating Committee is charged with the responsibility of providing a fair election for the Members of the Daybreak Community Association and will oversee the election process of the owner Directors to the Daybreak Board of Directors.

The Nominating Committee shall select a slate of candidates to fill positions on the Board of Directors in accordance with what is stated in Section 3(g) of the Nominating Committee Charter. The information below outlines additional recommended guidelines and a timeline for the election and campaign process. The Nominating Committee shall submit their final campaign and election process including their timeline to the Board for approval later than 60 days after their selection.

1. Ensure the entire membership is noticed of the upcoming election, and given the opportunity to participate, as per the governing documents.
2. Use reasonable efforts to search for qualified candidates to represent a fair diversity which exists within the Daybreak Community Association.
3. Coordinate with the Management Staff to administer Candidate applications, assure the timely recruitment of Candidates, and the distribution of candidate and election information to the membership as outlined in the governing documents.
4. The Nominating Committee shall develop and present a candidate orientation session outline to the board for approval. Upon approval the Nominating Committee shall implement the orientation which may include the Associations Attorney, overview of State Law, Board Member responsibilities, Association Governing Documents and process, committees and lifestyle.
5. Create campaign guidelines for candidates to follow during the election process that may include, but is not limited to, signage, mailers, code of conduct, Meet the Candidates night, while maintaining compliance with the governing documents.
6. Section 3.4(b) of the By-laws provides for voting procedures for the election of directors based on the slate of candidates chosen by the nominating committee. The initial vote may be conducted by computer or by mail.
7. Interview and propose to the Board of Directors the appointment of an Independent Contractor to serve as Election Tellers. The Election Tellers shall be responsible to prepare, distribute, collect, process and count ballots.
8. Attend the Special Meeting of the Members to observe the tallying process, and resolve any ballot issues.
9. Maintain committee and election records and report to the Board of Directors at the regular scheduled meetings or as requested.

DAYBREAK COMMUNITY ASSOCIATION 2018 ELECTION TIME LINE

<u>Event:</u>	<u>Date:</u>
Board to solicit Nominating Committee applications. Email, website, newsletter reminders	August 30, 2017
Nominating Committee candidate submission closing date	October 4, 2017
Board to Appoint Committee	November 10, 2017
Nominating Committee Training	Within 10 days of selection by Board
Nominating Committee First Meeting to develop meeting schedule	Within 15 days of selection by Board
Nominating Committee to provide meeting schedule to Board	Within 30 days of selection by Board
Nominating Committee to submit election and campaign process to Board for approval	Within 60 days of selection by Board
Nominating Committee to conduct a public meeting, inviting qualified individuals who wish to be considered as a candidate, to discuss	Between 150 and 90 days prior to Election
Nominating Committee to collect applications and vet	Between 150 and 90 days prior to Election
Candidate Orientation Session Developed and held by Nominating Committee	Between 150 and 90 days prior to Election
Nominating Committee to present slate of candidates to Board (Nominating Committee Report)	Between 90 and 60 days prior to Election
Board to certify Slate of Candidates	No later than 60 days prior to Election
Official Notice of Election (announcing Nominating Committee and slate of Candidates, voting information)	No more than 50 days, no less than 30
Campaigning by candidates including Meet the Candidates Forum	No more than 30 days, no less than 21
Final Notice of Election	No more than 10 days, no less than 5
Ballots due	TBD
Special Meeting of the Members	TBD

**These timelines were created to act as guidelines unless mandated by the governing documents or state law.*