

**RESOLUTION M-09**  
**CANDIDATE SEARCH PROCESS FOR OPA BOARD ELECTIONS**

1. **Purpose.** This Resolution establishes the formation, roles and responsibilities of the Search Committee and the procedures for candidate search.
  
2. **Authority**
  - a. The candidate application process is described in Section 5.02 of the Ocean Pines Association By-Laws.
  
  - b. Section 5.02(b) of the By-Laws requires that a Search Committee be appointed by the President and approved by the Board not later than February 1st each year. The President will also appoint a committee member to serve as chair of the committee.
  
3. **Search Committee**
  - a. Each Committee term shall extend until the appointment of the succeeding Committee, or February 1<sup>st</sup> of the election year, whichever is the first to occur.
  
  - b. No Committee member shall serve more than three consecutive terms.
  
4. **Candidate Application Form Due Date:** If the Association offices are not open on May 10 or not open for a full business day, Candidate Applications are then due no later than the end of the next full business day of the Association offices.
  
5. **Roles:**
  - a. The role of the Committee is to stimulate community interest in the forthcoming Board election, solicit candidates from a broad spectrum of the Ocean Pines membership, provide information to, or otherwise assist potential candidates with the application process. The Committee shall verify that all applications received are sent to the Secretary of the Association (Secretary) for validation of eligibility. The Secretary will forward the list of all eligible candidates to the Elections Committee who will conduct the election itself. All of the above participants shall be actively supported by Association Management and Staff.
  
  - b. The President of the Association shall appoint a Director to serve as liaison to the Committee. The liaison shall not be a Director that is eligible for reelection.

6. **Search Committee Responsibilities.** The Committee shall:
- a. Hold meetings that are public and announced in advance to association members in accordance with Resolution C-01.
  - b. Work with appropriate OPA Staff to publicize the coming Board election and search for candidates, in Association and local media. This notification shall include eligibility requirements, Board duties and responsibilities, where, when and how to obtain and submit applications, and typical election events and timelines.
  - c. Contact individuals who may have an interest in becoming a candidate. This includes, but is not limited to, persons who have served on Ocean Pines Association committees, have been active in community organizations or affairs, or recommended by another member. The Committee goal is to cast as broad a net as practical and not to form any advance judgments on who may or may not be the best candidate. Validation of eligibility shall be the responsibility of the Secretary after all applications are received by the deadline date.
  - d. Work with the GM and appropriate OPA staff to establish locations in the Administration Building where applications can be obtained and submitted. Committee members may also provide interested members with application forms directly or they may be printed from the OPA web page. However, all completed applications must be submitted to a Search Committee box in the Administration Office. The applications will be time-stamped, dated and stored in a secure location by an assigned staff member who is designated by the General Manager. Attachments A and B to this resolution comprise the current application form.
  - e. Monitor the incoming applications and ensure that the Secretary is provided with all candidate applications as soon as received, but no later than the date specified in the By-laws. The Committee shall submit a list of candidate applications to the Secretary no later than May 15<sup>th</sup>.
  - f. Access to the Search Committee box shall be limited to the Search Committee, assigned staff member and Secretary.
  - g. While nothing will preclude an individual candidate from announcing their intention at any time, the Committee is not authorized to release any applicant, potential candidate, or candidate information to the public.

- h. Submit a Committee Report to the Board of Directors no later than June 30. This report shall include:
    - i. A summary of Committee activities during the search process.
    - ii. Problems encountered.
    - iii. Recommendations for improving the search process.
  - i. Materials selected by the Committee, including a confidential list of the people contacted and their possible future interest shall be retained for the next Committee. The materials shall be stored in a manner that is accessible only to the Committee as well as those Association staff members designated by the General Manager. The General Manager is responsible for making suitable storage space available. Materials that have been stored may be destroyed after one (1) year.
7. **Staff Assistance.** The Association General Manager shall designate such staff personnel as may be necessary to assist the Committee in the performance of its responsibilities. The Secretary shall provide the list of candidates to the Association for release to the membership and public upon completion of candidate verifications. The Committee may destroy stored files after one (1) year.
8. **Candidate Search Responsibilities of Secretary.** The Secretary is responsible for verifying the eligibility of candidates in accordance with 5.02(d) of the By-Laws.
- a. Candidate eligibility under 5.02(a), (c), and (d) of the By-Laws is defined as:
    - i. Owner of record of real property in the subdivision since the first day of January in the year of the election. The secretary shall use the Worcester County land records and/or State Department of Assessment and Taxation records to verify property ownership.
    - ii. No unpaid annual charges as of May 15<sup>th</sup> of the year of the election.
    - iii. The Board of Directors has not suspended the member's vote under the provisions of 5.13(e) of the By-Laws, as of May 15<sup>th</sup> of the year of the election.
    - iv. The candidate has completed the Candidate Registration Form (application form) required by 5.02(c) of the By-Laws and is included as an attachment to

this Resolution, and has provided attachments required by the Candidate Registration Form.

The Secretary will contact each applicant to confirm their Candidate Registration Form has been completed correctly. In the case where the form has not been completed correctly the Secretary will identify this information needed and contact the applicant to have them provide the required information. The Secretary will remind the applicant of the due date for providing the required information.

- b. The verification of the eligibility of additional candidates, if there are any such applications under 5.02(e) of the By-Laws, shall be the same as in the preceding subparagraph 8.a.
- c. The Secretary shall notify each applicant of the acceptance or rejection of the candidate's application, including any reasons for rejection, if applicable, prior to submitting the list of eligible candidates to the Elections Committee not later than June 1. The reason for a rejection shall be included with the notification.
- d. When the list of eligible candidates has been submitted to the Election Committee the following shall be released to the members and the public by the Association:
  - i. The list of eligible candidates
  - ii. The Registration Form (Attachment B) of each eligible applicant.

9. **Effective Date:** March 23, 2022

Approved by the Board of Directors on: March 23, 2022

[Signature] President                      [Signature] Secretary

General Manager [Signature]                      Date: 4/7/2022

Legal \_\_\_\_\_                      Date: \_\_\_\_\_

By-Laws and Resolutions Advisory Committee: [Signature] Date: 4/13/2022

## ATTACHMENT A

### OCEAN PINES ASSOCIATION, INC. BOARD OF DIRECTORS ELECTION INFORMATION & CANDIDATE APPLICATION FORMS

Attached is the OPA Candidate Registration Form. To be considered by the OPA, this form must be completed and returned to the OPA General Manager's office at the Administration office at 239 Ocean Parkway to the attention of the Search Committee no later than the end of Association business on May 10<sup>th</sup> of the year of election. If Association offices are not open on May 10<sup>th</sup>, or not open for a full business day, Candidate Registration Forms are then due no later than the end of business the next full business day of the Association offices.

For your convenience, additional information is provided that gives a brief description of Board responsibilities. Additional corporate documents are available for review at the OPA Administration Office. The OPA Elections Committee supervises the election process and will provide further instructions to all candidates in addition to that below.

#### Board Responsibilities

- The Ocean Pines Association is governed by a seven member Board of Directors elected by the lot owners who make up membership in the homeowners association.
- Section 5.13 of the By-Laws establishes the Powers of the Board. Section 15.14 establishes the duties of the Board.
- The Board determines operational and fiscal policy and assesses property owners at a rate set annually. These assessments provide the funds for the operation of the Association.
- The Board sets a meeting schedule for the coming year at the Organization Meeting after the election of directors. A Board member who misses three consecutive regular meetings is subject to removal for cause.
- Board members do not receive monetary compensation for their service.
- Board members serve three-year terms on a staggered basis. Directors cannot seek reelection after serving two consecutive terms.
- A Board candidate must be an owner of record on January 1<sup>st</sup> of the year of the election and not have unpaid annual charges or vote suspended by the Board as of May 15<sup>th</sup> of that year.
- Board members may be assigned as Board liaison to Advisory Committees.

#### Elections Committee

- The Elections Committee has the responsibility for administering the election process. See Board Resolution M-06 Elections and Referendums Procedure. The Committee will provide further instructions and information for all candidates.
- Candidates will be requested to supply information, which will be distributed to the media and included with ballots sent to Association members. This includes biographical information, and answers to questions prepared by the Elections Committee. Candidates will be asked to participate in a Candidates Forum.