

SPRING CREEK HOMEOWNERS ASSOCIATION

Annual Meeting – October 2, 2021

Elections and Voting Procedures

Election of Board of Directors. The SCHOA Board of Directors consists of five members. Directors are elected to the Board for 2-year terms. Three Directors are elected in even-numbered years like 2020, and two in odd-numbered years like 2021.

Since there are two Board seats open this year, as an owner you are allowed **two (2) Director votes for each unit or lot** that you own (lock-off units in Harvest Dance do not constitute separate units for voting). You may cast all of your votes for a single candidate or divide them among candidates as you wish. If you cast more than your allowed number of votes, your vote will not be counted. The voting rights for an owner with unpaid and delinquent assessments may be suspended.

Election and Reconfirmation of Architectural Committee Members. The AC consists of a total of five members, of which three are elected by the homeowners and the other two are appointed by the Board. AC Member elections are for 2-year terms, with the requirement that incumbents be reconfirmed by the homeowners for the 2nd year of their respective terms. One Member is elected in even-numbered years like 2020, and two in odd-numbered years like 2021. As a result, at this year's Annual Meeting two AC Member positions are open for election, and one incumbent stands for reconfirmation.

Since there are two AC Members position open for election, as a homeowner you are allowed to cast **two (2) AC Member votes for each unit or lot** that you own. Since there is one AC Member incumbent subject to reconfirmation this year, you are allowed to cast for reconfirmation of **one (1) vote for each unit or lot** that you own. The same provisions for casting votes as indicated above for Directors also apply to Architectural Committee Members.

Voting Procedures. This year the election of Directors for the HOA and members of the Architectural Committee will be accomplished through votes cast by property owners via email proxy submitted to the HOA no later than September 30. Votes will be counted, and the results announced during the Annual Meeting scheduled for October 2, 2021.

Proxy Form: Please complete, sign, and submit a Proxy Form which designates Nicole Krieger, the HOA's legal counsel who will be present at the meeting to act as your proxy. This is important in order to help assure that a quorum can be established at the meeting. **As you will see this proxy form only authorizes voting in accordance with your indicated preference and will be used for establishing a quorum. It does not contain authority for any other purpose.**

Again, this year, **electronic** Proxy Forms will be used. Your electronic Proxy Form must be completed fully and signed electronically in order to be valid and counted. Your Proxy Form includes your preference for how votes are to be cast by your proxy.

If you wish to complete a Proxy Form manually instead of electronically, please contact Kathi Davis by email at kdavis@springcreekbranch.com or by phone at 307-732-8151.

The Proxy Forms received will be counted at the beginning of the Annual Meeting for the purpose of determining a quorum, and then given to Nicole Krieger named as proxy.

Voting where a Unit or Lot is Owned by More than One Person. Each vote for a particular unit or lot may be cast only as a whole; fractional votes are not allowed. If more than one proxy is submitted for a particular unit or lot, or if a proxy contains fractional votes, none of the votes of those proxies will be counted. If one owner submits a proxy representing a unit or lot owned by several, it will be presumed that such owner or proxy was acting with the authority and consent of all such owners, unless an owner or owners representing a majority in interest have filed with the Association written notice to the contrary.

Number of Votes for Residential and Commercial Units. Under the Spring Creek Ranch CC&Rs, one vote is allocated to each residential unit or lot; the number of votes allocated to the commercial units is based on the assessed value of the commercial units relative to that for the residential units. There are 159 residential units and lots at SCR. For 2021, the assessed value of the residential units/lots was 91.7% of the total, and the assessed value of the commercial units was 8.3% of the total. This results in a total of 177 votes, with 159 (or 91.7%) held by owners of residential units or lots and 18 (or 8.3%) held by the owners of the commercial units.