

BURKE CENTRE CONSERVANCY
2023 ELECTION POLICIES AND CANDIDATE PROCEDURES
Approved: December 6, 2022 Board Working Session

I. GENERAL

All actions associated with the election process will be accomplished in accordance with the timelines outlined at Appendix A.

II. TRUSTEE CANDIDATE ELIGIBILITY

Board of Trustees candidates must be owners of property in Burke Centre, and Conservancy members in good standing as of the Trustee candidate deadline. **Note:** A Conservancy member will be considered in good standing only if: all assessment installments (meaning not more than 60 days overdue) have been deposited through the Board-designated lock box or by electronic means and posted at the bank determined by the Board of Trustees as depository; and the member has no outstanding cited Architectural Standards violations that remain uncorrected after the owner has been afforded access to all steps of due process in accordance with Conservancy Architectural Review Board (ARB) procedures.

Trustee Candidates for Neighborhood Trustee positions (i.e., the Commons, Landings, Oaks, Ponds, and Woods) must be owners of property and residents of their respective neighborhood service district. All trustee candidates shall be elected for a term of two years. To appear on the official Burke Centre Conservancy Election Ballot, a Trustee candidate must submit to the Conservancy office the following Election Packet by 5 PM on January 25, 2023:

- **Trustee Candidate Petition Form (*waived for 2023 Election Cycle to continue “Stop the Spread” efforts in light of current uptick in reported Covid-19 & flu cases*)**
- Candidacy Statement Form
- Trustee Acknowledgement Form
- Candidate photograph

These forms are described below and are available at the Burke Centre Conservancy office and online at: www.burkecentre.com.

Beginning December 7, 2022, potential Trustee candidates may officially announce their intention to run as a candidate in this election cycle. This may be done prior to completing requirements of the Election Packet. Written forms of communication, e.g., mail/email/text, are an acceptable means of signifying intent for candidacy. The Conservancy’s Director of Administration is the point of contact for candidacy and will make a record of the intent and seek to publicize it to residents. Election Packets may be submitted subsequent to the announcement but not later than the established deadline.

A. TRUSTEE CANDIDATE PETITION FORM (WAIVED FOR 2023 ELECTION CYCLE)

Trustee petitions will be considered invalid if there are less than ten signatures of members in good standing.

Collecting signatures. Signatories on candidate’s petitions will be required to come from the neighborhood in which the candidate is running.

- In the case of At-Large candidates, two signatures from each of the five neighborhoods are required.
- Signatures may not be collected from trustees, trustee candidates, Conservancy staff members or relatives of candidates.
- Only one signature per household will be counted.

It is strongly recommended, as a safeguard in case a resident is determined later to be ineligible, that Trustee candidates collect 12 or more signatures to better ensure that 10 are valid. It is not up to the candidate to ask whether or not a person is in good standing.

If, by no fault of the candidate, less than ten signatures are deemed valid, a 48-hour grace period will be provided for candidates to collect additional signatures.

B. TRUSTEE CANDIDACY STATEMENT FORM

This form requests general contact information such as the candidate's name (as it should appear on the ballot), address, phone numbers, e-mail address, etc. It also requires a general candidacy statement, separated into three sections: BACKGROUND INFORMATION; BURKE CENTRE ACTIVITIES (*i.e.*, *Boards, task forces, Cluster Committees, scouts, etc.*); and GOALS & OBJECTIVES. This unedited statement will be published in the ***Conservator*** as written (with the exception of potentially slanderous or libelous material). The combination of BACKGROUND INFORMATION and GOALS & OBJECTIVES must not exceed 300 words. The Burke Centre Activities section does not count against this limit. Neither the Election Committee nor the Conservancy staff is responsible for verifying the accuracy of biographical information provided by trustee candidates.

C. TRUSTEE CANDIDATE ACKNOWLEDGEMENT

Trustee candidates are asked to formally acknowledge that they meet applicable residency requirements, are members of the Burke Centre Conservancy in good standing, and that, if elected, they intend to serve a full two-year term. Additionally, candidates acknowledge the requirement to resign their position if they become in arrears in payment of their assessments (60 days or more past due), or otherwise lose their status as a member in good standing, or if they miss three consecutive unexcused meetings of the Board of Trustees.

D. CANDIDATE PHOTOS

Trustee candidates are asked to provide a current hard copy or digital photograph for inclusion in the ***Conservator***, mobile app and Burke Centre web site during the election. If a candidate confirms *in advance* that a file photo is already available at the Conservancy Office, it may be used for this purpose

E. TRUSTEE CANDIDATE PACKETS

Packets for Trustee candidates will be opened upon receipt in the Conservancy office. The staff will verify the candidate packet contents to ensure eligibility is met. Those candidates whose packets are found in order will be verified by Election Committee (EC) personnel and announced to the community. Those candidates whose packets are not in order will be notified of the shortcoming by the Election Committee and/or designated staff member. Candidates will have two business days to correct the shortcoming for inclusion on the official ballot.

III. CLUSTER COMMITTEE CANDIDATE ELIGIBILITY

To appear on the official Burke Centre Conservancy Election Ballot, Cluster Committee candidates must be Conservancy members in good standing as of the established deadline, who are the owners or renters of a home(s) located within the cluster.

Cluster Committee candidates must submit a Cluster Petition Form to the Conservancy office, no later than the established candidate deadline. The petition form may be used for a group of cluster members running together as a slate, or it may be used by an individual to run as a Cluster Committee candidate. Please note that regardless of how a cluster petition form is

submitted, all eligible cluster candidates who receive at least one vote through the election process shall be elected as a member of the cluster committee.

The Cluster Petition form will be available at the Burke Centre Conservancy office and online at: www.burkecentre.com. Other forms of communication e.g., text, mail or email are also an acceptable means of signifying intent for candidacy. Cluster Committee candidates who are found to be ineligible as of the established deadline will not appear on the official election ballot.

Each Cluster Committee comprises three or more candidates who are elected to serve for a term of two years. If less than three cluster representatives are elected, they will be appointed by the Board of Trustees as cluster caretakers at the time the election results are officially accepted. Board appointments of up to three members may be made following the election in clusters where less than three members were elected. Once a committee is established (i.e., three or more members), the Board of Trustees may only appoint additional members to serve on the Cluster Committee with the written consent of a majority of the Cluster Committee and by a majority vote of the Board of Trustees.

IV. CAMPAIGNING GUIDELINES

A. CONSERVATOR COVERAGE

Once their eligibility has been confirmed and all requirements met and verified, Board of Trustees, candidacy statements will be published in the February and March issues of the *Conservator*. There will be a submission deadline established for all eligible trustee candidates.

Incumbent Trustees may publish monthly articles in the February and March *Conservator* as long as they do not express partisan political views. Trustees are encouraged to publish their intention to run or not run for re-election by so stating in their December/January *Conservator* monthly articles. However, letters to the Editor/Commentaries from trustee candidates referencing the Burke Centre election will not be published in the February or March editions of the *Conservator*.

DOOR-TO-DOOR CAMPAIGNING Door-to-door campaigning is permitted. Candidates are, however, asked to respect the privacy and schedules of their neighbors. Taping campaign material to doors or property is prohibited. Candidates, and their representatives, are responsible for knowing solicitation policies throughout the community, and in particular, in the Woodwalk, Burke Cove, Walden, Oakwood, and Burke Centre Station Commons neighborhoods.

B. CAMPAIGNING AT CLUSTER MEETINGS

Candidates are permitted to campaign during Cluster Committee meetings only if invited and only with prior approval from the Cluster Committee. Candidates should contact the cluster chairperson for details.

C. CAMPAIGNING AT NEIGHBORHOOD COUNCIL MEETINGS

Campaigning at Neighborhood Council meetings is permitted after prior notification to be placed on the agenda and only during such a time as designated by the Neighborhood Trustee. Equal time shall be allotted for all candidates interested in addressing these audiences. Please contact the Neighborhood Trustee for details.

D. CAMPAIGNING IN WOODWALK, BURKE COVE, WALDEN, OAKWOOD, AND BURKE CENTRE STATION:

These clusters have specific election campaigning guidelines. They also have newsletters which have accepted articles from Trustee candidates in the past. The phone number for each management company is as follows:

1. Burke Cove Condominium Assn Office (*Cove Landing Road*), 703-425-7303
2. FirstService Residential (*Burke Cove/Cove Landing, Woodwalk*), 703-385-1133
3. Burkeshire Commons (*Burkeshire Commons Apartments*), 703-425-2777
4. National Realty Partners (*Burke Centre Station, Walden*), 703-435-3800
5. Sequoia Management (*Oakwood Commons*), 703-803-9641

E. CAMPAIGNING AT BURKE CENTRE CONSERVANCY OFFICE

On Saturday mornings during the months of December and January, candidates are permitted to be on hand during regular business hours for the purpose of campaigning and obtaining signatures for the Trustee Candidate Petition Form (form requirement waived for the 2023 election cycle). Candidates are expected to conduct themselves in a manner that does not interfere with the primary purpose residents are visiting the office.

F. CANDIDATE INTRODUCTION

An opportunity to meet all of the candidates will be provided at the February Board of Trustees meeting. Each candidate will be given three minutes to state their platform and tell the audience why they are running for the position of trustee. After conclusion of the business meeting, the floor will be opened for questions of interest to the community at-large, if there are any, and then candidates will be encouraged to mingle to address neighborhood-specific questions.

G. MAILING LABELS

Each eligible candidate may submit a written request for the Conservancy staff to perform one mailing of campaign literature to the neighborhood in which they are running, or for at-large candidates, for the whole community (request form provided in candidate packets). The candidate must provide the materials in unsealed envelopes. The candidate is responsible for paying all mailing and postage costs in advance. Staff will have a minimum of three business days to process the mailing.

H. CANDIDATE INFORMATION

Candidacy statements submitted by the trustee candidates will be provided online at www.burkecentre.com, and in association with the electronic voting system.

I. POSTERS AND SIGNS

Signs are permitted on private property only with the owner's permission. Signs placed on Burke Centre Parkway or other Burke Centre roadways and common grounds are there at the candidate's own risk. All signs and posters must be removed promptly after the election.

J. POLITICAL ADS IN THE CONSERVATOR

Candidates may purchase advertising space in the *Conservator*. *Conservator* advertising rates and deadlines will apply. **Conservator** Editorial Guidelines will apply.

K. FLYERS AND BROCHURES

Candidate flyers or brochures may be distributed throughout the community. Flyers and/or brochures cannot, by law, be placed in or on mailboxes and their supports. Taping of materials is prohibited.

L. LOCAL NEWSPAPER COVERAGE (rare)

As a community service, local newspapers may request information from the Conservancy and/or from the candidate regarding the upcoming Burke Centre election. The EC recommends pre-approved press releases, prepared jointly by staff and the EC, be provided to local newspapers.

M. ELECTION DAY

Trustee candidates are not permitted at the Conservancy office which will be used as the EC workstation during the election process. All candidates will be contacted by the EC Chairperson at the completion of the election process.

N. STAFF ASSISTANCE

The Conservancy staff is available to answer questions regarding the approved election procedures and candidate requirements during the campaign. Call the Conservancy office at 703-978-2928 with questions or concerns. Those that cannot be answered by the staff will be forwarded to the EC.

V. WRITE-IN CANDIDATES

Persons eligible to run for a seat on the Board of Trustees (see Section II) who fail to file a valid petition by the Trustee candidate deadline may run as a write-in candidate. No information concerning write-in candidates will be included in the official ballot distributed to Conservancy members, at Meet the Candidates Night or in the *Conservator*; however, the write-in votes for eligible candidates received shall be counted.

Trustee write-in candidates who have received votes for a trustee position must satisfy the following requirements before they can be declared eligible for certification as a winning candidate:

- They must be owners of property in Burke Centre, and Conservancy members in good standing as of the established deadline.
- For Neighborhood Trustee positions (i.e., the Commons, Landings, Oaks, Ponds, and Woods), they must be owners of property and residents of their respective neighborhood service district.
- Write-in candidates will be required to subsequently complete the Candidate Acknowledgement Form to state formally that they fulfill applicable residency requirements, are members of the Burke Centre Conservancy in good standing, and that, if elected, they intend to serve a full two-year term. Additionally, candidates acknowledge the requirement to resign their position if they become in arrears in payment of their assessments (60 days or more past due), or otherwise lose their status as a member in good standing, or if they miss three consecutive unexcused meetings of the Board of Trustees. They must also complete a Trustee Candidate Petition Form and a Candidate Statement Form. Forms must be completed within seven (7) days of notification. (Note: This form requires obtaining 10 signatures from the neighborhood/community.) ***Trustee Candidate Petition Form requirement has been waived for the 2023 election cycle.**

Write-in candidates for a position on a Cluster Committee are permitted and encouraged.

VI. VOTER ELIGIBILITY

Eligible voters are Burke Centre Conservancy members who are either the homeowners of record of a Burke Centre property, or renters/lessees who hold a lease. To be eligible to vote in the Burke Centre Conservancy election, homeowners must be Conservancy members in good

standing as of the established deadline. A homeowner's Conservancy membership status, if not in good standing, will not prevent a renter/lessee from voting.

Note: A Conservancy member will be considered in good standing as of the established deadline only if all assessment installments (meaning not more than 60 days overdue) have been deposited through the Board-designated lock box or by electronic means and posted at the bank determined by the Board of Trustees as depository).

A. VOTING CATEGORIES

1. OWNER OCCUPANT

The owner(s) of a Burke Centre property who also reside(s) at the property address, and are members in good standing, are entitled to cast **two ballots per household**.

2. RENTER/LESSEE OCCUPANT

Renter/Lessee occupant(s) of a Burke Centre property are entitled to cast **one ballot per household** with proof of residency.

3. NON-RESIDENT OWNER

The owner(s) of a Burke Centre property who reside(s) at a different property address and are members in good standing are entitled to cast **one ballot per household**.

B. ELECTION NOT TO VOTE

Conservancy members are heartily encouraged to vote; however, the right not to vote is respected. Conservancy members who choose not to vote are asked to respect the virtue of what the election ballot represents and to control the access codes they received by destroying them to preserve the integrity of the election process.

VII. ELECTION BALLOT COMPOSITION

To preserve the integrity of the election process, neither trustee candidates nor current Board members will have access to the official ballot, and it cannot be altered, once validated by the EC. Each ballot will contain three voting sections; four, if the Survey Question option is exercised. Eligible Conservancy members may vote in each of the four categories as follows:

A. NEIGHBORHOOD TRUSTEE

When voting for a neighborhood trustee, only one person may be selected. Ballots will be deemed invalid if more than one selection is made in this section.

B. AT-LARGE TRUSTEE

When voting for At-Large trustees, a maximum of two persons may be selected. Ballots will be deemed invalid if more than two candidates are chosen in this section.

C. CLUSTER COMMITTEE

Eligible voters may check the box located next to their Cluster Committee's slate as it appears on the ballot if the voter wishes to elect the slate for their Cluster Committee. If the eligible voter does not agree with the listed slate, or no slate is shown, an area to write in Cluster Committee candidates who are not listed is provided. If you simply want to add your name or that of another to the slate as it appears, then check the area by the slate *and* write in the additional names. Up to three names may be written in on each ballot.

D. SURVEY QUESTION

A survey question(s) is sometimes included with the Conservancy's election ballots to gain resident input on potential issues and is non-binding. Eligible voters may select only one of the options available for each survey question. If questions come up to the EC

based on community input, they will be forwarded to the Board for consideration. All survey questions will be approved by the Board of Trustees.

VIII. BALLOT GUIDELINES AND PROCEDURES

A. GENERAL

Conservancy staff, acting as system administrator, creates election ballots and provides ballots to the third-party electronic voting contractor. EC members will certify the accuracy of the ballots prior to forwarding. Conservancy staff will also create the Burke Centre voter list which is provided to the electronic voting contractor; create unique access codes for all owners, non-resident owners, and renters; and update the Burke Centre website with an “electronic voting” icon at the top of the homepage. The electronic system will ensure that residents will be presented with a voting screen for their neighborhood that contains the appropriate neighborhood Trustee candidates, At-Large candidates, cluster slate, and space for write-in candidates in all categories. The electronic system will include a link for each Trustee candidate with the candidate’s picture and biography. Biographical data will be an extract from the background information and goals and objectives submitted by the candidates.

Conservancy staff will prepare a letter to all eligible voters with the addressees’ voting instructions. The letter will also inform residents unwilling or unable to vote electronically on ways to request a paper ballot, which will be provided by Conservancy staff.

Finance staff prepares separate labels for homeowners who are not members in good standing. Administration staff executes mailing to those addresses indicating the homeowner may not vote in the upcoming election unless account is brought into good standing. Letter provides instructions to the owner on how to bring the account into compliance in time to participate in the election.

B. ELECTRONIC BALLOT PROCEDURES

Residents voting electronically will be guided through the voting process by following a series of prompts after logging on to the Burke Centre website. Once an electronic vote is cast, login credentials for the voter are automatically removed from the voter list.

A computer will be made available in the Conservancy lobby to enable residents to vote electronically at that location. A staff member will assist residents, upon request, when they come to the Conservancy to vote electronically.

C. PAPER BALLOT PROCEDURES

Should a resident desire to not vote electronically, they may request a paper ballot. Upon receipt of a valid request for paper ballot/s, Conservancy staff will prepare an appropriate paper ballot/s and mail to the voter. All requests for paper ballots will be tracked by Conservancy staff and a record kept of all requests. The system administrator will remove all voters requesting paper ballots from the electronic voting system. Specific instructions for casting the paper vote will be included with the paper ballot.

IX. BALLOT COUNTING

The EC will conduct all election-day activities at the Conservancy office. At least one staff member is required to be present to open the building, access the computer system, and, if necessary, contact the electronic voting vendor. Trustees and trustee candidates are not permitted to participate in or be present during the election process.

In some instances, the EC may have to interpret votes. The electronic voting system will list each write-in vote individually if spelling differs from ballot to ballot for possibly the same

candidate. The EC will attempt to interpret each different spelling of a name, provided the name as it appears on the ballot is spelled substantially similar or is phonetically similar to the name of a known candidate on the ballot, and provided the EC is unanimous in its interpretation of the name in question.

See Section XI.D for information on tie vote processing.

X. CHALLENGES

Any challenges or objections to any ballot as set out in the Governing Documents must be filed before the ballot is deposited in the ballot box, mailed, or recorded in the online system. Once the deposit is made, the vote shall be deemed complete. This does not preclude the disqualification of any ballot for any other reason as set out by the Governing documents or by the EC. The EC shall be the sole arbiter of the validity of a ballot. Challenges to ballots or questionable votes on ballots mailed in will be determined by the EC. Questionable ballots will be kept separate from the others for record keeping purposes.

XI. ELECTION PROCESSING

A. TRUSTEES

The EC Chairman will contact all Trustee candidates listed on the official ballots with the results of the election. The Chairman will confirm with the candidates receiving the highest number of votes that he/she is willing to serve. If not, the chairman will contact the person receiving the second highest number of votes and so forth.

The EC will prepare the initial election report with the trustee candidate tallies for each neighborhood as well as cluster tallies.

B. CLUSTERS

Staff will prepare and send a letter to all Cluster Committee members and write-in candidates in good standing requesting confirmation of their willingness to serve (see Form).

A listing of write-in candidates who confirm their willingness to serve will be combined with previously established Cluster slates to determine each Cluster's overall confirmed Committee.

C. REPORTS

A preliminary election report with the Trustee and Cluster candidate tallies will be prepared prior to the scheduled annual meeting.

The EC Chairperson will report the results of the election and announce the names of the winning trustees at the Burke Centre Conservancy's Annual Meeting.

The EC will present a final election report, including all confirmed Cluster Committees, to the Board of Trustees at the April Board Meeting.

The EC will present an after-action report to the Board of Trustees not later than two months after the annual meeting.

A final report to Conservancy members announcing Trustee and Cluster electees will be prepared and published in the April or May edition of the *Conservator*.

D. ELECTION RESULTING IN A TIE VOTE OR VACANCY

In the event of a tied election result for Board of Trustees, the EC will contact all applicable parties to report the tie and to determine if anyone wishes to serve. If more than one person from the tied candidates wishes to serve, indicates a willingness to complete the eligibility process if elected, and is deemed eligible for the position, the EC may recommend holding a run-off election to determine a winner. If no one who has been written in wishes to serve, the Board of Trustees may appoint a community member in good standing to fill the Board position. In the event of a vacancy, the sitting trustee shall remain in his/her position until a new trustee is elected or appointed, or, until he/she chooses to resign from the position.