

# **NOTICE OF CALL FOR CANDIDATES ELK CREEK CROSSING HOMEOWNERS ASSOCIATION**

On March 10, 2019, the Elk Creek Crossing Homeowners Association Board of Directors / Officers announced a "Notice of Call for Candidates" at [ElkCreekCrossing.com](http://ElkCreekCrossing.com)

There are **3-5 open positions** on the board of directors each with a three-year term. To be eligible to serve in this volunteer position, a candidate must own a property in the Elk Creek Crossing subdivision. A member may nominate oneself and/or other members by completing the attached candidate application by **no later than 5:00 p.m. April 1, 2019**, after which nominations will be closed.

**NOMINATION FORMS MAY BE MAILED OR DROPPED OFF IN PERSON TO:** P.J. Morgan Real Estate, Attn: Liz Otto, ECC HOA, 7801 Wakeley Plaza, Omaha, NE 68114. Office hours: M-F 8:00 a.m. – 5:00 p.m.

## **Online Nominations**

Candidate nominations are also accepted online at the website: [elkcreekcrossing.com](http://elkcreekcrossing.com)

The ECC HOA and the property management contractor are not liable for digital or print-mailed forms that fail to reach their destination. Contact Elizabeth Otto by email to obtain confirmation receipt. [eotto@pjmorgan.com](mailto:eotto@pjmorgan.com) OR 402-397-7775.

## **Mailing of Nomination Forms**

Visit the Elk Creek Crossing website for the time, date and location of a SPECIAL MEETING BOARD MEMBER ELECTION that would be held at least ten (10) days after the nomination deadline closes on April 1, 2019 at 5:00 p.m.

## **Qualifications Sought**

Expertise and skills in real estate law, licensed CPA, finance, construction or engineering are advantageous.

## **Board of Director Election**

Any lot owner is eligible to run for election to fill a seat of a Board member whose term has expired or where a vacancy exists after receiving the largest number of votes of members or their proxies from at least 50 percent of the membership, or 213 of the 426 eligible votes, who attended a special meeting held for this purpose.

In the event 50 percent of eligible members or their proxies are not present, the Board may also accept the election results based on the largest number of votes, and exercise a waiver of the right to object to a lack of quorum according to legal counsel.

## **Quorum**

Elk Creek Crossing has 426 single family homes which equates to 426 eligible member votes. For there to be a quorum, technically 50 percent of eligible members or their proxies must be present at a special meeting called for that purpose, or 213 lot owners.

## **One Ballot Per Property**

Each property is granted one (1) ballot only, and is entitled to cast as many votes as there are vacancies. Hypothetically, let's say a home is co-owned by husband and wife. Even though their household has two (2) owners, the property is granted one (1) membership, and one (1) ballot for each election. In the mistaken event two (2) owners of one (1) property were to participate in any election in person or by proxy, the property manager shall be tasked with invalidating both ballots during election certification.

### **Board of Director Size**

In 2018, the Elk Creek Crossing Homeowner's Association leadership went from three (3) to two (2) board of directors / officers after then-President Sam Wright moved from the neighborhood. HOA Board of Directors' legal counsel has clarified that while there should be technically three (3) directors, having two (2) directors does not invalidate the HOA, the Board's actions, or its responsibilities to the membership.

### **New Homeowner Verifications**

The property management contractor has been directed to distribute official member notices including proxy ballots, by U.S. mail originating from public records. To verify property owner information is current, homeowners new to Elk Creek Crossing in 2018 to present may choose to contact the property manager Elizabeth Otto by email: [eotto@pjmorgan.com](mailto:eotto@pjmorgan.com) or by telephone at **402-397-7775**.

Neither the ECC HOA or its property management contractor, would be liable in the event official notices or proxy ballots do not reach the intended destination.

### **What HOA Fees Pay**

HOA fees pay the costs of the maintenance and repair of the common areas, amenities, and association operations, including contractor fees, and generally cover the following items and operating expenditures:

- Property management fees / run day-to-day HOA operations finance & budget, record keeping, collect dues, collections & delinquencies, accounts receivables, HOA insurance policies & payment oversight, dispute resolution, accounting, tax prep, printing, member mailings, advisor to Board, facilitate maintenance & upkeep
- Attorney and consultant fees
- Communications/PR & Content Consulting, Website
- Insurance policies: D&O and general liability
- Utility payments
- Property taxes assessed upon the common area
- Landscaping maintenance: mowing, trees, shrubs
- Sprinklers maintenance
- Repairs to entrance signs and sign lights
- Social events & promotion
- Reserve fund for planned & unplanned expenses

Visit the website at [ElkCreekCrossing.com](http://ElkCreekCrossing.com) for a searchable PDF of the Covenants, Conditions & Restrictions, for the February 7, 2019 HOA Annual Board Meeting Minutes, and other useful information.

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