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Eric Semerad - Gallatin County, MT MISC



**RULE AND REGULATION
FOR THE VALLEY WEST HOMEOWNERS' ASSOCIATION**

NOMINATING DIRECTORS

**A RULE AND REGULATION OF THE VALLEY WEST HOMEOWNERS'
ASSOCIATION ESTABLISHING A PROCEDURE FOR THE NOMINATION OF
DIRECTORS TO THE BOARD OF DIRECTORS.**

THIS RULE AND REGULATION is made and adopted this 16th day of November, 2023, by the Board of Directors ("Board") of the Valley West Homeowners' Association ("Association") pursuant to its powers described below.

WHEREAS, the Fifth Amended and Restated Declaration of Protective Covenants and Restrictions for Valley West ("Declaration") was recorded in the Office of the County Clerk and Recorder for Gallatin County, Montana, on June 24, 2021, as Document No. 2739047;

WHEREAS, the Declaration, Art. II, Section 8, authorizes the Board to adopt a rules and regulation establishing a process to accept nominations for directors either before or at the annual meeting of the Association;

NOW, THEREFORE, THE BOARD ADOPTS THE FOLLOWING RULE AND REGULATION:

1. At least one (1) seat on the Board is filled each year by an election at the Association's annual meeting.

2. Any person who desires to nominate himself or herself, or another person, shall complete the Nomination Form prepared by the Board. A copy of the Nomination Form may be obtained from the Association's property manager or online at the Association's website. The

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website shall also provide the property manager's mailing address and email address.

3. To be considered for a seat on the Board, Nomination Forms shall be submitted to the office of the property manager no later than March 1 of each year. Nominations are deemed submitted at the time they are hand-delivered to the office of the property manager or emailed to the property manager's email address, or if they are post-marked by March 1 and mailed to the office of the property manager.

4. Notwithstanding anything stated herein, any member of the Board may nominate a person at any time before the notice of the annual meeting is sent to the lot owners, by submitting a Nomination Form to the property manager.

5. Prior to the annual meeting, and upon request of the Board, nominees shall submit to an interview with at least two (2) members of the Board. The interview may occur in person or by remote communication so long as all participants in the meeting can hear each other.

6. Any nominee may retract his or her nomination at any time by notifying the property manager of his or her intent to retract his or her nomination.

7. The Nomination Forms for all eligible persons who desire to stand for election at the next annual meeting shall be sent to the lot owners with the notice of the annual meeting.

8. At the annual meeting, the Board may request that nominees give a speech to the lot owners. The Board may, but is not required to, recommend a nominee to the lot owners. The nominee receiving the most votes for the seat being elected shall be elected as a director. If more than one (1) seat is being filled at the annual meeting, a separate vote shall be taken for each seat.

BE IT FURTHER STATED that if this Rule and Regulation conflicts in any way with the Declaration or with any amendment to the Declaration, the Declaration or amendment to the Declaration shall control, but the remaining portion of this rule or regulation that does not conflict shall remain in force and effect.

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Notice of this rule and regulation is being provided by mail on the 14th day of December, 2023, and therefore this rule and regulation shall be effective on the 13th day of January, 2024.

That I am the President of the Valley West Homeowners' Association and that the foregoing is a true and correct copy of the Rule and Regulation regarding Nomination of Directors, which was approved and adopted by the Board of Directors of the Valley West Homeowners' Association on the 16th day of November, 2023.

Valley West Homeowners' Association:

By: *Lisa M Baker*
Lisa Baker
Its: President

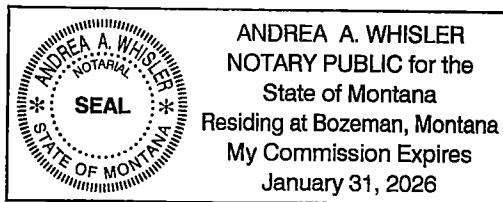
STATE of Montana)
 : ss.
County of Gallatin)

On this 20th day of November, 2023, before me, a Notary Public in and for said State, personally appeared Lisa Baker, President of the Valley West Homeowners' Association, and acknowledged to me that she executed the same as President of the Valley West Homeowners' Association.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial seal the day and year written above.

Andrea A. Whisler
Notary Public

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