



Elections Committee Minutes

April 13, 2018 – 10:00 am

Ocean Pines Administration Building – small conference room

Meeting was convened by Chairperson Steve Habeger at 10:00 am. Members present were Mark Heintz, Rick Turner and Brenda Wascak. Member Ginger Sutula was absent. Board Liaison Slobodan Trendic was present as were the following guests: Colette Horn, Ken Koroknay and Josh Davis. Denise Sawyer joined the meeting shortly after it began.

There were no public comments.

Chairperson Habeger discussed his preferred management style.

The 2018 election timeline was reviewed and discussed with particular regard for the events that require coordination with components of the OPA organization. No changes were made to the timeline dated 2018-04-12,

Unfinished Business

The point paper on a proposed clarification of the OPA advertising policy for Director Candidates was discussed. Upon motion and second, the committee unanimously approved forwarding the proposed motion to Board Liaison for further action. The proposed motion is attached to these minutes.

New Business

The list of important dates for the Marketing Department was reviewed and, upon motion and second, approved unanimously. The list has been forwarded to the Marketing Department for use in OPA publications.

Review of documents for future use. The following documents were discussed and several changes were noted for future editions:

2018 letter to candidates

DRAFT Process for Forum Questions

DRAFT script of election vote count

DRAFT script of election validation report

Discussion items:

Agenda for the Annual Meeting is part of the package which will be sent to the printer no later than Friday, July 6. It is expected that the Annual Meeting agenda may differ from last year's meeting agenda. The BOD sets the agenda, the job of the EC is to publish the agenda in the mailing.

A discussion was held about the support needed from the OPA staff to comply with the M-06 requirement to publicize the results of the ballot count upon count completion. The results are required to be "announced live on the OPA internet stream and/or TV, emailed to the Board of Directors, emailed to all candidates, and posted on the Ocean Pines Association website". Ms. Sawyer offered helpful suggestions for accomplishing these actions. Additionally, Ms. Sawyer volunteered to determine if an email could be developed, for the exclusive use of the Elections Committee, to facilitate communication with the Association members during the election process.

Mr. Koroknay discussed the status and plans of the Search Committee. During the discussion, it was announced that the Search Committee would hold a meeting for anyone interested in volunteering to run for the Board on April 26 at 7 pm. Mr. Habeger and Mr. Turner plan to attend the meeting and answer questions.

Date and time of next meeting: May 11, 2018, 10:00 am

Proposed Motion:

Henceforth advertisements on behalf of candidates standing for election as a Director of the Ocean Pines Association shall not be permitted in publications of the association.

Background:

Two source documents present an ambiguous situation regarding publication of campaign materials. Source document 1 is:

The ARC guidelines which state, in part:

“The Articles of Incorporation, Section Six, last paragraph states in part “and the Association **shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office**”. No political signs, displays, or literature may be placed on or in any property, right-of-way, building, bulletin board, structure, road sign, or tree owned by or under control of the Association. “(Emphasis added)

The Articles of Incorporation text appears to prohibit the publication of candidate materials in OPA literature.

Source document 2 is the current OPA policy on advertising which states:

“ADVERTISING POLICY FOR THE OCEAN PINES NEWSLETTER

Terms:

All advertising purchases are payable by check or credit card in advance of the publication. Advertisements are accepted and published with the understanding that the advertiser or agent is authorized to publish the entire contents and the subject matter of the advertisement. Signed contract must be submitted with payment; verbal agreements are not recognized. Agencies commissions are not available. The Association reserves the right to refuse any advertisement and/or the right to return an advertisement to its originator for revision. **Advertising considered adversarial, political, religious or suggestive in nature is prohibited.** Advertising in Association media is not an endorsement or recommendation by the Association of the advertiser’s product or service.” (Emphasis added)

During the 2017 election cycle, two candidates bought ads in the OPA summer newsletter in support of their candidacy. The other candidates were led to believe that such ads were proscribed. The situation needs to be clarified to be fair to all candidates in future elections.

Rationale:

The Elections Advisory Committee (EC) asserts that the very act of presenting oneself for election in any setting is a political act.

Merriam-Webster dictionary defines "political" as, "of, relating to, or concerned with the making as distinguished from the administration of governmental policy". Clearly, the OPA BOD is the policy making component of the Association, hence the EC concludes that a Director election in OPA is a political action.

To our knowledge, no OPA candidate (to date) have ever declared a partisan relationship to, for example, the Democratic or Republican parties.

Nonetheless, standing for election of a policy making governing body is a political act. Asking people to vote for oneself is an inherently act.