SVCA

Nominations & Elections Committee Manual

SUDDEN VALLEY

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1. Election Calendar
2. New Candidate Letter
3. Candidate Application and Disclosure Form
4. Candidate Acceptance Letter
5. Voting Instructions
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Attorney Opinions: Referenced in document by (# opinion number)

#1. Multiple Ballots Received for Lot Due to Transfer in Ownership – November 3, 2022
#2. Proxy and floor voting policies -- September 28 & October 8, 2021
#3. Filling Board Vacancies – August 12, 2021
#4. Applicable Processes for Filling Vacancies on the Board – December 23, 2019
#5. Eligibility of Spouse (for SVCA Membership) – August. 16, 2016
#6. N&E Committee Draft 2009 Manual – July 7, 2009
#7. Bylaw Provisions Outlining N&E and SVCA Responsibilities concerning AGM, Nominations & Elections -- July 6, 2009
#8. Nominations & Elections Committee – June 23, 2009

PREFACE

The purpose of this Manual is to establish the procedures and provide a resource for all future Nominations & Elections Committees (N&E), Board of Directors (Board), and Administration staff. The N&E, Administration staff, and Board will participate cooperatively to ensure the integrity and efficiency of the Association's Annual General Meetings (AGM) and Special General Meetings (SGM), appointing Board vacancies, and ensuring that all procedures are conducted fairly and impartially. These practices and procedures are intended to comply with the Bylaws pertaining to the N&E and its functions, duties, and activities. In the event of a conflict, the Bylaws control.

These procedures cover:

- AGMs where the Board, N&E, and ACC are elected, and members vote on measures.
- SGMs that are called to address specific issues and have measures to be voted on. The timeline presented gives no exact dates. Staff will provide actual dates each year.
- Board vacancies.

- **Independent Third-Party Election Vendor**

Background: In 2020, the COVID-19 pandemic required the N&E Committee to obtain the services of a Third-Party Election Vendor. The counting function of the election process could not be handled "in-house" since it requires many individuals to gather to process the ballots.

It is probable that this process will be used in discussing the successful outcome of the 2020 AGM Election. To amend the N&E Manual to include this option, several sections of the manual are being updated for future reference by the Board and N&E Committees to better understand how the Third-Party Election Vendor handles some functions.

All third-party election vendors shall:

- Conform to any state law(s) regarding any SVCA election, including RCW 64.90.405, RCW 64.90.445, RCW 64.90.455, and RCW 64.90.525.
- Follow SVCA Bylaws regarding elections and the responsibilities of the N&E Committee.
- Handle the printing and mailing of SVCA ballots.
- Issue replacement ballots.
- Handle any "mailed" USPS ballots.
- Handle any online voting process.
- Conduct "in-person" voting with N&E Committee assistance.
- Conduct the final counting of all registered ballots.

- Provide certified election results on the day of the general meeting.

DEFINITIONS

Term	Description
ACC	Architectural Control Committee
AGM	Annual General Meeting
Board	Board of Directors
Member	A member of the Association is defined in SVCA Bylaws 2020 Article I Section 2(a) A "member of the Association" is defined as any person(s), corporation, partnership, trust or any other legal entity owning all or a part of an interest in one (1) or more lots in Sudden Valley to which membership is appurtenant.
Member in Good Standing	A member of the Association is defined in the SVCA Bylaws 2020 Article I Section 2(a) A member "in good standing" is any person currently paying all annual dues and assessments and all special assessments. Any charges associated with each lot owned, including any use fees and monetary fines or penalties established under these Bylaws.
N&E	Nominations and Elections Committee
SGM	Special General Meeting
Association or SVCA	Sudden Valley Community Association

SVCA BOARD RESOLUTION APPROVING THE N&E MANUAL (#4)

Whereas the Association's Board of Directors ("Board") is charged by the Bylaws (Article III, C, Section 24) to promulgate such rules and regulations as it deems appropriate, and the Board is responsible for the affairs of the Association (Article III, C, Section 16);

Whereas the N&E shall publicize the openings for candidates to serve on the Board, N&E, ACC, and applicants to serve on the Finance Committee (Article V Section 3 (h)), and submit the names of all eligible candidates for inclusion on the ballot. (Article III, A, Section 3 (e)), supervise elections, (Article V Section 3 (i)&(j)), approve ballot forms (Article II, Section 7, (d) (i)), and submit a written report to the President of the Board detailing the results of the election (Article Ill, Section 3 (f)).

Whereas it is in the interests of the Association and the membership to ensure properly conducted elections overseen by a neutral N&E Committee;

Therefore, it is now resolved that the Board adopt this Elections Manual as the official rules and procedures for elections. This manual supersedes all other Association election manuals.

_____ _____

Keith McLean, Sudden Valley Community Association President, Dated

_____ _____

Linda Bradley, Sudden Valley Community Association Secretary, Dated

_____ _____

Rob Gibbs, Nominations & Elections Committee Chair , Dated

_____ _____

Michael Wadsworth, Nominations & Elections Committee Secretary, Dated

_____ _____

Donn Jamtaas, Nominations & Elections Committee Member, Dated

_____ _____

Jo Jean Kos, Nominations & Elections Committee Member, Dated

1.0 RESPONSIBILITIES FOR THE ELECTION PROCESS

1.1 Sudden Valley Board of Directors (7)

- Is ultimately responsible for ensuring that elections are conducted per the bylaws (Article III, A, (1)).
- Sets the dates of all AGMs and SGMs.
- Proposes appropriate dues and special assessments to fund the proposed budget.
- Determines the agenda of these meetings.
- Determines the measures to be voted upon by the members and the wording, except for any measures placed on the ballot by members' petition.
- Provides funding for the expenses of each election.
- Conducts all AGMs and SGMs.
- Announces the election results.
- Coordinates with N&E and staff as necessary.
- Proofs the final ballot.

1.2 N&E (7)

- Ensures the integrity of the election process.
- Prepares communications to advertise open elected positions and submits them to the Communications Committee and staff for posting.
- Solicits and coordinates with staff to review bids for printing and mailing election materials (See Section 4.3.1).
- Approves election materials as worded by the Board and oversees proofing of the final ballot.
- Coordinate with staff to ensure that the ballot packets are properly mailed to Association members unless a third-party vendor conducts the election.
- Recommend and oversee outside vendors for the election process.
- Audits the master registration spreadsheet of voted ballots prepared by staff for accuracy of vetting, registration, and signatures on return envelopes.
- The audit is jointly conducted by two members of the committee and one staff person.
- The staff person's role is vetting, and the N&E's role is to ensure the spreadsheet's information is correct.
- Certifies results to the President of the Board.

1.3 Administrative Staff (7)

The Administrative staff provides logistical support for all elections. This support includes:

- Assist in drafting all documentation, including the Countdown Calendar (See Addendum B on p. ii).
- Vet all candidates to ensure they are in good standing.
- Schedule/reserve facilities for the meeting and counting.
- Ensure timely printing and mailing of ballots unless a third-party vendor conducts the election and mails ballots.
- Assists with collecting ballot packet materials (See Section 4.3.2).
- Provides the member mailing list (See Section 5.2.2).
- Assists vetting and registering (See Section 5.2.6).
- Issue and track replacement ballots to members (See Sections 5.2.4 and 5.29) unless a third-party vendor conducts the election and provides replacements.
- Provides equipment and supplies as necessary.
- Works with N&E and the Board to create ballot templates and draft voting booklet materials (See Section 4.3.3).
- Schedules Parliamentarian and Board pre-meeting (See Section 4.6).
- Staff, in coordination with the Master Counter, creates tally sheets for counting votes and organizing ballots unless a third-party vendor conducts the election.
- Process returned envelopes unless a third-party vendor conducts the election.
- Create and provide a master list for registration confirmation for In-Person voting (See Section 6.1.3).
- Provides Election Results PowerPoint template for Master Counter or N&E to complete.
- Provides any materials needed to N&E on Monday following the election so that final certification can be completed.
- Maintains all records.
- Coordinates with the N&E and Board as necessary.

1.4 Master Counter

If N&E retains a third-party vendor to conduct the AGM or SGM election, a Master Counter is not required. If N&E conducts the AGM or SGM with volunteers, a Master Counter is required as follows:

The Master Counter is recruited by N&E at least six weeks before the General Meeting. The Master Counter should have previous experience working as a volunteer in the SV General Election Counting Room or be willing to be trained for the position. Additional skills of a Master Counter should include:

- Experience in training and leading groups of people.
- Ability to always maintain a neutral, bias-free environment in the Counting Room.
- Available to attend N&E meetings as needed in preparation for Association elections and/or certification of election results.
- Organization and planning skills.
- Ability to work with numbers and with a wide range of individuals.

The Master Counter's primary responsibility is to manage and ensure the security and

accuracy of the ballot preparation and counting process. In addition, the Master Counter will:

- Lead recruitment, training, and assignment of volunteers in the Counting Room; N&E will assist with recruitment as needed.
- Provide N&E and Admin staff with the list of volunteers no later than one week before the General Meeting.
- Supervise and lead all activities in the Counting Room.
- Determine the Counting Room setup, flow, and process.
- Work with Admin staff to create forms and order supplies and materials needed for the ballot preparation and counting process.
- Confer with N&E members when voter intent issues occur during the ballot preparation and counting process.
- Provide uncertified voting results to staff for presentation at the General Meeting by the Board President.

1.5 Volunteers

If a third-party vendor conducts the election, a few volunteers from the membership are needed to assist the vendor with ballot envelopes and to assist N&E with in-person voting the morning of the AGM or SGM. If N&E conducts the election, volunteers are needed to assist with the general meeting for the following activities:

- Ballot preparation and counting—Usually, there are eight (8) to twelve (12) pairs of counters, depending on the number of ballots returned and the number of issues on the ballot. Each team consists of two individuals who work together to process ballots.
- Completion of Master Tally Sheets - Normally two (2) to four (4) teams of experienced counters.
- General Meeting registration staffing.
- Floor vote collection: other assignments as needed.

2.0 BYLAWS GOVERNING THE N&E COMMITTEE

The purpose of the N&E is to ensure the integrity of the Association's elections. The following Bylaws reference the purpose, tasks, and responsibilities of N&E. See the current copy of the Bylaws for specific referenced sections.

2.1 Bylaw Article II: Association: Meetings, Quorum, and Voting

Section 3 Notice of Meeting

Section 7 Voting (d) (i)

Section 7 Voting (d) (ii)

Section 7 Voting (f)

2.2 Bylaw Article III: Board of Directors: Composition, Meetings, Powers

Section 3 Nominations of Directors (a) (b) (c) (d) (e) (f)
Section 4 Election and Term of Office (b)

2.3 Bylaw Article V: Committees

Section 3. Nominations and Elections Committee (a-k)

3.0 OPERATIONS OF THE N&E (8)

3.1 The chair and secretary are elected at the first N&E meeting after the November election. The chair is a non-voting member of the Board. Article V of the Bylaws, Section 3, describes the internal rules of the N&E.

3.2 The N&E shall meet at least four (4) times during the year. However, more frequent meetings may be required when preparing for an election. The N&E solicits volunteers from the community for various tasks.

3.3 The N&E will have staff post a Notice of Meeting and agenda of the N&E forty-eight (48) hours before any N&E meeting (Article V, Section 1(a)(ii). The Association staff will post the meeting on the message board at the Administration building and the Association website.

3.4 Minutes of every meeting will be prepared by the Secretary of the N&E and submitted to the N&E Committee for approval. Once approved, the minutes will be forwarded to staff for inclusion and posting on the website. The AGM is held on the first Saturday in November. (Bylaws, Article II, Section C)

4.0 PREPARATION FOR AN ELECTION

4.1 Candidate Solicitation

4.1.1 The AGM is held on the first Saturday in November. (Bylaws, Article II, Section C)

4.1.2 Timeframes for an SGM will be set according to the Election Calendar timeframes for that specific election. (Bylaws, Article II, Sections 2 and 3 and RCW 64.38.035)

4.1.3 In June, before the deadline for the July Views, the Chair will submit an article to the Views Editor announcing the timeline for the AGM.

4.1.4 During July and August, the N&E will publicize the need for candidates for the Board, N&E, and ACC and will arrange to have notice of the number of positions needed posted according to the Bylaws (Article VI, Section 3) and in the Views.

4.1.5 In July, before the August edition of the Views deadline, the Chair will submit an article to the Views Editor announcing Board, N&E, and ACC openings. The article will include soliciting candidates for open positions on the Board, N&E, and ACC Committees. The article will provide instructions for applying for the positions and the deadline for applying. The deadline to submit applications to the Administration office is Tuesday after Labor Day by the close of business. Any application received after this deadline will not be

accepted. See Section 11.0 for Board vacancies.

4.1.6 Association Members interested in running for an open position must use the current year's application package. The package is available from the Administration Office, the pamphlet distribution center next to the Administration Office, or the Sudden Valley website. Members should state on each application only a single position they are running for. A separate application is required for each position (a member may not hold more than one elected position at a time).

4.1.7 The N&E will meet in early September after the closing date to submit applications and confirm the eligibility of the candidates. N&E will open the applications and check them for signatures and whether additional information needs to be provided. Staff will vet each candidate's application, and they will be sorted into open positions. N&E will create name slips for the random drawing to determine the order in which the candidates' names appear on the ballot.

4.1.8 Each candidate must be listed on the property deed, must be a member in good standing as of the date of application, and remain so. A candidate may apply for a position and be listed on the ballot using the name they are known as in the community, rather than the name listed on the property deed. (#4)

4.1.9 The N&E secretary will record the following in the meeting minutes: how the drawing was conducted, the specific order of the names drawn, who was present, and who officiated.

4.1.10 Once candidate applications have been accepted, N&E will send a letter to each eligible candidate seeking additional information. All candidates will be asked to furnish a maximum 100-word digital biography and photograph for the Views. In addition, candidates for the Board will be asked to submit a maximum 500-word essay stating their vision for the Valley. These will be printed in the October Views so the membership will be aware of the candidates' backgrounds, experience, and views. The biographies will be a part of the official Association Notice of Meeting voting packet mailed to each member. Candidates may review their information before submission to the publisher for typographical errors.

4.1.11 The N&E Chair will have staff post the names of the qualified candidates on the Association website and give them to the Views Editor for the October issue (See Section 4.4.3).

4.1.12 A candidate who wishes to withdraw shall provide written notice to the Chair of Nominations and Elections and the Board President. No reason for withdrawing needs be given. Submission of such a withdrawal constitutes the candidate's express consent for Sudden Valley to notify members of the candidate's withdrawal. Any withdrawal shall be effective when it is first received by the Chair

of Nominations and Elections or the Board President. The SVCA will notify the membership of a candidate's withdrawal via official SVCA notification channels only when the ballots are printed. Thereafter, SVCA shall not provide notice of a withdrawal.

4.1.13 Votes cast for a candidate who has formally withdrawn their application shall be counted and reported. Regardless of the number of votes received, any votes cast for a candidate who has withdrawn will be ignored to determine which candidates received a plurality of votes.

4.2 Candidates Forum(s)

4.2.1 The Candidates' Forum (Forum) is a showcase for the candidates.

4.2.2 The Forum will be scheduled, managed, and moderated by the Nominations and Elections Committee.

4.3 Approval of Voting Packets in Preparation for Printing

4.3.1 If the election is to be conducted by a third-party vendor, by July, the N&E committee will solicit bids from qualified vendors and choose one. * SEE FUNCTION OF A THIRD-PARTY VENDOR.

4.3.2 If the election is to be conducted by N&E and volunteers, in July, the Chair of N&E will meet with staff to begin selecting a printer/mailer for the AGM materials. Staff will solicit bids from three (3) companies for the Committee Chair to review and choose a vendor.

4.3.3 A voting packet shall consist of:

- Mailing envelope to members (marked OFFICIAL BALLOT)
- Measure/Candidate Booklet, which includes:
  a. President's Letter
  b. Meeting Agenda
  c. Measure Descriptions
  d. Candidate Biographies
  e. Voting Instructions
- Voting Ballot
- Secrecy Envelope (white)
- Return Envelope (blue): This envelope should contain deadline information, required Member information, and a signature line.

4.3.4 The N&E will meet in August to consider changes to the templates of AGM ballots and return and secrecy envelopes and to review voting instructions before printing and mailing.

4.3.5 The N&E shall check document items for accuracy and ensure the

information is easily understood.

4.3.6 Ballots will contain a 'watermark' for safety and security. Staff and the N&E Chair will decide on the watermark design for the current election.

4.3.7 Printing and mailing arrangements of these items will be handled by staff.

4.3.8 In addition, the Board shall adopt the agenda for all elections before printing and mailing voting materials.

4.3.9 The Board will proofread ballot measures before final submission to Association legal counsel.

4.3.10 *Once counsel approves, staff will submit ballot materials to the printer or vendor.

4.3.11 When the final proof is returned from the printer, representatives from the Board and N&E will ensure their accuracy by comparing them to the submissions.

4.4 Mailing the Voting Packets

4.4.1 Election materials must be mailed not less than thirty (30) days or more than fifty (50) days before the date of the Election, as the Bylaws require. NOTE: RCW 64.90.405(2) states, "Not less than fourteen nor more than sixty days in advance of any meeting of the association, the secretary or other officers specified in the bylaws shall provide written notice to each owner of record . . ."

4.4.2 Failure to mail on time will result in rescheduling the Election, incurring significant expenses, including reprinting and remailing.

4.4.3 Voting packets will be delivered by mail, including one ballot per lot. Owners of multiple lots will receive separate voting materials for each lot owned. In the event of joint ownership of one lot, the ballot will be mailed to the address of record with the Association, or as determined by the Association.

4.4.4 Voting packets will be sent to the Board President, the Secretary of the Board, and Administration at the corporate address and to the Parliamentarian as proof that the mailing was done on time.

4.4.5 When the voting packets are mailed, staff will move the ballot box to the Clubhouse lobby opposite the window to collect voted ballots.

4.5 Official Election Day Observers

4.5.1 The N&E shall accept applications from members to view the processing of the returned ballots for an AGM or SGM (i.e., observers).

Interested members should contact the N&E Chair for an application to become an observer. Up to three (3) observers will be authorized at any given time to be in the processing area where the ballots are opened, processed, and counted. Interested members are to apply through N&E. If more than three individuals apply, names will be drawn by lot by the N&E.

4.5.2 The following procedures will be strictly enforced for all observers during the time they are present in the processing/counting area:

- A designated area will be provided for observers to sit.
- At no time will observers talk to or with any person(s) working in the processing/counting area during the counting process.
- No cell phones are allowed in the processing/counting area, and observers may not communicate any observations until after the reported election results.
- No recording of this area is allowed by observers, which may enable individual votes on ballots to be viewed/recorded.
- No materials are to be removed from or placed into items such as, but not limited to, purses, bags, briefcases, laptop bags, etc.
- Should an observer have any question(s) about the ballot processing, they are to raise their hand and a member of the N&E will respond and provide/obtain the answer.
- Failure to follow any of these procedures, or any others as directed by the N&E Chair or Master Counter, will immediately remove the observer from the Counting Room.

4.6 Parliamentarian

Per the bylaws, staff will contact a Parliamentarian to schedule their attendance at any election. This should be coordinated with the Board Secretary.

5.0 BALLOTS

5.1 Returned Ballot Deadline

5.1.1 To allow time to process mailed-in or personally delivered ballots, they must be received at the Administration office on Friday before the close of business, before the AGM or SGM.

5.1.2 Any ballots returned to the office after close of business on Friday will not be registered or counted. A member may still register and vote in person on the morning of the AGM or SGM.

5.1.3 Any online voting, if initiated, will close simultaneously with the deadline for mailed ballots.

5.2 Registration of Voted Ballots * see function of third-party vendor

5.2.1 Ballot registration is the key to producing an accurate record of votes. This record provides for essential cross-checking and validation, or invalidation, of ballots received. The record will also verify the number of votes. That number should correspond to the actual number of ballots received, minus any undeliverable or invalidated ballots.

5.2.2 The address list supplied by staff for mailing ballots is used as the basis of the master list for registering returned ballots. As ballots are returned and verified, they shall be registered as Undeliverable, Pre-Meeting, Day Of, Replacement, Budget-Only, and Returned Late status. This list is then used by N&E and/or a third-party vendor. The results of section 9.1 are used to generate the Results Report and Record submitted as certification of the election.

5.2.3 As ballots are received at the corporate address (4 Clubhouse Circle, Bellingham, WA 98229), staff will deposit ALL returned envelopes into the ballot box, including those marked as undeliverable. Ballots shall never be handled alone by anyone: neither the N&E nor the administrative staff. If we have contracted a third-party vendor for the election, ballots will be mailed to the election vendor's post office box. Any online voting will also be handled through a third-party vendor.

5.2.4 Unless a third-party vendor conducts the election, staff will attempt to contact members about any returned undeliverable ballots to see if information on file requires updating and to re-issue a ballot to a corrected address if possible. Staff shall also place any ballots in the after-hours drop-in ballot box. If members come to the window to drop off ballots, staff will encourage them to place their ballots in the ballot box to avoid handling or leaving them on the counter.

5.2.5 N&E will provide the AGM with a calendar showing the day and time each ballot registration will be completed in order to reserve space and schedule staff time.

5.2.6 The N&E Committee will collect and register the ballots from the ballot box each week until the AGM/SGM. They will take the ballots to the reserved space to date stamp, check signatures, register, vet, and place them alphabetically in the locked cases. If the election is conducted by a third-party vendor, updated lists provided by the vendor of mailed ballots received will also be periodically vetted and added to the master registration list. A staff member will be designated to assist with vetting and registering each time the Committee counts. The registered ballots

will then be secured in the locking cases until they are counted. The cases are placed in a closet in a secure location for safekeeping until counting begins. The N&E Chair will retain the keys to the boxes and the closet. All ballot handling will be conducted by two or more N&E Committee members or an N&E Committee member and an N&E volunteer.

5.2.7 N&E will maintain the master registration list, with staff creating a duplicate master registration list. Staff will vet the ballots received and contact the noted delinquent members. Staff will keep a log of member contacts to determine any change in status each time a count is completed. The ballots of any members found to be delinquent in dues when vetted will be segregated and registered as such. Until the dues are made current, the ballots will remain "budget only" ballots.

5.2.8 N&E staff will be available at the deadline for voting, which is close of business on the Friday before the general meeting. The ballot box will immediately be emptied and moved to avoid any late ballots from being inserted. Any ballots received after the close of voting for mail in ballots will be considered "LATE" and need to be marked as such by staff, with the actual ballot(s) or a digital image of the ballot envelope conveyed to N&E for registration and storage.

5.2.9 If a member has not received a ballot or lost their ballot, staff will issue a replacement ballot, unless the election is conducted by a third-party vendor. In that case the vendor will issue replacement ballots. A list of replacement ballots will be kept, and the master registration spreadsheet **MUST** be updated. Confirmation of the current owner needs to be confirmed. A person may not pick up or request a replacement ballot for someone else.

5.2.10 *A replacement ballot without a properly signed and completed return envelope will not be counted.

5.2.11 *Replacement ballots must arrive at the Administration office before close of business on the Friday before the election or at the vendor office at a time determined by the vendor. The date and time for the vendor cut off will be published in the voter pamphlet

5.2.12 *Each replacement ballot request shall be recorded by staff or by vendor and tracked by the member's division and lot number to guard against errors.

5.2.13 If duplicate ballots are received, the ballot with the current owner's earliest postmark or date stamp will be accepted as the valid ballot.

5.2.14 *When extra ballot materials are received from the printer, they will be counted for accuracy and stored in the ASM's office. An inventory list will be made and randomly audited by N&E. A list of replacement

ballots will be maintained at the front desk for anyone issuing replacement ballots. The ASM will issue stacks of materials to the front desk and record the disbursement. A log will be kept for anyone needing access to the materials in the ASM's office. A final audit will be done at the end of the voting process.

5.2.15 Staff will handle mailing voting materials to new owners. The new owners' names will be recorded in the registration spreadsheet, and the prior owners' names will be removed from the original list or indicated with a strikethrough.

5.2.16 County election officials will be contacted to retrieve any SVCA ballots accidentally placed in the County ballot box located by the Security office in Gate 1. A member of N&E and staff will be present if meeting at the collection box. If County officials drop off ballots at Administration, staff will place them in the SVCA ballot box.

5.2.17 A member can also register and vote on the day of the AGM or SGM meeting with a special ballot issued during the morning's registration.

5.3 Budget-Only Ballots – Delinquent Dues

Note: All members may vote on the budget, even if they are not current in paying their dues, per SVCA Bylaws Article II, Section 7.

5.3.1 During registration, delinquent member ballots will be registered and segregated until they become current. Staff will create a list of these members. (See Section 5.3)

5.3.2 Staff will update this list until the registration process is completed, including member contact information regarding delinquent fees and whether the member wishes to bring their account current to vote a full ballot.

5.3.3 The final delinquent ballots are converted after the AGM or SGM has begun to ensure that members have every opportunity to pay their dues and vote.

5.3.4 The returned delinquent ballots cast by members who are not current in payment of their dues are marked with an "X" by an N&E member crossing out all Board and N&E candidates and measures other than the budget measure. No special ballots are needed.

5.4 Invalidated Ballots

5.4.1 Ballots or sections of ballots will be invalidated for these reasons:

- If they are torn or marred beyond legibility.
- If the outer envelope is unsigned and the member cannot be contacted to sign it.
- If voted for more candidates or issues than allowed.

- If the member is not in good standing, the ballot is valid only for the Budget. Any other measures voted on will not be counted.

- If multiple votes for a single lot are received, only the first valid ballot cast will be counted. Once a member in good standing casts a ballot, that ballot is binding on the lot even if the lot is sold before the AGM. (#1, also Bylaws Section 7 (a) and (e)).

- N&E must preserve all invalid voting documents in case of a challenge. The N&E Chair, an N&E committee member, and a representative of a third-party vendor (if conducting the election) will make all rulings on invalidated ballots. The total number of invalidated ballots is needed to certify the election.

5.5 Duplicated Ballots

If it appears that someone has fraudulently duplicated ballots, legal advice should be obtained immediately from the association attorney.

5.6 Undelivered/Returned Ballots

5.6.1 If a third-party vendor is used, 5.6 is handled by the vendor.

5.6.2 Should a ballot be returned as undeliverable, staff shall attempt to contact the member to inform them that their ballot has been returned and to determine if an address correction is needed.

5.6.3 Any undelivered ballots that cannot be reissued shall be collected and retained with the other voting materials. All such ballots will be tallied on the master registration list in the appropriate column.

5.6.4 N&E notes on the Master Registration Spreadsheet, which ballots have been returned as undeliverable, and whether that ballot has been reissued.

5.7 Proxy Ballots (2)

Proxy definition: Washington State Law requires homeowner association members to be allowed to vote in person or by proxy at a membership meeting. Per RCW 64.90.455, a proxy is a written instrument by which a member entitled to vote authorizes another person to act as their agent at a meeting. A proxy may be revoked at any time by the member giving written notice to the Association. Proxy also refers to the written authority designating the agent and giving that agent the right to act for the member. At the AGM or SGM meeting, the proxy can vote, raise a point of order, speak, or do anything the member can at a general meeting.

Proxy limits: SVCA Bylaws (Article II sec 7(e)) specify "***Once a vote is cast, it may not be changed.***" By state law, a proxy agent is limited to casting their ballot from the meeting floor while the AGM or SGM is in session. The proxy's ballot is collected with any other ballots voted from the floor of the meeting. On the other hand, a mailed-in ballot, a drop box ballot, or a morning of the AGM/SGM ballot is cast before the AGM/SGM begins, so it will always be cast before a proxy ballot can be cast. The first ballot cast is the ballot that

is tallied.

Additionally, a registered proxy does not prevent an owner of that property from casting their ballot by mail, drop box, or voting the morning of the AGM/SGM. Their ballot will be cast before a proxy ballot can be cast. The first ballot cast is the ballot that is tallied.

Designating a proxy agent: Any member can appoint a proxy by completing the required paperwork. A property can have as many proxies as it has individual owners listed on the deed.

Proxy agent requirements: The designated agent must be an SVCA member in good standing and remain so while serving as an agent. Proxy agents cannot give anything of value to a member in order to be designated the member's proxy, and they cannot receive anything of value in return for their services. A proxy agent cannot accept more than five proxies per AGM or SGM. This is to discourage the practice of "ballot harvesting."

Proxy forms and processes: The AGM or SGM Voter Booklet includes instructions on obtaining and returning a proxy request form. Beginning October 1st, a member wishing for an original SVCA proxy form may address their written, signed, hard copy request to the N&E Committee, in care of the SVCA Administration Office, 4 Clubhouse Circle, Bellingham, WA 98229. The member will be mailed an official, numbered hard copy form to fill out, designating their proxy agent.

An owner of multiple lots must execute and submit a proxy individually for each lot.

A member must mark their choice of a "Directed Proxy" or a "General Proxy" and complete the information for that section on the form.

The Directed Proxy instructs the proxy agent how to mark their ballot. Unfortunately, there is no way to ensure the designated agent votes as directed. This is a risk inherent with proxies.

The General Proxy form does not instruct the designated agent how to vote.

Directed and General Proxies expire immediately after adjourning the AGM or SGM meeting.

The member must date and sign the proxy and have it notarized.

Once the form is completed, the member must deliver the proxy form to the designated agent in time for them to date, sign, and have the form notarized and returned to the N&E committee to register.

To be valid, the proxy must be returned directly to the SVCA offices in a sealed return envelope addressed to the N&E Committee in care of the SVCA Administration Office, 4 Clubhouse Circle, Bellingham, WA 98229, no later than close of business the Friday before the general meeting. A completed proxy may be dropped in the Ballot Box at Administration or mailed as directed above.

The N&E Committee will register the proxy and issue a receipt to the agent to allow them to obtain a special ballot to vote at the AGM. Proxy ballots will be issued the morning of the general meeting during morning voting hours.

6.0 ELECTION DAY

6.1 Registration

6.1.1 If a third-party vendor is used, the vendor handles the distribution of the ballots.

6.1.2 The registration day is staffed by two volunteers and a staff member authorized to accept payments. These three people employ the Master Registration Spreadsheet and an eligibility list provided by staff to enable members to vote on the election day.

6.1.3 Members may register, be vetted, and be issued a special stamped ballot to vote on the day of the election. Registration begins at 9:00 a.m. and closes at noon. Members are encouraged to vote their ballot and leave the room. Campaigning is discouraged while other members are marking their ballots.

6.1.4 Staff will provide volunteers with a list of members for vetting purposes on the election day.

6.1.5 The registration volunteers will use the provided eligibility list to confirm eligibility. If a member is ineligible, they should be directed to the attending staff member empowered to collect payments. The attending staff will then inform the registration volunteer of any change in the member's status.

6.1.6 If a member is not in “good standing,” the registration volunteer will cross out with an “X” on the ballot all the measures and candidate votes that are not related to the budget and mark the ballot “BUDGET ONLY.” This ensures that the counters will count only the measures related to the budget.

6.1.7 The registration volunteer can check the Master Registration Spreadsheet to determine if a lot has already voted.

6.1.8 If a lot has already voted, an N&E member may retrieve the return envelope to verify the signature of the person who previously voted that lot. If a discrepancy arises, the N&E Chair or designee should be consulted to judge this matter.

6.1.9 All ballots cast on the day of the meeting must have been pre-marked with a unique differentiating feature. Ballots returned to the counting room without the differentiation will not be counted.

6.1.10 An N&E member will monitor the ballot box in the registration area for those who want to vote in the morning, the day of the meeting, before 12:00 noon.

7.0 ELECTION RESULTS

Once all ballots are tallied, the Master Counter or the N&E Chair will enter results on the PowerPoint slides provided by staff and give them to the N&E Chair, who will then provide the slides to the Board President. The Board President will then announce the results to the assembly.

8.0 RECOUNT

8.1 A recount will automatically be triggered for any measure on the ballot if the results show a spread of less than eight (8) votes.

8.2 In the event a recount is needed in an election conducted by N&E and volunteers, the counters will be reconvened, along with the Master Counter, N&E, and administrative representatives, at a time and place to be determined by the Board to accomplish the recount. If the election was conducted by a third-party vendor, the vendor will conduct the recount.

8.3 The same procedures outlined in this counting section must be followed. Recount results will be given to the N&E Chair and posted on the association website.

8.4 A member may request a vote recount by submitting a written request to the Board. This request must be made within 5 business days of the election, regardless of final certification. The request shall state the justification for questioning the accuracy of the vote and whether the entire ballot is to be recounted or only a specific item. A fee or bond shall be required to offset the cost of conducting the recount.

9.0 ELECTION CERTIFICATION

9.1 To certify the election results, the N&E Chair will gather copies of all the final registration reports, Master Tally Sheets, and forms used to calculate them at the Certification Meeting. The number should correspond to the actual number of voted ballots received minus the invalidated ballots. This allows for cross-checking and validation of ballots received.

9.2 The results on Election Day are to be considered ‘unofficial' until the certification process is completed, which ensures that all ballots have been accounted for. The certification is conducted by the Master Counter and the N&E Committee, as they were present during the election process, along with any new N&E members and the new N&E Chair. Within 10 days of the AGM/SGM, the chair of N&E reports the certification results to the Board of Directors.

9.3 The certification originals are kept in the Administration records. All envelopes/ballots received, minus all voided ballots, will equal the total votes cast. The results will be documented and certified by the N&E Chair. This Election Certification Statement will be submitted to the Secretary of the

Board and the Views Editor.

10.0 ARCHIVING VOTING MATERIALS

AGM/SGM voting materials will be held for 90 days after the election. All ballots and balloting materials will be shredded or disposed of at this time. The administration will retain PDF copies of the following documents for 2 years.

10.1 President's Letter

10.2 Agenda

10.3 Mailing/Registration Lists

10.4 Master tally sheets

10.5 Election Certification Spreadsheet

10.6 GM/SGM Results Report

10.7 Third-party Election Vendor Certification

11.0 FILLING A BOARD VACANCY BETWEEN AGMs (3, 4)

11.1 Bylaws related to Board Vacancy

Board vacancies are described in the SVCA Bylaws Article III, Section 3. Nomination of Directors and in Section 6. Vacancies.

Article III Section 3(a):

If a vacancy occurs at any other time, the Nominations and Elections committee shall solicit candidates at least 30 days before the Board's appointment.

Article III Section 3(b):

To be eligible for appointment to the Board, all candidates must be members in good standing and remain so. Candidates must submit a disclosure of Interest Statement to the Nomination & Election Committee in the form prescribed by the committee by close of business within the prescribed opening for applications.

Article III Section 4(b):

The term of office of a Director who has replaced a Director by appointment shall last until the conclusion of the following Annual General Meeting and until a successor is elected. No Director shall be eligible for election to the Board for more than two (2) consecutive terms plus the unexpired portion of a term to which appointed.

Article III Section 6. Vacancies:

If a director ceases to be a member of the Board, for any reason excluding temporary suspension as outlined in Section 5 above, the Board shall immediately request the Nominations and Elections Committee to submit not fewer than one (1) nominee more than the number of vacancies to be filled. The remaining directors shall, by majority vote, elect the required successor(s) from the nominees who shall serve until the conclusion of the following Annual General Meeting. The Board shall endeavor to fill any

such vacancy within sixty (60) days.

11.2 Board Vacancy Procedure

Each Candidate must be a member in good standing as of the date of the application, remain in good standing through the appointment, and be listed on the property Deed. A candidate may apply for a board position using the name by which they are known in the community, rather than the name listed on the property deed. The following procedures will be used to solicit applications and fill the vacancy. (#4)

1. The Board will announce the resignation and instruct the N&E Chair to post notice to the membership announcing the vacancy, instructions for applying, and the submission deadline.
2. The application period shall be for 30 days or longer, as determined by the Board. (Article III section 3)
3. If no applications are received during the initial application period, an extension of an additional 30 days will be announced, and the membership will be notified.
4. N&E will post any notices on the SVCA website, the Views, and Member Announcements.
5. N&E will furnish the application forms to staff. Staff will provide hard copies at the Admin Office and post blank forms online for members to download.
6. The vacancy notice instructions will include a published deadline date and the closing time of the Admin Office on that day. Completed applications must be a hard copy and received at the Admin Office by the published deadline. Emailed applications will not be accepted.
7. Once candidate applications have been submitted, the application period has ended and the candidates have been vetted, the N&E Chair will announce to the Board that a date for interviews and voting can be set. The Board will determine their interview process and date. N&E will inform the candidates of the process and confirm their attendance
8. The N&E Committee will hold a random drawing to determine the interview order.
9. Interviews are typically conducted before the regularly scheduled board meeting. Interviews and voting are only necessary if there are more candidates than open positions. Depending on the number of candidates, the meeting may start as early as 6:00 p.m.
10. If voting is required, the candidate is chosen by a majority vote of the Board members in open session. N&E handles the voting process. If a consensus isn't reached, the board must continue voting until a majority for a candidate is reached.
11. The board president announces the new director(s), and the new director joins the board. The meeting continues.

Addendums A, B, & C cover N&E and SVCA volunteer conducted elections.

Addendum A - Counting Room Procedures

A. Counting Room

Ballot preparation and counting are conducted in the Counting Room for Sudden Valley Association Elections. The master counter determines, manages, and leads the procedures and activities in the Counting Room. The Room's setup and procedures are designed to maximize the security and integrity of the election process.

Anyone working or observing in the Counting Room will follow these rules:

- All items such as purses, bags, briefcases, laptop bags, etc., are to be placed in a secure designated area away from the ballot counting area.
- At no time are any items to be added/or removed from a personal bag and placed on the work table.
- Cell phones are to be turned off or, at a minimum, set to vibrate.
- Voice levels are kept to a minimum so as not to disturb others.
- Political views are to be kept to oneself.
- Balloting materials being processed should not be removed from the Counting Room.

A.1 Ballot Flow

"Ballot Flow" refers to the direction (or path) the ballots follow during the preparation and counting. Establishing a flow that keeps the ballots moving in one direction (from the input table to the counters to the temporary storage table) is important. The Master Counter establishes the ballot flow for the Counting Room. This flow may change depending on the Counting Room and includes:

- Location for processed and unprocessed ballots.
- Setup of tables and chairs for ballot preparation and counting.
- Designated marked bins or envelopes for Pre-Election, Registration Day, and Election Floor ballots until they are put into the counting process.
- Designated location for election observers.

A.2 Ballot/Envelope Storage

Proper locking devices will be placed on all ballot containers and secured in the appropriate place designated and agreed to by the N&E Chair and Association staff. A designated staff member and the N&E Chair shall be the sole custodians of keys to locking devices/doors that secure the voting materials and ballots.

Ballots are delivered to the Counting Room in locked cases and are in alphabetical order by the first letter of the voter's last name. Once the ballot preparation and counting process begins, ballots and ballot materials are secured in locked cases and stored in a locked closet located in the Multipurpose Room in the Community Center. Empty blue ballot envelopes are returned to the locked case and placed back in alphabetical order by the first letter of the voter's last name.

A.3 Ballot Definitions

Ballots will be organized and identified when they are received. Accounting for the total number of Pre-Election, Saturday Registration, Floor, and Budget-Only ballots are critical to ensuring the integrity and accuracy of the ballot count. For clarity, ballot types and their definitions follow:

- **Pre-election ballots are any and all ballots received by mail or personally returned to the administration office by the close of business on the Friday before** the Election.
- **Saturday Registration ballots** are all received on the day of the Election, except those voted from the floor during the meeting. To be valid, these ballots must have a differentiating feature.
- **Floor ballots** are the ballots voted from the floor during the Meeting. These ballots must have a differentiating feature to be valid.
- **Budget-only ballots—These are Ballots of members not in good standing; the budget measure is the only section of the ballot that will be counted. When they are introduced into the ballot process, these ballots are clearly identified as "Budget Only."**

Addendum B - Ballot Preparation and Counting Process

Before ballot preparation and counting begin, the N&E will verify that the actual number of ballots received matches the actual number of registered voters marked as ballots received on the master registration list. Ballots are vetted and approved for counting before their delivery to the Counting Room.

The Master Counter manages the opening and processing of the ballots; N&E oversees the Election process. The Master Counter also assigns Counting Room volunteers in teams, each consisting of two individuals who work together throughout the ballot preparation and counting process.

N&E, staff, the Master Counter, volunteers, and up to three (3) authorized observers will convene in the Counting Room on Friday prior to the Election at 1:00 p.m. to begin preparing and counting the ballots. They will reconvene at approximately 10:00 a.m. on Election Day to complete ballot preparation and counting.

B.1 Ballot Preparation

The ballot preparation process for Pre-Election ballots involves three phases:

1. Opening ballot envelopes
2. Opening and bundling secrecy envelopes/ballots
3. Numbering ballots

The ballot preparation process for Saturday Registration and Floor Ballots involves two phases:

1. Verification of validity of ballot(s)
2. Bundling and numbering ballots

B.1.1 Opening Ballot Envelopes

The Master Counter gives each volunteer team a stack of unopened blue ballot envelopes for processing. Steps include:

- Open the blue ballot envelopes with the letter opener provided.
- Remove the white secrecy envelope from the blue ballot envelope. Stack the white secrecy envelopes in one pile and the blue ballot envelopes in a second pile.
- If the ballot card is not in a white envelope, place it in an empty white envelope provided, seal it, and stack it with the other white envelopes.
- If there is more than one white secrecy envelope in the blue ballot envelope, keep them in the blue envelope and signal the Master Counter. This ballot envelope with the multiple secrecy envelopes will be removed from the stack, documented, and not counted.

- Signal the Master Counter for another stack of blue ballot envelopes and continue to process until all the blue ballot envelopes have been opened.
- Once all white secrecy envelopes are removed from the blue ballot envelopes, sort the sealed secrecy envelopes into stacks of twenty-five (25) and place a rubber band around each stack.

B.1.2 Opening and Bundling Secrecy Envelopes/Ballots

The Master Counter gives each volunteer team a stack of unopened white secrecy envelopes for processing. Steps include:

- Open the white secrecy envelopes with the letter opener provided, one stack of twenty-five (25) at a time.
- Remove the ballot from the white secrecy envelope and stack the ballots in one pile and the empty white secrecy envelopes in a second pile.
- If there is more than one ballot in the white secrecy envelope, keep the ballots in the envelope and signal the Master Counter. This envelope and the multiple ballots will be removed from the stack, documented, and not counted.
- Count the ballot cards to verify twenty-five (25) are in the stack and place a rubber band around the complete stack. Signal the Master Counter if you have a stack of ballots less than twenty-five (25).
- Align the holes in the white secrecy envelopes to be sure they are empty.
- Signal the Master Counter for another stack of secrecy envelopes and continue until all secrecy envelopes are processed.

Saturday Registration and Floor Ballots

- Ballot cards are checked for validity. To continue processing the ballot, a differentiating feature must be on the ballot card. If a ballot card does not have the differentiating feature, signal the Master Counter.
- Sort the valid ballots into stacks of twenty-five (25), place a rubber band around each stack, and signal the Master Counter.

B.1.3 Numbering Ballots

Ballots are numbered randomly to provide an audit trail to check counts during the certification process or to verify the tallying of votes. One to three volunteer teams will number ballots. The Master Counter gives each team a stack of twenty-five (25) ballots and a Tally Sheet for processing. Steps include:

- Remove the rubber band from the stack of twenty-five (25) ballots. Consecutively number each ballot at the top right front side of the ballot using the auto-numbering electronic machine or stamp.
- The stamped number on each ballot will coincide with the ballot number in the left column of the Tally Sheet provided.
- Restack the twenty-five (25) ballots in sequential number order, wrap the stack with the corresponding Tally Sheet with the print side out, place a rubber band around the stack, and set aside.
- Continue this for each batch of twenty-five (25) ballots until all stacks have been numbered and appropriate Tally Sheets attached. Signal Master Counter as stacks are completed.
- Ballots are now ready for counting.

B.2 Ballot Counting

Ballot Counting includes the following:

1. Overvote/Non-vote determinations
2. Ballot tallying

B.2.1 Over Vote/Non-Vote Determinations

Over Votes - An over vote occurs when a voter selects more candidates or choices than are allowed in a given race or referendum. (e.g. A voter votes for six (6) candidates when the maximum votes allowed are for four (4) candidates or a voter checks both YES and NO for a measure when only one selection is allowed).

Non-Votes - A non- vote occurs when a voter selects no candidates or fewer choices than are allowed in a given contest or referendum. (e.g. A voter votes for four (4) candidates when the maximum votes allowed are six (6) or a voter casts no votes for a measure).

Candidate Over or Non-votes:

Over vote: If a voter casts votes for more candidates than the maximum allows (e.g. votes for 6 candidates and the maximum allowed is 4), this is an over vote and invalidates that section of the ballot. *No votes are to be tallied on the Tally Sheet* for any candidates in that specific section. In this case, the team member enters "4 OV" in the OV/NV column of the tally sheet for that specific ballot, which is the maximum number of votes allowed for that section .

Non-vote: If a voter votes for no candidates or fewer candidates then the maximum allows (e.g. votes for 3 candidates and the maximum allowed is 6), this is a non-vote situation. *These votes are to be tallied on the Tally Sheet* for that specific section. In this case, the team member also enters "3 NV" in the OV/NV column of the tally sheet for that specific ballot, which is the difference between actual votes cast and the maximum votes allowed (6 votes allowed - 3 votes cast = 3).

Measure Over or Non-votes -

Over vote: If a voter casts both a YES and NO vote for the measure, this is an over vote and invalidates that section of the ballot. *No votes are to be tallied on the Tally Sheet* for that specific measure. Enter "1 OV" in the OV/NV column of the tally sheet for that specific ballot.

Non vote: If a voter does not vote for the measure, this is a non-vote situation. *Non votes are tallied on the Tally Sheet* for that specific measure as the voter did not check a selection. Enter "1 NV" in the OV/NV column of the tally sheet for that specific ballot to indicate the maximum votes allowed.

B.2.2 Ballot Tallying *(See Appendix for Tally Sheet examples)*

- Each volunteer team is given one batch of twenty-five (25) ballots by the Master Counter to tally.
- Each batch of twenty-five (25) ballots is wrapped with a tally sheet which is used to tally the votes. The number stamped at the top of each ballot card corresponds to the ballot number in the left column of the tally sheet.
- Each section of the ballot must be counted. (e.g. BOD Candidates, ACC Candidates, N&E Candidates, Measures)
- Prior to tallying any votes, check the ballot for over votes or non-votes.
- One team member reads the stamped ballot number and how the ballot was voted for the section being counted. (e.g. Ballot number 25, Measure 1, "No" vote) The other team member marks how that ballot was voted by placing a forward slash (/) in the proper field of the Tally Sheet.
- Once all sections of all twenty-five (25) ballots have been tallied, the member marking the Tally Sheet will add and enter the column totals at the bottom of the Tally Sheet.
- Team members reverse roles and repeat the counting process a second time. The team member tallying the second count will mark the Tally Sheet by forming an "X" to the original forward slash (/) as the votes are read off.
- If counts do not agree with the original team member, there's an error. If the counting team cannot resolve it, notify the Master Counter for a resolution.
- Once all sections of all twenty-five (25) ballots have been tallied and totaled, and team members are in agreement, the tally sheet is signed by each team member and wrapped around the ballots with the print side out. The rubber band is placed around the stack and set aside. Signal the Master

Counter for another stack of ballots to process.

- **Budget-only ballots** - the budget measure is the only section of these ballots that are tallied.

Addendum C - Election Results - Uncertified

The uncertified election results process was created to include several checks and balances to ensure the accuracy and security of the vote count. The process includes:

1. Master Tally Sheet summary
2. Grand Master Tally Sheet summary
3. Uncertified election results

C.1 Master Tally Sheet Summary (See Appendix for Master Tally Sheet examples)

- Individual Tally Sheet totals are entered onto Master Tally sheets by one (1) to four (4) experienced volunteer teams.
- The Master Counter will give each team stacks of twenty-five (25) tallied ballots to process. One team member will call out the Tally Sheet number and its totals while the second team member enters the totals onto the appropriate line of the Master Tally Sheet. (e.g. Tally Sheet 1, Candidate 1, 5; Candidate 2, 8; Measure 1, Yes 20, No 5).
- Team members reverse roles and repeat the process a second time.
- If totals are not in agreement with the first team member, there's an error. If the team cannot resolve it, notify the Master Counter for resolution.
- Once each stack is completed, rewrap the Tally Sheet around the ballots with the print side out. Team members place their initials on the top right corner of the Tally Sheet, place the rubber band back around the stack and set It aside.
- The Team continues to process each stack of tallied ballots until they are all completed.
- Once all Tally Sheet totals have been transferred to the Master Tally Sheet(s), column totals are summed and entered at the bottom of the sheet.
- Each team member confirms the column totals are correct. Team members sign the Master Tally Sheet and signal the Master Counter when completed.

C.2 Grand Master Tally Sheet Summary (See Appendix for Grand Master Tally Sheet examples)

- The Grand Master Tally Sheet breaks down vote counts and totals by ballot type (e.g. Pre-Election ballots, Saturday Registration ballots, etc.), grand totals for each contest and percentage of votes cast by contest.
- The Master Counter enters Master Tally Sheet totals onto the Grand Master Tally Sheet. These totals will be verified by one of the Master Counter teams.
- Once completed and verified, the Master Counter and Master Counter team signs the Grand Master Tally Sheet.

C.3 Uncertified Election Results

- The Master Counter will enter Grand Master Tally Sheet totals and percentages into the PowerPoint slides provided by staff as Uncertified Election Results.
- The Uncertified Election Results will be delivered to staff to setup for the Board President to announce the results to the members.
- Election results will not be communicated in the Counting Room prior to the official meeting announcement.
- All Tally Sheets, Master Tally Sheets, and Grand Master Tally Sheets are stored with the processed ballots in a locked case and stored in the locked closet in the Multipurpose Room until the Election Certification Meeting is held.

Addendum D - Petition Process
Petition Process Addendum D – September 1, 2022 (Updated 2025)

Petitions submitted to the HOA should have the following required fields: Printed Name, Signature, and Street Address. The petition should also include an optional field of Lot/Division. Below is the reasoning for each of these criteria:

- **Street Address**: Used to determine if the person signing the petition has a property within Sudden Valley.
- **Printed Name**: Used to cross-reference the current database of properties in Sudden Valley to see if the individual who signed is an owner. This should be the full printed name of the individual present. If the name isn't listed in full, it may be removed during the verification process.
- **Signature**: The person who is signing's method of stating they agree with the petition.
- **Lot/Division**: Used in the event that the handwriting is illegible, and the street address cannot be made out.

Additional fields, like a phone number or email address, may be included to verify the signature of the individuals submitting the petition. When turning in the packet of petitions, please include the name, email address, and phone number of a representative of the petition so that if there are any issues, that representative can be contacted.

Finding volunteers

The process of locating volunteers should be as unbiased and impartial as possible. When a petition is submitted, you should find volunteers from the petition supporters and another from its opposition. This way, both sides are represented.

Volunteers can be solicited by the N&E committee directly, via a letter in the views (if time permits) or posted on social media or on the Sudden Valley Website for volunteers. Reminder, since the volunteers are not publicly elected officials, and elections can be polarizing events, keeping their identity private is suggested. If the volunteers decide to publicly disclose who they are, that is their prerogative.

Vetting process

Since the vetting process involves the committee member looking up members and disclosing their mailing addresses or lot and division information, The vetting process should not be streamed in an effort to protect people's identities.

Print a list of all owners sorted by street address. This process works best by having three people verify the petition. If you have three people. One to read the addresses aloud and two to check the printed database. Have an elected N&E committee member handle the petitions, **do not let volunteers touch the petitions.**

- The N&E member will read the address aloud. The volunteer will locate that street address on the

printout and read the name associated with the deed. The N&E Committee Member will acknowledge whether that name is on the petition or not.

- If the name matches what is on the petition, the volunteer will add a mark on their printout indicating this address has been verified.

- If the name does not match, have the N&E Chair verify the digital database to see if there is a discrepancy and if that individual should be counted. If so, the volunteer will add a mark for that address. If the signer is not valid, the N&E member will mark it as invalid on the petition along with the reason.

- When the elected N&E member finishes with a petition page, they will count up the number of valid signatures and add a number to the bottom of the page.

- If there is a disagreement on if a petition signature is valid, the N&E Committee will decide and move forward to the next signature. This process shouldn't be placed on a volunteer.

Counting the total number of signatures

- After all petitions have been reviewed. The person with the printed database will count up all of the marks they have added to the printout. Meanwhile, the elected N&E committee member will add up all of the numbers they have marked at the bottom of each page. Once both parties have come to their completed numbers, the totals will match.

- If none of the numbers match, the petitions will need to be recounted by starting the process over. If the petition total matches one of the printed sheets, cross-reference the two printouts and see which printout is different and reconcile them against the petitions.

What is a valid petition signature?

During the above process, the N&E member will review the signers of the petition to verify that there is a printed name, signature, and street address. If any of those fields are missing, that signer does not count towards the petition.

- The name must be written in full. If the name is written as J Doe, and the owner is named John Doe, there isn't a way to verify that J Doe is, in fact, John Doe, and that signer would be removed from the petition.

- If someone writes their name as J Edward Doe, and the deed states John E Doe, that is a valid entry. However, if they wrote their name as Edward Doe and the deed states, John E Doe, that signature cannot be verified that Edward is the same person, and that signature is removed from the petition.

- If the name on the petition does not match our records, the petition signer does not count toward the total number of collected signatures. For example, if Jane Doe signs the petition but only one

person John Doe is listed on the deed, then Jane's signature is removed from the petition.

- If you have a deed that belongs to Jane Doe and John Smith and the petition signer signed by Jane Smith. This is counted as a valid signature.

- If you are going through the addresses and someone has signed twice, the second one is an invalid signature.

- If you are going through the addresses and the deed shows two owners of a property, and each of them sign, only one of the signatures are valid. They count as one.

- If someone has five properties and they sign for all five properties, then that is five petition signatures. Additionally, if someone has five properties and they sign for one property, that is only one petition signature.

- If someone is listed on the deed as Richard Nixon, and they signed Dick Nixon, verify that Dick is a common nickname for Richard. Similarly, Sally is a nickname for Sarah. If it is a common nickname, then it is a valid signature. This can be done with a quick internet search.

What to do about invalid petition signatures

- If you reach 10% of the total owners who have signed the petition, you don't need to move forward with the invalid signature process since the petition is valid.

- If when you complete the count and the total number of signatures is short, reach out to the petition sponsor and notify them that the petition failed and why it didn't meet the criteria.

Appendix 10: RCW 64.90.405 - Common Interest Communities, Meetings

(1) A meeting of the association must be held at least once each year. Failure to hold an annual meeting does not cause a forfeiture or give cause for dissolution of the association and does not affect otherwise valid association acts.

(2)

(a) An association must hold a special meeting of unit owners to address any matter affecting the common interest community or the association if its president, a majority of the board, or unit owners having at least ten percent, or any lower percentage specified in the organizational documents, of the votes in the association request such a meeting by delivering a written request to the president or secretary.

(b) The association must hold the special meeting at the time requested, but not less than ten nor more than one hundred twenty days after delivery of the request.

(c) If the association does not send out a notice or communication of a special meeting to unit owners within thirty days after delivery of the request, the requesting eligible unit owners may set the time and place of the meeting and send out the notice or communication.

(d) Only matters described in the request for a special meeting may be addressed at that meeting, unless the organizational documents allow otherwise.

(3) Unless the organizational documents provide otherwise, meetings of the association must be held in a physical location that allows unit owners to attend in person. The board may authorize unit owners to attend a meeting through remote communication unless prohibited by the organizational documents, but only if the association adopts procedures for remote attendance and the remote communication method allows unit owners attending remotely to hear other attendees, be heard by other attendees, and vote. If the board authorizes remote communication for a meeting, the notice for that meeting must include instructions for attending remotely.

(4) Except as otherwise provided in the organizational documents, meetings of the association must be conducted in accordance with the most recent edition of Robert's Rules of Order Newly Revised.

(5) Unless the organizational documents provide otherwise, only unit owners that are eligible unit owners may vote at a meeting of the association.

(6) The association must send out a notice or communication of a meeting of the association to each unit owner not less than fourteen nor more than sixty days in advance of the meeting in a manner provided in RCW 64.90.515 or the organizational documents.

Appendix 11: RCW 64.90.445 - Voting

(1) Eligible unit owners are entitled to vote on any matter that the organizational documents or this chapter require or permit to be submitted to a vote at a meeting or by written ballot, including election or removal of board members and approval of a budget.

(2) Unless the organizational documents provide otherwise:

(a) Eligible unit owners may vote in person at a meeting, through a proxy as provided in RCW 64.90.455, by absentee ballot, or by written ballot.

(b) Voting may occur over a period of time, including before or after a meeting, as determined by the board, but the voting period may not exceed thirty days unless otherwise provided in the organizational documents.

(3) If the board authorizes written ballots for a vote:

(a) The association must send an unaltered written ballot to each eligible unit owner with the notice or

communication of the vote that includes:
(i) All information needed to understand the matter to be voted on, including proposed amendments to organizational documents with the proposed text; and
(ii) Instructions for how to complete and return the written ballot, including the deadline for returning the written ballot.
(b) The board must adopt procedures to ensure that:
(i) Written ballots are distributed only to eligible unit owners;
(ii) One written ballot is counted per allocated vote;
(iii) The authenticity, confidentiality when applicable, and timely return of written ballots can be confirmed; and
(iv) Eligible unit owners are given a fair and reasonable opportunity to vote.
(c) Unless otherwise provided in the organizational documents, written ballots may be returned by mail, hand delivery, facsimile, or, if authorized by the board, electronically, as long as the association can confirm timely receipt.
(d) A written ballot may not be revoked after it is received by the association.
(4) The board must adopt procedures to ensure that eligible unit owners have a fair and reasonable opportunity to vote and that the association can confirm the authenticity of each vote and that the unit owner is eligible to vote.
(5) Unless the organizational documents provide otherwise, an association is not required to hire a third party to administer a vote, but if a third party is hired, the association remains responsible for ensuring compliance with this chapter and the organizational documents.
(6) Eligible unit owners may nominate themselves or another eligible unit owner for election to the board or any other position elected by a vote of the unit owners unless the organizational documents provide otherwise.

Appendix 12: RCW 64.90.455 - Proxies

(1) Unless the organizational documents provide otherwise, an eligible unit owner entitled to vote at a meeting may authorize another person to act as a proxy for the unit owner by signing a written instrument that includes:
(a) The unit owner's name and unit;
(b) The name of the person authorized to act as proxy;
(c) The meeting or matters for which the proxy is authorized; and
(d) The date of the instrument.
(2) A proxy is revocable by the unit owner giving written notice to the association unless the organizational documents are provided otherwise.
(3) Unless the organizational documents provide otherwise, a proxy may be authorized for one or more meetings or matters to be voted on and remains valid for eleven months from the date of the instrument unless a shorter period is specified in the proxy.
(4) The board must adopt procedures to ensure that:
(a) Proxies are distributed only to eligible unit owners;
(b) One proxy is counted per allocated vote;
(c) The authenticity and timely receipt of proxies can be confirmed; and
(d) Eligible unit owners are given a fair and reasonable opportunity to grant a proxy.

(5) Unless the organizational documents prohibit, a person authorized as a proxy may grant a proxy to another person if the original proxy instrument allows it.
(6) The association may adopt additional procedures for proxies consistent with this chapter and the organizational documents, including procedures for electronic transmission of proxies if authorized by the board.

Appendix 13: RCW 64.90.525 - Budgets
(1) Within thirty days after adoption by the board of any proposed budget for the common interest community, the board must provide a copy of the budget to all unit owners and set a date for a meeting of the unit owners to consider ratification of the budget. The date of the meeting must be not less than fourteen nor more than sixty days after providing the budget to unit owners. Unless at that meeting a majority of all unit owners, or any larger vote specified in the organizational documents, reject the budget, the budget and any assessments based on that budget are ratified, whether or not a quorum is present. If the proposed budget is rejected, the budget last ratified by the unit owners continues until the unit owners ratify a subsequent budget proposed by the board.
(2) The proposed budget must include:
(a) A statement of the anticipated revenue and expenses for the period covered by the budget;
(b) The amount of any assessment to be imposed on each unit;
(c) The amount, if any, to be contributed to a reserve account and the reserve study upon which the contribution is based;
(d) A statement of any assumptions or projections used in preparing the budget, including assumptions or projections relating to anticipated changes in revenue or expenses; and
(e) Any other information the board considers relevant to unit owners' understanding of the budget.
(3) The board must provide a copy of the ratified budget to all unit owners within thirty days after ratification.
(4) Nothing in this section creates an obligation for an association to fund a particular level.

Sudden Valley Community Association
Nominations and Elections Committee
Code of Conduct

1. **Act in the Best Interest of the Community.**
Recognizing the need to preserve the design and intent of the community, Board Members will work for the common good of the members of the Association and not for any private or personal interest, and they will assure fair and equal treatment of all persons and transactions coming before the Board.

2. **Comply with the Law.**
Board Members shall comply with the laws of the United States, the State of Washington, the County of Whatcom and the governing documents of the Association.

3. **Conduct of Board Members.**
The professional and personal conduct of Board Members must be above reproach and avoid even the appearance of impropriety. Board Members shall refrain from abusive conduct, personal charges or verbal attacks on the character or motives of other members, administration and staff, Board members and chairs, or the public. No Board Member shall knowingly misrepresent facts to the members.

4. **Conduct of Meetings.**
Board Members will make every effort to regularly attend meetings and perform their duties in accordance with established rules of order governing the deliberation of Association issues. Board members shall prepare themselves for all meetings; listen courteously and attentively to discussions; and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.

5. **Decisions Based on Merit.**
Board Members shall base their decisions on the objective merits and substance of the matter at hand rather than unrelated, subjective considerations.

6. **Communication.**
Board Members shall share substantive information that is relevant to the matter under consideration which may have been received from sources outside the decision making process.

7. **Conflict of Interest.**
In order to assure independence and impartiality, Board Members shall not use their position to influence decision(s) in which they have a material, personal, financial or political advantage. Any Board Member having an interest in a transaction with the Association shall fully disclose that interest to the Board before completion of that transaction.

8. **Gifts and Favors.**
Board Members shall not take any special advantage of services or opportunities for personal gain that are not available to all Association members. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise, or give the appearance of compromising, their independence of judgment or action.

9. **Confidential Information.**
Board Members shall respect the confidentiality of information exchanged in closed meeting sessions. They shall neither disclose confidential information without proper Board.

Sudden Valley Community Association
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Code of Conduct

Committee authorization, nor use such information to advance personal, financial or other private interests.

10. **Use of Association Resources.**
Committee Members shall not use resources of the Association that are not available to all members of the Association, such as staff time, equipment, supplies or facilities for private or personal gain.

11. **Positive work place environment.**
Committee Members shall support a positive and constructive work place environment for employees, members and businesses dealing with the Association; Committee Members shall recognize their special role in dealing with employees to not create the perception of inappropriate direction to staff.

COMMITTEE MEMBER STATEMENT

As a member of the Committee, I agree to uphold the Code of Conduct for Committee Members adopted by the Association and to conduct myself by the following model of excellence. I will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives and contributions;
- Help create an atmosphere of respect and civility where other Committee Members, individual members, and staff are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness and respect for others;
- Respect the dignity and privacy of other individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the general membership benefit;
- Avoid and discourage conduct which is divisive or harmful to the best interests of the Association.

I affirm that I have read and understand the Sudden Valley Community Association Nominations and Elections Committee Code of Conduct.

_____ _____

Committee Member Signature Date