

Sudden Valley Community Association
2022
Nominations &
Elections Committee
Manual



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APPENDICES

The following appendices are provided in electronic form.

1. Election Calendar
2. New Candidate Letter
3. Candidate Application and Disclosure Form
4. Candidate Acceptance Letter
5. Voting Instructions
6. Sample Ballot
7. Tally Sheets
8. Elections Report
9. Elections Spreadsheet

Attorney Opinions: Referenced in document by (#opinion number)

- #1. Proxy and floor voting policies -- September 28 & October 8, 2021
- #2. Filling Board Vacancies – August 12, 2021
- #3. Applicable Processes for Filling Vacancies on the Board – December 23, 2019
- #4. Eligibility of Spouse (for SVCA Membership) – August. 16, 2016
- #5. N&E Committee Draft 2009 Manual – July 7, 2009
- #6. Bylaw Provisions Outlining N&E and SVCA Responsibilities with respect to AGM, Nominations & Elections -- July 6, 2009
- #7. 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 Administrative Staff.

The N&E, Administration Staff and Board will participate in a cooperative manner to ensure the integrity and efficiency of Association's Annual General Meetings (AGM) and Special General Meetings (SGM), Appointing Board vacancies, and to ensure that all procedures are conducted in a fair and impartial manner. These practices, and procedures, are intended to comply with the Bylaws pertaining to the N&E and its functions, duties and activities. Where there is a conflict, the Bylaws control.

These procedures cover:

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

- **Independent Third-Party Election Vendor**

Background: In 2020 it became necessary for the N&E Committee to obtain the services of a Third-Party Election Vendor due to the Covid pandemic. The counting function of the election process could not be handled "in-house" since it requires a large number of individuals to gather to process the ballots.

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

All third-party election vendors shall:

- Conform to any state law(s) regarding any SVCA election.
- Follow any SVCA Bylaws regarding elections and the responsibilities of the N&E Committee.
- Handle the printing and mailing of SVCA ballots.
- Handle issuing replacement ballots.
- Handle any "mailed" USPS ballots.
- Conduct the "in-person" voting with N&E Committee assistance.
- Conduct the final counting of all registered ballots.
- Provide certified election results the day of the general meeting.

THE BOARD RESOLUTION APPROVING THE MANUAL (#5)

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 III, 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, be it now resolved that the Board hereby adopts this Elections Manual to serve as the official rules and procedures for elections. This manual supersedes all other Association election manuals.

May 23, 2022

Andrew Tishleder, SVCA President Dated

Sonia Voldt, SVCA Board Secretary Dated

Nancy Alyanak, SVCA Nominations & Elections Committee Chair Dated

Steven Workman, SVCA Nominations & Elections Committee Secretary Dated

Michael Wadsworth, SVCA Nominations & Elections Committee Member Dated

1.0 RESPONSIBILITIES FOR THE ELECTION PROCESS

1.1 Sudden Valley Board of Directors (#6)

- Is ultimately the responsible to ensure that elections are conducted in accordance with 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 of the same, 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 (#6)

- Ensures the integrity of the election process
- Prepares communications to advertise open elected positions and submits that to the Communications Committee and Staff for posting.
- Solicits and coordinates with staff to review bids for printing and mailing of election materials (See Section 4.3.1)
- Approves election materials as worded by the Board and oversees proofing of the final ballot
- Coordinates 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 master registration spreadsheet of voted ballots prepared by staff for accuracy of vetting, registration and signatures on return envelopes.
- The audit is jointly performed 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 spreadsheets information is correct.
- Certifies results to the President of the Board.

1.3 Administrative Staff (#6)

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

- Assist drafting all documentation including the Countdown Calendar (See Appendix on p.2)
- Vet all Candidates to ensure they are in good standing
- Schedule/reserve facilities for 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 Section 5.2.4 and 5.2.9) 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 to use 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 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 needed materials to N&E the Monday following the election to allow for final certification to be completed
- Maintains all records
- Coordinates with the N&E and Board as necessary

1.4 Master Counter

If a third party vendor is retained by N&E to conduct the AGM or SGM election, a Master Counter is not required. If the AGM or SGM is conducted by N&E 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 training and leading groups of people.
- Ability to maintain a neutral, bias-free environment in the Counting Room at all times.
- 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.

SVCA – N&E Manual

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 in the creation of forms and ordering of 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 the election is conducted by a third party vendor, 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 the election is conducted by N&E, 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 dependent on how many ballots are returned and the number of issues on the ballot. Each team consists of two individuals that 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 Association's elections. The following Bylaws reference the purpose, tasks and responsibilities of the 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)

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

Section 3 Nominations of Directors (a) (b) (e) (f)

2.3 Bylaw Article V: Committees

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

3.0 OPERATIONS OF THE N&E (#7)

- 3.1 The chair and secretary are elected at the first N&E meeting after the November election and the chair sits as 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 a minimum of four (4) times during the year. However, when preparing for an election, more frequent meetings may be required. Volunteers from the community are solicited by the N&E 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.

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 pursuant 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 pursuant to the Bylaws, (Article VI, Section 3) and, in the Views.
- 4.1.5 In July, before the deadline for the August edition of the Views, the Chair will submit an article to the Views Editor announcing Board, N&E, and ACC openings. The article will include the solicitation of candidates for open positions on the Board, N&E, and ACC Committees. The article will provide instructions for applying for the positions, as well as the deadline for submitting an application. The deadline to submit applications to the Administration office is the 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 who are interested in running for an open position must use the current year application package. The package is available from the Administration Office, from the pamphlet distribution center next to the Administration Office or can be downloaded from the Sudden Valley website. Members should state on each application only a single position for which they are running. 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 for

submission of applications to confirm the eligibility of the candidates. The N&E will open the applications and check them for signatures and whether any additional information needs to be provided. Staff will vet each candidate 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 minutes of the meeting: 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, the N&E will send a letter to each eligible candidate seeking additional information. All candidates shall 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. Before submission to the publisher candidates may review their information for typographical errors.
- 4.1.11 The N&E Chair will have staff post the names of the qualified candidates on the Association website. The N&E Chair will give the Views Editor the names of the candidates for the October issue. (See Section 4.4.3).
- 4.1.12 After two (2) business days (ending at close of business on the second day) from the drawing date, no candidate withdrawals will be accepted.

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 Communications 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 the process of selecting a printer/mailer for the AGM materials. Staff will solicit bids from three (3) companies for the Committee Chair to review and select 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) – Shall consist of deadline information, required Member information, including a signature line.

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

4.3.5 The N&E shall check document items for accuracy and ensure that the information is easily understood.

4.3.6 *Ballots will contain a ‘water-mark’ for safety and security. Staff and the N&E Chair will decide on the water-mark 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 prior to the printing and mailing of voting materials.

4.3.9 Ballot measures will be proofed by the Board before final submission to Association legal counsel.

4.3.10 *Once approved by counsel, staff will submit ballot materials to the printer or vendor

4.3.11 When the final proofs have been returned from the printer, representatives from the Board and N&E will ensure their accuracy by comparison 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 prior to the date of the Election as the Bylaws require. NOTE: RCW 64.38.035 (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 added expense including reprinting and remailing.
- 4.4.3 Voting packets will be delivered by mail and include 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 Admin hall opposite the window for collection of 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 any 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 election results have been reported.
 - No recording of this area is allowed by observers as this may allow 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 result in immediate

removal of the Observer from the Counting Room.

4.6 Parliamentarian

Staff will contact a Parliamentarian to schedule their attendance at any election, per the Bylaws. This should be coordinated with the Board Secretary.

5.0 BALLOTS

5.1 Returned Ballot Deadline

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

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 the morning of the AGM or SGM.

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 the mailing of 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 that is 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 ballots that were marked as undeliverable. Ballots shall never be handled alone by any one person; neither the N&E or administrative staff. If we have contracted a third party vendor for the election, ballots will be mailed to the election vendor post office box.
- 5.2.4 Unless the election is conducted by a third party vendor, 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. Any ballots placed in the after-hours drop shall also be placed in the ballot box by staff. If members come to the window to drop off ballots Staff will encourage them to place their ballot in the ballot box to avoid handling or ballots being left on the counter.
- 5.2.5 N&E will provide a calendar to the ASM of the day and time each ballot registration will be done 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 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 handling of the ballots 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 The master registration list will be maintained by N&E with Staff creating a duplicate master registration list. Staff will assist with vetting the received ballots by providing a list of delinquent members. Once N&E and Staff vet the received ballots the noted delinquent members will be contacted by Staff. A log of member contacts will be kept by Staff and made available to the Committee to determine any change in status each time a count is performed. The ballots of any members found to be delinquent in dues when vetted will be segregated and registered as such. Until such time as the dues are made current, the ballots will remain “budget only” ballots.
- 5.2.8 N&E and Staff will be available at the deadline for voting, which is close of business the Friday prior to 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 in order to guard against errors.
- 5.2.13 If duplicate ballots are received, the ballot with a 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 is to 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 the mailing of voting materials to new owners. The new owners' names will be recorded in the registration spreadsheet and the prior owners' names 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 then Staff will place them in the SVCA ballot box.
- 5.2.17 A member can also register and vote 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 the payment of their dues, per SVCA Bylaws Article II, Section 7.

- 5.3.1 During registration delinquent member ballots will be registered and segregated until such time as 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 completion of the registration process including member contact information regarding delinquent fees and if the member wishes to bring their account current in order to vote a full ballot.
- 5.3.3 Conversions of the final delinquent ballots are done after the AGM or SGM has begun to ensure that the member has 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. The ballot must be signed by the owner of record as of the date of the AGM
 - All invalid voting documents must be preserved by N&E in case of a challenge. Only N&E members can invalidate a ballot. 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 or not that ballot has been reissued.

5.7 Proxy Ballots (#1)

Proxy definition: Washington State Law requires homeowner association members be allowed to vote in person or by a proxy at a meeting of the membership. A proxy is a designated agent who serves in a member's place at the AGM or SGM. 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 do 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 or drop box ballot or a morning of the AGM/SGM ballot is cast before the AGM/SGM begins, so will always be cast before a proxy ballot can be cast. The first ballot cast is the ballot that is tallied.

Additionally, the existence of a registered proxy does not prevent an owner of that property from casting their ballot by mail or drop box or from 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 designate 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 a 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. Proxy agents cannot receive anything of value in return for their services. A proxy agent cannot accept more than 5 proxies per AGM or SGM. This is to discourage the practice of "ballot harvesting".

Proxy forms and processes: Instructions on how to obtain and return a proxy request form are included in the AGM or SGM Voter Booklet. Beginning October 1st, a member wishing 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 insure 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.

Both Directed and General proxies expire immediately after the AGM or SGM meeting is adjourned.

The member will need to date and sign the proxy as well as have it notarized.

Once the form is completed, the member will need to 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 distribution of the ballots.
- 6.1.2 The day of registration is staffed by two volunteers and a staff member who is 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 day of the election.
- 6.1.3 Members may be registered, vetted, and issued a special stamped ballot to vote the day of the election. Registration begins at 9:00 am and closes at 12:00 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 to volunteers a list of members for vetting purposes the day of the election.
- 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 who is empowered to collect payments. The attending Staff member will then inform the registration volunteer of any change in the member 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 measure relating 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 for a judgment on this matter.
- 6.1.9 All ballots that are 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 located in the registration area for those who want to cast their 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 recount of a vote by submitting a written request to the Board. This request needs to 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 if 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 the election results 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 ‘un-official’ until completion of the certification process 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 new N&E Chair. Within 10 days of the AGM/SGM, the chair of N&E reports to the Board of Directors the results of the certification.
- 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 said election. All ballots and balloting materials will either be shredded or disposed of at this time. PDF copies of the following documents will be retained by Administration for a period of 2 years.

10.1.1 President's Letter

10.1.2 Agenda

10.1.3 Mailing/Registration Lists

10.1.4 Master tally sheets

10.1.5 Election Certification Spreadsheet

10.1.6 AGM/SGM Results Report

10.1.7 Third-party Election Vendor Certification

11.0 Filling a Board Director Vacancy Between AGMs (#2, #3)

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 prior to appointment by the Board.

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 3(c):

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 set forth in Section 5 above, the Board shall immediately request the Nominations and Elections Committee to submit not less 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 they are known as 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 and instructions for applying, and the deadline for submission.
2. The application period shall be for 30 days or a longer time determined by the Board. (Article III section 3)
3. Should no applications be received during the initial application period an extension of an additional 30 days will be announced and notification will go out to the membership.
4. Any notices will be posted by N&E to 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. A published deadline date and closing time of the Admin Office on that day will be included in vacancy notice instructions. Completed applications must be hardcopy 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 normally conducted prior to the regularly scheduled board meeting. Interviews and voting are only necessary if there are more candidates than there are open positions. Depending on the number of candidates, the meeting may start as early as 6:00pm.
10. If voting is required, the candidate is chosen by a majority vote of the Board members in open session. The voting process is handled by N&E. If a consensus isn't reached, the board must continue voting until a majority for a candidate is reached.

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11. The Board president announces the new director(s) , the new director joins the Board, and the meeting continues.

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

Addendum A - Counting Room Procedures

A. Counting Room

The Counting Room is the designated location where ballot preparation and counting are conducted for Sudden Valley Association Elections. Procedures and activities in the Counting Room are determined, managed, and led by the Master Counter. Counting Room 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 secured designated area away from the ballot counting area.
- At no time are any items to be added and/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 are not to be removed from the Counting Room.

A.1 Ballot Flow

"Ballot Flow" refers to the direction (or path) that the ballots follow during the preparation and counting process. It is important to establish a flow that keeps the ballots moving in one direction (from the input table to the counters to the temporary storage table). 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 as 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 is 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 close of business the Friday prior to the Election.
- **Saturday Registration ballots** are all ballots received the day of the Election, except those that are voted from the floor during the meeting. These ballots must have a differentiating feature to be valid.
- **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** - Ballots of members not in good standing; the budget measure is the only section of the ballot that will be counted. These ballots are clearly identified as "Budget Only" when they are introduced into the ballot process.

Addendum B - Ballot Preparation and Counting Process

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

The Master Counter manages the opening and processing of the ballots; N&E oversees the overall 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 pm to begin preparation and counting of the ballots. They will reconvene at approximately 10:00 am on Election day to complete ballot preparation and counting.

B.1 Ballot Preparation

The ballot preparation process for Pre-Election ballots involve 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 involve two phases:

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

B.1.1 Opening Ballot Envelopes

Each volunteer team is given a stack of unopened blue ballot envelopes by the Master Counter for processing. Steps include:

- Open the blue ballot envelopes with the letter opener provided.
- Remove 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 place it in the stack 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 be 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

Each volunteer team is given a stack of unopened white secrecy envelopes by the Master Counter 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 white secrecy envelope and signal the Master Counter. This secrecy envelope and the multiple ballots will be removed from the stack, documented, and not be counted.
- Count the ballot cards to verify there are twenty-five (25) 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 - a differentiating feature must be on the ballot card to continue processing the ballot. If a ballot card does not have the differentiating feature, signal the Master Counter.
- Sort the valid ballots into stacks of twenty-five (25) and place a rubber band around each stack and signal the Master Counter.

B.1.3 Numbering Ballots

Ballots are numbered to provide an audit trail to randomly check counts during the certification process or to verify tallying of votes. One to three volunteer teams will number ballots. Each team is given a stack of twenty-five (25) ballots and a Tally Sheet by the Master Counter 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 number that is stamped on each ballot will coincide with the ballot number located 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 and 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. Over vote/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 no- 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 than 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. *No 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 are not in agreement with the original team member, there's an error. If the counting team cannot resolve it, notify the Master Counter for 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.

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- 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.