

## **EWUA 2024 SPECIAL MEETING**

### **Election Inspection Protocols**

Stewart Andrew, Patty Miller, Richard Fralick, Linda Hamilton followed the following protocols.

#### **PROTOCOLS FOR COLLECTING, STORING AND COUNTING PROXY CARDS**

- Two people were present for all mail pickups which began on 9/19/2024.
- Two people were present for all safety deposit deposits/withdrawals at Banner Bank. All visits are recorded on the Bank log in sheet. All Proxy Cards were stored in the safety deposit box each night along with the flash drive containing the electronic version of the Membership List.
  - o Due to the meeting being held on a Saturday and the requirement to have Proxy Cards on hand at the meeting, Stewart was required to take the cards and ballots home on Friday September 27<sup>th</sup> through Monday 9/30 at 8:30 am. The ballots remained in the locked portable safe with Stewart and Patty Miller held the key at a separate location. All ballots and proxy cards were returned to the safety deposit box on Monday morning.
- A minimum of 2 people were present on each task of sorting and validating proxies.

**SORTING PROCESS** – 2 volunteers working together. All counts were independently counted by each volunteer and totals confirmed.

- The mail was sorted as follows:
  - o Blue dot proxy envelopes
  - o Items in proper envelopes with no blue dots
  - o Items in nonconforming envelopes
  - o Items marked as replacement proxies
  - o Original proxy envelopes returned undeliverable
  - o Other EWUA mail
- Each category count identified above was logged
- Each envelope was noted with date of retrieval from post office and initialed by two volunteers prior.

**VALIDATION PROCESS** – Minimum of 2 volunteers working together on each task

Step 1 – Once all received proxy envelope types were sorted and counted, volunteers opened envelope and attached the mailing envelope to the ballot with signature side up.

Step 2 – One volunteer read the account number and name (required to verify per MOU) off the label on the back of the proxy card. The second volunteer found the account number on the member list. The signatory's signature and printed name were compared and then name was matched to the member list. If there was a match, they highlighted the customer account number on the member list in pink to indicate proxy received. If they do not match the proxy shall be placed in the 2<sup>nd</sup> review box for further validation. A note was be attached noting the discrepancy. If member name was a business, LLC, or trust the signing party was compared to the Designated Agent column on the worksheet. If these did not match the proxy was placed in the 2<sup>nd</sup> review pile. All validated Proxy Cards were marked with a V at the bottom and initialed by both volunteers. Once complete these Proxy Cards were handed off to second team.

## **TABULATION PROCESS**

Step 3 – One volunteer read the account number off the signature page of the Proxy Card; the other volunteer accessed the electronic version of the membership list. This list had been expanded to include 4 columns on the left – Proxy/Ballot (P/B), Designated Holder (Name), Instructed (Y/N), Slate (Y/N). Slate refers to when the instructed portion of the Proxy matches the #1 and #2 on the Designated section of the Proxy (i.e. For Nigretto/Nelson/Cleveland/Templin and Against Claus/Cook/Anderson). The second volunteer used the find function in excel to locate the member account number in list. The first volunteer then reviewed the Proxy Card to provide the information to fill in the 4 columns noted above. If the Proxy was designated, instructed, and did not follow the slate each vote was read off the proxy and entered into the worksheet indicating a “Y” for Recall and a “N” for No Recall or a “A” for Abstain in the column under each Directors Name. If the Proxy Card was Instructed without Designating a Proxy or the Instructions were not clear, it was put in a 2<sup>nd</sup> review pile.

Each Proxy cleared through this stage was marked with a “T” for tabulated and initialed by both volunteers. Once all Proxy Cards were entered the spreadsheet was sorted to group all Proxy Types together to ease population of the votes and reduce potential for data entry errors. (Very easy to see that all Proxies with one designated proxy instructed to vote the slate were all recorded correctly, etc.).

## **PROXY CARDS NEEDING FURTHER REVIEW**

The following types of Proxy Cards were pulled during the sorting/validation process:

1. Instructed without designating a proxy
2. Unclear instructions
3. Unsigned
4. Signed by individuals who were not designated as authorized agents or included in member name (spouses, partners, trustees etc.)
5. Photocopies of Board approved proxy cards without original labels
6. Proxy cards submitted for more memberships than on member list
7. Proxy cards signed by someone other than member (EWUA board member or member of community) with an attached Proxy signed by member authorizing individual to sign their Proxy Card (2 Proxy Cards).
8. Proxy cards marked as “Replacement Proxy”

Step #1 – Email sent to staff to review membership agreements to item #4 above. Most were resolved via email responses from staff based on agent agreements on file that had been recorded in membership list or when staff was able to obtain updated agreements from members. For Proxy Cards received on 9/28 or later, volunteers reviewed County tax records to try to establish authority. Approximately 3 were confirmed with member via telephone.

Step #2 – To resolve #5 above, Stewart made the decision to allow use of photocopies of board approved Proxy Card when all other information could be confirmed. Those cards were then returned to volunteers to complete Validation and Tabulation process. This decision, and the reasons for it, was communicated to all parties via email at 8:47 am on 9/28/24.

Step #3 – To resolve #2 and #3 above (total 3-5 Proxy Cards) we attempted to contact member via telephone at all numbers provided on Member list. If there was no answer, we did not leave a message since calls were being made from volunteer's personal cell phones.

Step #4 – To resolve #1 above, a list of account numbers and names were sent to staff along with an email stating that the members Proxy Card had been received but was deemed invalid due to failure to designate a proxy. Members were given the option to pickup a replacement Proxy Card at the EWUA office or come to the meeting to designate the proxy or vote via ballot.

Step #5 – To resolve #6 above, volunteers confirmed the number of memberships with staff and then called member to confirm this matched their understanding. Once clarified, the Proxy card was validated.

Step #6 – To resolve #7 above, these were reviewed to determine if members intent was clear, signed by member or authorized agent. We attempted to call and confirm with member. We were able to reach one of the members and confirm members intent. We were not able to reach the 2<sup>nd</sup> member however since members intent was clear, both cards were tabulated.

Step #7 – To resolve #8 above, these Proxy Cards were validated following the same process noted with a "R" noted on the paper cope of the member list. When entered into tabulation Member list, they were highlighted in yellow. In any situation where 2 Proxy Cards were received for the same account, they were stapled together and verified that Replacement Proxy superseded original Proxy.

## **SATURDAY MEETING**

### **Meeting Setup/Process**

EWUA Staff will man the front entrance doors and direct traffic as follows:

- Nonmembers will be instructed to wait in lobby, doors to Madrona room will open at 4:55 pm, they will be admitted if space allows.
- All member will be instructed to check in through back hallway door.
- Proxy holders who are holding a Proxy Card that has not yet been delivered to the Elections Inspector will be instructed to check-in through back hallway door.

### **Election Inspection Team**

Election Inspector – Stewart Andrew, Election Inspection Volunteers – Patty Miller, Linda Hamilton, Janet Bronell, Heather Oaksen, Lynette Wood, Greg Oaksen, Doug Marshall

### **Assigned Roles**

Stewart Andrew – greet members, direct to proper station

Linda Hamilton, Richard Fralick, Patty Miller – roving, resolve questions as needed

**Station #1 – Check In** - 4 volunteers (Janet Bronell, Heather Oaksen, Lynette Wood) – Doors open at 4:30 pm – volunteers arrive at 3:30 pm

**(Since member list is not parsed, had to sort by first letter of first name/business)**

Have all members enter through back doors for check-in. One volunteers will direct member to Sent Proxy desk (all members who have already sent in their proxy) or Vote/Ballot desk (for those that would like to vote a ballot/or are submitting a Designated Proxy on behalf of a member):

Sent Proxy desk volunteers will:

- Check member ID (Driver's license) compared to member list.
- Check list to verify Proxy Card has been noted as received. If a proxy has previously been submitted, they will see it noted on the list.
- Confirm receipt with member and direct them to the front of room. If list does not show that a Proxy Card has been received, direct member to Vote/Ballot desk. If list does show that it has been received, check box next to member name and direct them to go to the member room.
- If member states that they would like to change their Proxy and submit a ballot, direct member to Vote/Ballot desk.

Vote/Ballot desk volunteers will:

- Check member ID (Driver's license) compared to member list, confirm person is authorized agent
- Ask member if they have more than one membership. Find each membership on the list and enter an X in the attendance column on the spreadsheet. **Important to establish quorum compliance**
- Check list to verify any Proxy Card status. if a proxy has previously been submitted it will be noted on the list.
- If member has already designated a proxy, let them know they need to check in at the Sent Proxy desk. Do NOT check them off on the Vote/Ballot list. This list is needed for a count of members attending who are not represented by a Proxy.
- If member states that they would like to change their Proxy and submit a ballot, provide them one ballot for each membership.
  - Fill in Member Account number and Printed Name of Water Member on each ballot form. Write on top of ballot – **THIS BALLOT OVERRIDES PROXY CARD**
  - Explain ballot process to member
    - Circle choices on the ballot
    - Direct them to Sign ballot
    - Direct member to ballot work area
    - Instruct once completed, deliver ballot to Station #2 and then proceed to front of room
- If member has not submitted a Proxy, provide them one ballot for each membership.
  - Fill in Member Account number and Printed Name of Water Member on each ballot form.
  - Explain ballot process to member
    - Circle choices on the ballot
    - Direct them to Sign ballot
    - Direct member to ballot work area
    - Instruct once completed, deliver ballot to Station #2 and then proceed to front of room

- If person is a Proxy holder who is holding a Proxy Card that has not yet been delivered, collect Proxy Card and:
  - Compare persons ID (driver's license) to name noted in Designated Section of Proxy Card.
  - Validate member name and signature against member list confirm proxy giver matches account member name or registered agent
  - If it is an **Instructed Proxy** – then direct Proxy Holder to Station #2 to hand off Proxy Card.
  - If is **not an Instructed Proxy** – provide them one ballot for each membership.
    - Fill in Member Account number and Printed Name of Water Member on each ballot form. Attach Paper Ballot to Proxy Card
    - Explain ballot process to member
      - Circle choices on the ballot
      - Ballot MUST be signed to be counted
      - Direct member to ballot work area
      - Instruct once completed, deliver ballot to Station #2 and then proceed to front of room
- NOTE: Due to the high volume of members attending the meeting and waiting in line to vote a number of sealed Proxy Cards were deposited directly into the Ballot Box with the thought that they could be validated after the meeting in a manner similar to those received via USPS. Unfortunately, this meant that we failed to catch when these cards did not designate a Proxy. In the tabulation process, these Proxy Cards were considered valid and tabulated as a ballot since the member had attended the meeting and if this would have been caught, would have been given the opportunity to designate a proxy or receive a ballot to vote. There were 5 Proxy Cards in this category.

– **Station #2** – Ballot collection - 2 volunteers (Greg Oaksen, Doug Marshall)

- Receive completed ballots from members
  - Check member ID compared to member list to confirm member name and authorized agent match
  - Confirm that designated proxy not already recorded
    - If not previously designated proceed with signing off on ballot as noted below.
    - If previously designated confirm with member that this ballot will supersede proxy
    - Complete For Official Use Only section of Ballot signing one of your names on the Official Ballot Given to: line and the other sign on the Validated by: line
    - Drop ballot into box
- NOTE: Members were promised a confidential ballot process but the ballot sheets were not designed in a way that facilitated proper verification of member, signature on ballot, and confidentiality of vote. We folded the ballots in a way to best protect that and provided stickers for members to “seal” their ballots. Unfortunately, this sometimes covered the member signature line. In the tabulation process we found a number of unsigned ballots (5 ballots). Since the member had been confirmed as valid in order to receive a ballot, these unsigned ballots were considered valid and were counted.

- NOTE: Several members, who had previously been notified that their Proxy card was invalid due to lack of proxy designation, came to the meeting. Those Proxy Cards were located and attached to the new Ballot Card that was issued.

### **MEETING COMMENTS**

At the meeting Stewart confirmed that Designated Proxy holders Michael Stolmeier and Brian Ehrmantraut were present at the meeting. With this confirmation of attendance and the prior validation of over 475 Proxy Cards for these individuals, Stewart was able to confirm that the meeting attendance exceeded the minimum 10% of EWUA Members (1,226) to determine a quorum was present. Additional Designated Proxy Holders in attendance were: Brian Philips, Jason Bradshaw, Emily Tidball, Teri Nigretto, Becky Doty-Flint, Terri Rodgers, Dan Vekved, Cory Harrington.

Stewart then explained that the parties had negotiated a Memorandum of Understanding (MOU) and the procedures we had put in place were to ensure the requirements of the MOU were satisfied. The MOU provided the Election Inspector with "wide latitude to fashion provisions to facilitate a fair process for the benefit of the Members of EWUA.

The guiding principles he established were to 1) Ensure no duplicate votes were counted, 2) Accept Proxies where the Maker's intent is clear, 3) Notify the member if their proxy may be invalid or could be clarified by the member.

Stewart explained that the meeting format did not include any live voice voting. Voting options included the submission of a Proxy Card in advance or a Paper Ballot at the meeting.

Stewart explained that the information on the Proxy Card was confidential except the Giver's name could be shared. The Designated Proxy Holder is the only one that would know the other content of the proxy.

Stewart explained that the EWUA records were not always clear with regards to Designated Agents on business accounts so multiple requests were made to staff in order to verify Proxy Cards were signed by authorized individuals. Volunteers also compared some Proxy Cards to county property tax records to validate cards.

Stewart asked attending members if there were any additional Proxy Cards to be submitted. He then asked if there were any additional Ballots to be voted. Several members raised their hand and the meeting was briefly paused to collect the remaining Ballots. Once all Proxy and Ballots were received, Stewart confirmed with volunteers and announced that the election polls were closed. He announced that no further ballots or proxy cards would be accepted.

Stewart explained to members the process that would be followed if one or more members of the board were recalled.

Stewart announced that he and the volunteer team will need more time to complete the review and tabulate the vote. He explained that he will email the results to the board as soon as he felt confident they were valid and that he would be present them at the next Regular or Special Meeting.

With that he concluded the recall election portion of the meeting and turned the floor over the EWUA Board President Teri Nigretto.

### **BALLOT VALIDATION AND TABULATION**

Wednesday 10/2 - Volunteers met to review, validate, and tabulate Proxy Cards and Ballots from the meeting. We also checked the mail box to collect any late Proxy Cards. There were 6 envelopes with blue dots and 1 original mailing returned as undeliverable by USPS.

Step #1 - 2 volunteers separated Ballots from Proxy Cards. All Proxy Cards were validated and noted as described above. Envelopes were noted as "Received at Meeting".

Step #2 - Ballots were compared to Member list to confirm member name, authorized agent, and to verify no Proxy Card was previously received. Once confirmed and verified, ballot was marked with a "V" for validated and initialed by both volunteers.

Step #3 - Validated ballots were then reviewed by 2 volunteers who located member number on list, reconfirmed name, and designated agent. Once confirmed one volunteer read the voting information to the other who entered the information into the tabulation section of the Member Listing. These entries were marked with a B for ballot. Each ballot was marked with a "T" for tabulated and initialed by both volunteers.

### **INVALID PROXY CARDS**

After all of the above steps were completed, we ended with 19 Proxy cards that we were not able to fully validate. These were marked as Invalid, reason noted, and filed. These Proxy Cards were not tabulated. The primary reasons were:

- Failure to designate a Proxy which did not get corrected by a revised Proxy Card prior to or a ballot at the meeting
- Unable to confirm signer was an authorized agent and unable to reach via phone
- Not signed. Could not reach member to confirm - 1 Proxy
- Voting instructions not clear - 2 Proxies

### **BOARD PROXIES**

After the August 28<sup>th</sup> meeting, EWUA Attorney Rochelle Doyea brought 2 folders. One contained Board Proxies (aka Evergreen Proxys of 2023) that had been voted by the member in the last election and the other contained Evergreen Board Proxies that were not voted by members in the last election. At the September 10<sup>th</sup> meeting, the EWUA board voted to "allot the membership Evergreen Proxys of 2023 to be voted pro rata". Due to the late receipt of these proxy cards; the large number of new ballots and proxy cards submitted at the meeting which still needed to be counted; the desire to allocate sufficient time to review and reconfirm the accuracy of the recording of over 550 ballots/proxy card; the need to review each Evergreen Proxy to determine if the member had already submitted a Proxy or Ballot; and volunteer availability to continue the work after the meeting; the decision was made to not count the Evergreen Proxys. This additional work would not impact the results of the election. If needed, the

recommendation would be for the Board to vote to abstain from voting these Proxies or to accept this recommendation by the Inspector.

**FINAL REVIEW**

After all Proxy Cards and Ballots were resolved, volunteers randomly selected a representative number of Ballots and Proxy Cards to confirm against data entered into Tabulation worksheet. Sampling confirmed the integrity of the data entry process.

The decision was made not call members to confirm Proxy Cards were sent and signed by them. Our attempts to reach members via telephone had been challenging with only 3 out of approximately 30 members answering their phones.

Formulas were inserted into the spreadsheet to count the number of entries with a “P” for Proxy or “B” for ballot. Formulas were inserted to count the number of “Y”, “N”, “A” for each director. The total of all “Y” and “N” were combined to get the number of votes cast for each director. The number of “Y” were divided by the total number of votes cast to determine the recall %.

Volunteers compared the number of Ballots and Proxy Cards noted on the printed membership list to the number tabulated in the electronic member list. The numbers matched, confirming all received/validated cards/ballot had been counted. The total response count was 555 with 498 Proxy Cards and 57 Ballots.

Stewart oversaw the final review, confirmed the final tabulation of Proxy Cards and Ballots as well as the number of submissions deemed Invalid. He reviewed the Invalid submission and determined that even if all 19 were cast and recorded to Retain Ron Claus, Jim Cook, or Carol Ann Anderson, it would not be sufficient to change the final result. Stewart will notify the EWUA Board of the results via email on Friday October 4<sup>th</sup> along with providing this report.

**FINAL CERTIFIED RESULTS**

	Teri	Jim N.	Michael	Leith	Ron	Jim C.	Carol Ann
Yes to Recall	212	178	213	210	321	351	354
No to Recall	333	360	327	330	213	188	181
Total Votes	545	538	540	540	534	539	535
Abstain	3	9	7	9	10	6	9
NO to Recall %	61.10%	66.91%	60.56%	61.11%	39.89%	34.88%	33.83%
YES to Recall %	38.90%	33.09%	39.44%	38.89%	60.11%	65.12%	66.17%
<b>RECALLED</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>

**PROXY CARD/BALLOT STORAGE**

Proxy cards and ballots along with all hard and electronic copies of the member list and tabulation list were returned to the Banner Bank safety deposit box for storage. Rent has been prepaid on this for 3 years. We will retain the 2 keys to the box for the required 3 years, after which, the contents of the box will be destroyed. Patty Miller will retain the 2<sup>nd</sup> key so that in the unlikely event something was to happen to me in the next 3 years, she will act in my place to close the account and destroy the content.



**Disclaimer**

This is a best effort on the part of the inspection team and while all efforts were made to ensure that no errors/omissions were made, even if some errors or omissions were made, we do not believe that they are significant enough to affect the overall results. We stand by our conclusions.

**Certification Statement**

It is my belief that the 2024 EWUA Special Meeting to Recall all 7 Board of Directors was executed in accordance with the established MOU and that the results are a fair and accurate accounting of the Proxy Cards and Ballots received. We have compiled a few suggestions to facilitate possible future elections which are included in attached Appendix A.

Respectfully submitted,



Stewart Andrew

## Appendix A

### RECOMMENDATIONS/COMMENTS

1. Review member list to ensure all businesses & trusts have designated agents noted. If they do not, send necessary documents to members to enhance associations records. This was recommended by the last election inspector and there were still quite a few missing or incorrect designated agents.
  - a. During this process it was brought to our attention that the current Authorized Agent form allows anyone to sign the designated agent form. This process/policy should be reviewed to require some type of corporate document, evidence of board action, trust documents or ownership record prior to adding an individual as the authorized agent for any non-individual member.
2. When creating a membership list for these purposes, parse member first and last name into 2 columns to ease sorting and check-in process.
3. If there is ever a need to have an instructed Proxy Card and Ballot again, make them consistent in order of name and pose of question. The Proxy asked if you want to recall, Ballot starts with retain. Names on Proxy card in different order from names on ballots.
4. We would estimate that this process took approximately 200 hours of volunteer time over the course of 1 ½ weeks.
5. There seems to be some confusion on if there can be more than 1 membership for a single tax parcel. There are a number of situations where there are more than 1 valid membership on a single tax parcel. Membership records should be linked or otherwise noted in some fashion since account numbers are not necessarily sequential in these situations.
6. There were a number of original envelopes returned and completed proxies where the ink on the labels blurred at some point in the process. While most ultimately made it to their intended destination, there were a few returned as unreadable. For future reference you may look into ordering preprinted labels versus laser printed labels.
7. Provide future inspectors an email address which would allow them to communicate with members to validate Proxy Cards without having to use their personal email.