

Comments: Note the evidence in E.1. that the Board never intended to comply with NRS116.31034.12. The board always planned to only to send the candidate information sheets out with the ballot packages and never intended to send the sheets out 30 days before the start of the election.

E. Candidate Material Prepared by Candidates.

- 1. The Association will permit a single, one sided, typed page (hereinafter referred to as Candidate Informational Statement) for each candidate per NRS 116.31034.12 [see Exhibits Page 16]. Single typed page must be 8W' x 11" in size and will be included in the ballot mailing package. The candidate must submit his or her draft flyer electronically in PDF form to the CAM and Chair and Vice Chair of the Election Committee for review. Mailing packet will be printed two-sided in ballot order and proofs must be approved and initialed by CAM, Election Committee Chair and Vice Chair. Candidates or their designated representative must approve and initial their Candidate Informational Statement proof by date specified in Election Calendar. Approved and initialed proofs will be copied and kept on file by the CAM [See Election Calendar].**
- 2. Candidates may provide additional flyers, at their expense, to be displayed in space provided in SCACAI recreational facilities.**

V. MEET THE CANDIDATES

Two or more dates may be selected by the Election Committee when public meetings may be held for the introduction of the candidates to the residents of the community. These may or may not be combined with the Candidates' Debates/Forums. The dates may be consecutive and the meeting times may be in the afternoon on one of the dates and in the evening on the other date [see Election Calendar]. All attendees at the events must present SCACAI membership ID.

- 1. Each candidate will be introduced by the Election Committee member acting as moderator in order of the random selection performed prior to the first meeting. As they are introduced, each candidate will be allowed to present his/her campaign speech to the residents. Speech presentations will be limited to the duration time designated.**
- 2. Following the completion of all candidates' speeches, each will proceed to a table set up for display of their campaign literature and for direct discussions with residents who seek them out for further information.**
- 3. Refreshments may be served.**

VI. CANDIDATES' DEBATES/FORUMS

The dates, format, and setup for the Candidates' Debates/Forums will be determined by the Election Committee annually [see samples attached]. All attendees at the events must present Association ID.

VII. BALLOT PROCESS

- A. All or a portion of this process may be outsourced or performed by management.**

Comment: Procedure B.6. could cause the election to be declared invalid. The Ballot Boxes must remain "sealed" until brought to the counting place on counting day. Ballots removed early to perform any function could result in destroyed ballots, adding of invalid ballots, compromise of the ballot contents, or early identification of who had not voted.

B. BallotNoting Material

1. Only the homeowner of record as of the residency cut-off date designated on the Election Calendar will be eligible to vote.
2. Each household is entitled to one ballot, which will be mailed to the address of record as of the date designated on Election Calendar. Renters may not vote. However, the owner of the rented home does have one vote for the rented house.
3. All ballots must be mailed in the pre-addressed "Return Envelope" or hand-delivered to the official ballot box(s).
4. Each voting packet will contain a Cover Letter from the Committee's chairperson, an Instruction Sheet, a candidate informational statement for each candidate, an "Official Ballot" with names listed in random order, an "Official Ballot Envelope," and a larger "Return Envelope" into which the "Official Ballot Envelope" is to be inserted. Both envelopes must be sealed prior to delivery.
5. **The homeowner's membership number or other number as applicable, name, and Sun City Anthem property address** must be printed on the outside of the "Return Envelope."
6. The "Return Envelope," with the "Official Ballot Envelope" inside, must be received by the Association no later than the closing date. Prior to vote count day, management or outsourced vendor may verify "Return Envelopes" against Master List to ensure one ballot per unit.
7. No write in candidates are allowed. Only one vote per candidate is allowed.
8. Homeowners who will be out of town during the voting period must contact the Administrative Assistant and provide in writing the address to which the ballot should be mailed. Homeowners with no forwarding address during the entire voting period may request a ballot from the CAM prior to the official mailing once ballots are available. The CAM shall maintain a permanent record of homeowners provided with an early ballot. Note the deadline for receipt of ballots. [See Election Calendar]
9. The Association is not responsible for non receipt or lost ballots. It is the responsibility of the homeowner to notify the Association in a timely manner to allow for mailing of replacement ballots. Any extra added expense may be billed to the homeowner.

C. Ballot Boxes

1. Ballot box locations will be determined by the Election Committee.
2. Appropriate Measures will be taken to ensure protection of ballots.

D. BallotNote Counting

1. The Election Committee will organize and supervise the counting of the ballots at a meeting of the Association members on the first business day after close of balloting.
2. Counting of the ballots shall be done in an open forum for residents to observe the process.

Comment on B.8. above: The imprecise and undocumented "early voting" procedure was not approved by the board in an open meeting. By handing out ballots before the official voting starts it could add an opportunity for fraud.

Comment on C.2. above: What "appropriate measures" will be used to ensure protect the secret ballots as directed by NRS116? The integrity of the entire election will depend upon the quality of the ballot protection procedures. They must be spelled out so they can be audited/verified by the candidates for accuracy and effectiveness.

3. No interaction between residents and counters is permitted during the counting process. Residents must remain in clearly designated observation area. Photography and video recording are not allowed. Audio recording is allowed with notification of the Counting Chair prior to meeting commencement.
4. No SCACAI Board member or candidate shall participate in the counting process.

E. Voters Responsibility

It is the responsibility of each Sun City Anthem homeowner to make sure his/her ballot is filled out correctly and that no extraneous marks or writing appear on the official ballot. **The homeowner's membership number or other number as applicable, name, and Sun City Anthem property address** must appear on the "Outside Envelope" only. This envelope must be received by mail or deposited in a ballot box no later than the election closing date and time.

F. Vote Counting Instructions

1. The Chairperson of the Election Committee or the Board of Directors Representative will open and close the meeting of the Association members. According to NRS 116.31105.7(d) [See Exhibits Page 18], "a quorum is not required to be present when the secret written ballots are opened and counted." After the meeting has been opened, the Counting Chair will administer the ballot counting process."

ON VOTE COUNT DAY:

1. Prior to the start of counting, the Counting Chairperson will make the following announcement to all committee members and aides involved in counting of the votes:

"LADIES AND GENTLEMEN: PLEASE BE AWARE THIS IS AN OPEN MEETING FOR RESIDENTS TO OBSERVE THE COUNTING PROCESS. RESIDENTS ARE NOT ALLOWED TO SPEAK TO THE COMMITTEE MEMBERS AND ANYONE INVOLVED IN THE COUNTING PROCESS, AND COMMITTEE MEMBERS AND ANYONE INVOLVED IN THE COUNTING PROCESS ARE NOT ALLOWED TO SPEAK TO RESIDENTS. THE NAMES OF THE WINNERS ARE TO BE KEPT CONFIDENTIAL UNTIL CERTIFIED BY THE ELECTION COMMITTEE AND ANNOUNCED IN ACCORDANCE WITH SECTION VII—F BELOW. PLEASE HONOR THIS REQUEST. PHOTOGRAPHY AND VIDEO RECORDING ARE NOT ALLOWED. PLEASE TURN OFF ALL CELL PHONES. AUDIO RECORDING IS ALLOWED WITH NOTIFICATION. IS ANYONE RECORDING THIS MEETING? THANK YOU."

2. Election Committee members and aides will form teams of two per table provided count has not been outsourced.
3. Management representatives bring ballots to vote counting area.
 - a. Boxes are opened and all ballot envelopes are counted and documented.

4. If prior verification has been done, continue with item 10. If prior verification has not been done, DO NOT OPEN ENVELOPES at this time, and continue with item 5.
5. Compare the I.D. number on the "Return Envelope" with the numbers on the Master List. If the numbers match, using a BLUE pen, place a check mark next to the Number on the Master. **DO NOT OPEN ENVELOPES.**
6. Leaving the envelopes on the table, teams change tables, and re-check the I.D. Number on the "Return Envelope", against the Master List. If the numbers match, using a RED pen, cross off the blue check mark made by the previous team on the master.
7. If there are "Return Envelopes" with duplicate I.D. numbers, call the Counting Chairperson to check the multiple homeowners' list for verification.
8. Complete the checking and cross-checking of each "Return Envelope" by two sets of teams, and rejecting those with unverified duplications or those without I.D. numbers.
9. AT THIS POINT THE COUNTING CHAIRPERSON will make the decision as to whether or not the continuing counting will take place on this, the first day, dependent on the number of ballots received and the estimated time required to complete the entire counting. Return envelopes remain unopened.
10. In the event that the Counting Chairperson determines that the election process cannot be finished in one day, these procedures will be followed:
 - a. The Election Chair will be notified that the election cannot finish in one day.
 - b. The Election Chair will notify the pre-selected representatives of the candidates that they have a 1/2 hour to observe the shutting down process.
 - c. The Counting Chairperson will then oversee the process of collecting the unopened return envelopes and place them back in the ballot boxes.
 - d. The ballot boxes will then be locked; a tape will be wrapped around the locks and initialed by the Community Manager and the Counting Chairperson.
 - e. The locked ballot boxes will then be put in the office of the Community Manager and that office will be locked.
 - f. The Election Chair will then close the election meeting.
 - g. The next day, the Election Chair will again open the meeting and the election process will continue.
11. If the counting is to continue on this, the first day, and the Counting Chairperson gives his approval, each team will open the "Return Envelopes" and extract the official Ballot Envelopes. **BALLOT ENVELOPES ARE NOT TO BE OPENED AT THIS TIME!!** Ballot envelopes are to be placed on the table and the empty "Return Envelopes" will be separated after counting to insure that the number of ballots on the table equals the number of return envelopes.

Comments on 13.a. below: In this community of 7,144 units where almost 3,000 can be expect to vote for up to 4 candidates, is a serious error to attempt to have a manual count. The error rate would be unacceptable--even if the large number of volunteer counters could be found. This could invalidate secret ballot handling procedures.

12. At the direction of the Counting Chairperson, one team member will open the Ballot Envelopes. The other team member will extract the Ballot, stack it in a pile, and place the empty Ballot envelopes in a container.
13. When all ballots have been separated from the ballot envelopes a count will be taken to ensure the number of ballots equals the number of envelopes. **The votes received by each of the candidates will be counted either manually by the team members, or by an automatic vote counting machine**
 - a. **Manual Counting by Team Members**
 - i. One team member will read the votes to the teammate who will record them on the tally sheet.
 - ii. Keep all materials on the table. After the above process has been completed, each team will switch to another table for re-count and verification of ballots by the previous team.
 - iii. Hand the verified tally sheets to the Counting Chairperson for summary on the Master Tally Sheet. The Chairperson's summary will then be verified by another member of the Election Committee.
 - b. **Machine Counting**
 - i. The Counting Chairperson will collect all valid ballots and take them to the vote counting machine. They will be fed into the vote counting machine.
 - ii. All ballots rejected by the counting machine will be retrieved and counted manually following the steps in VI.15.a above. The candidate tallies obtained manually will be added to the tallies generated by the counting machine, and the resulting totals will be recorded on the Master Tally Sheet by the Counting Chairperson. The Chairperson's summary will then be verified by another member of the Election Committee.
14. All ballots previously placed in a rejection pile will be reviewed for rejection validity by the Counting Chair and the staff representative assisting with the counting process.
15. In the event of a tie where the election results are indeterminate, the candidates with the equal number of votes will be called before the Election Committee to select cards from a new (still in the wrapper), standard 52-card deck of playing cards to determine the winner(s). High card(s) win(s). The Ace will be the highest value card, and the suit rank will be with Spades at the top, Hearts second, Diamonds third, and Clubs last. [see Exhibit Page 7]
16. Upon completion of the count and summary, the Election Committee Chair will record the candidates' names and the total number of votes received by each in the order of votes received on the Vote Certification Sheet, and each committee member will certify the election by signing the Vote Certification Sheet.
17. All committee members and counting aides are required to keep the winners' names confidential until the results have been officially posted.

G. Election Results and Posting

The candidates receiving the largest number of votes will be declared the winners. In case of a tie, refer to Exhibit 7, "The Tie Breaker Agreement." Certified election results shall be made public upon completion of the certification process. Election Committee Chair, Vice Chair and appointed EC members shall notify all candidates of the election results as soon as possible. The management representative(s) shall post the certified results immediately on appropriate bulletin locations — fixed and electronic.

VIII.REMOVALS

Any member of the SCACAI Board of Directors may be removed, with or without cause, by the SCACAI Membership after a vote for removal has been held in accordance with NRS 116.3108.2 [See Exhibits page 17].

A. Initiation

1. A petition calling for a Removal Election may be circulated nominating the person(s) to be removed. The reason(s) for the removal petition may or may not be stated on the petition. SCACAI members may affix their names, SCACAI member numbers, and signatures to the petition signifying their agreement to the removal.
2. There is no time limit on the collection of signatures.
3. Neither the Board of Directors nor the Community Management staff nor any resident may interfere with the collection of signatures for a removal petition.
4. When a sufficient number of signatures have been collected, the petition is to be sent by United States mail, return receipt requested, or served by a process server to the executive board or to the SCACAI Manager.

B. Verification

1. The name for each signature affixed to the petition shall be verified that it is the homeowner of a unit within the SCACAI.
2. The signatures will be counted allowing one signature per household to verify they represent a minimum of ten percent (10%) of the total number of units within SCACAI. If so, the petition is thus valid.

C. Process

1. Upon verification of petition validity, the Board of Directors shall be advised that a Removal Election is required.
2. Not less than fifteen (15) days nor more than sixty (60) days after receipt of the petition, the secretary or other officer specified in the bylaws of SCACAI shall cause the preparation of Removal Election ballots to be printed and sent prepaid by United States mail to each unit homeowners address of record. (NRS 116.31036.2(a)) The secret ballot (NRS 116.31036.2) shall inquire, yes or no, whether the director(s) named on the ballot must be removed. [See Exhibits Page 17]