

# Ventana Lakes Property Owners Association

## Board of Directors Special Meeting Thursday, November 08, 2007 Minutes

**Called to Order:** President Sue Alandar called to order at 4:00 p.m.

**Meeting Location:** Ventana Lakes Yacht Club  
20015 North 108<sup>th</sup> Avenue

**Board Members Present:** Sue Alandar, Darrell Smith, Moe Frenette and Lori Norris

**Property Manager Present:** Not Present

President Alandar explained the purpose of the special meeting was to address the sole agenda item; the VLPOA Election Procedures. The Board will not be meddling in the election itself; it will only address the procedures. The Board is proud of the Election Committee, they work very hard, and we appreciate all their hard work to ensure the elections are fair to everyone. The Election Committee provided a detailed listing of all the functions they perform during an election. President Alandar reiterated how it is the Board's duty to make sure everyone in the community has an opportunity to give their input on the procedures for the election and to help the Election Committee be as good as it can be.

A written proposal for the 2008 VLPOA Election Procedures was submitted by Joe McCord with comments added by Chuck Hellquist and Election Committee members. Copies were provided to participants at the special meeting. Joe McCord and the Election Committee provided the following open comments.

Mr. McCord stated the proposal he submitted was based on dozens of elections (from local bond issues to Presidential primaries) he has participated in. Mr. McCord stated based on his experiences he learned a campaign is not the election, the election is the end of the campaign. They are two different functions and should be kept separate. Running a campaign is not the same as running an election, which is key to the recommendations he submitted. A second thesis was the campaigns themselves should be vigorous and robust, because democracy succeeds best when there is a clash of ideas. Not a clash of personalities, not fighting, but rather a clash of ideas so that in this public discourse the truth can be found. Who determines the truth? You do, you determine it with your votes. The third thesis is all votes should be counted. This is key to a democracy; the whole purpose of the Election Committee running the election is to determine the will of the voters. The document submitted is a draft and open for changes, it was a recommendation only.

Comments by Pat Bracken, just wanted to clarify on Mr. McCord's comment that every thing be counted, last year there were a lot of spoiled ballots, but the lawyer had drawn up the ballot, which indicated an (X) was to used and the Election Committee had to abide by that. The Election Committee does not feel smiley faces and things like this are appropriate. People should vote like they would in a regular election.

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Comment by Don Lorentzen, pointed out Joe McCord was not wearing his VLPOA identification. Mr. McCord apologized and explained his identification was left in his other vehicle which was in the shop.

President Alandar again called for comments regarding the election procedures.

Comments by Roseanne Fiebig, I know you have worked elections McMcord, but have you ever worked a Ventana Election? No, okay they are very different than Peoria elections, I work Peoria elections too, what they do we don't do, this is different, this is a small community.

President Alandar reminded participants to keep personalities out of comments and address the topic. She recommended going through each item individually, discuss the pros and cons, and make decisions as we work through.

Comments by Moe Frenette, asked for clarification on what caused the votes to be rejected, was it a (√) mark or some other kind of mark and a rough idea of the amount that were tainted?

Comments by David Bracken, (failed to use microphone) comments illegible.

Comments by Moe Frenette, any idea how many where check (√) marks instead of an (X)?

Comment by David Bracken, not that many.

Comments by Pat Bracken, when the Election Committee members went through the absentee ballots it was unbelievable what people did. Some people cut the number out of the envelope so the Committee could not validate whether the ballot came from a legitimate Ventana Lakes property and there were some that changed the lot number on the envelope. There were approximately twenty-five absentee ballots that were voted to be spoiled. Spoiled ballots were voted on; it was not an individual decision.

Comments by Beverly Baade, as prior chairperson for past Election Committee for five years we never had these problems. But, the one thing you have to realize, the Manager should be here because he should be involved in the election. He's the one that decides whether a person can vote or not because they don't pay their dues, he is in the room when the ballots are counted, when there is a discrepancy, the chairperson and the Manager agree on whether to accept or reject a ballot. That was how I ran it for five years and we never had a problem.

Vice President Smith, I worked the last couple of years on elections, I was surprised with the amount of reconfigurations adults do to a ballot, much less an envelope. To keep things above board when there are obvious alterations made to a ballot or envelope, Pat Bracken (Election Committee Member) was correct, it was a joint decision and the Election Committee followed the guidelines that were set by legal counsel. If you start making a small consideration, where do you stop, so we had to look at face value, if the envelope was altered, the ballot was not going any further. If a ballot was not marked according to what the directions were, then they were not counted. This is one of the reasons for this special meeting it to provide clarity to the Election Committee on what they are charged with doing so they can do it right and we don't have these

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problems. If an attorney writes the ballot and says it takes an (X), and that's what the Election Committee does, they did their job. I too have been involved in a lot of elections, the ballots are counted and recounted, you don't have a clue as to whose ballot you are looking at, they are verified, I was impressed and I had doubts before I worked on an election.

President Alandar, as a former Rules Administrator for the State of Arizona my job was making sure that rules were absolutely clear and not subject to interpretation. What I'm trying to do here is for the benefit of our community and our volunteers. They were questioned on their decision last year, I am not here to decide whether the questioning was fair or not, what we need to do is help them, we need to help ourselves, and we need to have absolutely clear procedures in place so there can't be a question. This is everyone's opportunity to give input on those procedures. Our intent is to have very clear procedures after this meeting.

Comments by Unknown Resident (failed to use microphone) comments illegible.

President Alandar reminded everyone we would be discussing specifics as soon as we started discussing the procedures; so far we had only been talking general philosophy.

Comments by Phil Syclos(sp), we need to drop last year and move forward.

Comments by Art Pelster, I hear more complaints because there was a number on the ballot and people thought that was a way they were being identified. This needs to be explained better.

Vice President Smith, the mark on the envelope is not to identify a voter; it is the only way to verify only one vote per household. The envelope mark is not on the ballot, once the envelope is verified as valid, the ballot is separated from the envelope. Individuals counting the ballots do not see the envelope and do not know whose ballot they are counting only that it has been validated as coming from a Ventana Lakes property owner.

Comments by Kurt Herr, has been an inspector for national elections in the old days they had a long narrow strip that had a portion that would be torn off. The portion had a number on it, once that portion was torn off from the ballot, you could no longer tell who the person was voting, but the number validated the ballot was legal. I think putting the number on the envelope accomplishes the same thing.

President Alandar, this is addressed in the procedures under item #3. We will move it up to the top of the procedures and make it very clear regarding the number on the envelope is an identification to make sure the submitted ballot is legal.

Comments by David Bracken, to help the community the Election Committee will create large a envelope and ballot samples. At a Board meeting we will explain how the number from an envelope is crossed off the Ventana Lakes listing validating the submitted ballot, the ballot is separated from the envelope and the ballots are counted without reference to an envelope. A large sample ballot will show examples of what marks will be accepted.

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President Alandar, Items #1, #2, #4 and #5 had no corrections, we'll move to Item #6, "What kind of marks may I make"?

Comments by Jeanette Tasealane(sp), can we back up to Item #5, does the cumulative voting come from the CC&R's? Do we have to have it? By saying the one with the most votes serves the longest term, doesn't mean the majority of the community sees that person as needing the longest term in office.

President Alandar, Yes, it is in the CC&R's.

Vice President Smith, It is a very unique situation we are in, the CC&R Committee is addressing it for the future, but we are stuck with it for the March 2008 election.

Comments by Judy Maabe, chairperson for the CC&R Committee, this is one of the first things we addressed. When we get to bring our recommendations to the community you will see that cumulative voting has been deleted.

President Alandar, back to Item #6, "What kind of marks may I make"? The proposal suggest allowing check (√), an (X) or any other mark, as long as you are consistent. The Election Committee disagree with "any mark" as they would like to run this as a serious election and feel smiley faces, etc. are inappropriate.

Vice President Smith, the best thing the community has going is the promise of sample ballots. We are an adult community and need to be treated and act like adults.

Treasurer Frenette, what is needed is good communications, clear communications as to what is acceptable and also what is not acceptable. If someone writes a comment on a ballot, you've voided that ballot, if you put a smiley face on a ballot, you've voided that ballot. If you want your vote counted, please don't do these things. This should be communicated in the Newsletter, sample ballots, and should be done many times before the actual election happens.

Comment by Jim Shirley, suggested placing six lines next to each candidates name which would allow for a check (√), or an (X) mark.

Comment by Jeanette Tasealane(sp), your not talking about eliminating the possibility of a write-in, there will be a place for writing in a candidate?

President Alandar, No, there will be a place for a write-in candidate.

Comments by Beverly Baade, you need to make it as easy as possible for the Election Committee to count the votes, because the community is waiting for the results. The easiest way to have an election is to have one way to cast your vote, we never had this problem, ever since we had the first recall election there have been problems.

Lots of Comments by Unknown Residents (failed to use microphone) comments illegible.

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There was extensive discussion on Item #6 and the end result was: next to each candidate's name will be six horizontal lines to allow for cumulative voting and to clarify only six either checks (✓), or (X) mark totals per ballot.

Vice President Smith, Item #7 indicates that if you make a mistake you can go to the office and obtain a replacement ballot. Concerned with a bunch of extra ballots being available.

There was extensive discussion on Item #7 and the end result was: if a mistake is made on an absentee ballot, the homeowner must now vote in-person on Election Day.

President Alandar, Item #8 was added which identifies the ballot box key is not to be kept in the Management Office (the same location as the ballot box); the Election Committee shall maintain the key. There will always be a minimum of two Election Committee members present when the ballot box is to be opened.

Smith moved, Frenette seconded, TO ACCEPT THE PROPOSED ELECTION PROCEDURES ITEMS #1-#8 AS AMENDED AT THIS SPECIAL MEETING.

### **Motion Passed**

President Alandar, the procedures for candidate's campaign, under eligibility, the Election Committee disagrees with the statement that if the candidate's assessments are delinquent they shall be deemed to be ineligible because it is not in either the CC&R's or the By Laws. The CC&R's address being in good standing to vote, but there is no reference to a candidate's standing with the VLPOA.

Treasurer Frenette, if you can't vote, how can you be a candidate?

Comments by Joe McCord, I was under the impression this was in the CC&R's and I was reinforcing it with the Candidate Eligibility form which states, I will be a homeowner in good standing and will have no financial indebtedness to the homeowner association. So, if the CC&R Committee is correct, then this is wrong. They say it is not in the CC&R's then we can not do this.

Comments by Terry Stinson, for the 2008 Election couldn't the Board pass a resolution, a stipulation that you have the right to accept or decline candidate applications?

President Alandar, No, I do not believe we have that authority. I don't want to give the Board that kind of authority even if we could.

Moving to the next paragraph, change the due date for Declaration of Candidacy by close of business to Thursday, January 10, 2008. An addition to the paragraph is to allow write-in Candidates to participate in Candidate's Night.

The third paragraph places a word limit on resumes at 300 words. An addition to the paragraph shall address the resume will not contain any verbiage that attacks any other person. The fourth paragraph addresses resumes to be printed in the February 2008 issue must submit their resumes no later than close of business Thursday, January 10, 2008.

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There was extensive discussion on the fifth paragraph regarding candidates producing a flyer at a charge of \$170.00 per candidate and the inserting of the flyers into the "Ventana Views".

Comments by Judy (Last Name Unknown), for about seven hours volunteers spent inserting flyers into 1,700 Newsletters. This was a very tedious task stapling each one.

President Alandar suggested allowing each candidate to produce their flyer, submit it to the Management Office to be printed for a fee, which would allow the flyer to be copied as part of the Newsletter, the machine would print and staple all documents together, alleviating the need for volunteers to spend time inserting the candidates flyers into the Newsletter.

The end result was to allow all candidates the opportunity to submit a half page to a maximum full page flyer in an electronic format to the Management Office for printing in the December, 2007 and January, February and March 2008 issues of "Ventana Views" at a cost to the candidate, to be determined by the Board.

Comments by Bill Keitel, what about the candidate that can't afford to have their flyer printed in the Newsletter?

President Alandar, each candidate will have the ability to post on the website for free, and each candidate will have a 300 word resume printed in the Newsletter for free, the flyer is in addition if they want to pay for it.

Paragraph six covered Candidate Nights and whether the Activities Director should coordinate.

Comments by David Bracken, we do not believe it is good practice to bring staff into a function.

President Alandar, I don't see a lot of support for that, the Activities Director will not coordinate Candidate Nights.

President Alandar, the Election Committee commented that many people turn in their ballots the day after they receive them therefore; there is no need for a two week spread between the Candidate Nights.

Secretary Norris, we need to make sure that the community is aware that there is going to be a Candidates Night prior to the ballots going out and after they receive their ballots if they choose to send in the ballot right away without attending a Candidates Night, it's their option.

President Alandar, right we will make sure and advertise all of this in the Newsletter.

President Alandar, the Election Committee advised last year there was a request for all three Candidate Nights to be held in January and they would like to do this again.

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Comments by Pat Bracken, we do have the Yacht Club reserved and it was extremely difficult to find dates we could hold them, because our choices were not usually available. We worked in what Irene Hart (Assistant Manager) could get for us.

Lots of Comments by Unknown Residents (failed to use microphone) comments illegible.

Comments by Pat Bracken, the first event is scheduled for Saturday, January 12<sup>th</sup>, after the Coffee Forum, the next date available was Friday, January 18<sup>th</sup> at 6:30 p.m., and the third is Thursday, January 24<sup>th</sup> at 6:30 p.m. We had wanted to later in the month and we were not able to get any available dates.

Comments by Jeanette Tasealane(sp), could we have a discussion about what the time line like, I don't understand why you would have an election in March and not have anything happen in February. So when do the ballots go out, how does this whole thing work?

Comments by Pat Bracken, we have tentatively set the date we would like to send ballots out on January 30<sup>th</sup>, they have to be sent out 30-days prior to the elections. That is not cast in stone.

Comment by Unknown Residents (failed to use microphone) No where in the CC&R's does it require 30-days prior?

Comments by Pat Bracken, it's a state law.

President Alandar, it is in the article of incorporation.

The end result was the VLPOA shall sponsor a series of three Candidate Nights; selected dates are Saturday, January 12<sup>th</sup>, Friday, January 18<sup>th</sup> and Saturday, February 9<sup>th</sup>. The February 9, 2008 Candidate Nights shall be held after the morning Coffee Forum and the scheduled Board Meeting shall be moved to the afternoon on February 9, 2008.

President Alandar, the Election Committee would like to keep the candidates seated as they appear on the ballots. Roseanne Fiebig rotated who spoke first on questions.

Comment by Joe McCord, (failed to use microphone) comments illegible.

Comments by Pat Bracken, I know Joe, but it's very difficult to see names, and last year people said it was extremely helpful the way the candidates were seated. And if you recall, Roseanne Fiebig did rotate, it was not always the person in the first seat, she would rotate them so that different people started each time. It helps people put a face with a name on the ballot.

Comments by Judy (Last Name Unknown), when your seated in the back and your eyesight isn't as good as it could be, and you remember the second guy from the right really made sense, and if they are seated the same way as the order on the ballot, that's one more way of being responsible.

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Comments by Unknown, sense the purpose of seating candidate in the same order is to allow the community to familiarize themselves with the candidates, if two or three candidates are not present at an event, should there be a space left for them with a name tag?

President Alandar, that would make sense, yes.

Comments by Bill Keitel, if a candidate can't make it, will they be allowed to have a representative there?

President Alandar, no.

Comments by Roseanne Fiebig, are you planning to put all the instructions in the ballot envelope, because that's going to make that envelop pretty heavy and costly to mail?

President Alandar, No, that was not our intent, we were just trying to come up with clear guidelines so that the Election Committee would have them and any one in the community would have them, so that everybody knows exactly how the election is going to be handled. Copies will be available at the Management Office and they will be available on the website.

Candidates shall be seated according to the order they are listed on the ballot, this will assist the community with recognizing candidates and allow for the rotation of which candidate shall speak first. Each candidate shall be given two (2) minutes for their opening comments and two (2) minutes for their closing statements. Either the candidate or the moderator may determine if a question is inappropriate (derogatory or insulting) or if it has already been answered.

Candidate Nights shall be limited to two and a half hours. Community attendees do not have to sign up to ask a question, but they may sign up to ask a question prior to the event, which will place them in a priority order to ask their question, or they may elect to ask a question after the list has been exhausted and if time allows.

Comments by Terry Stinson, I think 2-minutes is too much time for candidate comments. Candidates for the Board, as determining whether they are in good standing, is that public information as to whether they are current on their fees or not?

President Alandar, No sir, that is not public information.

Comments by Terry Stinson, on the proposed election document, Item #1 reads; Any home owner/resident of Ventana Lakes may run for a seat on the Board. I read this as and/or, owner and/or resident may run for the Board. Do we want a resident that is not an owner to be on the Board?

President Alandar, they have to be a home owner that is in the CC&R, not a resident.

Comments by Terry Stinson, so an absentee owner can run for the Board?

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President Alandar, Yes. That's why it's important to come to the Candidate's Night and ask questions.

Norris moved, Frenette seconded, TO ACCEPT THE PROPOSED CANDIDATE CAMPAIGN PROCEDURES AS AMENDED AT THIS SPECIAL MEETING.

**Motion Passed**

**Special Board Meeting adjourned at:** 6:00 p.m.

\_\_\_\_\_  
Lori Norris, VLPOA Secretary

Date: \_\_\_\_\_

Cassette(s) Submitted: \_\_\_\_\_  
(number) (initials)