

Elections Committee Meeting Minutes
August 7, 2018
12:30 PM - 2:30 PM Mezzanine Conference Room

Guest Attendees: Brent Collinson, Courtney Murrell, Benjamin Levine
Committee Attendees: Bette Rohrback, Maureen Warmerdam, Karolyn Gander

Member Comments

None

Inspector of Elections Report - Consultation with General Counsel re: Campaign Guidelines

Brent Collinson met with Curtis Sproul, General Counsel for Tahoe Donner Association concerning campaign guidelines specifically the use of email addresses during the campaign cycle. Mr. Sproul opined that once an email has been sent, that address is no longer 'private'. Attached is Brent's memorandum which summarizes the discussion. When we have received further information from Mr. Sproul after his review of current policies, Bette will draft language to add to the Campaign Fair Practices Guidelines. Once legal has reviewed, it will be presented to the board for approval.

Post-Election Candidate Interviews

Review and summarize feedback

The interviews were summarized in a report which was reviewed during the meeting. Changes for the 2019 cycle were highlighted and will be added to the Elections Timeline.

Define recommendations for change in 2019 cycle

The 2018 Elections Timeline will include the recommended changes.

Committee Member Roles

Bette remains Committee Chair (thank you!), Maureen and Karolyn remain Committee Members

Alternate Member Recruitment

Continue to recruit for alternate.

Elections Committee Mailbox

Organization

The committee agreed to have 17 topic folders with annual sub-folders within each topic. Karolyn will move emails to the appropriate folder.

De-activate?

The mailbox will not be de-activated and will be checked approximately weekly.

Fall Meeting Schedule

It was agreed that there is no immediate need for the committee to meet until December. Should any issues come up in the interim, a meeting will be scheduled.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Memorandum

To: Tahoe Donner Association Elections Committee
From: Brent P. Collinson, Of Counsel *B.C.*
Date: August 7, 2018
Re: Telephone conference with general counsel

QUESTION PRESENTED

Report on telephone conference with Curtis Sproul, General Counsel for Tahoe Donner Association.

ANALYSIS

Mr. Sproul and I spoke on August 1 regarding the possible need for new regulations or other actions regarding campaigning during the Board of Directors elections. I expressed the concerns that had been conveyed to the Committee regarding the use of e-mails during the campaigns; specifically, if e-mail addresses were used that had been obtained from the Association, including the various clubs.

Initially, when I explained that some members were concerned that their private e-mails had been used, he opined that once an e-mail has been sent, that address is no longer "private". He then continued with his opinion that if someone has been diligent in gathering e-mails over several years, they would have an extensive list and that it was doubtful (after the Committee's investigation and findings) that Association lists had been used.

He did say that he will review the current policies and rules and will make recommendations on whether any changes need to be made to them. He will contact Robb to obtain a copy of what is in place now.

We also discussed the *Worldmark* case and whether it applies to the Association. He felt that that Opinion could have been written more clearly, but based on its language, that holding would not be extended to a Property Owners' Association due to the difference in the number of members and the difference between a Property Owners' Association and a time share organization.

CONCLUSION

At this point, we should wait for his analysis of the current policies. In our meeting earlier today, we did discuss some additional concepts to improve the campaigning process and we will continue to develop those ideas to present to the Board.

###