

Tahoe Donner Board of Directors Election 2022 Elections Committee Summary Report

The Elections Committee carried out all aspects of the 2022 Board of Directors (BOD) election in compliance with California Law and the Tahoe Donner Association Election and Voting Rules, and as specified in the 2022 Election Timeline and Procedures (approved by the BOD in January, 2022). Salient events and outcomes are listed below.

1. The election cycle commenced on March 23, when candidate applications were made available to members. Several prior *Tahoe Donner News* articles written by staff and EC members encouraged applications. There were 25 downloads.
2. The nomination period closed at 10AM on April 22, 2022. Five candidates submitted applications and were certified to run for election. One applicant rescinded his application prior to the announcement of the candidate list for 2022. The final list of qualified candidates (order determined by blind drawing) was Cheryll Cross, Jim Roth, Benjamin Levine, and Eric Klein.
3. An informational forum for candidates to query the General Manager, staff, BOD representative, and committee chairs was held on April 28. The majority of candidates appreciated this event, found it useful, and provided positive reviews.
4. A Candidates Night forum, where topics submitted by members were addressed by candidates, was successfully held by ZOOM on May 28, 2022. This event received generally positive reviews by candidates and members.
5. A second Election Committee organized event, in which members posed questions in real time to candidates, was held via ZOOM on June 4, 2022. The event generated poor member attendance, harassment of a candidate by a member and mixed reviews by candidates. All candidates suggested alternate formats; one proposed eliminating the event.
6. The election concluded on June 26, 2022. Benjamin Levine and Jim Roth received the highest vote counts and were elected to the BOD.
(Appendix 1: Vote summary)
7. The election was certified by the Inspector of Elections and the Barnard Vogler Accountancy firm. Election results were announced at the Annual Meeting and, once certified, by email to HOA members.

8. Statistics: Voter turnout was 38.1%, with 2467 qualified ballots cast, of which 32 were cast for quorum purposes only. (Appendix 1)

9. Voter engagement in the BOD election has improved in recent years. While 2022 voter turnout (38.1%) was less than in the prior two contested elections (48.6% and 44.2%), collectively the 2019-2022 voter turnout average is 49% higher than the average of the prior ten years of contested elections.

(Average turnout (Appendix 2): 2019-2022: 43.6% +/- 5.3% n=3

2007-2018: 29.1% +/-2.9%) n=10

Election Issues Identified

In general, the 2022 election process ran smoothly. One concerning issue occurred with voter packet assembly by the Printer. Four ballot return envelopes were collated in incorrect voter mailing packets (involving two pairs of voters). Once the issue was reported, significant staff time and expense was required to communicate with the Printer, determine the extent of the problem, affect a remedy, and to contact those members affected. The Printer acknowledged that the error was theirs and not with TD-supplied voter information and compensated TD for expenses incurred.

Recommendation: Staff has recommended the Voter Packet printing contract be put out for bid in 2023.

Other significant issues identified by member emails to the EC, attendance data for EC candidate events, and the post-election member survey are:

- 1) Negativity of candidate campaigning
- 2) Unwanted campaign email
- 3) Poor member attendance and behavior at the June 4 EC candidate “Meet and Greet” event
- 4) Member inattention to how to access election information materials and contact the EC.

Negative campaigning: Tahoe Donner’s Campaign Guidelines, approved by the Board in 2021, with the 2022 election being the first contested election since the document was approved, expressly implore candidates to run positive campaigns, foster TD community cohesion, and avoid misrepresenting positions or demeaning other candidates. Further, the EC chair addressed this issue at the 2022 Candidate Information Forum and noted that in recent elections the EC has received many member complaints about candidate fliers, email, postcards, postings etc. that attack or otherwise demean other candidates and misrepresent

their positions. Members are clearly angered by this behavior and the EC received several reports and many survey comments about this behavior again for the 2022 election.

Recommendation: The EC plans to address the Campaign Guidelines directly and more fully in the 2023 Candidate Information Forum and include data on member responses to negative campaigning (email, fliers, etc.). Candidates need to understand this behavior clearly “turns off” voters, is viewed as unprofessional, and subverts member satisfaction with their Association.

Email, fliers and voter solicitation materials: opting out

The EC continues to receive inquiries regarding how member email addresses or other contact information was obtained by candidates. Members are “disturbed” (angered to irate) that this information was provided and complain of receiving unwanted and, in particular, negative campaign literature.

In the 2022 post-election survey, returned by 1008 members (84% of whom voted in the election), 46% of respondents indicated that the amount of email received from candidates was “just enough”, 20.4% too much, and 2.6% not enough. Respondents indicated that the issue wasn’t the amount of email, but the negative content that made email unwelcome. (Appendix 3, Member Survey Results).

Recommendation: The Marketing Department should continue an awareness campaign prior to and during the election cycle to make members aware that California state law requires that an official membership list that includes the addresses and email addresses of all TD members must be available to members on request and that members must opt out if they do not want their information distributed.

Additionally, the TD Voting Rules require candidates to provide an opt out option on all email that they send. The EC was informed that some candidates did not follow this requirement, although we were not able to verify this directly.

Recommendation: The Campaign Guidelines and Election and Voting Rules regarding opt out options that must be provided on campaign email (FCC regulation) should be further stressed by the EC at the Candidate Informational Forum and possibly via email reminders.

Poor turnout for ZOOM Meet and Greet Event and Harassment of Candidate

Recommendation: Examine scheduling of the event, and revising, replacing or eliminating it. If such an event is held, moderator training to silence offending members is advisable.

Member Information Issues and Requests:

- 1) Some members report not knowing how to access TD campaign event videos, election information, and candidate websites, or how to contact the EC, despite multiple TD email blasts and TD News articles highlighting this information.
- 2) A few member comments indicate misunderstanding of the BOD and staff involvement in the BOD election. (The election is orchestrated by a member-only committee appointed by the Board).
- 3) Electronic voting continues to be requested by members. (This is not allowed by CA law).

Recommendation: The EC and the Marketing Department have discussed generating an additional Election FAQ sheet and devoting one of the pre-election *TD News* articles to address these topics.

Ballot Drop Box

A ballot drop box continues to be suggested by members. The EC position is that it is as easy to post a ballot as it is to put it in a drop box at Northwoods Club House. Further, to avoid any inference that ballots are handled, tampered with or discarded by the EC, BOD, or staff (as has been alleged in the past), it is essential (and required by the Association By-Laws) that ballots be submitted to and logged in by an independent agency.

Recommendation: The EC will revisit the drop box issue for the 2023 election, considering a locked drop box only during the last days of the election when ballots posted might not be received by the deadline by the Accountancy firm. Potentially, the key to the box could be retained by the accountancy firm, with ballots recovered by the firm on the two dates when ballot counting occurs.