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June 29, 2022

Tahoe Donner Association  
Attn: David Mickaelian  
Attn: Annie Rosenfeld  
11509 Northwoods Blvd.  
Truckee, CA 96161

Via E-mail and first class mail

Re: 2022 Director Election Results

Dear Mr. Mickaelian and Ms. Rosenfeld:

As the inspector of the 2022 elections for two members of the Board of Directors of the Tahoe Donner Association, this letter will provide in writing a summary of the election procedure and the results of that election. Bill Saylor of Barnard Vogler & Co., an Accountancy Corporation (“the Accountancy Corporation”) has now provided me with the written, final, summary of the results; a copy of those results are enclosed with this letter. On June 26th, I announced the Preliminary results to the annual Membership meeting in person. I now enclose with this letter the final results, which are the same as what was presented on the 26th. As announced on June 26 and as set forth in the Independent Accountants’ Report from the Accountancy Corporation, Benjamin Levine and Jim Roth were elected to serve on the Board of Directors.

The procedures for the election and the election materials themselves were in compliance with California Law, including the relatively new requirements set out in California Senate Bill 323. Specifically, the ballots for the election did not contain any information that identified the voter by name, address, lot, parcel, unit or otherwise. The materials provided to the voters included a “ballot envelope” that was to be sealed and placed inside a return/outer envelope that had been preprinted with the address to return them to the Accountancy Corporation. Those outer envelopes also included the property owner’s name as well as the specific Tahoe Donner property description. It also included a space for the property owner’s signature as is required by California Law. After confirming with the Accountancy Corporation that a ballot for a specific parcel of property had not already been received, replacement ballots (with the necessary information on the “outer envelope” handwritten on that envelope) were provided to the member-voters that indicated that they had lost or misplaced their original election package. As also required by California Law, the ballots were opened and counted in a public meeting of the Association’s Board, under my supervision. The ballots were counted and the results were

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verbally announced in person, at the June 26th annual meeting of the members of the Association.

As Inspector of Elections, I reviewed and approved the notice to members regarding the ability to run for the Board, the election materials, including the ballots, ballot materials and Notice of the Annual Membership Meeting. This occurred prior to the materials being mailed to the members. From the information provided to me by both Tahoe Donner and the Accountancy Corporation, I determined that there were 6,475 memberships eligible to vote. Because at least twenty-five percent (25%) of the members must vote, the required quorum was 1,619 ballots. With my oversight, I confirmed that the ballots that were personally delivered (as opposed to being mailed to the Accountancy Corporation) were submitted during the noticed polling hours. I also oversaw the opening and counting of the ballots, performing my duties in good faith and to the best of my ability.

A Regularly Scheduled Meeting of the Board of Directors was held on June 24, 2022. That Meeting was open and noticed and any candidate or member could witness the opening, counting and tabulation of the ballots which I oversaw. A record was kept of the ballots so to confirm that only one ballot was received from each eligible parcel, allowing only one vote per parcel. The ballots that had been received as of that time were opened and separated in a fashion so as to maintain the secrecy of the individual ballots and voting members. The returned "outer" envelopes, after being checked to ensure that they were not duplicate ballots, were opened and the inner "ballot envelope" was then separately opened; this process was normally carried out by more than one person. The entire process was carried out so that the identity of the voter was kept separate and apart from that voter's actual ballot that was then tabulated.

The Annual Membership Meeting was held on June 26, 2022, which I also attended. At that Meeting (and at the June 24 Board Meeting), ballots were hand delivered. Those ballots were also separately opened and submitted to the Accountancy Corporation without the individual ballots being attributable to any one voter.

I was responsible throughout the voting process for hearing and determining any challenges or questions in any way arising out of or in connection with the right to vote or the validity of any ballot.

This process not only confirmed the validity of the ballots, but also that the entire election process was conducted with fairness to the members and candidates in accordance with California Law and Tahoe Donner Association's Governing Documents. Furthermore, I designated the Accountancy Corporation to hold the ballots for the entire election process as allowed by California Law.

As noted on the Independent Accountant's Report provided by the Accountancy Corporation, there were 2,467 ballots received, but 13 ballots were disqualified. 32 ballots were submitted for



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quorum purposes only, resulting in 2,435 ballots being cast. Proxy votes were not allowed, nor were write-in votes or cumulative voting allowed.

There were 4,643 total votes cast for candidates, 1,088 votes were cast for Cheryll Cross; 1,142 votes were cast for Jim Roth; 1,415 votes were cast for Benjamin Levine; and 998 votes were cast for Eric Klein. On June 26 and as noted above, Jim Roth and Benjamin Levine were the directors elected.

I have designated the Accountancy Corporation to be in custody of the ballots which they are to retain for one year (Civil Code Sections 5125 and 5145). After that one year has expired, the ballots, pursuant to Section 5125, shall be transferred back to the Association. There is no specification as to how long the Association is to keep the ballots nor is there any restriction on disposition of those ballots after that one year, although I do recommend keeping them for at least six months after that one year has elapsed.

Bette Rohrback, Nan Carnal, Maureen Warmerdam, Steve Meyers and Charlene Simmons acted as the Elections Committee for Tahoe Donner. I am available to meet with them and they will be meeting with the candidates in order to allow them to compile a list of suggestions for next year's election.

In conclusion, thank you for the opportunity to provide this service to Tahoe Donner. If you do have any further questions or comments, please do not hesitate to contact this office.

Yours truly,

A handwritten signature in blue ink that reads "Brent Collinson".

BRENT P. COLLINSON, Of Counsel  
Best Best & Krieger, LLP

cc: Barnard Vogler & Co. Accountancy Corporation (w/o Enclosure) via e-mail only  
Elections Committee via e-mail only

Enclosure  
BC/

TAHOE DONNER ASSOCIATION  
2022 Board of Directors Election Results

~~Preliminary~~  
Final 485  
6/27/22

EXHIBIT 1

<u>CANDIDATE (TWO POSITIONS OPEN)</u>	<u>VOTES</u>
CHERYLL CROSS	<u>1088</u>
JIM ROTH	<u>1142</u>
BENJAMIN LEVINE	<u>1415</u>
ERIC KLEIN	<u>998</u>
Total Votes for Active Candidates	<u><u>4643</u></u>

<u>QUORUM SUMMARY</u>		
<u>TYPE OF BALLOT</u>	<u>BALLOTS CAST</u>	<u>VOTES CAST</u>
Ballots w/Candidate Votes	<u>2435</u>	<u>4643</u>
Quorum Purposes Only	<u>32</u>	<u>N/A</u>
Totals	<u><u>2467</u></u>	<u><u>4643</u></u>
Members Eligible to Vote	<u><u>6475</u></u>	
Required Quorum 25%	<u><u>1619</u></u>	

<u>OTHER INFORMATION</u>	
Total Ballots Counted	<u>2467</u>
Disqualified Ballots	<u>13</u>
Total Ballots Received	<u><u>2480</u></u>