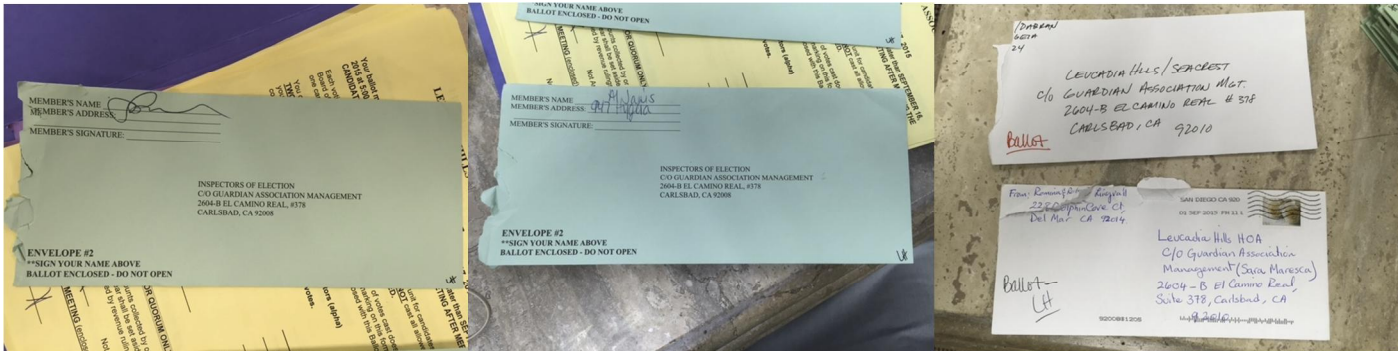


ELECTION ISSUES

ENVELOPES VERSUS BALLOTS

1. 30 Ballots cast and 28 envelopes and 1 proxy
2. 3 unsigned envelopes, 1 with no address



Inspectors can (and should) set aside and not count envelopes where they cannot identify the voter. To prevent voter fraud, the Davis-Sterling Act requires that owners identify themselves by name, address and signature. In the upper left hand corner of the second envelope, the voter shall sign his or her name, indicate his or her name, and indicate the address or separate interest identifier that entitles him or her to vote. (Civ. Code 5115(a)(1).)

CLOSING OF ELECTION

1. The Polls were never closed.
2. The ballots were counted and results were announced then an owner showed up 30-40 minutes late and their ballot was accepted and a new count and result was announced.

The Davis-Sterling Act requires that meetings of the membership be conducted in accordance with a recognized system of parliamentary procedure. (Civ. Code §5000.) As provided in Robert's Rules of Order, the chair of the meeting closes the polls. "When everyone appears to have voted, the chair inquires, 'Have all voted who wish to do so?' If there is no response, he says, 'If no one else wishes to vote . . . [pause], the polls are closed.'" (Robert's Rules, 11th ed., p. 415.) The Inspector of Elections makes the determination for when the polls close.

Reopening the Polls. If anyone arrives after the polls are closed and wants to cast a ballot, Robert's Rules provides that "if other members arrive who wish to vote, a majority vote is required to reopen the polls." (Robert's Rules, 11th ed., p. 415.)