

President's Statement Summarizing June 19, 2021 Ballot Counting and Annual Meeting

6/20/21

This statement is written by Kirk Johnson, who was the sitting HOA president through to the end of the Ballot Counting and Annual membership meeting on 6/19/21. As of the end of those meetings yesterday Kirk Johnson is no longer a director or president.

Attached to the end of this statement are the actual Counters' certified counting results.

Ballot Results Summary

- Total valid ballots counted by counters: 182
- Vote Item #1: "5 – Year Annual Assessments Increase" **passed** with 90 yes votes (required minimum was 78).
- Vote Item #2: "5 – Year Assessment Rates for Critical Capital Improvements" **failed** with 70 yes votes (required minimum was 78).
- Vote Item #3: "5 – Year Assessment Rates for Required Fund Items" **passed** with 89 yes votes (required minimum was 78).
- Vote Item #4: "One-Time Special Assessment: Winter Sanding Facility" **passed** with 87 yes votes (required minimum was 78).
- Vote Item #5: "One-Time Special Assessment: CCR Enforcement Against Lot 47, Division 1" **passed** with 98 yes votes (required minimum was 78).
- Voting Item #6: "To Waive, or not, the CPA Audit of Fiscal Year 2020/21": vote was TO HAVE the CPA audit (by a failure of enough votes cast in favor of waiving it).
- Directors voted on to the Board for the (7) open positions:
 - Jeff Click (110 votes)
 - Brett Coffman (107 votes)
 - Susan Stewart (101 votes)
 - Brian Rabe (98 votes)
 - Drew Sawchuk (97 votes)
 - Richard Lewis (96 votes)
 - Ryan Man (81 votes)

Ballot Count Meeting Summary

The original venue for the counting and open observation of it was to be at Rancho Grande restaurant in Oroville; 20 minutes before the scheduled 10:00AM counting the president relocated the meeting to America's restaurant in Oroville because the owner of Rancho Grande failed to show up for the agreed-upon meeting at his restaurant. The owner of America's restaurant – Luis Perez, who was also

an official counter – graciously spontaneously allowed the counting and observers to relocate to his restaurant. A sign was posted upon Rancho Grande's front door informing the change, and a volunteer HOA member manned the door until 10:37AM to send observers to the new counting venue.

At approximately 10:10AM HOA fiduciary Tamara Porter delivered the sealed box containing the mail-in ballots to the HOA secretary at America's restaurant; this 'chain of custody' transfer from independent fiduciary to HOA secretary was observed by all those present. The secretary then handed the sealed box to the non-interested volunteer counters (Luis Perez and Chris Wood) for them to commence counting procedures. In the audience present to observe the counting (at 10:37AM) were HOA members Rick Lewis, James Mathis (and an associate), Pam Lewis, Letitia Jeter, Gary McNulty, Todd Besaw, Nancy and Kirk Gilbertson, Richard and Rose Ostafin, Kim and Leo Culloo, Laree and Jeff Click, Larry and Vivian Swaren, and Kirk and Stacey Johnson. All members were present for the entire counting except for when stepping out momentarily for personal reasons, and to the best of my recollection all members were present in the room when counter Luis Perez read aloud the official final counting results. I witnessed that the secretary and at least one other observing HOA member audio recorded the counting and announcement of results. It is acknowledged that the entire membership was prior noticed that, due to CV19 restrictions, a limit of up to (25) members could observe the counting, and in fact less than that number did attend the observance of the counting; in other words, no one who wanted to observe the counting was turned away.

The counting and validating process, from start to finish, took more than 5 hours, which was far more time than expected or planned for. All HOA-required/sanctioned ballot counting and validation procedures were carefully and strictly followed by the counters using secretary-supplied official registered voter list. One aspect of the official counting procedure that did not get completed was this: at the end of the first counting of the ballots (the 5 hour mark) the counters stated they were unwilling to spend the time on this date to perform the second 'verification' counting of the ballots, which would have taken another 2.5+ hours. The counters then filled out and signed all official ballot tally and validation sheets and thereafter ceased procedures. In conformance with the HOA bylaws, the secretary then gathered possession of all ballots and envelopes and will now hold them securely until the newly elected BOD directs her to transfer the ballots/papers to the next secretary once such secretary is appointed into office by the newly elected BOD.

The counters expressed they were willing to perform the second 'verification' counting of ballots for the HOA at a later date.

Annual Membership Meeting Summary

People representing (69) HOA Lot votes, in person or by proxy, joined into the Zoom-only annual membership meeting by approximately 1:30PM, which was due to come to order after the ballot counting meeting completed. At that time both the president and the secretary were still administering the ballot counting meeting in person. At approximately 2:15PM it became apparent that ballot counting would need to continue for a substantial amount of time and therefore cause an even further large delay in the starting of the annual meeting. Upon this realization the president joined by phone live with the annual meeting Zoom administrators and members in attendance to

explain circumstances and seek resolution with the membership. It was informally resolved, by a feedback vote of all members via Zoom and at the ballot counting meeting by a vote of 63 to 23, to postpone the annual meeting until another date for as soon as practically possible, and as a result the meeting was not officially called to order today. The date for the new meeting will therefore be set by the newly elected BOD and the meeting will be chaired by the new president who will be duly appointed by the newly elected BOD. The following are some other impactful items and questions that were informally discussed between the Zoom members and the president at the time of the live Zoom interaction:

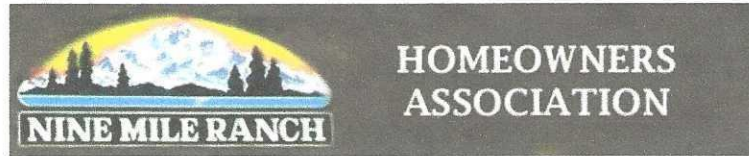
- It was clarified that the HOA secretary will hold the ballots and other tally information and certification forms, per HOA Bylaws.
- The president advised that it appeared, according to the tally results, that there was a clear indication of who at least a minimum quorum worth of directors was just duly elected, and that they along with the existing sitting (2) directors are more than enough valid directors to conduct HOA business from here forward. In other words, even without a second 'verifying' count by the counters the current single tallying appears clear enough to establish who the newly elected directors are because the victory margins are well beyond the amount of possible human error that may have occurred in the two volunteers counting the first time.



Kirk Johnson

date 6/20/21

First Count on 6/19/21



PO Box 332
Oroville, WA 98844
9mileranchhoa.org

Tally Totals and Certification of Ballot Count on June 19, 2021

Chris Wood and Luis Perez volunteered to be the HOA's official Counters for the ballots cast and counted on June 19, 2021. Mr. Wood and Mr. Perez are non-interested, non-Nine Mile Ranch, Oroville business owners.

Votes were tallied (counted) twice to confirm the results. The following were results of the ballot voting count at Rancho Grande in Oroville, WA. Note that additional ballot votes may be added to the above count outcome due to members voting at the Annual Membership Zoom Meeting. Counting was done in an open viewing forum with Association members attending. Votes tallied were from ballots received through mail to the independent fiduciary's PO Box and ballots received through the Secretary, and given to the Counters, directly from Association members.

Total Valid Ballot Cast: 182

Voting Item #1: 5-year Annual Assessment Rates: Vote passes with 25% (78) of the membership voting "yes".

Number of "Yes" votes: 90
Number of "No" votes: 84

Voting Item #2: 5-year Rates for Critical Capital Improvement: Vote passes with 25% (78) of the membership voting "yes".

Number of "Yes" votes: 70
Number of "No" votes: 104

Voting Item #3: 5-year Assessment Rate for Required Fund Items: Vote passes with 25% (78) of the membership voting "yes".

Number of "Yes" votes: 89
Number of "No" votes: 85

Voting Item #4: One-Time Special Assessment: Winter Sanding Facility: Vote passes with 25% (78) of the membership voting "yes".

Number of "Yes" votes: 87
Number of "No" votes: 92

Voting Item #5: One-Time Special Assessment: CCR Enforcement Against Lot 47, Division 1: Vote passes with 25% (78) of the membership voting "yes".

Number of "Yes" votes: 98
Number of "No" votes: 79

Voting Items #6: To Waive, or not, the CPA Audit of Fiscal Year 2020/21: Per RCW 64.38.45 (3) the audit can be waived (to not have) if 67% of the votes cast vote to waive the audit.

Yes (to waive) 101
No (to not waive) 75

Number of Votes for Director Candidates

Lauri Beaudry	<u>55</u>
Dennis Blaire	<u>66</u>
Ginetta Carnevale	<u>60</u>
Jeff Click	<u>110</u>
Brett Coffman	<u>107</u>
Nancy Gilbertson	<u>59</u>
Eldon Hunt	<u>59</u>
Richard Lewis	<u>96</u>
Ryan Man	<u>81</u>
James Mathis	<u>62</u>
Gary McNulty	<u>66</u>
Kate Naysnerski	<u>10</u>
Wayne Naysnerski	<u>16</u>
Brian Rabe	<u>98</u>
Drew Sawchuk	<u>97</u>
Susan Stewart	<u>101</u>
Marianne Walker	<u>30</u>
Deana Wirth	<u>68</u>

I certify that the vote tally is correct and that I performed my accounting according to the attached "Instructions for Ballot Counter: June 19, 2021".



Chris Wood

6/19/21
Date



Luis Perez

6/19/21
Date

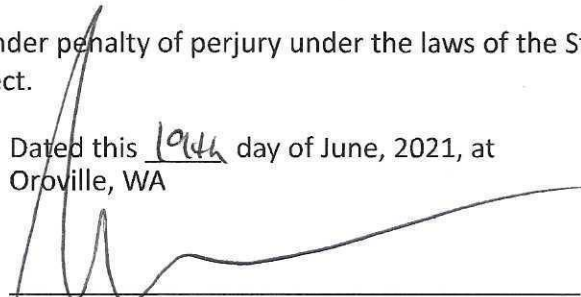
Declaration of Tamara Porter

I, Tamara Porter, performed the following fiduciary duties for the Nine Mile Ranch Homeowners Association (HOA) in support of their June 19, 2021 election:

1. On April 13, 2021 I leased the United States Postal Service PO Box 2030 to be used solely for receipt of HOA election ballot envelopes. No person other than myself has had the PO box key nor collected any envelopes from the PO box.
2. Between May 3, 2021 and 9:10 am (time) on June 19, 2021 (date) I collected all the ballot envelopes that were delivered via USPS into said PO Box (in addition to this please see #5 below).
3. After the time/date shown in #2 above I counted all envelopes received, completed this Declaration, placed all the envelopes and this Declaration in a sealed container, sealed the container with high-adhesion tape, wrote my name, date and signature upon the tape, and hand delivered the sealed container to Stacey Johnson on the morning of June 19, 2021.
4. The number of ballot envelopes I received and placed in the sealed container and delivered to Stacey Johnson was 174, plus the envelopes described in #5 below. I have no knowledge of what is inside of each envelope, I did not open any envelopes, and I delivered the envelopes to Stacey Johnson in the condition received.
5. In addition to the above I experienced the following anomalous events and took subsequent actions:
 1. On June 18, 2021 between 10:00AM and 11:00AM two ballot envelopes were delivered apparently by hand to my secretary at my place of business (Sun Lakes Realty in Oroville, WA).
 2. On June 18, 2021 I retrieved a 'USPO Priority Mail Express' notice from the 2030 PO box and subsequently retrieved a 'USPO Priority Mail Express' envelope with unknown contents in it.
 3. I placed the envelopes described in 5.1 and 5.2 above in the same sealed envelope described in #3 above.

In accordance with RCW 9A.72.085, I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this 19th day of June, 2021, at
Oroville, WA


signature



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Tally Sheet for Ballots Envelopes

June 19, 2021

Number of Ballot Envelopes received in container through the Secretary from Tamara Porter: 176.

Number of Ballot Envelopes received through the Secretary directly from members: 6

Total Number of Ballot Envelopes Received: 182

Signatures of Counters:


Chris Wood


Luis Perez

6/19/2021

Date

6/19/2021

Date



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Secretary Notes for Ballot Count on June 19, 2021

The following figures were communicated to the Secretary from the Ballot Counters. This form is to facilitate any questions that may arise regarding the ballot count.

Number of ballot envelopes containing more than one ballot: 3
Names of Member:

Number of invalid/rejected Ballot Envelopes: 3
Not filled out properly: _____
Voted more than one ballot: _____
Suspended voting privileges: 2
Other: 1 sold

Number of invalid/rejected Ballots: 0
Voted yes and no for same voting item: _____
Voted for more than 7 Directors: _____
Other: _____

Number of Votes Cast a Zoom Meeting following the in-person Ballot Count: 0/A



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Instructions for Ballot Counters: June 19, 2021

1. **Count ballot envelopes:** (initials: LA LA)
 - Count number of ballot envelopes received through the Secretary from Tamara Porter. Write number counted on "Tally Sheet for Ballot Envelopes" provided.
 - Count number of ballot envelopes received through Secretary directly from members. Write number on "Counters' Tally Sheet for Ballot Envelopes" provided.
 - Total and sign "Counters' Tally of Ballot Envelope Sheet" provided.
2. **Validate Ballot Envelopes:** (initials: LA LA)
 - Confirm envelope is dated and signed properly, and
 - Using provided Master Member List, check off name of member on List. Set aside envelopes that:
 - are not signed and dated properly,
 - members that have cast more than one ballot,
 - members who have their voting privileges suspended (yellow highlighted on master member list)
 - *Write on rejected envelopes reason why envelope is rejected. Place in separate pile.*
3. **Open Envelopes:** (initials: LA LA)
 - Make two separate piles: one for validated envelopes and one for ballots to be counted.
 - If more than one ballot is in an envelope notify the Secretary so this can be recorded. After you notify the Secretary place said ballots in pile with other ballots to be counted.
4. **Tally Ballot Votes:** (initials: _____ LA)
 - Tally votes on provided "Tally Sheet for Ballots".
 - Counting will be performed twice. Counter One will read vote out loud to Counter Two who will make vote on Tally Form. Reverse Counters to repeat tally thus counting twice.
 - Total Tally Forms.
 - Set aside invalid Ballots during counting process. Invalidation would include:
 - Voting both "yes" and "no" for a voting item.
 - Voting for more than 7 Directors
5. **Complete "Tally Total and Certification of Ballot Count" Form** (initials: _____ LA)
 - Complete, sign & date "Tally Total and Certification Ballot Count" provided.
6. **Place All Envelopes and Ballots in Container** (initials: _____ LA)
 - Bundle the following and place in container:
 - Validated envelopes
 - Validated, counted ballots
 - Rejected envelopes
 - Rejected ballots
 - Seal container with tape, sign and date the tape with marker provided.
7. **Read Out Loud Results from "Tally Total and Certification of Ballot Count Form".**