



## **AGENDA**

### **Nominations & Elections Committee**

Monday, October 17, 2022

1:30pm

West Center, Room 2 / Zoom

GVR's Mission Statement: "To provide excellent facilities and services that create opportunities for recreation, social activities, and leisure education to enhance the quality of our members' lives."

**Committee:** Beth Dingman (Chair), Gail Ault, Barbara Blake, Regina Ford, Marilyn Luehrmann, Arthur Mournian, Lou Sampson, Gail Vanderhoof, Scott Somers (CEO), Nanci Moyo (Administrative Supervisor/Liaison)

#### **Agenda Topic**

#### **1. Call to Order / Roll Call - Establish Quorum**

#### **2. Approve Meeting Minutes:** September 19, 2022

#### **3. Chair Comments:** N&E Changed Meetings: January 19, Thursday and February 13, Monday due to Monday Holidays

#### **4. Business**

- a. Reports from Work Groups: Mailings/Flyers/Pancake Breakfast/PSA
- b. Legal Comments on Telephone Voting
- c. Form Work Group on Ballot Logistics
- d. Committee to Organize November 9 Prospective Candidates Info. Session
- e. Set Record Date

#### **5. Member Comments**

#### **6. Adjournment**

**Next Meeting:** Monday, November 21, 2022, Zoom, 1:30-3:00pm





## MINUTES

### Nominations & Elections Committee

Monday, September 19, 2022, 1:30pm  
WC Room 2 / Zoom

**Attendees:** Beth Dingman (Chair), Gail Ault, Barbara Blake, Regina Ford, Marilyn Luehrmann, Arthur Mournian, Lu Sampson, Gail Vanderhoof, Nanci Moyo (Liaison)

**Visitors:** 2

- 1. Call to Order/ Roll Call – Quorum:** Chair Dingman called the meeting to order at 1:32pm MST. Roll call by Nanci Moyo. Quorum established.
- 2. Approve Meeting Minutes: May 16, 2022, and July 18, 2022**  
**MOTION: Vanderhoof moved / seconded to approve May 16, 2022, Meeting Minutes as presented.**  
**Passed: 7 yes / 1 abstain (Luehrmann)**  
**MOTION: Dingman moved / seconded to approve the July 18, 2022, Meeting Minutes as presented.**  
**Passed: unanimous**
- 3. Chair Comments:**
  - Will be coming back to Green Valley at the end of November.
  - Suggested forming work groups for recruiting to write letters to Club and HOA Presidents, creating a flyer to hand out at events, and election protocol.
- 4. Business**
  - a. Recruiting Ideas and Organization
    - A work group was formed with Gail Ault, Lu Sampson, Barbara Blake and Regina Ford to write the letter and work to get it out in the mail by first of October for promoting running for Board Director positions. The N&E Committee will proof the letter and approve for distribution.
    - Natalie Whitman, Communications Director, shared the Communication Plan for the election season. All GVR communication platforms, in late October and early November, will include announcements of openings for Board Director positions and include the Candidate Briefing on November 9. There are radio spots that are budgeted for later in the election season to encourage people to vote. All election promotions and announcement of events for the eBlast and GVRNow! will be written by staff.
    - A suggestion was made for doing Public Service Announcements (PSA) on the radio to encourage people to run for the Board Director positions. Regina Ford will talk to the radio station regarding this opportunity.
    - Green Valley Council is holding a Pancake Breakfast on October 14 and Barbara Blake will be at the breakfast to hand out flyers to promote Board

Director position interests. Gail Ault and Gail Vanderhoof will help with creating the flyers.

- Two others dates for handing out flyers could be the opening of the East Center Pool and the opening of the Del Sol Clubhouse.

b. Organize Candidate Briefing November 9, 1:00pm, Room 2  
Discussion will be moved to the October N&E Meeting.

c. Election Process Overview

- Options for Paper Ballot distribution: 1) Every Annual Meeting Announcement mailed out has a paper ballot with a pre-paid return envelope. For every ballot returned in pre-paid envelope costs GVR \$1. 2) Put information in the Dues mailing regarding how to request a paper ballot and have a final request date right before voting begins. Members would receive paper ballot sooner with a final date for returning. 3) Send out a paper ballot to everyone that does not have an email address on file.
- Consensus of the Committee was not to send out a paper ballot in the Annual Meeting Announcement. Preferred method was to send out an announcement in the Dues mailing.
- In the Annual Meeting Announcement all the ballot information should be included: All candidates names and any other topics included on the ballot.
- Put an announcement in the eBlast that the Annual Meeting Announcement and voter information has been sent out, and encourage people to watch for it in the mail.
- Next meeting form a work group to go through the details of the election and when mailings should go out for the election announcement.

**MOTION: Mournian / seconded to have the attorney asked if telephone voting is appropriate in Green Valley according to the GVR Bylaws.**

**Passed: unanimous**

- Suggestion made for the N&E Committee to make up a protocol for election process to pass to future N&E Committees to use and/or improve as necessary.
- The forums need to be done differently and not ask the same questions at different forums. Allow an open forum with candidates at tables and members going to the candidates to ask the questions.

**5. Member Comments:** 2 comments

**6. Adjournment**

**MOTION: Blake moved / seconded to adjourn the meeting at 2:36pm MST.**

**Passed: unanimous**

**Next Meeting:** Monday, October 17, 2022, WC Room 2 / Zoom, 1:30-3:00pm



Green Valley Recreation, Inc.

**N&E Committee**

**Legal Comments on Telephone Voting**

**Prepared By:** Nanci Moyo, Admin. Sup.

**Meeting Date:** October 17, 2022

**Presented By:** Nanci Moyo, Admin. Sup.

<p><b>Originating Committee / Department:</b> N&amp;E</p>
<p><b>Action Requested:</b> Review James Hazlewood’s email (below) regarding telephone voting.</p>
<p><b>Strategic Plan Goal:</b> GOAL 5: Provide sound, effective governance and leadership for the corporation</p>
<p><b>Background Justification:</b> Vote-Now has offered telephone voting as another way to vote in the GVR Elections. After consultation from the legal counsel, it is clear that voting by telephone is not possible with GVR due to Arizona Statutes and the GVR Bylaws.</p>
<p><b>Email from James Hazlewood – Legal Counsel:</b> Voting by telephone is not something contemplated by the Nonprofit Act, which is why it is not in the Bylaws.  The Nonprofit Act at 10-3708 permits voting outside of a meeting by <i>written</i> ballot unless prohibited or limited by the articles or bylaws.  That same section permits a “vote by electronic means” without a meeting, i.e. delivery of the written ballot by an online voting system that authenticates the member’s identity, authenticates the validity of the vote to ensure it is not altered in transit, and transmits a receipt to each member who casts an electronic vote. There are companies that handle this form of voting.  Section 10-3708 permits obtaining and casting a <i>written</i> ballot through “some other form of delivery” including U.S. mail and fax transmission.  Article XI Section 2 of the Bylaws is consistent with all of that.  Section 10-3704 also permits “action by <i>written</i> consent” without a meeting – particularly useful for voting where there is a large percentage (at least a majority) of all members needed, not a vote with a quorum.  In my opinion there can be no “vote by telephone”. It does not appear to fit within the statutory requirements for written ballots and the safeguards that go with them.  After a brief review I did not even find telephone voting as a method offered for voting by the disabled in public elections. There are other methods and other personal assistance offered. Therefore, I do not believe that voting by telephone would be a reasonable accommodation for a disability under the Fair Housing Act either. I have not even seen such a request in 30 years.</p>



Green Valley Recreation, Inc.

## N&E Committee

### Set Record Date

**Prepared By:** Nanci Moyo, Admin. Sup.

**Meeting Date:** October 17, 2022

**Presented By:** Beth Dingman, Chair

<p><b>Originating Committee / Department:</b> N&amp;E</p>
<p><b>Action Requested:</b> Set a record date of January 30, 2023, to recommend to the Board of Directors for approval at the October 26, 2022, Regular Meeting.</p>
<p><b>Strategic Plan Goal:</b> GOAL 5: Provide sound, effective governance and leadership for the corporation</p>
<p><b>Background Justification:</b> Every year the Board of Directors needs to approve the record date provided by the N&amp;E Committee or choose another date to be approved. The CPM states: Recommend to the Board a record date to determine the eligible roster of voting members which shall be no more than thirty (30) days prior to the election. If the Board fails to set a record date, the record date shall be the date of ballot delivery.</p>
<p><b>Recommended Motion:</b> Move to approve January 30, 2023, as the record date to recommend to the Board of Directors for its approval.</p>