

Policy # 107
Director Election & Ballot Policy
Reviewed & Approved Annually
Effective January 1, 2022

Policy & Objective: To establish procedures for the election of White River Electric Association Inc., Board of Directors.

Responsibility: The Board of Directors will be responsible for the enforcement of this policy.

1. **Notice of Election:** The date of the election, shall be fixed and posted on the WREA's website, and otherwise publicized no less than six months before the election. The posted election information shall include the ballot mailing deadline which shall be posted on the website at least three months before the deadline and shall remain so posted until after the election.
2. **Elections:** Elections may be held by paper ballot or by electronic means. WREA elections may be held as a part of an in-person Annual Meeting or associated with an Annual Meeting Video presentation.
3. **Information on Candidate & Election Process:** Information on how to become a candidate and the schedule for elections shall be communicated to each member in a mailing and on WREA's website no less than two months before petitions to become a candidate are due.
4. **Nomination – Candidates:** Each year, the Board of Directors shall call for nominations of Director Candidates for the Board of Directors by a notice posted at WREA's principal office, a notice posted in a newspaper of general circulation within the territory served by the WREA, and by posting on the WREA's website.
5. **Nomination by Petition:** A nomination for Director shall be made by written petition signed by at least fifteen WREA members and filed with the Board of Directors not later than **sixty (60)** days prior to the date of the election. Any petition so filed shall designate the name of the nominee and the term and district for which nominated.
6. **Director Districts (Town of Meeker and Rural):** Such candidates shall be apportioned between the two WREA districts (Town of Meeker District and Rural District) on the basis of the membership in each, so to give the members of the Cooperative living within the Town limits of the Town of Meeker, the Rural District, or any additions thereto, representation on the Board of Directors in proportion to the total membership of the Cooperative. Within each of the said districts such candidates for election on the Board of Directors shall be elected, as nearly as may be done, so as to give the representation on the Board of Directors to the various geographical portions of said District.
7. **Director Residency:** Directors and Director Candidates must be a bona fide resident within the District as to which they represent or seek election.
8. **Director Election Ballots:**
 - a) Ballots shall list the names of the candidates for each District (Town of Meeker District and Rural District) randomly in a manner that does not automatically assign the top line to the incumbent.
 - b) The candidates shall be grouped under the District and term of office for which they are candidates for election.
 - c) The Town of Meeker District shall be listed before the Rural District
 - d) Candidates who are currently directors shall have "Incumbent" listed adjacent to their name on the ballot.

- e) Candidates using a nickname, which by custom or usage becomes a part of their name, may be shown on the ballot. (For example: Hal C. (Tom) Pearce, Ira C. (Pat) Johnson)

9. One Vote Per Membership: Each member of the association shall be entitled to vote in the election of directors on the board of directors either at a meeting held for such purpose or by mail, but not both. Jointly held memberships shall be entitled to one vote. A member who has voted by mail shall not be entitled to vote at the meeting.

10. Election Judges & Clerks: WREA General Counsel will meet with the Election Judges & Clerks prior to the Annual Meeting to outline the process, procedures, and legal parameters of the election process. The Election Judges and Clerks shall be approved by the WREA Board of Directors at the regularly scheduled Board meeting prior to the election.

11. Election Process:

a) **Electronic Election:** WREA elections may be held electronically. The WREA Board shall approve the electronic election process prior to the election.

b) **Mailed Ballots:** If the election is conducted by mailed ballot, WREA shall receive the mailed Director election ballots by 11:30 a.m. on the day of the meeting held for such purpose. Mail voting shall be on printed ballots provided by WREA. The mail ballot shall be voted by the member, placed in a special envelope provided for the purpose so to conceal the marking on the ballot, deposited in a return envelope which must be signed by the voting member, and mailed/delivered back to the Association.

1. **Mailed Ballot Storage:** Ballots shall be collected and stored in a manner that protects the privacy of their content.

2. **Mailed Ballots:** A specific color of ballot paper will be selected for mailed ballots. If applicable, a different color of ballot paper will be selected for voting at the Annual Meeting.

3. **Election Observance:** All candidates for the board of directors, or their designee, shall be given the opportunity to be present to observe their tabulation of the vote count. If a candidate wishes to be present for the vote count, the candidate shall submit a written request to be present (or a named designee) for the vote count one week prior to the election.

c) **Miscellaneous:** Other election procedures not covered within this Policy may be adopted by the Board of Directors or may be outlined by management in writing in advance of the Annual Meeting. WREA shall retain a copy of such written procedures and shall post any said procedures on the WREA website at least seven days prior to the Annual Meeting.

d) Vote Count - Recount - Tie Vote:

1. The number of candidates to be elected from each of the said Districts, who receive the highest number of votes for the specified term of office, shall be considered elected as Director(s).

2. A recount of any election contest shall be held if the difference between the highest number of votes cast in that election contest and the next highest

number of votes cast in that election contest is less than or equal to one-half of one percent of the highest vote cast in that election contest or if the difference between the highest number of votes cast in that election contest and the next highest number of votes cast in that election contest is five votes or less.

3. If there is more than one person to be elected in an election contest, a recount shall be held if the difference between the votes cast for the candidate who won the election with the least votes and the candidate who lost the election with the most votes is less than or equal to one-half of one percent of the votes cast for the candidate who won the election with the least votes or if the difference between the votes cast for the candidate who won the election with the least votes and the candidate who lost the election with the most votes is five or less.
4. A recount shall occur only after the Election Judges and Clerks of the Election has certified the original vote count.
5. If after certification of the original vote and recount there is a tie vote, the names of the candidates with the tied votes shall be placed for drawing by lot. The Election Judge shall draw by lot the name of the candidate that shall be deemed the elected Director.
6. The Election Judge and Clerk shall notify WREA's General Counsel of a recount, and the General Counsel shall attempt to notify the candidates subject to a recount prior to the actual recount at their designated contact point.

e) Election Results:

- a. The ballots shall be counted promptly after the Annual Meeting of the Membership, and the vote count shall be certified by the Election Judges and Clerks of the Election.
- b. After certification of the election, the Election Judges, Clerks of the Election or its designee shall notify WREA's General Counsel of the election results. WREA's General Counsel shall then notify the current President of the Board of Directors by phone or in person of the election results.
- c. After notification to the President of the Board of Directors, and the General Manager, the General Counsel shall notify the candidates by phone or in person of the election results at their designated point of contact.
- d. After notification to the President of the Board of Directors, General Manager and candidates, the election results shall be posted on WREA's front door and website.