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SUBJECT: Absentee Ballots

POLICY:

Background:

Article III, Section 7 of the Bylaws of the Delaware County Electric Cooperative (the Cooperative) describes a member's rights and responsibilities related to absentee balloting. This policy provides rules and procedures, which shall be followed by staff of the Cooperative when administering the absentee ballot process.

The Bylaws specify the following timeline for mail-in absentee ballots:

- (a) The Cooperative must receive from the member a completed absentee ballot request form at least twenty (20) days prior to the Membership Meeting.
- (b) Upon receipt, the Cooperative will provide an official absentee ballot to the member.
- (c) The Cooperative will accept a properly completed absentee ballot only if it is received within the office of the Cooperative by no later than the close of the 4th business day preceding the day of the Membership Meeting.

The Bylaws specify the following timeline for in-person absentee ballots:

- (a) The member may appear, in person, at the office of the Cooperative, verify his or her identity by presenting a government issued photo identification, request the absentee ballot, complete the absentee ballot, and return it to the office of the Cooperative by no later than the close of the 4th business day preceding the day of the Membership Meeting.
- (b) Absentee ballots shall be made available to members at the office of the Cooperative starting at least 20 days prior to the Membership Meeting.

The Bylaws specify the following requirements and limitations on the process:

- (a) Upon the Cooperative's receipt of an absentee ballot, a member may not revoke an absentee ballot and vote at the meeting regarding the matter described in the ballot.
- (b) The absentee ballot must: (1) set forth and describe a proposed action, identify a candidate(s) and include the language of a motion, resolution, Bylaw Amendment, or other written statement, upon which a Member is asked to vote or act; (2) state the date of a Membership Meeting at which the members are scheduled to vote or act on the matter; (3) provide an opportunity to vote for or against, or to abstain from voting on, the matter; (4) instruct the member how to complete and return the absentee ballot; and (5) state the time and date by which the Cooperative must receive the complete absentee ballot.

Article I, Section 3(C) states that an absentee ballot executed by either or both joint members shall constitute one joint absentee ballot.



Procedure:

To facilitate voting by mail-in absentee ballots:

The Cooperative shall send absentee ballot request forms to all members of the Cooperative in an edition of the Catskill Hi-Line newsletter that is scheduled to be mailed at least 45 days prior to the Annual Meeting of Members and by paper or electronic means such as but not limited to regular e-mail, electronic billing notices, the Cooperative's website, social media platforms, and paper bill inserts. The request form shall require the member's name, address, and account number. The form shall also provide the due date for the request form, which shall be the last business day at least 20 days prior to the Members Meeting.

Upon receipt of each request form, the Cooperative shall confirm that the request form was submitted by a member in good standing and that all required information was provided. In cases where the request form is missing required information or when the form was submitted by someone other than a member in good standing, the Cooperative shall make a good faith effort to contact the person who submitted the request form with the goal of providing members an opportunity to exercise their right to submit absentee ballots.

Upon confirmation that a member has submitted a properly completed request form, the Cooperative shall add the member's name and account number to the Absentee Voters List and the absentee ballot shall be given an Absentee Ballot Number. The Absentee Ballot Number will be used to track which members return absentee ballots, because members may not vote by absentee ballot AND in person at the Members Meeting.

Within 3 days following the due date for the absentee ballot request form, the Cooperative shall send absentee ballot packets to all members who submitted properly completed request forms. The absentee ballot packet shall include the following:

- (a) Instructions, which shall include the due date, which shall be the close of the 4th business day preceding the day of the Membership Meeting.
- (b) An absentee ballot
- (c) A Secret Ballot Envelope in which the member will place his/her completed absentee ballot. The Secret Ballot Envelope should be marked with language such as "PLACE YOUR SECRET BALLOT INSIDE THIS EVELOPE AND SEAL BEFORE MAILING" and shall also be marked with the Absentee Ballot Number associated with the member. The Absentee Ballot Number will be used to track which members return absentee ballots without violating the Cooperative's Bylaws.
- (d) A mailing Envelope pre-addressed to "Delaware County Electric Cooperative, Inc., PO Box 471, Delhi, NY 13753, attention Member Services." The instructions should instruct the member to place his/her sealed Secret Ballot Envelope inside their Mailing Envelope before mailing the sealed Mailing Envelope to the Cooperative.

The Cooperative shall open Mailing Envelopes, but not Secret Ballot Envelopes, as absentee ballots are received in the mail. The Absentee Voter List shall be updated to record which Absentee Voters have returned Secret Ballot Envelopes. The unopened Secret Ballot Envelopes shall be placed daily in the Cooperative's safe, where they shall remain until opened by the



Cooperative's attorney or by Tellers¹ under the supervision of the Cooperative's attorney. Once Secret Ballot Envelopes are opened, absentee ballots shall be handled and stored in a manner to avoid them being seen by anyone other than the Cooperative's attorney and the appointed Tellers.

To facilitate voting by in-person absentee ballots:

The Cooperative shall make absentee ballot request forms available to any member at the office of the Cooperative starting at least 20 days prior to the Membership Meeting. Upon receiving completed absentee ballot request forms from members in-person at the office of the Cooperative, the Cooperative shall require the member to present a government issued photo identification to verify that the person submitting the request form is the member whose name is listed on the absentee ballot request form. The Cooperative shall confirm that the request form was submitted by a member in good standing and that all required information was provided. In cases where the request form is missing required information or when the form was submitted by someone other than a member in good standing, the Cooperative shall immediately notify the person who submitted the request form of any deficiency, to give them a chance to re-submit the request form in a timely manner.

Upon confirmation that a member has submitted a properly completed request form, the Cooperative shall add the member's name and account number to the Absentee Voters List and the absentee ballot shall be given an Absentee Ballot Number. The Absentee Ballot Number will be used to track which members return absentee ballots, because members may not vote by absentee ballot AND in person at the Members Meeting.

After assignment of an Absentee Ballot Number, the Cooperative shall hand the Absentee Ballot and the Secret Ballot Envelope directly to the member. The member shall complete the Absentee Ballot at the office of the Cooperative, insert it into the Secret Ballot Envelope and hand it to the Cooperative staff person. The Absentee Voter List shall be updated to record which Absentee Voters have returned Secret Ballot Envelopes. The unopened Secret Ballot Envelopes shall be placed daily in the Cooperative's safe, where they shall remain until opened by the Cooperative's attorney or by Tellers under the supervision of the Cooperative's attorney. Once Secret Ballot Envelopes are opened, absentee ballots shall be handled and stored in a manner to avoid them being seen by anyone other than the Cooperative's attorney and the appointed Tellers.

On the day of the Members Meeting, the Cooperative shall utilize the Absentee Voter List to prevent members having submitted absentee ballots from also receiving ballots to vote in person.

Absentee ballots shall be taken to the Members Meeting to be handed over to the Tellers. The Cooperative's attorney or the appointed Tellers under the supervision of the Cooperative's attorney shall complete the opening and counting of absentee ballots on the day of the Members Meeting and no later than the time during the Members Meeting when in-person ballots are counted. The opening of absentee ballots may be performed at the Cooperative's office prior to

¹ Tellers are members of the Cooperative who are appointed by the President of the Board or by the full Board of Directors, either prior to or during the Members Meeting. Tellers volunteer to assist with or observe the ballot collection and counting process. Any member present at the Members Meeting is eligible to volunteer to serve as a Teller, regardless of whether other Tellers have already been appointed prior to the Members Meeting. There shall be a minimum of 3 Tellers.



the Members Meeting or at the location of the Members Meeting during the Members Meeting. The Cooperative's attorney shall be available to inspect absentee ballots to confirm that ballots are properly completed and signed. Only appointed Tellers and the Cooperative's attorney shall be allowed to view absentee ballots so that the secrecy of the ballots is maintained.

Ballots shall be kept in a secure location at the Cooperative for a period of at least sixty (60) days and no more than thirteen (13) months after the annual meeting to allow for challenges to the voting process. Thereafter, they will be destroyed.

DELAWARE COUNTY ELECTRIC COOPERATIVE, INC

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