AMERICAN MORGAN HORSE ASSOCIATION STANDARD OPERATING PROCEDURE	
SOP NUMBER: A33	VERSION: 2
TITLE;AMHA ELECTIONS RECOUNT, REVIEW OF VOTER LIST COMBINES SOP A 17,18	APPROVED BY AMHA BOARD
AUTHOR: LINNEA SIDI	DATE APPROVED:2.2015
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TITLE: RECOUNT

1. PURPOSE: To document the policy and process regarding requests for election recounts
2. SCOPE: This procedure applies to request for recount of ballots for election of directors and any other business to be voted by the membership at the Annual Meeting of Members.
3. PREREQUISITES: Request for recount of election results must be made in writing by a candidate in the current election
4. PROCEDURE:
    a. Candidate must formally notify AMHA Executive Director in writing within 48 hours following announcement of final election results to request an election recount
    b. The Executive Director will verify that the individual was a duly qualified election candidate and will notify the Tabulator of the request for a recount, which will necessitate the preservation of ballots at least until completion of the recount or as provided by the AMHA bylaws, whichever is longer.
    c. Within 48 hours of receipt of a written request for a recount and filing of a security deposit, the Executive Director shall send notice of the request to the Tabulator and to all candidates in the contest to be recounted

d. Within 48 hours of receipt from the Tabulator the date, time, and location for the recount to be completed, the Executive Director shall send notice to all candidates in the contest to be recounted

   i. The notice must include the date, starting time, and location of the recount, the contest to be recounted, and the name of the official performing the recount

   ii. The notice must state that the recount is open to attendance by all candidates affected. . Regardless of attendance, all candidates affected will receive a report of the outcome of the recount

   iii. No candidates, unless affected or persons other than those required as defined below may be in attendance during the recount

   iv. The AMHA and/or Tabulator shall require a security deposit to be paid by the person requesting the recount and shall set the amount of security deposit at an amount that will cover expected recount expenses

   v. The security deposit must be provided to the AMHA office within 48 hours of the candidate filing the written request for the recount

e. Unless the actual outcome of the recount annuls the election or declares as elected the challenging candidate rather than the person whose election is contested, all costs and expenses deemed reasonable and proper shall be assessed to the person requesting the recount

   i. In the event that the challenging candidate is declared as elected based on the recount, but the original count by the Tabulator was within the Tabulator's reasonable contractual margin of error, the candidate requesting the recount shall still be assessed all costs and expenses deemed reasonable and proper

ii. In determining the expenses of the recount, compensation for services and actual recount expenditures incurred by the Tabulator, AMHA legal counsel, any appointed recount official(s), legal counsel for the recount official(s), and/or assistants to these officials during or in connection with the recount shall be assessed to the candidate requesting the recount

iii. General office and operating costs may not be taken into account

iv. If the security deposit exceeds the amount of expenses, costs, and compensations for individuals providing services or assisting in the election recount, the excess monies shall be returned to the person requesting a recount

v. Any and all personal expenses incurred by the candidate or their legal counsel or other representative or advisor shall be the responsibility of the candidate requesting the recount

f. Upon formal notice by the candidate requesting a recount or his/her legal representative, AMHA will provide to the Tabulator any records required for recount purposes that are not already possessed by the Tabulator.

g. The recount will be conducted by the Tabulator, or another recount official who is not a member of AMHA (and who has not been a member of AMHA for at least 5 years) as deemed appropriate by the Tabulator.

h. At the opening of a recount, the Tabulator or his adviser shall present the procedures contained in this SOP for the recount. The Tabulator shall make available for the recount the summary statements, containers or stacks of voted ballots, and any other election materials required to complete the recount.

i. No ballots or election materials may be handled by candidates or their representatives

ii. The recount official shall arrange the recounting of the ballots (hard copy and electronic) so that candidates and their representatives may observe the ballots as they are recounted

iii. If other election materials are handled or examined by the recount official, the candidates and their representatives may observe them

iv. The recount official shall ensure that candidate observation does not interfere with the recounting of the ballots. The recount official shall prepare a summary of the recount vote, to be delivered to the Executive Director and the Board President

i. During the recounting of the ballots, the manner in which a ballot is counted may be challenged by the person who requested the recount or that person's representative

i. Challenges may not be automatic or frivolous and the challenger must state the basis for the challenge

ii. The reason for the challenge and the name of the person challenging the ballot must be marked on the back of each challenged ballot before it is placed in an envelope marked "Challenged Ballots" If this is in electronic form, there will be a note added citing the reason for the challenge in the electronic file.

iii. After the recount of votes for the region has been determined, all ballots except the challenged ballots must be returned with the other election materials to the tabulating agent. The challenged ballot envelope must be sealed and kept secure for presentation to the AMHA Executive Director/Board President and/or AMHA legal counsel for determination of the eligibility of the ballot to be counted. The standard Chain of custody must be observed. If the challenged ballot is in electronic form, the official performing the recount will forward the pertinent electronic file to the Executive Director.

5. ROLES & RESPONSIBILITIES:
    a. Candidates for the board of directors are responsible for notifying AMHA Executive Director in writing to request a recount of ballots .
    b. AMHA Executive Director will be responsible for:
        i. verifying requestor is a duly qualified candidate from the election and is therefore eligible to challenge the election
        ii. informing tabulating agent
        iii. maintaining all records related to the election, including list of eligible voters in the mailing supplied to the tabulator
    c. Tabulator will be responsible for
        i. preserving all ballots (hard copy and electronic) and election results
        ii. overseeing or conducting the recount and provision of a report of findings to AMHA Executive Director
6. MONITORING REQUIREMENTS: Executive Director
7. RECORD MANAGEMENT:
    a. Tabulator to manage all ballots(hard copy and electronic) and other election records pertinent to election and to retain copies of the summary of findings, any challenged ballots, and fees and expenses incurred by officials and assistants to the recount
    b. AMHA to retain all recount requests and a record of the security deposit provided by the candidate, copies of the summary of findings, any challenged ballots, and fees and expenses incurred by officials and assistants to the recount

INSPECTION OF BALLOTS

PURPOSE: To provide details for the inspection of the list of voters after the close of the election

8. SCOPE: This procedure applies to the AMHA Board of Directors, the tabulating agent, and AMHA membership
9. PREREQUISITES: None
10. PROCEDURE: Commencing one hour after the close of the election, any AMHA member present at the Annual Meeting of Members will be allowed to inspect the list of eligible voters, which will be available at a designated location for a period of one hour.
    - Each person entering the room to inspect the list of eligible voters will be required to log in with their name and address and membership number.
    - During the time the list of eligible voters is available for inspection, the room will remain closed to all persons other than those who are entitled to review the list, the tabulating agent and his staff, AMHA legal counsel, and/or any other appointed room monitors.
    - No scanning or recording devices (eg/not limited to: cameras, smart phones, tablets will be used/active in the room.
    - The tabulating agent will retain tabulation ballots and general proxy forms for 60 calendar days after the close of the meeting, at which time the documents are to be destroyed. A list of voters will be available for inspection during usual business hours from the tabulating agent, upon at least five days' written demand by any member who has been a member of record for at least six months immediately preceding the demand. The list of voters may be viewed by any member that meets the above criteria for up to 60 calendar days following

the election. (refer to AMHA By Laws). All requests for voter list review after the one hour viewing (immediately after the Annual meeting of the members) will be routed through the Executive Director as the official point of contact (POC)

- Any member requesting to view the voter list after the allotted time at the annual meeting will contact the Executive Director. If the member contacts the tabulator directly, the member will be referred to the ED.
- The AMHA Executive Director will provide notice of eligibility or lack thereof, and will inform the Board President immediately. The ED will assume the POC role.
- All costs incurred will be borne by the requesting party and paid directly to the tabulator (the designated vendor).
- It is recommended that the vendor secure an appropriate deposit.
- The identity of the person who arrives at the office of the tabulating agent to inspect the list of voters will be verified by providing a photo ID to the tabulating agent or his staff
- If a person viewing the list of eligible voters questions the eligibility of a voter on the list, the tabulating agent or a member of the tabulating agent's staff must notify the AMHA Executive Director immediately
    - The tabulating agent will record the inquiry regarding the eligibility of the specified voter and the name, address, telephone number, and any other pertinent information to identify the person making the inquiry and will provide this information to the AMHA Executive Director during or at the conclusion of the inspection period. It is preferred to have the review completed and then submit the entire list of questions as a package.
    - The Executive Director will investigate the eligibility of the voter at the earliest possible time and will provide a response within 7 working days to the person who made the

inquiry regarding the eligibility of the voter in question. A copy of the response will also be provided to the tabulating agent.

- At the conclusion of the 60 calendar day time limit, the certified and notarized list of voters will be posted to the members only section of the AMHA website for the remaining interval until Oct 1 of that calendar year.

5. ROLES & RESPONSIBILITIES: As noted above
6. MONITORING REQUIREMENTS: Bylaw committee to monitor the process.
7. RECORD MANAGEMENT: The tabulating agent will retain general proxy forms and ballots for 60 calendar days. The list of voters will be filed per the executive director.
8. REFERENCES: Current AMHA bylaws
9. DEFINITIONS:
    - Tabulating agent: Official contracted to provide election control and tabulation of votes for candidates for a seat on the AMHA Board of Directors
    - Ballot: A method of voting that serves to fulfill the quorum requirements for election of directors to the Board and for voting on any other matters that may be brought to the membership for a vote.