

## LACK OF PRIVACY

The ACC bylaws require that elections be conducted in person, during a meeting of owners, and be done by secret ballot. Although the area was not locked down, COVID-19 was used as an excuse as to why a meeting was not going to be held.

## Ballot Tampering

In addition to the 100+ ballots that were excluded from the count, extra ballots were added at the last minute. These ballots were not mailed, as required, but dropped in a box.

Although the counting was handled by a third-party, the ballots were gathered and handled by the ACC until handing them over for counting, then they were shredded immediately after the count.

# Election Issues

- A quorum, as required by corporation bylaws, has never been achieved in the election of Dixie Springs Architectural Control Committee, Inc. board members.
- The 2020 election was cancelled and restarted after claims of ballot box stuffing were made because more conservative candidates were winning.
- All ballots were ordered destroyed by ACC president Nancy Crowley immediately after the final vote count, eliminating all opportunities for a recount.

The 2020 Board Election, presided over by controversial Board President Nancy Crowley, was plagued by a large number of issues which have been dismissed by the past and current boards without valid explanation:

- No quorum was achieved. According to the Dixie Springs Architectural Control Committee, Inc. bylaws (Bylaws 3.8), a quorum representing 51% of the lots in Dixie Springs is required. Roughly 400 ballots were counted, but 709 were required. The election was decided by 28% of the lots being represented.
- Utah Code 16-6a - Utah Revised Nonprofit Corporation Act requires that if a vote is taken by written ballot voting members must be informed of:
  1. The number of responses required to be considered a quorum.
  2. The percentage of approvals required unless it is a vote for Directors (as this one was so this item is not required)
  3. The time by which the ballots must be returned to be counted
  4. Be given enough information to make an educated decision

Number 1 was completely ignored, and number 4 was manipulated locally through campaigns to discredit certain candidates

- Over 100 ballots were thrown out and not counted with the claim that they did not follow requirement of signing the card. These ballots consisted mostly of builders and owners of multiple lots.
- Dozens of ballots were added to the counted number at the last minute, despite being received after the deadline, and were pulled from a public drop box violating the requirement to have the ballot returned via US Mail.
- There were two major factions among the candidates; one that wanted the ACC to be limited to reviewing new house plans, and another that was more focused on strict enforcement, including fines, liens and foreclosure threats, of the CC&Rs. Nancy Crowley backed the latter faction which ended up with two of the three spots, the third was the most moderate of the "approve new plans" group.
- Crowley ordered the ballots shredded immediately after the count was completed.