

LA PLATA ELECTRIC ASSOCIATION, INC.

DURANGO, COLORADO

Board of Directors Policy

Subject: Director Recall Petitions			Policy No: 113
Original Issue: 10/21/20	Last Revised: 10/21/20	Last Reviewed: 10/21/20	Page 1 of 2

I. OBJECTIVE

To establish procedures and guidelines for the implementation of Article III, Section 6 of La Plata Electric Association Inc.'s (Cooperative's) Bylaws regarding removal of a director by the Cooperative's membership.

II. POLICY

- A. A member may seek removal of a director in accordance with Article III, Section 6 of the bylaws by submitting a petition signed by at least 1,000 members eligible to vote in the director's district at the time the petition is submitted to the Cooperative.
- B. Petitions to remove a director shall conform to the following requirements and procedures:
 - 1. Petitions shall be made utilizing the form provided by the Cooperative. Copies of the petition form may be obtained from the Cooperative or downloaded on the Cooperative's website at lpea.coop.
 - 2. Petitions for removal of a director must be signed by at least 1,000 members who are eligible to vote in the director's district as of the date the Petition is submitted to the Cooperative. The Board of Directors recommends petition circulators obtain in excess of 1,000 signatures. All signatures must be physically gathered and electronic petitions or signatures will not be counted.
 - 3. Petition circulators, those drafting and circulating petitions, must be members of the Cooperative.
 - 4. In order to ensure that petitions are signed by current Cooperative members who are eligible to vote, only petitions submitted within 90 days of the first signature date will be considered.

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5. The Cooperative will have 10 days from the date the petitions are delivered to the Cooperative secretary or Chief Executive Officer (CEO) to validate member signatures on the petition. Petition signatures recommended for invalidation shall be reviewed by the Election Supervisory Committee (ESC). The ESC will take care to ensure duplicate memberships are eliminated and validate that the recorded member account for a given signature is, in fact, an active and valid membership. The ESC will determine signature and membership validity if challenged, including, but not limited to, clear evidence of a signature by someone other than the member.

III. SPECIAL MEETINGS FOR RECALL ELECTIONS

- A. Valid petitions shall be submitted to a vote of the membership by holding a special meeting of the members within 90 days of receiving the valid petition.
- B. The notice of meeting sent to the members shall include the exact wording of the charges included in the petition and a statement by the director answering the charges.
- C. Voting shall be conducted by mail ballot in the same manner as a regular meeting of the members. Ballots shall only be sent to the members within the director's district.

IV. RESPONSIBILITY

It shall be the responsibility of the Board and the appointed ESC to carry out the terms of this policy.

10/21/2020

Date

Secretary