

# SUSITNA COMMUNITY COUNCIL BYLAWS

Revised February 7, 2018

## ARTICLE 1. NAME AND ADDRESS

The name of this organization shall be the "Susitna Community Council." (amended 3/6/08)  
Mailing address: HC89 Box 8575 Talkeetna, Alaska 99676.

## ARTICLE 2. AMENDMENTS

### Section 1.

These Bylaws may not be set aside, bypassed, or otherwise circumvented for any reason.

- A. The Board shall appoint a Bylaws Committee to review any requests to amend these Bylaws.
- B. These Bylaws may be amended during a Regular Meeting by a two-thirds vote of those members voting, provided that 28 days notice has been posted in accordance with Policies and Procedures #2. The amendment shall be presented at a Regular Meeting and voted on at the next Regular meeting. If the bylaws changes involve multiple articles, they shall be voted on separately.

## ARTICLE 3. BOUNDARIES

The area within the following description shall comprise the area represented by the Susitna Community Council (SCC):

TOWNSHIP	RANGE	SECTION (ALL WITHIN THE SEWARD MERIDIAN)
21 NORTH	1 thru 3 WEST	all
22 NORTH	1 thru 3 WEST	all
22 NORTH	4 & 5 WEST	all lying east of the ordinary high-water line of the Susitna River
23 NORTH	1 thru 3 WEST	all
23 NORTH	4 & 5 WEST	all lying east of the ordinary high-water line of the Susitna River
24 NORTH	1 thru 4 WEST	all
24 NORTH	5 WEST	all lying east of the ordinary high-water line of the Susitna River
25 NORTH	1 thru 3 WEST	all of 19 thru 36
25 NORTH	4 WEST	all of 21 thru 28, and 33 thru 36

See Map: Policies & Procedures #1

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## ARTICLE 4. PURPOSE

The Susitna Community Council (SCC) is a charitable organization whose purpose is to promote the general improvement of the community by providing a communication channel between groups and individuals both within and outside the community, to promote studies, surveys, and other activities to determine current and future community needs, and to coordinate and encourage voluntary cooperation and participation in establishing programs to meet community needs, by:

1. Functioning as a Community Council as defined in the Mat-Su Borough Code Chapter 2.76.
2. Conducting community council activities within the guidelines of section 501 (c) (3) of the Internal Revenue Code
3. Providing community members, a method by which they can work together for expression and discussion of their opinions, needs and desires in a manner that will have an impact on SCC area development and services; providing government agencies a method for receiving opinions, needs and desires and recommendations of SCC residents and groups.
4. Providing local governing bodies an improved basis for decision making and assignment of priorities for all capital improvements and governmental programs affecting community development and well-being.
5. Providing education opportunities to the community regarding government codes, regulations, ordinances, comprehensive plan guidelines, studies, surveys, safety concerns, preparedness etc.
6. Identifying sources of funding such as grants, fundraising, donations, etc.; that may be used to support the needs of the community for safety, recreation, quality of life, or other projects deemed appropriate for community development.

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## ARTICLE 5. MEMBERSHIP & RESPONSIBILITIES

### Section 1. Membership

All persons (18 years of age or older) with permanent residence for voting purposes within the boundaries as set forth in Article 3 are eligible for membership.

### Section 2. Donations

Voluntary donations not to exceed \$50.00 per member per fiscal year will be accepted to help offset operating expenses.

### Section 3. Responsibilities

No member may obligate the organization in any manner without prior Board approval.

### Section 4. Rights

#### A. Open Votes:

Any member may call for an open vote on any current issue. The call for a vote must be made in the form of a motion, and the motion must receive a second from the membership. If a majority of board members present approve the call, the issue shall be immediately tabled without debate until the next Regular meeting. The issue will be on the agenda for an open vote at the next Regular meeting. The Board of Directors is not liable for any decision made by open vote.

#### B. PETITIONS:

Members may petition the Board regarding a specific issue after first bringing the issue before the Board of Directors at a regular meeting. The petition procedure is detailed in Policies & Procedures #4.

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## ARTICLE 6. COUNCIL BOARD OF DIRECTORS AND ALTERNATES

### Section 1. Composition of Board

The Board shall consist of seven members elected at large from the membership.

A. TERM OF OFFICE:

The Board members' term of office shall be two years or until a successor is elected. The two alternate Board members' term shall each be one year.

B. Seats A, B, C and D shall be elected in odd-numbered years. Seats E, F and G shall be elected in even-numbered years.

### Section 2. Election of Board of Directors

A. The Board shall appoint a Nominations/Elections Committee at the August meeting consisting of at least three members including one who is a current Board member not running for re-election. The committee shall nominate enough candidates to fill all the vacant seats. Candidates must be SCC members per Article 5, Section 1, Membership. The committee shall present these nominations at the September meeting. Nominations from the floor may be added at this meeting and then the Board shall declare the nominations closed. Once nominations are closed, any candidate withdrawing from the election must do so by giving written notice to the Nominations/Elections Committee at least three days prior to the date of election.

B. Election of Board members shall be held on the same date as the November meeting.

C. Voting for Election of Board Members and alternates.

1. Every member is entitled to vote at the Board elections. Each member is allowed one vote for each vacant Board position & each vacant alternate position.
2. Absentee voting shall be allowed according to Policies and Procedures #3.
3. No voting by proxy shall be allowed.
4. Voting shall be by secret ballot, using only the finalized ballot as prepared and numbered by the Nominations/Elections Committee.
5. Election forms and procedures used shall be as stated in Policies & Procedures #3.

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6. At November Regular meeting, the Board shall appoint a Canvass Board consisting of at least three members including only one who is a current Board member not running for re-election.
7. The Nominations/Elections committee will verify the results of the election in writing on the 7th day following the election, stating number of votes each candidate for office received, signed by all committee members. Write-in candidates need only be included in the verification statement if they receive at least as many votes as the candidate on the ballot receiving the least number of votes. The canvass board shall perform recount of ballots if requested under contest of election.
8. Upon receiving the preliminary report of elections results from the Nominations/Elections Committee, the Board shall consider the results and any written notices of contest to the election and certify the election within 14 days of the election if the election has not been contested, unless additional time is necessary to determine the validity or invalidity of a contest to the election.
9. The Board candidates who receive the most votes shall be seated as Board members. The alternates who receive the most votes shall be seated as alternate Board members. In the case of a tie, a coin toss will be used to decide the results.
10. The names of & contact information for Board members and alternates shall be provided to the Matanuska-Susitna Borough Clerk.

## D. Contest of election.

### 1. Grounds for contesting an election:

A candidate or 10 qualified voters who voted in the election being contested may contest the election of any person or the approval or rejection of any question or proposition on one or more of the following grounds:

- a. Misconduct, fraud or corruption by an election official sufficient to change the results of the election.
- b. Ineligibility of the candidate under SCC by-laws.
- c. Existence of election misconduct as defined by Policies and Procedures #5.
- d. Contest Procedure: See Policies & Procedures #6.

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- E. Newly elected Board members and alternates shall take office at the next Regular monthly meeting after the election has been certified. The seated President shall administer oath of office whereby new Board members affirm they will act in accordance with the Susitna Community Council By-laws. Once new Board members are officially seated, the first order of business shall be to elect officers.
- F. Vacancies:
  - 1. If a Board member loses membership status during the term of office, the Board shall immediately seat the alternate receiving the most votes, then the 2nd alternate and failing a seating, the board shall immediately fill the seat with a volunteer.
  - 2. The Board may remove a Board member or alternate for absences from three regular Board meetings within a 12-month period.
  - 3. A Board member or alternate may be removed from office for cause by a unanimous vote of the other Board members.
  - 4. A Board member or alternate may be removed from office for cause by a two-thirds vote of the general membership present at a Special meeting with notice.
  - 5. Appeal Procedure: Any member or alternate removed from the Board may appeal for reconsideration to the Board within 14 days of the removal decision. The Board must respond to the appeal at the next Regular meeting.

## Section 3. Duties and Responsibilities of Board of Directors

- A. The Board shall manage SCC affairs and act in accordance with the will of the General Membership. Board members and alternates are expected to attend all Regular, Special meetings; as well as any Committee Meetings on which they serve.
- B. An accurate record of all meetings shall be maintained. Regular and Special Meeting minutes shall be provided to the Matanuska Susitna Borough Clerk. A permanent record of all pertinent correspondence received or issued shall be kept.
- C. An accurate record of assets and financial status shall be maintained. Financial reports shall be made at each Board meeting and an annual report at the November meeting.
- D. All official council statements must be approved by a majority of the Board members. No member may obligate the organization in any manner without prior board approval. Once the board has authorized preparation of statements or correspondence the draft statements or comments must be reviewed by the Board President and copies sent to all Board Members to ensure the correspondence is consistent with the Board approved

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decision.

- E. All Board members have equal voting rights.
- F. Board members shall vote on every motion, unless they request permission from the Board to abstain due to a specific conflict of interest.

## Section 4. Duties and Responsibilities of Board of Directors Alternate(s)

- A. If there are fewer than seven (7) Board members present when a meeting is called to order, an alternate shall be seated for each vacant Board seat. Once seated, alternates remain seated for the duration of the meeting. Once seated, an alternate shall fulfill the duties and responsibilities of a member of the board.
- B. The alternate(s) shall be seated for one meeting only.
- C. Alternates seated temporarily for a Regular or Special meeting shall rotate in order from meeting to meeting (if they are present). Alternate to be seated at first meeting after elections shall be determined by a coin toss.

## Section 5. Officers

- A. The Board shall elect officers by a majority vote at the first Regular meeting held after an election. The Board may appoint officers to fill vacancies as needed.
- B. There shall be a President, Vice President, Secretary, and Treasurer. One Board member may hold both the position of Secretary and Treasurer.
- C. Duties of Officers:
  - 1. PRESIDENT. The President shall be responsible for presiding over all Regular and Special meetings and representing the interests of the SCC. Responsible for setting the agenda.
  - 2. VICE PRESIDENT. The Vice President shall be responsible for presiding over all Regular and Special meetings where the President is absent and shall otherwise assist the President in representing the SCC.
  - 3. SECRETARY. The secretary is responsible for maintaining a permanent record of all pertinent correspondence received or issued, all meeting minutes including regular, special and committee meetings and the accurate records of assets and financial status. The secretary will maintain the corporate seal. The secretary may delegate the responsibility of a recording secretary and correspondence

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secretary to other individuals.

4. TREASURER. The Treasurer shall be responsible for keeping council financial records, preparing financial statements for the Board and membership, and presenting monthly and annual reports. The monthly report shall include an accounting for any grant monies. Additionally, the Treasurer is responsible for preparing government required financial reporting.

## Section 6. Committees

The Board may create & dissolve committees as deemed necessary. The Board appoints the members and establishes the mission. Committee membership is open to anyone wishing to serve. All committees must have a Board Member as a participant on the committee. Minutes shall be recorded and presented to the Board. All active committees shall report at the regular monthly Board meeting.

## ARTICLE 7. MEETINGS

### Section 1. Board Meetings

Regular monthly Board Meetings shall be held on the first Thursday of each month. The Board may meet at other times, with notification. Four Board members constitute a quorum. All members may attend regular meetings.

### Section 2. Notices and Agendas

Regular monthly meeting notices and draft agendas shall be posted a minimum of three (3) days prior to the meeting, noting date, time and place.

### Section 3. Special Meetings

Special Meetings may be called by the Board for matters of interest to the community, as deemed necessary. All members may attend special meetings.

A Special Meeting can be called by one of the following methods:

- A. Council motion at a Regular meeting
- B. Call of the presiding officer
- C. Request of a majority of the council
- D. Written petition. The number of signatures on the petition must be 10, or 25% of ballots cast in the last SCC election, whichever is greater.

A special meeting may be used to deal with issues that could not be timely dealt with in the Regular monthly meeting. If, due to notification timeframes, a special meeting would occur less



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than 7 days prior to a Regular council meeting, a special meeting will not be scheduled unless a majority of the Board requests the meeting.

## Section 4. Special Meeting called by Petition

- A. Upon receipt at a scheduled meeting of a valid petition per petition requirements in Policies and Procedures #4, the Board shall consider the topic at a Regular or Special Meeting no later than 31 days from the receipt of the petition.
- B. If the action requested by the petitioners is to overturn a vote taken by the Board, a two-thirds majority of those eligible members present will be required to reverse the action of the Board.
- C. If the petition is a recall petition of a Board member, a two-thirds majority of eligible members present will be required to remove said Board member.
- D. No election disputes can be addressed by petition (those are addressed under election contesting procedures found in these By-laws).

## ARTICLE 8. FISCAL PROCEDURES

### Section 1.

The fiscal year will begin November 1 and end October 31.

### Section 2. Audits

- A. An internal audit will be performed annually and reported to the Board and membership as part of the annual financial report. An internal audit will also be performed when a new treasurer is elected or appointed.
- B. A professional audit will be performed when required and reported to the appropriate agencies.

### Section 3.

There shall be two signatures on all checks written - the Treasurer and one other Board member. Checks written for over \$100.00 require board approval and two (2) authorized signatures.

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## ARTICLE 9. GOVERNANCE

### Section 1.

There shall be no discrimination by the SCC because of age, gender, race, color, creed, ethnic origin, religion, sexual orientation, marital status or physical handicap.

### Section 2.

All meetings will be open to the public, noticed according to Susitna Community Council By-laws, and comply with the Alaska Open Meetings Act.

### Section 3.

Work sessions shall be scheduled by the Board, at the majority's convenience, at which informal notes may be taken for future reference and convenience. Work sessions are open meetings.

### Section 4.

Except as herein provided, Robert's Rules of Order, edition currently used by Mat-Su Borough, shall govern all SCC proceedings.

## Article 10. Policies & Procedures ("P&P")

### Section 1.

P&P #1 is a map of the Susitna Community Council boundaries.

P&P #2 is the Notice Requirements.

P&P #3 is the form and procedure used in elections.

P&P #4 is the Petition Procedure.

P&P #5 is Election Misconduct.

P&P #6 is Contest of Election Procedure.

### Section 2.

Policies and procedures ("P&P") of the Susitna Community Council By-laws may be changed, added to or deleted by a majority vote of the Board members. Notice shall be given at the Regular monthly meeting preceding the vote and included in the agenda for the next Regular monthly meeting.

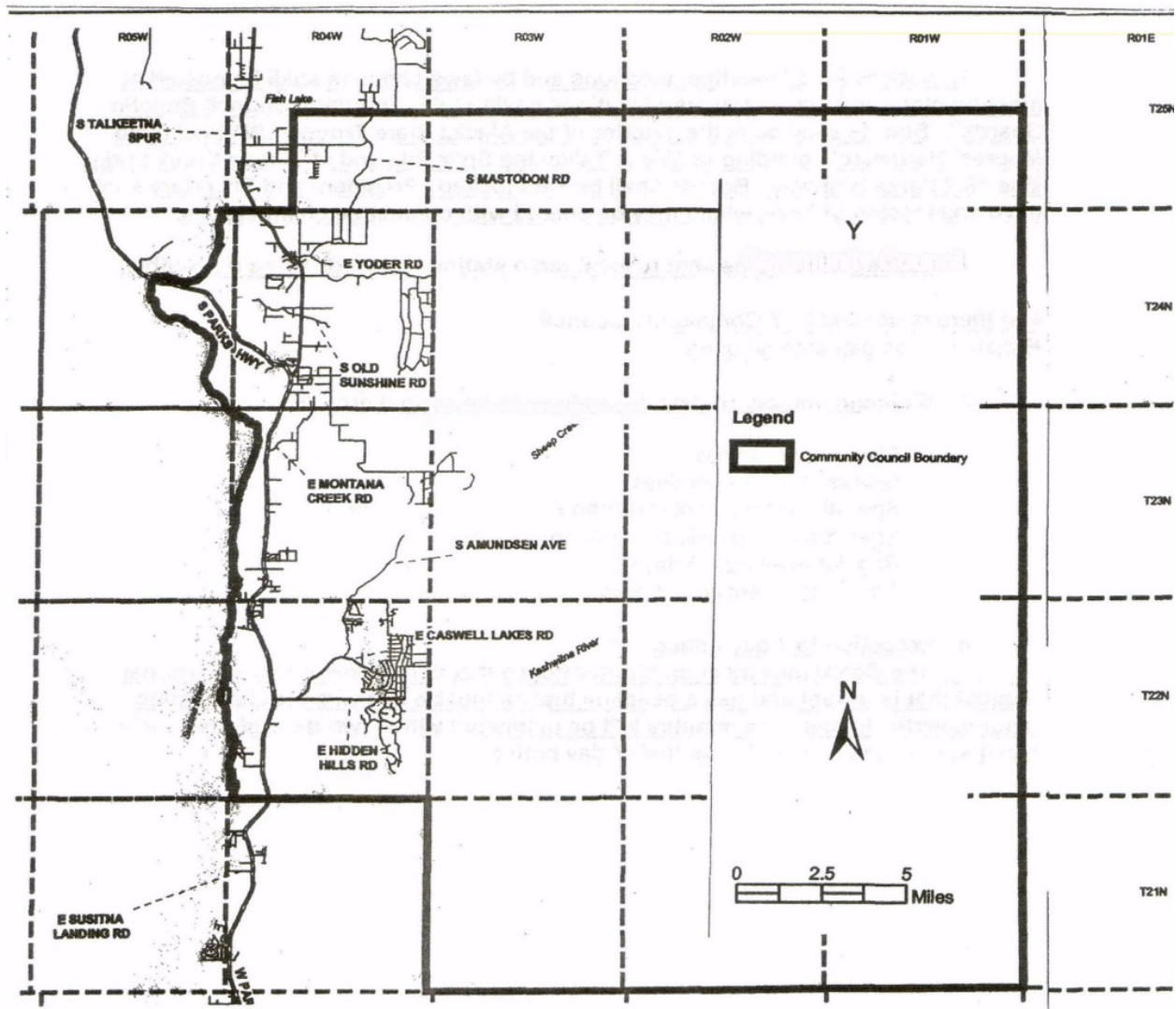
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## ARTICLE 11. DISTRIBUTION OF ASSETS

In the event of termination or dissolution of the SCC, all remaining assets must be distributed to one or more non-profit organizations within the SCC area, whose missions best conform to those of the SCC as described in Article 4 PURPOSE.

## POLICIES & PROCEDURES #1: MAP OF BOUNDARIES



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## POLICIES & PROCEDURES #2: NOTICE REQUIREMENTS

1. Notices for all meetings, elections and by-laws changes shall be posted at meeting place and two designated locations having "Susitna Community Council Bulletin Boards". Boards shall be at the exterior of the MVFCU, (old Moore's Hardware), building at Mile .1 Talkeetna Spur Rd., and at Sheep Creek Lodge, Mile 88 Parks Highway. Boards shall be kept locked. President and Secretary shall have possession of keys, which may be shared with committee chairpersons.
2. Notices will also be sent to local radio station KTNA for airing, if possible, and the newspaper if time permits and there is no cost to Susitna Community Council. E-mail notices can also be used.
3. Minimum number of days for notices to be posted is:
  - Elections - 28 days
  - Bylaws change - 28 days
  - Special meeting - not less than 7 days
  - Special meeting called by petition - 14 days
  - Regular meeting - 3 days
  - Committee meeting - 3 days
4. Exception to 7-day notice: The Board may meet on shorter notice if action is needed on an external request that is urgent and has a deadline that cannot be met with regular posting requirements. In this case minutes will be published within two days of the special meeting that was held with less than 7-day notice.

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## POLICIES & PROCEDURES #3: ELECTION PROCEDURES

1. Board appoints Nominations/Elections Committee at August meeting per by-laws. Open nominations and announce they will close during the September meeting. Provide nominations forms at meeting. Throughout August, contact community regarding seeking nominees for election. Follow same notice requirements as for Board meeting.

Provide nomination form and optional candidate statement to each interested person. On the form the candidate provides contact information, physical location of residence, and states they have been a resident within the SCC boundaries for at least the past 30 days, they are at least 18 years of age, and they are eligible to run for election. The nomination form includes an optional candidate statement (100 words or less) that can be provided to the press for dissemination to the public. Statements must be received by the Nominations/Elections Committee by September 15 to be published.

2. During August: Verify eligibility of each nominee -- using one or more of the following:
  - a. Personal knowledge,
  - b. On voter registration list,
  - c. MSB property records, utility bills, hunting or fishing license
  - d. Question nominee,
  - e. Question neighbors
3. September meeting: Report slate of candidates to SCC Board; seek additional nominations from the floor. Close nominations.

Verify sample ballot (include spaces for write-in candidates) and present to Board. This can be done the same evening if eligibility of all candidates can be verified by committee. If committee cannot verify eligibility of all candidates at September Board meeting, then set date for special meeting at least 7 days after September meeting (due to notice requirements). Barring any challenges as to eligibility of candidates, the ballot shall be considered finalized and no changes can be made to it.

Provide information on election rules and ethics (SCC By-laws Policies & Procedures #5) to all candidates present at meeting, distribute in person or by mail to all candidates not already receiving one. Make information available at Board meetings and post on SCC bulletin boards.

Post Notice of Election and sample ballot by September 21st. Inform MSB Clerk of election for publication in Frontiersman. Obtain lockable ballot box from MSB Clerk, and appropriate "Vote Here" signs.

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4. After the ballot is finalized the Absentee Voter ballots can be made available. Absentee ballots can be requested up to 5 days before the election. Absentee ballots can be requested from the Nominations/Elections Committee by phone, e-mail or postal mail. The ballot will be mailed to the person requesting one, along with a Certificate of Eligibility to Vote, which must be completed and returned. (P&P#3 amended 9/6/07).

Ballots must be postmarked no later than on election day and received in a secure postal unit no later than five days after the November election to be counted.

5. At October Regular meeting the Board conducts a candidates' forum.
6. The annual election is held the same date as the regular November SCC Board meeting. Three people should conduct the voting -- one to check voter's ID and oversee voter signing registry, one to pass out numbered ballots and watch the ballot box, and one to pass out and oversee the questioned ballots. These people should be from the Nomination/Elections committee, but at least one can be from the community at large as long as they are trained for the position. The site shall be free of electioneering and appropriate notices/signs posted as in early voting (see #6 above).

The Nominations/Elections Committee will rule on questioned ballots by following "Rules for Determining Residence of Voter" MSB Code 25.10.020. If ballot is refused, the Committee shall notify the questioned voter, in writing, of the reason why the ballot was not counted.

After the polls close, the ballots are counted. Ballots shall be counted by a minimum of two-person teams with a third two-person team reading each ballot to be tallied. The three committee members will count ballots along with three community members the committee chooses.

The final count will include all questioned and absentee ballots received by the deadline (see #3 above) and verified by the committee up to one hour prior to the special meeting. The Canvass Board will recount the ballots if three or fewer votes separate seated from non-seated candidates.

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## POLICIES & PROCEDURES #4: PETITION REQUIREMENTS

1. The petition shall have a specific stated lawful purpose.
2. The petition shall have a recommended action it wishes the Board to take.
3. The petition shall have a truthful and accurate statement of facts in plain English.
4. The petition shall include on every page, the name, address, phone number and signature of the person or persons sponsoring the petition.
5. The petition shall include the signature, printed name, mailing address, physical address, and phone number of every member signing.
6. Only members eligible to vote in SCC elections are eligible to sign a petition that affects council business.
7. Any signatures that are not legible will be disregarded, unless the printed name is legible and can be verified.
8. Petitioners shall notify the Board secretary that a petition is being prepared to present to the Board. Signatures shall be secured, and petition submitted to Board within 45 days of such notice.
9. If the council adopts substantially the same measure, the petition is void and the issue initiated by petition may not be placed before the voters.

Only petitions that have met the above requirements shall be considered.

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## POLICIES & PROCEDURES #5: ELECTION MISCONDUCT

### CAMPAIGN MISCONDUCT:

1. Failure to print name and address of the author on the face of any campaign literature.
2. Knowingly print, publish or circulate, whether written or verbal, any false communication about an issue or candidate.
3. During the hours of polling, a candidate or supporter distributes literature pertinent to the election or discusses the issues or candidates within 200 ft of the polling place.
4. A candidate may not use coercion, intimidation, or threats to another candidate's person or property, to induce a candidate to withdraw from an election.
5. No printed material should be placed in a mailbox unless it has gone through the U.S. Postal Service.
6. No printed material, signs, or other items should be posted or distributed on private property without the property owner's express permission.
7. A person commits telephone campaign misconduct if the person makes a statement about a candidate.
  - 1) As part of an organized telephone poll or organized series of calls to convince potential voters concerning the outcome of an election;
  - 2) That the person knows to be false; and
  - 3) That the person intends to affect the outcome of the election.

### INTERFERENCE WITH AN ELECTION:

A person or persons:

1. Induces or attempts to induce an election official to fail in the official's duty by force, threat, intimidation, or offers of reward;
2. Intentionally changes, attempts to change, or causes to be changed an official election document including ballots, tallies, official instructions and returns;



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3. Uses, or threatens to use, coercion, violence, damage or harm to a person or their property, to induce them not to vote or to vote as directed.

## ELECTION OFFICIAL MISCONDUCT:

Occurs if a person or persons:

1. Intentionally fails to perform an election duty or knowingly does an unauthorized act with the intent to affect an election or its results;
2. Knowingly permits or makes or attempts to make a false count of election returns; or
3. Intentionally conceals, withholds, destroys, or attempts to conceal, withhold, or destroy election returns.

## POLLING PLACE CONDUCT:

During the hours the polls are open, a person who is in the polling place or within 200 feet of any entrance to the polling place may not attempt to persuade a person to vote for or against a candidate, proposition, or question, nor may any person conduct other political activities that may pertain to any future election or potential ballot proposition. For the purposes of this section, the entrance to a polling place is the entrance to the building.

Violations of these prohibited acts could result in disqualification or a new election.

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## POLICIES & PROCEDURES #6: CONTEST OF ELECTION PROCEDURES

1. A written Notice of contest of an election shall be delivered to the Nominations/Elections Committee before 1 p.m. on the 7th day after the election. The notice of contest shall specify the election being contested, the grounds of the contest, and shall bear the signatures of the candidate or qualified voters bringing the contest.
2. After receiving a notice of contest, the Nominations/Elections Committee shall notify the SCC Board, who shall then order an investigation by the Canvass Board. Those contesting the election, those whose election is contested, and the public shall be allowed to attend any meeting called in regard to this contest procedure.
3. The Canvass Board shall report to the SCC Board within 10 days the results of their investigation.
4. If the contest involves the eligibility of voters, the Canvass Board will recheck the voter qualifications pursuant to the SCC By-laws. After considering the report provided by the Canvass Board and any other proof, the SCC Board shall determine whether any illegally cast votes could have affected the election results. If it is determined that the infraction could have affected the election results, a new election shall be held.
5. If the contest involves other prohibited election practices, after considering the report of the Canvass Board, and other proof provided, the SCC Board shall make a decision on the course of action to be taken. If it is determined that the infraction could have affected the election results, a new election may be held.
6. In making their decision, the SCC Board should consider alternatives other than a new election. These alternatives could be but are not limited to:
  - a. Disqualifying one or more candidates
  - b. Seating a portion of those elected
  - c. Having a runoff election for those affected by the disqualified candidate, to fill the remaining Board seats.