



Brian Van Bergen Yamhill County Clerk

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Board of Property Tax Appeals • Business Licenses • Elections • Marriage Licenses • Passports • Recording • Voter Registration

February 10, 2022

Philip Forve
2089 NW Doral Street
McMinnville, Oregon 97128

Dear Philip,

This letter serves as official notification of the results of our review of the signature petition sheets submitted to the Yamhill County Clerk's office on February 1, 2022, for recall petition YAM-2021-005 RECALL (a.k.a. "Recall Lindsay Berschauer – County Commissioner"). This letter affirms the verification and certification of enough valid signatures during the statistical sampling of signatures from Active Registered Voters within Yamhill County to initiate a recall election.

The qualifying sheets from your first submission contained 8,072 lines with information. After removing from consideration, the blank lines, lines that had been crossed out, etc., there remained 7,601 viable lines for us to potentially glean qualified voter signatures.

The required number of valid signatures for the recall of a countywide elected official in Yamhill County is **6,873** (15% of the number of votes cast for Governor in the last election for Governor for a full 4-year term) within Yamhill County.

Pursuant to OAR 165-014-0110, since this recall effort requires more than 4,500 signatures, we must use the Oregon Secretary of State's statistical sampling approach to verify if enough valid signatures exist to initiate a recall election. That process states that when reviewing a randomly selected set of 10% of submitted signatures, the likelihood exists that enough signatures have been collected, we are not required to review every signature submitted.

According to the statistical sampling formulae from the Oregon Secretary of State's office, please see attached "Submission F" (a.k.a. the "Formula Worksheet"), it has been determined after reviewing the first batch of 10% of the signatures submitted, there are likely in excess of 7,114 valid signatures.



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We therefore certify that approximately 7,114 valid signatures have been submitted within the first submittal (not including the second submittal you plan on presenting to us next week - February 16, 2022) yielding 241 more than the number required to initiate a recall election.

Please note that of the 1,671 submitted petition sheets, we had to disqualify:

- Sheet 325 – The petition sheet was from the wrong recall
- Sheet 467 – The petition sheet was from the wrong recall
- Sheet 468 – The petition sheet was from the wrong recall
- Sheet 473 – The petition sheet was from the wrong recall
- Sheet 474 – The petition sheet was from the wrong recall
- Sheet 663 – The petition sheet was from the wrong recall
- Sheet 1605 – The Certifier dated the form after the petitions were submitted

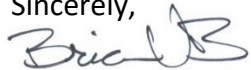
If there is a second submittal of signature sheets (which you may submit until 5:00 pm on February 16, 2022), those will be added to the original submittal. There are more than enough valid signatures in the first submittal, so we would not need to process the second submittal unless someone contests our initial findings.

Since the number of qualified signatures exceeds the minimum number needed, a recall election will be held unless the Public Officer, Lindsay Berschauer, resigns within 5 days of this notice.

The Public Officer has 5 days to either resign or submit a “Statement of Justification” (formally known as the SEL 352). That day is February 15, 2022. If the Public Officer does not resign, a recall election will be scheduled for Tuesday, March 22, 2022.

Following this letter, a full accounting of the signature sheets will be provided.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Brian Van Bergen
Yamhill County Clerk