



Pima County Election Integrity Commission Notice/Agenda

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Election Integrity Commission and to the general public that the Election Integrity Commission will hold a meeting open to the public on:

Friday, April 21, 2017 at 9:00 AM
Herbert K. Abrams Building, Conference Rooms #3108/3110
3950 S. Country Club Road, Tucson, AZ 85714

PLEASE NOTE: Agenda item materials may be viewed on the Election Integrity Commission Website at www.pima.gov/elections under Pima County Informative Links; materials are also available at the Pima County Elections Department located at 6550 S. Country Club Road, Tucson, AZ 85756.

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- 00:00:00** 1. ROLL CALL
- 00:00:55** 2. PLEDGE OF ALLEGIANCE
- 00:02:56** 3. CLEARBALLOT PRESENTATION – Benny White; Questions for the presenter may be submitted in writing to chair.
[Wisconsin presentation begins at 01:36:30](#)
- 02:10:50** 4. 10 MINUTE RECESS
- 02:18:30** 5. PROCEDURES MANUAL UPDATE – Eric Spencer, State Elections Director ([Did not appear](#))
- 02:20:30** 6. APPROVAL OF MINUTE SUMMARY – [March 17, 2017](#) [Ken Moyes offered correction](#)
- 02:25:12** 7. TRACKING LEGISLATION – Bill Beard
8. LEGISLATIVE RECOMMENDATIONS 5-9 [Postponed until May 19](#)
- 02:31:20** 9. FUTURE AGENDA ITEMS
In accordance with A.R.S. § 38-431.02(H), members of the Commission may not discuss or take action on any item proposed as a future agenda item unless the item is listed on the current agenda for discussion and action.
[\(County Attorney questions, OML training, legislative recommendations, procedures manual update and Chris Roads invitation were mentioned\)](#)
- 10. CALL TO THE PUBLIC
A.R.S. § 38-431.01(H) states in part, "...members of the [Commission] shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action." Speakers are limited to 4 minutes.
- 11. NEXT MEETING DATES
[May 19, 2017](#)
[June 16, 2017](#)
- 02:34:08** 12. ADJOURNMENT

The Herbert K. Abrams Conference Room is wheelchair and handicapped accessible. Persons with a disability may request a reasonable accommodation, such as sign language interpreter, by contacting Michael Dale at (520) 724-6845. Requests should be made at least three (3) business days prior to the Commission Meeting to allow time to arrange the accommodation.

Chairman's Notes of EIC Meeting on 4-21-2017

Roll Call: Present: Ken Moyes, Barb Tellman, Chris Cole, Bill Beard, Mary DeCamp, Arnie Urken, Brad Nelson and Karen Schutte, chair.

Absent: Tom Ryan and Jeff Rogers

Also in Attendance: Pima County Elections Department: Michael Dale, Tom Ryan and David Wisely.
Jason Ground with Pima County Communications Department

Guests: Benny White, Ana Henderson and Jim Kelly attended to hear Benny's presentation on Maryland and Wisconsin recounts. Benny gave a presentation of how the Clear Vote System was used in these two states for the recounts, using ballot images, after the last general election.

Questions raised in the Presentation were addressed by the presenter:

1. What is the accountability & frequency to address "some problems" on going calibration & accuracy? How long has any state used this process to set precedence or is MD the first state?
2. Clarify the image – If the "mates" on the sites did this cause the ballot to be processed differently?
3. Can you elaborate on what were the largest problems that made them not want RLA?
4. Does WI normally do any audits of elections?
5. Who does elections outside of municipalities?
6. When are ballot images available to the public?
7. Is it your sense that WI vote officials will actively change their procedures as a result of the Recount?
8. Would those errors have been discovered if Jill Stein had not brought a law suit?
9. Same day registration – how verified that there were no duplicates?
10. How does MD prevent altering the ballot images?
11. Which problems discovered in MD could be found in Pima County? How much is applicable to us?
12. How long did it take to complete the audit? A: 3 days
13. Would these have all been non-votes in Pima County? No
14. Are the slides available? Yes, they were emailed to all commissioners ahead of meeting.
15. What was calibrations set at so those sloppy votes were thrown out? A: 30% on Clear Ballot
16. Adjudication of ballots done on ESS? Electronically?
17. Garrott County results – cause by poor maintenance?
18. What are the over votes or under votes rules in MD?
19. What does AZ Statute say about having not ballot info where the fold crosses the ballot? Folds only in blank space?
20. Why didn't local authorities provide an accuracy check on down ballot races to correct errors?
21. What if fold line runs through an oval by candidates' name?
22. So the DS 850 was putting the "fold" ballots in a separate tray?
23. Does MD have a law regarding recounts? Was the Clear Ballot count done as part of the previous legislation you discussed?

With guests invited to the presentation, people were asked to submit questions in writing for presenter and pass them to the chairman per County Attorney's instructions for open meeting law.

After the presentation. Complaints were raised by several commissioners as to the writing of questions during the presentation.

Commissioner Beard asked re: the writing of questions for the chairman to inquire for clarification and ask for clarification as follows:

1. Does it apply to everyone and all commissions?
2. Does the BOS need to comply to the same rule when guests are invited?

Karen said she would find out and Commissioner Beard asked for it to be put in a motion.

Motion by Bill Beard: For the chairman to contact County Attorney's office to ask if they are not doing the Open Meeting training for us, will the same Open Meeting rules apply coming from the State Ombudman's office as the County Attorneys? Seconded by Chris Cole. Passed unanimously.

Motion carried with Mary abstaining.

Minutes of April were approved with the following correction:

Item 14 #2 – re: remove name of presidential electors form ballots (16-502, 507). It should be noted the Ken Moyes made the point that the names of the electors are the people being voted on, and thus should be on the ballot.

Minutes Passed unanimously with this change.

Due to time constraints it was Moved to postpone item #8 on agenda by Commissioner Beard. Passed unanimously.

Legislative Update, Commissioner Beard:

Bill explained his list shows those in bold as bills that look like they will pass while others aren't moving and probably won't pass. BB was asked status on several bills and said he would get back with answers.

#9 Future Agenda Items:

Next meeting May 19, 2017 (Arnie let it be known he would not be able to attend and was out of town, Brian Bickel let it be known that he would not be able to attend due to having knee surgery)

Open Meeting Training has been scheduled for 10:30 May 19th at our next scheduled meeting. Suggested we get answers from the County Attorney's office before that time. It was recommended at the last Open Meeting training that a refresher course could be given and not the 1 hour normal training.

Future agenda items:

- To include the Legislative recommendations 5-8 for next meeting
- Update on Procedural Manual following the May 2 meeting

- To invite Chris Rhodes to a future meeting to answer questions on chain of custody, Project Vote Lawsuit and other items raised by Arnie
- Annual Report

Meeting Adjournment moved by Commissioner Beard, seconded by Commissioner Tellman.