

MEETING NOTES

2008 Elections Model Advisory Committee Minutes of Tuesday, September 18, 2007 Conference Room of Clerk & Recorder 2:00 P.M.

Attendees: Stephanie O'Malley, Clerk & Recorder
Carolyn Metzler, Republican
Charles Williamson, Election Judge Trainer
Walt Beckert, AFSCME
Rich Pelletier, America Votes
Jessie Danielson, America Votes
Bonnie Clarke, League of Women Voters
Sara Harmer, Technology Services
Ed Neuberg, Commission for People with Disabilities
Denis Berckefeldt, Auditor's Office
Tamra Ward, Denver Metro Chamber of Commerce
Julie Richards for Victoria Ortega/City Attorney's Office
Rosemary Marshall, State Legislator
Carol Boigon, City Council
Penny May, Mayor's Office
Jenny Flanagan, Common Cause
LaCharles Keese, Mayor's Finance Office
Susan Shepherd, Denver Area Labor Federation
Michael Scarpello, Director of Elections
Matt Crane, Staff Member
Paul Casper, Staff Member
Amber McReynolds, Staff Member
Alton Dillard, Staff Member
Tina Romero, Staff Member

Stephanie O'Malley, Clerk & Recorder, convened the meeting at 2:04 p.m. Stephanie mentions that she chosen this timeframe relative to people's schedules and she wants to remain to the 1.5 hour schedule. She recommends that all may want to extend next week's schedule by an additional half hour.

O'Malley thanks all for participating and reminds all of the **objectives** which are:

- Make recommendations relative to voting locations
- Discuss voting systems
- Today's agenda includes
 - 1) answers to questions from meeting of 9.11.07
 - 2) Election governance
 - 3) Voting Locations
 - 4) Voting Systems
- Introduce Committee Members who were not present at the first meeting

- Distribute informational packet

Newest Committee members introduce themselves:

LaCharles Keesee – Mayor’s Finance Office

Julie Richards – Legal Department Intern

Bonnie Clarke – League of Women Voters

Faith Gross, The Legal Center, is still traveling the state and unable to attend today’s meeting.

Committee Schedule is as follows

- September 11 – Introductory Material
- September 18 – Education and background information regarding voting systems and voting locations
- September 25 – Discussion of Voting Locations
- October 2 – Discussion of Voting System
- October 9 – Discussion and Final Recommendations

Followup of September 11th meeting includes review of questions and answers and notes of the September 11, 2007 meeting. Questions are read and reviewed

ANSWERS TO SEPTEMBER 11 2007, ADVISORY COMMITTEE QUESTIONS

Q. Who are the SCORE Pilot Counties?

A. Alamosa, Chaffee, Conejos, Gilpin, Park, Arapahoe, Elbert, El Paso and Larimer.

Q. What is the number of people over the age of 65 who are in inactive status?

A. 14, 962 (30-64 – 102,477) (18-30 – 48, 491)

Q. It it possible to have Spanish language translation of the Monthly Clerk and Recorder Public Forum meetings and minutes?

A. Yes, that is a goal of the Division going into 2008 as we beef up our web presence. Channel 8 would have to retain an external vendor and invoice the clerk for translations of the televised meetings.

Q. Can we see a large map showing the locations of the former precinct polling places?

A. Yes. Available at September 18 meeting.

Q. Can we have discussion of budget process?

A. It is important to note that the 2008 Elections Division budget is a base budget and that a supplemental will be needed once the form of election is determined.

Q. Can we get a copy of the Organization Chart?

A. Yes. (Matt)

Q. Can we get a list of contact information for the Advisory Committee?

A. Yes. (Tina)

Guests introductions include:

Representative of The Colorado Statesman

David Larson, Colorado Voting Integrity

Lisa Doran, Colorado Secretary of State Office

Dan Willis, Democratic Party

Helen Gonzales, Deputy Clerk & Recorder

Representative of Mikeljohn's Office

Michael Scarpello debated how much information to give the group but, sided with more than less. He proceeds with Elections Governance detailing federal, state, and local governance.

Matt Crane speaks to **voting models** including, precinct polling place election, vote center election, combined polling place election and mail ballot election.

Scarpello recommends potential change through the State Legislature stating that Nebraska precincts hosted around 1,000 voters and Texas precincts around 3,000 voters in consideration of a change in Colorado to change numbers of voters per precinct. Jenny Flanagan raised the question as to how many voters per precinct. Tabled at this time for future discussion.

Costs presented by Matt Crane are based on 2004 data. Rich Pelletier requests clarification on rent paid to the voting facilities and it is clarified that rent is based on \$40 for the first 2 machines with \$10 for each machine thereafter. This payment goes directly to the facility.

Rosemary Marshall, State Representative, wants to know who determined the numbers of voters and Manolo Gonzalez-Estay, Spanish Language Advisory, said the numbers were determined based on the Larimer County model from 2003. Representative Marshall states that it's not a good idea to put numbers in statute because there are too many dynamics that can affect otherwise.

Susan Shepherd, Denver Area Labor Federation (DALF), asks why there would be a problem with precinct or Vote Center voting and then voting paper. Matt Crane responds that this could allow for duplicate voting.

Sara Harmer, Technology Services, states that wiring and T1 costs in non-city facilities drove costs up. There were 21 facilities thus, with the amount of locations that increase,

wiring costs increase exponentially. She adds that 55 vote centers were not enough in 2006.

Denis Berckefeldt, Auditor's Office, asks how many laptops were rented. It is stated that the cost was \$64,000 for 4 laptops per Vote Center location at 55 locations.

Manolo requests clarification around whether when we invested in wiring non-city facilities whether that wiring is now owned by the facility and whether it is a gift to the facility. Sara Harmer explains that identified facilities could be used for 3 years and leased as such. She goes on to explain that there is a 3 year turnaround minimum in technology investments.

Denis Berckefeldt, Auditor's Office, said that cost equated to \$7.08 per vote and asks what the difference was in number of votes cast. Crane explains that in 2004 there were more votes or 240,000 votes; in the 2006 elections there were 160,000 and, he states that there is a correlation to cost per vote.

It is stated that we are looking for locations and there will be ADA issues with more locations especially when looking for those large enough to combine 4 precincts. Question is posed as to whether any county is doing combined precincts. Dan Willis says that Hinsdale/Mineral with smaller populations, combine into one location. Crane reminds all that combined voting doesn't allow you to vote just anywhere. Scarpello asks what locations had more than 4 precincts; it is explained that schools generally were used for this purpose. Stephanie asks for explanation of 2 precinct voting and Crane explains that some of the churches were used. Ed Neuberger, Commission for People with Disabilities reminds all that polling precincts in older buildings will pose ADA problems. Harmer said it's not necessarily a matter of machine capability at a 12 hour per voting period with 180 votes per machine, you have to determine how many machines will cover an area; in addition there are ballot style considerations.

Jenny Flanagan, Common Cause, said there is a lot of confusion in knowing where to go within a combined precinct facility and says that this is one of the challenges. Scarpello explains that this week we were just trying to give an overview of voting alternatives and that we would love to hear feedback regarding these issues. This year's final voting model is a mail ballot election and next year we will be looking at various models—combined precinct; polling precinct, vote centers or paper.

Berckefeldt said he did quick, rough arithmetic estimating \$240,000 of those votes cast; \$4.78 is a rough estimate, if this number had been cast in 2006. The wiring costs drove escalation of costs with Vote Centers this first time around per Crane.

Paul Casper provides a **voting systems overview**, explaining that there was one Edge touchscreen machine in each voting center or each voting site; Scarpello wants to point out in Section 301 of HAVA, that producing a permanent paper record with VPAT is not to be confused with paper trail that can be produced at a later date. Scarpello reiterated federal election standards established by HAVA

Casper explains that states wanting federal money will use the national guidelines for their voting system certification process. Colorado is one of the 39 states doing this.

Scarpello asks if everyone understands the standards, explaining that 2007 standards will take place in the future, that they are not yet finished and, that we could be a system that is obsolete. Per Casper the deadline would be given as to upgrades and then you would have to buy a new system.

Scarpello says 1.4 million was allocated by HAVA and we have used 1.3 million with approximately \$500,000 still remaining of HAVA dollars.

Casper continues with Colorado **voting system requirements**, Colorado Revised Statutes 1.5.601 explaining use of voting systems.

Crane explains that we have to purchase machines with VPATs by 2008, unless the county determines that funds don't exist, and then the decision is pushed to 2010.

Casper explains that the Edge II has a printer on the left-hand side.

Color coded map is shared with the group that indicates the machines that are being used by county:

- Blue have Hart
- Purple have Sequoia
- Green – ES&S
- Brown - Diebold

Carolyn Metzler, Republican Party, asks if there is a particular reason for the use of Sequoia in Denver and Crane responds that there isn't.

Casper goes on to explain that Councilperson Marcia Johnson convened a taskforce in the mid 90s where it was determined that DREs would be used. In 1997 the Edge IIs were introduced. The Advantage machines are still not paid for. The Edge machines are paid for by HAVA. Paul explains the steps for DRE machine setup. He explains that the *trusted build* is the actual firmware; it's the brains inside the machine and, we are supposed to get all our trusted builds to reapply to the machines. He goes on to say that if an election judge determines that seals don't appear correctly, the crew has to go out and look at the machine and bring it back to the warehouse to determine if the trusted build is accurate.

He points out how an Edge looks when it's getting ready to go out indicating internal seals, red on top, over doors, over ports and judges will retrieve the cartridge and reseal the machine. The election judge records when seal was broken and applies a new seal for daytime; they then place another seal until machine comes back to the warehouse. Technicians at the Warehouse deal with VPAT seals.

Random type auditing is performed, per Casper, or if there is a challenge per the Secretary of State (SOS). Shepherd (DALF) wants to know if audit is random and Casper explains that the SOS will select from list of machines given to the SOS. He adds that we haven't had a problem of broken seals.

Flanagan points out that one voting system not discussed today is the optical scan count on paper voting and that this was not talked about.

Scarpello explains that we were trying to weigh how much to provide today so what we did not do was get into talking about paper or plastic (that is, electronic). Next week we will get into more of this detail. Scarpello said every piece of election equipment needs to be certified and, we don't have a clue as to what potentially could be used. It all comes with contingencies per O'Malley. Denver, as a host of other counties, will be in a position to determine how to count the paper ballots. Pelletier references recertification for each machine and Casper said it depends on the particular system from a vendor. Metzler (Republican Party) said she is impressed with how many seals are applied and points out that we don't have an issue with voter fraud. Scarpello said it's important to understand the history and we have in no way made conclusions relative to the model and we just wanted to present information. Berckefeldt said that with SOS recertification they are looking at all vendors and, that he is concerned about Sequoia; he goes on to ask what the confidence level of recertification is in terms of completion by January. O'Malley explains that everyone is welcome to go on to the SOS website and look at the child site relative to certification of vendors and SOS provided deadline to provide additional information and as well as, pointing out information that was not provided. Harmer asks that if they are recertified, do they have time to correct inadequacies. O'Malley explains that they are asking the vendors to be responsive and the SOS is clear that the system will not be certified if questions aren't answered.

City Councilperson Boigon wants to know about the technology related to vote by phone. Scarpello said he cannot speak to vote by phone. Nothing is currently certified by Colorado. Harmer comments that this is probably an IVR (integrated voice response). Oregon is offering this type of voting for voters with disabilities because they are an all mail ballot state per Amber McReynolds. Question is posed as to touch screens and how the election judges fared with training for 2006. Crane responds that judges were more comfortable with the Advantage machine. Complaint with Edge was the printer slowness. Pagination was an issue with Edge especially with the large ballots per O'Malley. Voters thought they were going to get a receipt per O'Malley. Charles Williamson, Judge Trainer, said they had to literally remove the paper and take the machine back to the warehouse to add paper.

Beckert, AFSCME, makes point that all city workers on the distribution list should be reflect a denvergov.org email address destination.

Jessie Danielson, America Votes, wants to know for next time regarding the early voting strategy that we can't use the same machines and, that we need discussion about this.

Pelletier, America Votes, requests emailing of the citations prior to the meeting for the next meeting and he also requests discussion of the budget. It is verified that there will there be discussion over the next 2 meetings per O'Malley.

Meeting adjourned at 3:30 p.m.