



BENTON COUNTY ELECTION COMMISSION BOARD MINUTES

October 29, 2010

Present: Bill Williams, Chairman
E J Miller, Member
Robert Balfe, Secretary
Amy Huston, Coordinator
Sharon Rose, Staff
Kim Umphres, Staff
Tena O'Brien, County Clerk
Christine Southard, County Clerk's Office
Tom Sissom, Press

*Filed last
unapproved per
Election Commission
Meeting on 6-1-2011*

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Also present were Leigh and Chris Nogy, Lee Paull, Dickey Boozman, Melanie Elliott, Kurt Maddox, Sharon and Kelly Copelin, and Reta Hamilton.

The media was notified and Tom Sissom of the Benton County Daily Record attended.

Chairman Bill Williams called the meeting to order at 10:00 AM.

Williams asked if anyone attending meeting wanted to be heard. Several stated they were in favor of the interim results on election night.

Kelly Coplin gave Williams a letter requesting reasons for his dismissal.

Bob Balfe stated that the minutes of the October 8, 2010 minutes had not been approved because of Miller's objection. Williams asked Miller to discuss his objections from the October 8, 2010 meeting. One objection was the flight to Omaha that Williams and Huston made to pick-up media from ES&S. His concerns were if ES&S was at fault they should pay for the flight or if it was the Election Commission's fault then we should pay; or was it a split with both parties at fault. Miller stated that he had asked Williams and Huston if everything was provided on time and the Commission was not at fault. Miller requested that a letter be written to ES&S as to the delay and determine who should pay for the flight. Miller requested that the minutes show that Williams and Huston indicated that the Election Commission was not at fault. Williams asked Balfe if he had researched that request. Balfe had not and asked to table the minutes of October 8, 2010 until the next meeting.

Balfe submitted October 13, 2010 minutes for approval. These minutes were for poll workers for the November 2, 2010 election. Balfe asked for discussion on the October 22, 2010 minutes. Williams stated he had not had a chance to review those minutes and asked for them to be tabled until the next meeting. Balfe and Miller agreed.

Balfe asked for an up-date on the 2011 Budget. Williams stated the budget was adjusted per Richard McComas's requirements. Balfe stated his understanding was to take the budget to Mr. McComas for his review. He also stated he was comfortable with McComas's adjustments but thought the revised budget would be resubmitted to the commissioners at a regular meeting. Balfe asked Williams specifics that McComas agreed to regarding line items that were discussed in a previous meeting. Williams asked Huston for a copy of the final budget. Balfe stated the major line item he was concerned with was the Electronic Pollbooks. Williams said it was still in the budget but that does not mean it would clear the finance committee or the commission will leave the monies in there. The pilot is scheduled for the November 2, 2010 General Election. Balfe's concern is spending funds on Electronic Pollbooks. Balfe asked, "Did Richard McComas agree that we should ask for this money on the front end and justified it later on?" Balfe also stated he was not in favor of putting that in the budget request. Miller also added his understanding was that the commission was presenting a preliminary budget to be reviewed by McComas and returned to the commission. Miller had strongly objected to six (6) line items. Miller stated he was not in favor of the budget that is before the Quorum Court at this time.

Williams pointed out to Balfe that last year the commission asked for \$360,000 to purchase voting machines. Quorum Court appropriated the monies. The commission limited the purchase to fifty (50) machines not 250 that could have been purchased. A large amount of funds are being returned. This demonstrates the commission is not out to spend money but to do the best job. Williams also stated that his understanding of the pollbook situation was if McComas was in favor of leaving the funds in the budget, Balfe would be in favor. The previous practice of the commission was for the chairman and coordinator to go to Mr. McComas and the finance committee. Since that was not satisfactory to Balfe and Miller, the budget will be brought back for discussion. Williams asked Huston to provide a copy of the budget that was approved by McComas and ask him not to go to the finance committee until it has been discussed by the commissioners. Meeting would be scheduled asap.

Williams discussed PYO and the expense of having the programming done by ES&S. The Program Your Own was looked at by a previous coordinator but did not move forward because of the lack of staff. Huston explained how economical it would be for the Election Commission to program the media in house. She also stated that one general and primary election would pay for the software. Miller stated that he and the previous coordinator drove to Ft. Smith and went to the Election Commission office to see their PYO. Their computer consultant would spend many hours programming. Miller stated he was opposed to the programming in house. Williams stated, with Miller's visit to Ft. Smith, it was because of the economy that the PYO did not move forward. Balfe stated he was in favor of cutting ties with ES&S but would ES&S charge the Election Commission with up-date fees yearly. Williams said there would be yearly licensing fees. Balfe's concern was ES&S raising the licensing fee but Williams stated there would contracts to prohibit that from happening. Balfe asked to move PYO to the budget discussion to look at the annual software programming cost are and compare it to the up front cost and up-date cost. Williams said the alternative would be to go to the Quorum Court and ask that the Election Commission be allowed to spend from the monies that the Commission is returning from 2010 funds. Balfe asked for this discussion to continue the following week. Balfe asked if ES&S could provide a proposal for the contract and up-dates. Miller asked for billing details from ES&S on the primary and run-off for programming.

Williams discussed interim reports and the staff produces a minimum of three (3) reports. Miller made a motion to report totals at 7:30, 9:30, 11:00 and final unofficial. Balfe seconded the motion and asked for discussion with Huston. After discussion, Huston stated that the goal of the staff is to produce interim reports as often as possible to keep the public up-to-date on the

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election. Miller stated he would be flexible in the reporting times. An amended motion by Miller was made for interim report totals to be given as close to 7:30 PM (early, absentees and military), 9:30 PM, 11:00 PM but no later than 12:00 AM, and final unofficial report. All commissioners were in favor.

Miller committed on the three (3) precincts that were chosen for exit polling by Edison Research. His concerns were intimidation to the voters and the research group being within the 100 ft perimeter of a polling site. Miller made a motion that Edison Research be 100 ft from a polling site. Balfe seconded the motion. Williams stated the Secretary of State made it clear that no one would be allowed to do exit polling inside a polling location. Also, this group is not electioneering under the statue and do have some rights to be located on the polling grounds. The research group will be positioned at exits and will not interfere with a voter going in to vote. The precinct sheriff's will assist them with finding an agreeable location. A suggested 50 ft radius for Edison Research to do exit polling survey by Balfe was made. A motion was made with Miller and Balfe voted "Y" and Williams "Nay".

The meeting was adjourned at 12:31 PM.

Respectfully Submitted, Robert C. Balfe, Secretary

Prepared by Sharon Rose, Benton County Election Commission Staff

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