

# BENTON COUNTY ELECTION COMMISSION

John M. Brown, Jr.  
Chairman

Russell J. Anzalone  
Secretary



Robbyn Tumey  
Member

Kim Dennison  
Election Coordinator

Office (479) 271-1049 - Fax (479) 271-5749  
[kimberly.dennison@bentoncountyar.gov](mailto:kimberly.dennison@bentoncountyar.gov) or [sharon.rose@bentoncountyar.gov](mailto:sharon.rose@bentoncountyar.gov)

## MINUTES OF THE BENTON COUNTY ELECTION COMMISSION

March 6, 2013

Commission members present: John Brown, Jr., Russ Anzalone, and Robbyn Tumey

Others present: Election Coordinator Kim Dennison, County Clerk Tena O'Brien, Voter Supervisor Dana Caler, Leon Harriman, and Jim Bemis

Media: Tom Sissom, Benton County Daily Record

Chairman Brown called the meeting to order at 1:00 P.M. and welcomed everyone.

Chairman Brown stated that he would like to move public comments before new business because Mr. Leon Harriman would like to address the commission on moving a specific area of the City of Rogers voters from the Little Flock City Hall (Pct 41) precinct.

### **Public Comment:**

Mr. Harriman stated that a section of Little Flock had been annexed into the City of Rogers and that these voters are still assigned to vote in Little Flock. Mr. Harriman presented a map indicating the area of Little Flock that was annexed into Rogers and currently the City of Little Flock has to open their precinct when a run-off election is held for the City of Rogers. Mr. Harriman stated that in the 2010 election a run-off election for two (2) Rogers city council members required the Little Flock precinct to open, with only five (5) votes cast, and that there were no votes cast in the 2012 run-off election. Mr. Harriman requested that the Election Commissioners look into moving the voters in this area to a precinct located in Rogers. Kim Dennison reported that there are seventy-nine (79) voters in this area. Chairman Brown explained that Mr. Harriman is requesting that the commissioners move voters from the (Pct. 41) Little Flock City Hall to (Pct. 44) Holy Trinity Lutheran Church. Chairman Brown stated that he is taking Mr. Harriman's request under advisement. He stated that the commissioners will discuss this matter and that a decision will be made at the next Election Commission meeting.

Chairman Brown asked Dana Caler what would be the process to change the voters in this precinct. Dana stated that Jeff Hawkins of the Northwest Arkansas Regional Planning Commission drew the precinct lines for the 2012 Census, so he could redraw the district lines and write the new legal description and then the Election Commissioners would then have to file an order establishing the new lines, along with the new legal description, and a map. Dana stated that it is not difficult to change voting precincts once the legal work has been completed. Chairman Brown asked Dana if

she would contact Jeff Hawkins with the Northwest Arkansas Regional Planning Commission to see if the County Clerk's office would be able to change the lines and then report back to the commissioners with the answer.

### **Minutes:**

Chairman Brown asked if there were any additions or corrections to the December 4, December 13, 2012, January 14, January 30, and February 13, 2013 minutes. There being none, Chairman Brown made a motion that the minutes be approved as submitted, seconded by Commissioner Anzalone. Motion carried by voice vote.

### **New Business:**

- A. Order to Appoint Election Officials to Process, Count, and Canvass Absentee Ballots for the City of Siloam Springs Municipal Primary Election to be held April 9, 2013: Chairman Brown stated that the Election Commissioners have reviewed and approved Kim Dennison and Sharon Rose as election officials to process, count, and canvass absentee ballots for the City of Siloam Springs Municipal Primary Election. Chairman Brown asked for comments. Commissioner Anzalone stated that he would assist Kim and Sharon with the absentee ballots. With no further comments, the commissioner's approved and signed the order for the election officials.
  
- B. Discussion of Grant monies in the amount of \$10,732: Chairman Brown reported that the State is offering grant monies in the amount of \$10,732 for each county to use for their voting systems and that in order to apply for this money, a questionnaire must be completed by April 15, 2013. Commissioner Tumey asked Kim if maintenance, voting equipment components, and programming would be eligible. Kim responded, yes. Commissioner Tumey asked Kim if the Secretary of State had made an official statement as to if they would be paying for the maintenance contracts on the Ivotronic voting machines. Kim responded that she had received an email from Craig Siebert a representative for ES&S stating that the Secretary of State will pick up the maintenance fee, but the amount has not been disclosed. Kim recommended that the grant monies be used to: (1) purchase computers and printers to open additional early voting sites; and (2) to repair/replace damaged Ivotronics frames. Commissioner Tumey asked Kim what type of computers she was describing, and how many frames are not being used. Kim stated that the commission could purchase netbooks and printers for early voting, and currently there are six (6) frames in need of repair. County Clerk O'Brien asked Kim how many net books and printers they currently have. Kim responded six (6) and that two (2) are used at each early voting site. Chairman Brown suggested ordering the parts for repairing the voting frames and fixing them at the election commission. Commissioner Tumey made a motion to use the grant funds for early voting equipment to include netbooks and printers, and repairing the Ivotronics frames. Chairman Brown asked Commissioner Anzalone if he had any comments. Commissioner Anzalone replied no. Chairman Brown made a motion to use the grant funds for early voting equipment to include netbooks and printers, and repairing the Ivotronic voting machines frames, motion duly seconded and carried by voice vote.

Chairman Brown stated that the grant application needs to be completed and signed by County Judge Robert Clinard. Chairman Brown requested that Kim to meet with Grants Administrator Kati Rose and complete the grant application. Kim responded that she would.

- C. Discussion of Future Plans for the Benton County Election Commission: Chairman Brown asked Kim to discuss future plans for the Benton County Election Commission. Kim stated that she would like to purchase the Programming Your Own Ballot Software (PYO). She reported that during the budget process that \$60,000 was being requested in the event the election commissioners would allow the purchase of this software, but after budget review with the comptroller, this amount was deleted. However, due to \$28,000 being budgeted for the service contract on the Ivotronics and now that item is being covered by the State, we would only need to request an additional \$32,000 to purchase the Programming Your Own Software. Commissioner Anzalone asked for additional

clarification. Kim stated that the software cost is \$45,000 and \$8,000 is for training with ES&S. Kim stated that the training with ES&S would be a minimum of one (1) week and the price changes per the number that attends the training. There would also be travel, food, and hotel expenses. Chairman Brown asked Kim the cost to have ES&S come here. Kim stated that to have ES&S come would be \$1,575 per day for a minimum of five (5) days. Commissioner Tumey stated she is against the programming your own software because Election Commissioners in the State of Arkansas are required to accurately and efficiently count votes. Commissioner Tumey stated in her opinion, programming is not counting votes, and if a mistake is made, this falls back on the Election Commission. Commissioner Tumey added that she is not confident that this could be done efficiently. Kim reported that the Election commission spent \$75,000 in programming cost for 2012 election year. Commissioner Anzalone stated that he would have to do more research before he would commit to purchasing the software.

The commissioner's discussed the prospect of obtaining new precinct-level counting machines to count paper ballots at each precinct rather than having the ballots returned to the election commission for a central count, but placed this discussion on hold due to exploring the type of technical problems this machine is reported to have. Kim stated that she has been told the precinct counters can only be programmed to handle a limited number of different ballot styles in a single precinct and these machines would not accommodate the large number of different ballot types for Benton County. Kim stated that Jennifer Price, Washington County Election Coordinator, is going to Sebastian County to observe L&A Testing on the M-100 precinct-based ballot counters and vote tabulators, and then will go back to Sebastian County on Election Day to continue observing this process. Commissioner Tumey stated that Sebastian County does not have the precinct splits like Benton or Washington Counties. Kim stated that Sebastian County creates a precinct for each ballot style which eliminates splits in their precincts, but they could have 200 precincts. Commissioner Tumey asked how their precincts are staffed. Kim replied that they have two (2) or three (3) precincts in one location for the ballot splits.

The commissioners discussed the issue of having additional early voting precincts and using the I votronics. Chairman Brown stated that paper ballots are only used at the county clerk's offices because of security reasons, and additional early voting sites will take additional I votronic voting machines from Election Day precincts. Chairman Brown stated he could not see spending over \$2,000 on additional used I votronic Voting machines.

Commissioner Tumey discussed splitting Centerton Fire House (Pct. 22), Gravette (Pct. 1), Cave Springs Community Building (Pct. 18), and Pea Ridge (Pct. 33) into several or larger locations, because of the number of voters in this area. Dana Caler stated that some of these locations have a large turn-out only during the Primary Election. Kim stated that an early voting site in Lowell and a polling site for Election Day voting in Bethel Heights are needed. Commissioner Anzalone stated that he would contact JB Hunt Corporation to inquire if it could possibly be used for an early voting location. County Clerk O'Brien suggested that the staff should go and look at all of the voting precincts and exercise more control over the physical layout of polling sites to minimize confusion and delays in voting.

### **Other Business:**

Chairman Brown asked Dana when filing starts for the Annual School Election to be held September 17, 2013. Dana stated that filing begins on July 2, 2013, and ends at 12:00 noon on July 9, 2013. Chairman Brown made a motion to hold the ballot draw for the Annual School Election on Thursday, July 11, 2013 at 6 P.M. at the Election Commission Office located at 1204 SW 14<sup>th</sup> Street, Bentonville, seconded by commissioner Tumey. Motion carried by voice vote.

**Old Business:**

None

**Public Comment:**

None

**Announcements:**

None

**Adjournment:**

Chairman Brown made a motion to adjourn, seconded by Commissioner Tumey. The meeting was adjourned at 2:00 P.M.

Respectfully submitted,

Russell J. Anzalone, Secretary  
Prepared by Sharon Rose  
Benton County Election Commission