

October 21, 2008

A meeting of the Board of Election Commissioners of St. Louis County was held at its office located at 12 Sunnen Drive, Maplewood, Missouri, Tuesday, October 21, 2008, at 3:00 p.m. on notice and call of the Chairman, John Fox Arnold.

Present at the meeting were:

John Fox Arnold	Chairman
Chaim Zimbalist	Secretary
Anita Yeckel	Commissioner
Bill Miller (arrived during Directors' Report)	Commissioner
Steve Garrett	Attorney
Joseph A. Goeke, III	Director
Joseph E. Donahue	Director

Mr. Arnold called the meeting to order and opened the Public Forum. Patricia McHugh, Denise Lieberman, Daniel Simon, Helen McIntosh, Phillip Michaels, Cynthia Richards, Virginia Harris, Sandra Zambrana, David Arnold and Joan Botwinick signed cards to speak.

Ms. McHugh referred to the HBO special on Hacking Democracy, saying there was no way in the foreseeable future to make DREs hack proof. She would prefer that tabulation be done at the polling place and not at a central location.

Ms. Lieberman, an attorney for a St. Louis Voter Protection Coalition spoke about obstacles she felt voters may face. She said voters have rights to be notified of their registration and wanted to know where we were in the process, what kind of a backlog we had and what additional steps we were taking. She said their study showed that 52 polling places would not have sufficient paper ballots and that many polling places would be unable to process all the voters within the 13 hour election day. She asked that more booths be sent out, more clipboards and to redistribute everything more equitably. She said according to the news that last minute changes had been made to polling places which would create confusion for voters and wanted to know what we were doing to notify those voters besides the polling place notification card they normally receive.

Mr. Arnold asked to defer her questions to the Directors' Report.

Daniel Simon, of ACORN, said he has been a voter in the City of St. Louis for more than two years and when he checked his registration found his registration had been merged into St. Louis County at an address he had not used since college. He said others would not know to check their registration. He wanted to know how many voters had been illegally purged and what was being done so that those voters are not turned away at the polls.

Ms. Harris asked if the poll workers had been trained to instruct voters to watch the paper trail as they vote on DREs and to tell voters they could take a paper ballot and use writing surfaces other than the booths provided. She said voting a paper ballot was faster. She suggested we take a mid-day count and post it on the outside door of each polling place.

Ms. McIntosh said she heard reports of "vote flipping" in Charleston and Nashville and St. Louis County. She said a voter had tried three times to select a candidate and a male official at the polling place said the machines go out of calibration all the time. She said too much is asked of poll workers at the end of the day, when they are not as alert.

Mr. Michaels said if a voter averaged 7-8 minutes at a DRE, the machine would accommodate 100 voters; if a voter took 12-14 minutes, a machine would accommodate 50 voters. He said a disabled voter could take an hour. He said if the turn-out exceeded 80% a lot of polling places would run out of paper ballots. He said St. Louis County should have enough paper ballots for all registered voters, like the City of St. Louis.

Ms. Richards expressed appreciation for the opportunity to meet with Board Members and share the views of Missourians for Honest Elections. She said touch-screen machines should be limited to disabled voters who ask for them. She referenced reviews and audits of the equipments software. She said some voters prefer touch-screen machines and are under the impression they are reliable because of the voter verifiable paper trail, but they would change their minds if told how easily malicious code can be written. She asked that we abandon the general use of DREs and provide enough paper ballots for every registered voter. She said a voter who came to the office to vote absentee didn't want to use a DRE because he didn't trust it and was astonished that he was not offered a paper ballot, except through the mail. He said he was not positive that his vote would be counted correctly. She said we are more concerned about crowd management.

Ms. Zambrana, spoke of voters being turned away due to their identification not being accepted, when it should have been. She voiced concerns about there being enough paper ballots on election day.

Mr. David Arnold said no one's vote is secret with DREs, as the paper trail would identify who voted in what order. He said DREs are illegal. He wanted to know why we are continuing to use them when other states have decertified them.

Ms. Botwinick spoke of two instances in the Primary election at Delcrest where there were long lines for DREs and no one knew paper ballots were available until she told them. She said pollworkers should be required to tell voters that paper ballots are available. She said one woman told her she had voted on a DRE and the paper trail did not record her votes and four more spoke of votes being recorded incorrectly.

As there were no more speakers, Mr. Arnold closed the Public Forum and proceeded to the next order of business.

Ms. Yeckel made a motion to approve the minutes of the August 19, 2008 Board Meeting and Mr. Zimbalist seconded. A vote was taken and the minutes were approved.

Mr. Arnold called for the Directors' report. Judge Goeke said our focus is on registrations and absentee voting. He said we had anticipated a 10% increase in registrations, up to 725,000 and as of Sunday we were already at 715,195 but the increases are not consistent throughout the county. Wild Horse Township is down 1.3% and Washington University students went from 950 to 1,700. In response we are producing more paper ballots for 69 polling places.

Judge Goeke said projections had been based on voters taking 5, 7 and 10 minutes on a DRE. Of those voting absentee in our office nobody was taking 10 minutes.

State requirements are 150 voters per device. We are planning for 102 voters per device. Registration numbers are being monitored and additional vote recorders are being added as needed. Pollworkers are being trained that voters may use the secrecy sleeve as a writing surface rather than waiting for an open booth.

Judge Goeke said he is confident there will be enough paper ballots. If more are needed we can print on demand.

To help with the large numbers of voter registrations, the County has provided additional resources; we have 90 people working from 5:00 to 10:00 pm nightly. Records are being updated concurrently on our local (REJIS) system and on the statewide system (MCVR).

Mr. Donahue reported that all 449 polling places have legally required numbers of poll workers and college students are being assigned to polling places from Maryville, UMSL and the Community Colleges. In addition, unpaid high school volunteers will be at many polling places. Hundreds of people from corporate sponsors are being trained to use as standbys on election day.

Mr. Arnold asked about security of the voting equipment. Judge Goeke iterated the findings of the security audit done for St. Louis County. We received a glowing report; they could not figure out a way to get at the machines. Reports from Florida of being able to hack into the machines involved having unrestricted access to the machines. Election board equipment is kept under double locks (one per party), tested by bipartisan teams and sealed. On election day, poll workers check the seals and verify zero vote totals before the polls are open. If any seals have been broken the equipment is not used until it has been retested.

Mr. Arnold asked about technicians for election day problems. There are 89 technicians for the 449 polling places. Each technician has 4 to 6 assigned polling places. In addition there are 15 captains, each overseeing 5 technicians, and 4 super captains. In the last April election there were fewer than 20 equipment related calls to the tech line.

Mr. Arnold said that when election day is over we will have voted over one-half million people. With a fulltime staff of 74 and a numbers of part-time employees, we take care of more voters than 11 states.

There was no old business to bring before the Board. There was no new business.

Mr. Miller made a motion to receive and file the Variance Report and Itemized Bills. Ms. Yeckel seconded the motion. Mr. Arnold asked if there were any questions about the financial reports. By unanimous vote the motion passed to file the reports as received.

Mr. Arnold asked for a motion to receive and file the Personnel Action Report. Mr. Miller made a motion to receive and file and Ms. Yeckel seconded the motion. By unanimous vote the motion passed to file the report as received.

Mr. Arnold asked for a motion to enter into executive (closed) session. Mr. Miller made a motion that the Board enter into closed session to discuss legal and personnel matters. Mr. Zimbalist seconded the motion. A roll call was taken and the votes were as follows: Ms. Yeckel, aye; Mr. Miller, aye; Mr. Zimbalist, aye; Mr. Arnold, aye. The motion was approved and the Board entered into closed session.

John Fox Arnold, Chairman


Chaim Zimbalist, Secretary