

Subject: ETAC Meeting Minutes

Meeting: Election Technology Advisory Committee (ETAC)

Date: September 15, 2005

Time: 5:30 p.m.

Minutes by: S. Clark

Agenda Item 1. Welcome - Dr. Anderson (Mission Statement) Dr. Anderson opened the meeting by welcoming committee members and stating that the purpose of the committee was to search for the most cost effective and viable voting system for Palm Beach County where every vote would count as it was intended.

Dr. Anderson then gave the office Mission Statement of the Supervisor of Elections: To provide inclusiveness in voter education, registration and participation in conjunction with preservation of the integrity of the electoral process.

Dr. Anderson mentioned that the SOE had opened its new satellite office in the Glades on Saturday, September 10th, 2005.

Agenda Item 2. Introduction of Committee Members Dr. Jeffrey Schilit, Associate Provost and CIO for Information Resource Management for Florida Atlantic University. Responsibilities include all technology applications with processing for all seven (7) campuses.

Joel Rothman, Esq., Economic Council of PBC Attending on behalf of the Economic Council of Palm Beach County. Attorney with a law firm (Rutherford) with a computing background. Has recently run a start up security software company, Linux. Practice is mostly intellectual property and technology related legal issues.

Phil Foster, Vice President Administration & Strategies, Sequoia Voting Systems With Sequoia for 16 years; in election equipment business since 1975. Lives in Birmingham, Alabama.

Jack Sadow, PBC Democratic Party Retired, degree from Georgia Tech. Active in non-partisan community activities. Attending as representative of Democratic Party.

Brad Merriman, Assistant County Administrator Has lived in Palm Beach County for past 23 years. Palm Beach County's liaison to SOE for past five (5) years, as such assists in the coordination of all the County's efforts to support SOE.

Jeff Darter, IT Manager, PBC Supervisor of Elections Has 15 years with SOE. Responsible for all things electronic, computers and software databases, including tabulation of votes. Previously computer programmer and consultant.

Francine Nelson, Patriot Games Partner in consulting firm. Organizer of ETAC meeting. Function is to organize/guide Committee.

Richard Giorgio, Patriot Games Partner in consulting firm. Organizer of ETAC meeting. Function is to organize/guide Committee.

Tony Parziale, Chief Information Officer, PBC Community College Responsible for four (4) campuses covering the County. New to area (2 years). Previously Divisional CIO with Phillips Van Heusen and Cardinal Hopp..

Randy Dunlap, Absentee Voting Systems Firm in direct marketing and direct mail business for fifteen (15) years. Looking at strategies to modernize absentee voting process and improve the delivery and tabulation of mail.

Mark Hoch, PBC Republican Party Political Director for the Republican Party of Palm Beach County for eight (8) years.

Glenn MacLean Candidate for SOE in 2004 (received 23% of vote).

Bruce Serell, PB Coalition for Election Reform Senior Systems Engineer Solutions Architect. IT background in development as well as infrastructure, best practices, disaster recovery and business continuance for major operating systems.

Rev. Bill Washington - not in attendance

Linda Mainord, PBC School District, Chief Technology Officer Committee Chairperson - will arrive later due to a scheduling conflict.

Jeff Liggi, Esq. - not in attendance

Agenda Item 3. Sign-In Sheet Sheet circulated for all members to sign.

Agenda Item 4. Statement of Charge - Dr. Anderson Dr. Anderson expressed desire that this be an honest inquiry and that bias be left at the door. We are looking for a sense of neutrality in arriving at a decision. He stated the scope of responsibility is to research and evaluate available election systems technologies (i.e. touch-screen, optical scan, etc.) for the short term (2006 - i.e. paper ballots, mail ballot election, etc.) and the long term; to compare alternative technologies to determine which will best assure that every vote in Palm Beach County counts as intended. This is an evolving industry. We must keep an eye on emerging trends.

Richard DiGiorgio commented that the evaluation of different election technologies should consider key issues such as user friendliness, audit/recount capability, residual vote rate which refers to under/over votes, ADA compliance (audio capabilities, etc.), cost, availability, certification for use in Florida, past performance history, suitability of Palm Beach County and industry trends and developments.

The committee shall submit a comprehensive report of findings and recommendations to the Supervisor of Elections which will be due at the final meeting in February, 2006. The committee recommendations are non-binding.

Dr. Anderson gave the ETAC Mission Statement for the Committee: To research, evaluate and compare available elections systems' technologies in an objective manner, identify which technology will best guarantee the residents of Palm Beach County an accurate, verifiable election result and restore voter confidence in the electoral process.

Our objective is to facilitate the restoration of voter confidence. Public confidence has been eroded. For the Fall of 2006 there may be interim strategies to look at; looking at the short term may be the first objective.

Agenda Item 5. Guidelines/Procedures - Patriot Games (Richard Giorgio) Mr. Giorgio presented the guidelines and procedures for the Committee, stating that a) the committee is empanelled for six (6) months with recommendations wrapped up by February, 2006; b) a regular meeting schedule with date and time should be established; c) The committee meetings will be open to the public, but that public comment is prohibited. The committee is to decide/vote to hear any public comment(s); d) The scope of the committee is limited to evaluating available elections systems technologies, but not to make vendor comparisons; e) There should be no biases, look at the process with an open mind, making objective decisions; f) Show respect for fellow committee members - every opinion is valid; g) Members of the Committee will speak when recognized by the chair; h) Robert's Rules of Order will apply at all meetings; i) The following members of the Committee are non-voting: Jeff Darter, Phil Foster, Francine Nelson, and Richard Giorgio are not members of the committee; j) The committee will keep and approve the minutes of each meeting; k) The chair is the official spokesperson (which includes comments to the press) for the committee; l) The members are to feel free to ask questions at any time; m) Patriot Games will be providing administrative and technical assistance.

Dr. Anderson remarked that this is a totally committee-driven process.

Dr. Jeffrey Schilit expressed confusion on the issue of separating the vendor from the technology.

Dr. Anderson responded to Dr. Schilit saying that the product will be looked at. The vendor will only be called upon to discuss the system.

Brad Merriman inquired if the committee will only be looking at systems that have been certified by the State of Florida.

Dr. Anderson said that any system available at the present time, and perhaps systems that have not yet been fully developed, may be considered.

Bruce Serell commented that he feels that committee is going to be limited by what has been certified.

Dr. Anderson's response was that this is not so. If there is a better product out there, we can put the process into motion.

Mr. Serell expressed concern over the length of time that would be required. He would prefer something ready-to-go.

Richard Giorgio responded, saying that you are charged with short and long term solutions. It may be that we will need to go to the State for certification. Sequoia, for example, provides multiple technologies. We are asking that technologies be looked at.

Joel Rothman commented on looking at the different optical-scan systems and how they are viewed by the voter and how the system is used.

Agenda Item 6. Election Overview - Jeff Darter Mr. Darter distributed material to the Committee. Mr. Darter's statement - see Attachment 1.

Dr. Jeffrey Schilit requested a copy of Mr. Darter's statement and asked that he hi-lite some of the issues.

Mr. Darter responded - see Attachment 2.

Joel Rothman asked if it was possible to get all of this material in an electronic format.

Jeff Darter responded that he will do what he can.

Agenda Item 7. Comments and Questions There were none at this time

Agenda Item 8. Introduction of Chair - Dr. Anderson Linda Mainord had not arrived. Dr. Anderson commented that she will do a fine job heading the committee and suggested placing this item later in the agenda.

Agenda Item 9. Elections of Officers - Linda Mainord Postponed until arrival of Linda Mainord

Mr. MacLean stated that it would be appropriate to address what information we need. He would like to see the evaluation made by the past SOE in selecting the Sequoia system and what this evaluation was based on. He would like to see the Miami/Dade information. What are the warranties and guarantees on the equipment that PBC has? What about purchase contracts?

Dr. Schilit asked if there is someone who can abstract this material for the committee.

Dr. Anderson responded, saying that we will work on that and if it should be general or were there any items in particular.

Mr. Giorgio said that this is a reference resource.

Dr. Schilit asked that the references should be indexed for the committee.

Mr. Serell asked that a Conyers report be provided.

Randy Dunlap asked if there will be a flow chart available. He suggested that items should be addressed individually rather than all at once.

Dr. Anderson explained that we are at the disposal of the committee on how it wants to direct the process.

Mr. Giorgio said that the committee should decide what the direction should be.

Mr. Dunlap suggested that a good place to start would be an outline of various processes. Mr. Darter asked which processes. Mr. Dunlap responded by saying he would like to see a flow chart on the election process.

Dr. Schilit asked Mr. Dunlap to describe what he is referring to. Mr. Dunlap responded by saying he is interested in the Absentee Ballots, the listing of the various components.

Dr. Anderson inquired if this is consistent with voting systems technology vs. the electoral system in total.

Dr. Schilit questioned where does the equipment start in the process and where does it end. He feels that this is what the committee should be looking at.

Mr. Serell commented that computers cannot run themselves. The committee should look at the whole picture i.e. an Absentee Ballot request and when it went out.

Brad Merriman recommended that Mr. Darter and the elections staff start at a point in time of an election and walk through process until results are announced and certified. He said that the committee cannot determine a new process (technology) before it understands the old.

Tony Parziale said that he is looking for a definition of the end product. What are constraints? What systems are potentially available? Can we add to what we have vs. a new system?

Mr. Merriman commented that we have many IT people here and that the human side must be looked at carefully.

Mr. MacLean asked how are the past two systems different. He took exception to Mr. Darter's saying that the punch card system is an analog system.

Mr. Darter responded that there are too many gray areas. Do you remember hanging chads? That is not true.

Mr. MacLean said that the process starts in D.C. and that he would like to limit the Mission Statement to include only the system.

Mr. Parziale feels that this would be short-sighted.

Mr. Merriman commented that he feels it is the entire process.

Dr. Anderson then said that the SOE staff will prepare a walk-through of the election process. We should consider if, in the short term, there are some strategies applicable for the Fall of 2006. We could look to better define what the end product should be; determine the financial limitations. The committee is to review these options.

Mr. Parziale said that the finances should be looked at.

Dr. Anderson said committee can look at cost parameters, see if costs are reasonable and if it validates the election process.

Dr. Schilit asked Dr. Anderson what are his limitations - can he just ask for \$5M? Dr. Anderson's response was yes, he could.

Dr. Schilit asked if Dr. Anderson could tell the committee what the SOE limitations are. Dr. Anderson's response was that if the SOE needs it, he will fight for it. If it is what the community needs we will fight.

Mr. Merriman commented that the PB Board of County Commissioners has been supportive of the SOE office and has no reason to believe that a substantiated researched recommendation would not be supported.

Dr. Anderson said be reasonable and we will attempt to provide. We will not be rushed. We may choose to consider alternatives for the short-term (2006) while we look for a long-term solution.

Mr. Sadow expressed concern with information contained in a letter from Mr. Clint Curtis, Wong Enterprises. Mr. Curtis explains how easy it is to manipulate computers when no provision is made for a paper trail. Mr. Sadow asked who has the source code for Palm Beach County (see Attachment 3).

Mr. Serell proceeded to distribute a hand-out (see Attachment 4).

Arrival of Linda Mainord.

Dr. Anderson introduced Ms. Mainord to the committee. Each member, in turn, introduced him/herself.

Ms. Mainord is with the PBC School District as Chief Technology Officer (her background is that of dealing with technology).

Mr. Sadow announced that Mr. Clint Curtis had just walked in and would the committee, at its next meeting, listen to what he has to say?

Mr. Merriman asked if the committee felt he (Mr. Curtis) is relevant to what we are doing.

Mr. Sadow responded by saying that at the next committee meeting we can ask him questions. He stated that hardware is critical.

Ms. Mainord suggested that there be a vote on this. She stated that we must set up an agenda, and that this issue can be revisited. She said that the committee must elect a vice-chair.

Mr. Serell nominated Mr. MacLean; Randy Dunlap nominated Dr. Schilit.

Chair tallied votes: 2 MacLean, 5 Schilit. Dr. Schilit accepted.

Mr. Serell questioned validity of vote as not all committee members were present.

Francine Nelson said that we have a quorum.

Chair called for nominations for secretary.

Mr. MacLean volunteered for position.

Accepted and appointed.

Ms. Mainord pointed out the importance of setting up a meeting schedule and asked for a discussion on frequency of meetings

Dr. Schilit suggested that given the time line, the committee should meet every two weeks and adjust accordingly. Made motion.

Mr. Sadow seconded.

Chair approved and requested decision on day and time.

Discussion ensued.

Dr. Schilit motioned that Thursday is best day since all committee members were able to attend this meeting. He also suggested an estimated time limit, 5:30 pm - 7:30 pm.

Mr. Parziale seconded.

Chair - accepted and noted.

Mr. Rothman asked if unable to physically attend could there be a telephone link.

Mr. Serell made Point of Order, suggested sending a second.

Chair opened Point to discussion.

Brad Merriman stated that given the complexities and technology involved, a second attending a committee meeting would not be a sound idea; committee does not have the time to get a second up to speed.

Dr. Anderson commented that a telephone connection could be set up.

Mr. Serell insisted on a second.

Ms. Mainord said that the purpose of setting a meeting schedule was to insure that members could attend.

Mr. Merriman motioned that the committee members are the committee and should remain so with no seconds.

Mr. Dunlap seconded the motion.

Chair noted that motion is carried - there will be no substitutes for committee members; that if unable to physically attend one will be able to join by telephone.

Dr. Schilit said that Brad Merriman had raised a point regarding the complexities involved. Dr. Schilit moved that a member missing three (3) meetings without a valid reason would be dismissed.

Mr. Parziale seconded.

Chair noted motion approved.

Ms. Mainord asked that dates be finalized.

Mr. Sadow motioned for 2nd and 4th Thursday of each month.

Mr. Merriman mentioned that this would bring the next meeting up on the 29th of September.

Mr. Giorgio stated that it works out as the 2nd and 4th Thursday.

Mr. Dunlap motioned that duration of meeting is not to exceed two (2) hours.

Mr. Merriman seconded.

Chair - motion is carried.

Dr. Schilit asked if there could be a website for minutes, etc., including future agendas.

Dr. Anderson said yes, there could be.

Agenda Item 12. Closing comments. Mr. Sadow noted that Mr. Cliff Curtis had just come in. Mr. Sadow would like Mr. Curtis to address the letter (see handout) he had written.

Mr. Dunlap inquired how long a walk-through would take.

Mr. Darter responded by saying that he had no idea at this time.

Mr. Dunlap said that we must have a common goal; have a walk-through ready so that the meeting with Mr. Curtis goes smoothly.

Mr. Parziale stated that he would prefer to understand our current system first, then address issues with Mr. Curtis.

Dr. Schilit agreed with Mr. Parziale, saying that the committee must understand the current components.

Ms. Mainord suggested that a time frame needs to be decided upon for "outside" persons.

Mr. Rothman moved that Mr. Curtis be tabled at this time and that the committee should arrive at a time frame and agenda for future meetings with "outsiders".

Chair - so moved.

Mr. Serell commented that he wished to address the handout he provided.

Ms. Mainord stated that it will be discussed at the next meeting.

Mr. Dunlap noted that handouts should be given out before meetings to give members a review period.

Agenda Item 13. Adjournment Ms. Mainord requested motion to adjourn.

Mr. Merriman - so moved.

Attachment 5 - Agenda

Attachment 6 - ETAC Scope of Responsibility

Attachment 7 - ETAC Guidelines and Procedures