

**BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA**

FRIDAY

10:00 A.M.

JUNE 24, 2022

PRESENT:

Vaughn Hartung, Chair

Alexis Hill, Vice Chair

Bob Lucey, Commissioner, via telephone

Kitty Jung, Commissioner

Jeanne Herman, Commissioner

Janis Galassini, County Clerk

Eric Brown, County Manager

Nathan Edwards, Assistant District Attorney

The Washoe County Board of Commissioners convened at 10:00 a.m. in special session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, County Clerk Jan Galassini called roll and the Board conducted the following business:

Chair Hartung asked Assistant District Attorney Nathan Edwards whether it was permissible to change the order of the items heard, and Attorney Edwards responded that the order was the Chair's prerogative. Chair Hartung noted many of the people present wished to speak regarding Agenda Item 5. Due to this, he would move Agenda Item 3 after Agenda Item 5.

22-0468 **AGENDA ITEM 4** Announcements/Reports.

The Board had no announcements or reports.

22-0469 **AGENDA ITEM 5** Declaration of Canvass of the Vote and Order for the 2022 Primary Election per NRS 293.387. The canvass shall note separately any clerical errors discovered and take account of the changes resulting from the errors discovered. And if the canvass is approved and the result declared, direct the Clerk and/or the Registrar of Voters, as appropriate to enter an abstract of the results in the records of the Board which contains the number of votes cast for each candidate, to certify the abstract, to make a copy of the certified abstract, to make a mechanized report of the abstract in accordance with rules of the Secretary of State, and to transmit these documents and records to the Secretary of State in the time required under NRS 293.387. Registrar of Voters. (All Commission Districts.)

Government Affairs Liaison Jamie Rodriguez thanked the Registrar of Voters (ROV) staff, and she noted that the elections continued to become more complicated which required additional work and long hours. She said the Technology Services Department (TSD) assisted the ROV with support for the different systems and logic and accuracy testing. She thanked the TSD for its integral role in conducting the election. She explained County employees from multiple different departments helped process ballots, and she appreciated their hard work. Assistant Registrar of Voters Heather Carmen thanked the election workers and the ROV support staff who spent grueling hours away from family to ensure the primary election was successful. She opined the election would not have been possible without their hard work.

Ms. Rodriguez conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: 2022 Primary Election; Voter Turnout; Breakdown of Votes; and Post-Election Activity (2 slides).

Ms. Rodriguez noted the ROV had learned lessons as it continued to operate a hybrid system of mail-in and in-person voting. She said there were certain parts of the community that could be better accommodated with additional voting centers. The ROV would continue to research the issues and make changes from what it learned in the primary election. She received many comments regarding the election occurring over the Memorial Day and Juneteenth holidays. She advised the election dates were set in law and not at the discretion of the ROV. She informed the general election that year would occur over Nevada Day and Veterans Day.

Ms. Rodriguez said the number of mail-in ballots sent was larger than the number of registered voters. She explained if people moved or changed their party affiliation new ballots were sent. If a person made changes to their voter registration online prior to June 1, then a new ballot was mailed to them. Any changes made to the voter registration online, after May 31, would require an individual to vote in person. She noted the number of mail-in ballots returned included challenged ballots and was not indicative of the total number of mail-in ballots counted.

Ms. Rodriguez explained Effective Absentee System for Elections (EASE) ballots were expanded in the last legislative session to include disabled voters. She noted the amount received during the 2022 primary election was almost three times the amount received during the last general election. She opined EASE ballots were a great way to make voting easier for disabled voters, however, the process was more labor-intensive for the ROV staff. The total voter turnout for the 2022 primary election was a bit lower than the 2020 primary election, but 2020 was a presidential year and those typically had a higher turnout.

Ms. Rodriguez said there were a little over 1,000 ballots that were not cured. She explained the reasons for the ballots not being cured involved needing identification not sent in when requested, signatures not matching the signatures on the ballot, and the ballot arriving unsigned. The processing of the mail-in ballots was labor-intensive and took approximately 8 hours to process 350 ballots. She noted the reason results continued to

change after election day was due to the long processing time of the election day mail ballots from vote centers. The ROV received approximately 10,000 mail ballots on the day of the election and staff worked as quickly as possible to process those ballots. She explained that Post-LAT testing was the logic and accuracy testing done by the certification board.

Ms. Rodriguez said the lessons learned from the primary would be carried into the next election. One area of concern and confusion for voters was due to the supply runners and the ballot runners using the same color bags. There was concern from citizens that ROV staff was transporting ballots without the required second person. She noted a simple solution would be to get different colored bags for the supply runners and ballot runners. She opined that would make it clear to the public what was inside the bags. Another area of confusion during the election was same-day registration updates and same-day new registration, which were completed on the same form. She said there was concern from people who filled out the same-day registration update because they thought their votes were not cast as a regular vote, as they should have been, due to the word “provisional” on the form. She explained that the same-day registration update and the same-day new registration had different codes that staff entered, which allowed the registrations to be processed correctly. She said new forms would be made to allow for a cleaner, more transparent process.

On the call for public comment, Ms. Mary Richardson said she had worked every election since 2016, and she researched the integrity of the Washoe County election process. She noted the ROV website listed the voting process, starting with voter registration and ending with the audit of the canvass. She believed the ROV operated with the utmost integrity, transparency, and accountability. As an election worker, she was a witness to attempts of fraud, and those people were stopped by the checks and balances put in place by the ROV. When observers arrived, she introduced herself, reviewed the rules, answered questions, and referred observers to the County website. She opined the vague and unfounded accusations regarding the integrity of the election were beyond reproach, and she supported the certification of the vote.

Ms. Valerie Fiannaca said she was unaware of how severe the problems were with the election but opined if Mr. Robert Beadles was correct, the Board members were criminals if they certified the election. She believed nothing the public commenters said mattered to the Board. She thought the election was not clean and opined Democrats should be concerned because they may have been cheated by Republicans. She said everyone should be concerned about having a fair election.

Mr. Roger Edwards read the quote on the wall in Chambers and said the Board had an opportunity to be a leading force and get involved in the elections process. He said the Board could not take the word of an appointed or hired employee about what was happening. He opined the most critical part of democracy was having a legitimate election. He believed a legitimate election was important in Washoe County because it was a swing county in a swing state. He explained the electronic piece of the election had many

problems and that the machines should not be attached to the Internet. He thought the legitimacy of the election was of higher importance than anything else the Board dealt with.

Mr. James Benthin provided documents, copies of which were placed on file with the Clerk. He said the Board could not serve both God and technology. He opined technology was useful but could not be completely trusted. He informed that many government agencies and corporations had been hacked, and he said the voting machines could also be hacked. He read an excerpt from the documents he handed out, and he wondered who had the source code for the voting machines and whether each machine had been monitored and checked. He asked whether the Board knew beyond a reasonable doubt that there were no issues regarding observation, the chain of custody, the machines, and the audit of the machines.

Ms. Jean Kramer was concerned about the integrity of the County and the State. Although she had not been registered to vote in Nevada since 2012, she received a mail-in ballot for the 2020 election. She left numerous messages for Governor Steve Sisolak's office regarding the matter and did not receive a response. She explained her handyman received three ballots and two of those ballots were for people who did not live in the State. She gave the ballots to Mr. Beadles, who took them to the ROV. She said Nevada's registration roles were a mess and could result in a fraudulent election.

Ms. Janice Jones recalled that after the last election, one commissioner did not feel in her heart she could certify the election. She said the other commissioners certified the election knowing there was fraud. She opined the Board missed an opportunity to make changes to bring integrity to the election process, which caused the 2022 primary election to be a mess. She said the Board would be provided testimonies, affidavits, photos, and videos showing that Nevada Revised Statutes (NRS) and court mandates were not complied with. She stated the Department of Motor Vehicles (DMV) interference resulted in unregistering hundreds of voters. She explained if one commissioner did not certify the election it should concern the other commissioners and they should not sign until there was a resolution.

Ms. Susie Howell agreed the issue was not a partisan issue and both sides should care about election integrity. She wondered why the head of the ROV disappeared after Mr. Beadles presented the election data. She explained she went to her polling place to vote and asked the workers why they did not need her identification. The poll workers told her they did not require it and said they would match her signature with the records. A man came up to her after that encounter to explain why her identification was not needed, and he informed her that he had been hired to be there. She mentioned she had offered to be a poll watcher, and nobody contacted her. She explained she received two ballots from the ROV. She opined that one-day paper ballot voting could be agreeable to anyone, and she said the mail-in ballot was not safe and did not create equal and fair elections.

Ms. Laynette Evans congratulated the ROV staff for running a free and fair election. She opined staff put in hard work to count the ballots and educate the public.

Mr. Robert Beadles stated it was impossible to legally certify the election, and the only thing the citizens could do was share how it would be illegal for the Board to certify the election. He noted the Board was sent legal documents and affidavits regarding the election. He explained hundreds of observers and surveillance experts documented the election process at the ROV and the polling locations, and those people observed violations of the NRS and other laws. He said the ROV audit did not include mail ballots, and he had proof that the mail-in ballots did not follow a proper chain of custody. The ROV staff that worked the election was not bipartisan, and the temporary workers who counted the votes were not from multiple political parties. He opined the secret ballot provisions had been violated and trainees had worked as poll managers. He said voting machines had been used and then removed due to the wrong machines being used, which voided the ballots of the people who previously voted on the machines. He informed that signature verification was done improperly, observation was denied on many occasions, and the DMV had disenfranchised voters by preventing them from voting for partisan races. He opined every legal voter and candidate in the County had been disenfranchised and the election could not be certified.

Ms. Nichelle Hull protested the certification of the 2022 primary because she did not have any faith or confidence in the validity of the election. She noted a month ago she received a mail-in ballot she did not ask for, and a week after that she received another mail-in ballot. On the day of the primary election, she went to her polling location and asked if she could still vote even though she had left the mail-in ballots at home. Staff allowed her to vote, and she opined if she had been without integrity, she could have voted three times in the election. She believed the ballots to be sacred and vital to democracy, and she asked that the Board research who sent out multiple ballots and terminate them. She believed the incompetence to be purposeful and the election process to be overly complicated. She thought the ROV should keep it simple and allow a person one vote on one day or request an absentee ballot.

Ms. Ariel VanCleve provided documents, copies of which were placed on file with the Clerk. She said the vote should not be certified because it was conducted on machinery that was widely vulnerable to foreign interference. She read excerpts from the documents she provided that supported her opinion. She believed the Board was given an opportunity in March to lessen the County's dependence on election machines. She said hand-counted votes and fraud-resistant paper ballots needed to become the County's primary voting method again. She opined the primary election was not secure and the results could not be confirmed to be accurate and unpenetrated by hacking.

Mr. Chip Evans said he was a member of Indivisible Northern Nevada. He informed the group did a thorough study to examine processes across the State and found the County to be one of the leaders in the country for safeguards of ballots. He opined the elections were complicated because of the extensive process to make sure a person did not vote multiple times. He was offended by a news account that an elector was not going to certify the election based on a gut instinct. He opined solid proof was needed to ensure information was collected credibly and not based on a misunderstanding of the process. He believed every election produced new issues and ways to improve processes. He said he

was an observer at the last election on behalf of the American Civil Liberties Union and witnessed that staff was committed to a free and fair election. He noted there had been goodwill among everyone.

Ms. Cynthia Sassenrath believed everyone wanted a free and fair election. She opined there were issues with the electronic machines, however, the mail-in ballots were the biggest problem. She noted the concerned citizens of the County had asked the Board to be leaders and fix the issues, but the Board had let them down. She requested the Board use the power given to it by the constituents and make news by being the County that set the precedent for acknowledging something was wrong with the elections. She said cost should not be a factor because the County spent money frivolously at other times. She wanted the Board to look at the evidence Mr. Beadles had and do the right thing.

Mr. Donald Fossum displayed a document, a copy of which was placed on file with the Clerk. He stated that he, along with election integrity experts and their investigative teams of observers, was there to stand against the certification of the corrupt election process. He opined the Board's approval of the voting guidelines made it responsible, and he encouraged the Board to take a new view because the public commenters were there to help it enforce the rules.

Ms. Maxine Bradshaw was deeply concerned about her family's future in the State. She opined history continued to repeat itself and the recent election was extremely questionable and ripe with fraud and red flags. She said the large number of volunteers that participated in the election were witnesses to the true election processes in the County. She believed there was an opportunity for the Board to change things for the better by voting to not certify the election. She believed God was in the room and wanted the Board to do the right thing. She asked the Board to listen to the public commenters, the letters sent, and the phone calls for the facts.

Mr. Bill Neill said the issue of election integrity should be bipartisan. He opined that in a court of law if something could not be proven beyond a reasonable doubt then it would not pass. He was willing to testify under oath regarding the unacceptable things he saw at the ROV. He explained he saw cars returning to the ROV on election night with one person. He did not care about the excuses made by the ROV, and he thought the mail-in ballots needed to be eliminated unless requested by the voter. He believed the Board had lost focus of what the forefathers of the revolution fought for, and he noted some individuals were willing to die in their fight for the integrity of elections. He opined the two cameras mounted at the ROV that were meant to allow for observation were not meaningful because they were pointed in the wrong direction and placed too high. After 80 hours of observation, he witnessed a total of 10 hours put into the verification of signatures.

Ms. Penny Brock agreed with Mr. Beadles' thoughts on the election but noted she believed the Board would certify the election that day, despite his concerns. She said there was no mention of Assembly Bill 321 in the presentation given by the ROV. She informed there had not been a report on how many people from around the world voted in

Washoe County's primary. She informed that citizens attended four Board of County Commissioners' (BCC) meetings asking for paper ballots, hand counting of ballots, and the removal of the Dominion voting machines. She opined the Board failed to listen to the citizens, and she requested the Board not certify the election.

Ms. Janet Butcher displayed documents, copies of which were placed on file with the Clerk. She wondered why the blue bags would be used for anything other than delivering ballots. She opined the citizens could not believe with confidence that extra ballots had not been processed. She noted the checklist for the blue bag did not list that supplies should be in it. She believed the ROV was incompetent, and that signatures could be easily forged during the signature verification process. She knew of at least one polling site that violated the chain of custody by allowing a single person to deliver ballots to the ROV. She recently had mail with important documents arrive in Hawaii and wondered whether ballots ended up there. She asked for more explanation on the MiFis that were used for the election.

Mr. Kenji Otto provided documents, copies of which were placed on file with the Clerk. He informed that he filed an election integrity violation report with the Secretary of State (SOS) that morning. He asked the SOS to contact the Board regarding a delay in the decision to certify the election. He noted the NRS and a County ordinance gave the Board the authority to appoint a Registrar. He opined the Board had failed at its job because it knew the Registrar would be out on administrative leave and had not appointed an interim Registrar. He said the Board did not appoint anyone because it would have to have been done during a BCC meeting, and that had not happened. He requested the Board delay making a decision and let the SOS investigate the matter. He believed if the Board certified the election, it could be held legally liable in the future.

Ms. Val White explained she had observed many hours of the election, worked with volunteer observers, and volunteered for various election integrity organizations. She was disturbed by the failings in the processing of the ballots and the NRS and regulations that were not followed. She believed the ROV observation area was intentionally designed to limit meaningful observation of critical processes. She mentioned she had asked for the cameras to be adjusted and was denied her request. She opined the livestream cameras should have a cumulative clock to ensure that a live broadcast was occurring. She believed additional livestream cameras were needed and the cameras should be run by an independent entity. She was denied her requests to observe the chain of custody transfer at the post office, and she observed volunteers walk into the ROV with fake badges. She wanted the public to know the audit done on the machines was not an audit, but an equipment check that could not provide confidence in the election results.

Ms. Renee Rezendes informed she spent many hours observing the ROV and worked at three different polling locations as an observer. She said the three polling places treated the surrendered ballots differently. The chairman at the Spanish Springs Library was unaware the ballots needed to be stamped. He then mistakenly instructed poll workers to stamp the envelope, instead of the correct way of stamping the ballot. She showed the election chairman at Red Hawk the statute for processing surrendered ballots,

and she opined he did a good job of instructing his staff on the correct method. When observing at the ROV, she told Ms. Rodriguez she could not properly observe from where she was seated. She noted on election day she saw two bags come in and be set off to the side, and when ROV staff was questioned they became indignant with her. The bag was dumped out in front of her, and she witnessed that the bag contained ballots.

Mr. Craig Newton had served 30 years in law enforcement, and he explained the murders he encountered during that time were due to people defecting from gangs or law enforcement. He believed some of the Board members had been compromised. He discussed a Reno Gazette-Journal article regarding the County's top election official who had been placed on leave. He opined the official was replaced with people who were not certified to work in the ROV. He believed the voters in the County were disenfranchised and the election needed to be decertified. He said the DMV caused 44,000 people to be disenfranchised due to their party affiliation being changed from Republican or Democrat to nonpartisan. He believed it was a great day and the United States was being cleansed as a result of the Supreme Court's decision to overturn Roe versus Wade.

Ms. Lena Alexander noted the data on the ROV's website did not match other data on its website. She said the only numbers that matched were the deliverable ballots. She wondered how the ROV expected citizens to believe the numbers were correct when they did not match. She asked why only a portion of the list for election day votes was available, and she believed the ROV lacked trustworthiness and transparency. She opined the Board ultimately was responsible for the ROV's reporting, and she said an independent audit needed to be performed.

Mr. Oscar Williams noted the confusion regarding the directions on the mail-in ballot that stated the envelopes were self-adhesive. He said the envelope actually had a glued flap that needed to be dampened. He asked for clarification regarding the incorrect directions, and he informed that the mail-in ballot did not provide instructions for voter assistance. He opined several laws were broken when he was denied a sample ballot on election day. He said the group of nonpartisan voters had grown larger than the Republican or Democratic parties due to the DMV glitches that kicked voters out of their parties. He believed the Electronic Registration Information Center (ERIC) was flawed, and he was frustrated that the County was stuck with ERIC for two more years. He informed the SOS's internal auditing had received information from vital records that indicated approximately 400 dead people were on ERIC's voter rolls.

Vice President of the Sparks Republican Women Ricci Rodriguez-Elkins relayed that Ms. Spikula assured the Sparks Republican Women a person could go online to request that a ballot not be sent to them. She noted that she and two other family members requested ballots not be sent, however, they all received ballots. She went to vote on election day and took her mail-in ballot to surrender. The ROV staff stamped the envelope instead of the ballot and when she asked about it, the person told her it was okay to stamp the envelope. She relayed incidents where the ROV staff was confused when assisting other

voters. She explained the difficulties she encountered when filing for her candidacy. She believed the ROV staff needed additional training.

Mr. Pablo Nava Duran approved of the certification of the election because he opined the election was safe and effective. He applauded staff for fixing the technical problem at the beginning of the election. He explained that independent and nonpartisan individuals could not vote for Republican or Democrat nominees in the primary due to Nevada's closed primary election system. He supported open primaries and believed it would lead to a higher voter turnout. He talked about the recent news regarding candidate Joey Gilbert refusing to concede the election.

Ms. Mary Anne Galperin asked the Board to certify the election and explained that mail-in voting had been used without issues for over 200 years by the military. She opined the elections had only been questioned after former President Donald Trump could not win a free and fair election. She respected the Board members and said there were people who rooted for them and cared about what they did. She believed the people opposing the certification of the election would find problems with any election because their people had not won, and the County was turning into a blue county.

Chairman of the Washoe County Republican Party Bruce Parks noted he was not invited to attend and observe the certification of the machines, despite the provision in the NRS. He believed all citizens had a duty and an obligation to vote, and he opined for people to not vote was disgracing the graves of Americans that gave their lives for the country. He said if even one person had been disenfranchised or their vote did not count, then the Board had an obligation to act. He stated plenty of testimony had been given to the Board that day regarding problems with the last election, and he had personally received many complaints regarding the election.

Ms. Hope Backman showed screenshots of the tracking of her and her fiancé's ballots. She explained they both turned ballots in on June 14. Her fiancé's ballot showed "received" on the SOS's website, however, the following day it showed "mailed". Her ballot was nowhere to be found when she tried to track it. She opined the Board was compromised, with the exception of Commissioner Herman, and she stated she would testify against the Board.

County Clerk Jan Galassini said she received 9 emailed public comments and 1 handwritten public comment regarding Agenda Item 5, which she placed on the record.

Chair Hartung asked Assistant District Attorney Nathan Edwards to explain the guidelines of the NRS regarding the Board's purview for the canvass of the votes.

Attorney Edwards explained that the NRS imposed a duty on the Board to conduct the canvass of votes within ten days of the election. The deadline was at the end of that day. The NRS stated the Board shall note any clerical errors discovered and shall take account of the changes resulting from the discovery of those errors, so the result declared

represented the true votes cast. An abstract of the canvass shall be prepared which will reflect the outcomes of the various elections that were involved in the primary election, per the NRS. The Nevada Administrative Code set out the contents that must be contained in the abstract.

There was a process, Attorney Edwards said, for a candidate who believed the canvass or the votes cast were incorrect. NRS 293.410 and 293.413 set forth a timeline for a person to file a challenge, in court, of the declared election results in a canvass. Chair Hartung asked whether a challenge could occur if the Board did not canvass the vote that day. Attorney Edwards stated the declared outcome was a precursor to a challenge. He explained after the Board canvassed the vote it went to the SOS for a final declaration. Challenges were made based on those determined outcomes.

Commissioner Lucey asked what the outcome would be if the Board did not certify the vote. Attorney Edwards believed the precedent for that was unestablished in Nevada. He said the statute did not include an exception to the Board's duty to conduct the canvass. There was not a provision that allowed the Board to ignore the deadline, exceed the deadline, or refrain from doing the canvass. Commissioner Lucey clarified that whether the Board voted to certify or not certify the vote, would not change the ultimate outcome. He said the Board was looking to explain clerical errors and massive discrepancies within the certification. If the Board did not certify the vote, it would not make the outcome any different than what would be submitted to the SOS. Attorney Edwards stated that was correct and said the Board was to note any changes due to errors.

Ms. Rodriguez noted ten ICX Prime voting machines delivered to the South Valleys Library for early voting had been programmed for election day. By the time the issue was caught, there had been 533 votes cast on those machines. She explained the votes were counted, however, those votes were included in the election day turnout numbers instead of the early voting numbers. She emphasized that the universal serial buses (USB) had been counted and the votes were included in the results.

Commissioner Lucey said the outcome of the certification would not change the vote, it would only bring forth the clerical errors or discrepancies. He looked forward to certifying the vote and thanked the ROV and the volunteers who worked the polling locations. He noted it was a thankless and tireless job. He opined elections were a difficult process and the County did everything to the best of its ability to ensure a civil, upfront, and transparent election. He said nothing had been provided in public comment to make him feel any differently about the certification of the vote.

Chair Hartung asked whether he understood correctly that no challenges could be made until the Board certified the vote. Attorney Edwards clarified that the outcome had to be established for a challenge to occur.

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 4-1 vote, with Commissioner Herman voting no, it was ordered that Agenda Item 5 be approved and directed.

11:49 a.m. The Board recessed.

12:34 p.m. The Board reconvened with Commissioner Lucey absent.

22-0470 AGENDA ITEM 3 Public Comment.

Chairman of the Washoe County Republican Party Bruce Parks was surprised to see on the County website that a drag queen story hour for children would be held in a public library. He was vehemently opposed to any form of adult entertainment in the public libraries. He had previously been told by the library director that a reading story hour for children about Noah's Ark and David and Goliath would not be allowed at the libraries due to the separation of church and State. He said he taught a free class on the Constitution every Wednesday, and he knew that the library director's comment was not correct. He asked the Board to take the appropriate action regarding the drag queen story hour, and at a minimum, ask the library to cease and desist with adult entertainment in the libraries.

Ms. Janet Butcher acknowledged that the Chair had the right to move items around, however, she thought it was confusing to the public. She said the constituents had come before the Board for months asking for a solution to election issues, with no result. She opined the recent primary election was worse than the election before it. She believed supplies brought into polling locations in blue bags, the lack of poll workers to meet demand, and the issues with chain of custody showed incompetence. She said at the end of election day there was at least one location that had a single person who packed everything up and brought the ballots to the Registrar of Voters (ROV). She explained a previous public commenter's statement that mail-in ballots had been done for 200 years was incorrect. She opined Iowa's election process was efficient and provided cost savings.

On the call for public comment, Mr. Robert Beadles and Ms. Nichelle Hull were called to speak but were not present.

Ms. Christina Sherbrook noted she had signed up for Agenda Item 3 to allow her to speak before Agenda Item 5 was heard, but due to the item being moved she was not able to speak before the certification took place. She asked that the Board make it clear to the public when items would be heard because not everyone understood the process. She opined the Board did not care that there were many people who had serious concerns with the elections. She said it was a sacred honor to be able to vote, and she thought it was unfortunate the Board chose to do nothing to address concerns. She read from the United States Code, Section 1519.

On the call for public comment, Mr. Mike Roderick, Mr. Charles Elliott, and Ms. Sandee Tibbett were called to speak but were not present.

Mr. George Lee said experts were not allowed to examine the software and software changes on the Dominion machines. He acknowledged the Board may not have the power to change that because the power was held by the Legislature, however, the

Board signed the contract to buy the machines, so it was ultimately responsible. He spoke about the purpose of the Cybersecurity and Infrastructure Security Agency, and he asked the Board to submit an application for legislation to change the process.

On the call for public comment, Mr. Timothy Burk and Mr. Cliff Nellis were called to speak but were not present.

Ms. Renee Rezendes continued her story from her previous public comment. She said when the ROV staff person turned over the bag in front of her, the contents fell out and there were ballots, packs from the machines, and the tabs that go on the blue bags. She recalled when she was observing the ROV that workers brought in blue bags and lined them up. The blue bags did not have tags on them, and she never saw the tags being removed. She wondered when the tabs were removed and opined it was a breach of the chain of custody. A fellow poll watcher informed her that some bags were brought in from outside the processing room and left on the floor in the hallway. She opined the workers were not bad, they were just not well trained.

Mr. Cliff Low believed the Board cared and tried to do the best job it could. He acknowledged his views did not always align with the Board's, but he did not think the Board was evil. He watched the video of the previous Board meeting and was shaken by the public commenters. He opined many of the residents believed the Board did the people's business as best it could, and in order to do business, the Board had to set certain rules and limitations. He recalled hearing public commenters who said the Board had violated their free speech rights, but he did not believe that to be the case because free speech rights were not limitless. He understood why the Board did not respond or engage with speakers during public comment, and he did not think it was feasible for the Board to do so. He opined the Board should clarify with counsel whether a person, during public comment, was prohibited from speaking to the Board as a whole about an individual or individual commissioner.

Mr. Kenji Otto mentioned there was a delay with the Crystal Canyon Boulevard Project. He received an email that indicated the County was not able to get a bid for the project, and he opined the money had been allocated. He noted his email to Director of Engineering and Capital Projects Dwayne Smith had gone unanswered, however, he could always count on County Manager Eric Brown to reply to him. He said there was excessive speeding on Crystal Canyon Boulevard and a neighbor of his was almost run over by a speeding vehicle. He thought it was imperative to get the situation rectified immediately. He noted the previous Board of County Commissioners' meeting was chaos, and he opined it was due to Chair Hartung's absence. He did not want to have to take over the meeting when nobody was in Chambers to calm the crowd down and reassure the security guards they would not be injured. He opined there were more people unhappy with the Board than people content with the Board, and he said the Board members needed to be more diligent in how decisions were made if they wanted to be reelected.

22-0471 **AGENDA ITEM 6** Public Comment.

Ms. Janet Butcher opined it was not about being perfect, rather it was about being correct. She noted she tried to speak to the public and the Board as a whole, however, it was irritating when it appeared the Board was not listening. She asked the Board to consider having a town hall meeting to allow for interaction between the Board and the community. She expressed her disappointment that the public had spoken about issues in previous elections and what they would like to see changed for the 2022 primary election, however, the issues had not been addressed. She felt distressed when the assistant district attorney spoke about the media because the media did not present the law.

On the call for public comment, Mr. Robert Beadles, Mr. Mike Roderick, and Mr. Charles Elliott were called to speak but were not present.

Mr. George Lee asked that the Board put in requests for legislation to prohibit updates from being made to the software while the machine was running. He opined a machine should not be used if it was not operating properly. He said the County needed to buy new machines that printed a paper ballot the voter could take and put into a counting machine. The counting machine, he explained, would be a box that kept track and recorded votes onto a thumb drive. This would ensure there was a paper trail that could be recounted. By using the Dominion contract, the County was trusting more than it could verify. He said Dominion had a proprietary license for its software and would not allow anyone to see the software.

On the call for public comment, Mr. Timothy Burk was called to speak but was not present.

Mr. Cliff Low said he grieved for his country after the lack of civility he saw at the previous Board meeting. He was heartened by the number of people who showed up that day to express their opinions because it was part of the democratic process. He opined the nature of some of the comments that were made were veiled threats and name-calling, which he found concerning and disturbing. He believed many of the public comments made were regarding issues the Board had no control over. He did not agree with all registered voters being sent mail-in ballots, voter identification not being required, and ballots printed in languages besides English, however, he thought the Board did not have control over those issues. He opined the Board probably had control over whether an eligible voter received more than one ballot. He understood why there could not be applause during the public comment because it was a slippery slope that could descend into chaos and anarchy. He opined the Board needed to be consistent with not allowing applause and should not encourage applause for promotions and awards.

Mr. Kenji Otto agreed with Mr. Low on some issues, but not all of them. He said one of the things he learned during his campaign was how bad people act. He talked about a person who donated to his campaign and had to ask for the money back and take down Mr. Otto's campaign signs due to political pressure. He informed that several of his and other Republican candidates' campaign signs were vandalized. He opined the election

should be civil and conducted properly. He researched the most recent election and believed there were things done wrong. He noted that pursuant to open meeting laws, the Board could not stop people from speaking or clapping unless everyone was stopped from doing it.

22-0472 **AGENDA ITEM 7** Announcements/Reports.

Chair Hartung asked County Manager Eric Brown to work with the Washoe County Sheriff's Office to get enforcement on Crystal Canyon Boulevard until work was resolved there.

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1:11 p.m. There being no further business to discuss, the meeting was adjourned without objection.

VAUGHN HARTUNG, Chair
Washoe County Commission

ATTEST:

JANIS GALASSINI, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Evonne Strickland, Deputy County Clerk*