

Indiana Election Commission  
Minutes  
September 8, 2006

**Members Present:** Thomas E. Wheeler, II, Chairman of the Indiana Election Commission ("Commission"); Ryan Poor as proxy for S. Anthony Long, Vice Chairman of the Commission; Dan Dumezich, member of the Commission; Sarah Riordan, member of the Commission.

**Commission Members Absent:** S. Anthony Long, Vice Chairman of the Commission

**Staff Attending:** J. Bradley King, Co-Director, Indiana Election Division of the Office of the Indiana Secretary of State (Election Division); Kristi Robertson, Co-Director of the Election Division; Dale Simmons, Co-General Counsel of the Election Division; Cody Kendall, Co-General Counsel of the Election Division.

**Also Attending:** James M. Ries, John R. Price, Tami D. Wenning, Maureen Bard, Michael A. Smith, Lesley Weidenbener, Niki Kelly, Rich Van Wyk, and Mary Beth Schneider.

## 1. Call to Order

The Chair called the September 8, 2006 meeting of the Commission to order at 10:00 a.m. in the Indiana Government Center South Conference Center, Room 1, at 402 West Washington Street Room E-204, Indianapolis, Indiana.

The Chair noted that proper notice of the meeting had been given, as required by state law, and expressed his appreciation to other members of the Commission for being able to meet on short notice. A copy of the meeting notice, agenda, and designations of proxy are incorporated by reference in these minutes. *[Copies of all documents incorporated by reference are available for public inspection and copying at the Election Division Office.]*

## 2. Voting Systems Applications for Certification for Term Ending October 1, 2009

**MicroVote General Corporation (MicroVote) application for certification of an upgrade to a previously certified direct record electronic voting system: Infinity direct record electronic system: hardware version VP-1 Infinity Revision C; Firmware version VP-1 Revision C 3.1.0; Software version Infinity Election Management Software Version 3.1.1.0**

The Chair indicated that on the agenda for today's meeting is the application for approval of a voting system filed by MicroVote. The Chair then requested that staff administer the oath to representatives of MicroVote intending to speak in support of the application.

Dale R. Simmons, Co-General Counsel of the Election Division, requested that all persons present who anticipated giving testimony before the Commission to stand to take the oath and the oath was administered.

The Chair announced that the pending application requests approval of the following MicroVote Infinity direct record electronic system consisting of hardware version VP-1 Infinity Revision C; Firmware version VP-1 Revision C 3.10; Software version Infinity Election Management Software Version 3.1.1.0.

The Chair recognized Mr. King who directed Commission members to the memorandum of the Co-Directors concerning this voting system approval application in the Commission's packets behind the notice and proxy documents. He explained that MicoVote's August 21, 2006 application included a CD containing electronic versions of the required application items. He added that the application was submitted on the required IEC-11 form and included the required application fee.

Mr. King then explained that on August 24, 2006 the Election Division received documentation from NCC Group, Inc., and escrow agency in San Jose California, that documented the firmware and software versions described in MicroVote's application had been deposited with the escrow agency. He added that the hardware, original firmware and software for the voting system were demonstrated to the Commission as part of the voting systems initial certification by the Commission in 2002.

Mr. King then directed Commission members to the reference to testing by Independent Testing Authorities on the next page of the voting system memo prepared by the Co-Directors. He explained that MicroVote's August 21, 2006 application included a letter from CIBER, an ITA, which states:

"The qualification of MicroVote election management system to the 2002 Federal Election Commission Voting System Standards is complete. Testing consisted of the Infinity firmware version 3.10, the EMS application version 3.1.1.0. A report will be generated recommending this configuration for certification and sent to the Election Assistance Commission."

Mr. King stated that the Election Division has not yet received the complete report or anything further concerning this voting system upgrade from Ciber.

Mr. King continued by saying that since the filing of the application on August 21 the Election Division staff has been sending and receiving emails to MicroVote staff and counsel regarding the application. He explained that copies of those emails are contained in the Commission's packets as well and they are incorporated by reference into the Co-Director's memorandum to the Commission. He stated that the most significant issue covered in these emails is whether the MicroVote voting system correctly counts straight votes in situations referenced in the email, and if so, what evidence supports the claim. Mr. King noted that MicoVote's counsel has been responsive to questions that have been posed in these emails concerning the application. He added, however, that since some of

this information was received by MicroVote as late as close of business yesterday afternoon, the Co-Directors have not had sufficient time to review it and discuss this information with each other and with co-general counsels. He stated that, as a result, the Co-Directors are not prepared to make a recommendation concerning this application before hearing and evaluating the testimony that we anticipate will be offered at the hearing this morning. Mr. King then indicated that he would be glad to answer any questions.

The Chair stated that the Commission approved, on April 28, 2006 after a series of meetings before the primary where he thought the Commission was told that everything had been fixed and fully vetted and that was the basis for approval of the voting system that date. The Chair asked for an explanation of what has changed since that approval.

The Chair recognized Mr. King who explained that he could summarize the emails on this subject. Mr. King stated that there are four items mentioned in the emails and other correspondence. He explained two of these items involve absentee ballot applications and the use of the electronic voting system for absentee voting in the clerk's office. He added that MicroVote has made it clear that these are optional features that counties may wish to have but they are not required for the voting system to perform in accordance with state law. He added that two other issues, one involving the straight party logo and the difficulty of converting the straight party logo pixels from the format that was used by the county that was on lever and punch cards to a electronic voting system. He stated that, as the Election Division analyzed this change, it did not appear to be required by statute but may have been something specifically requested by a MicroVote customer.

He explained that the final item discussed in the correspondence is a "split precinct" problem. He explained that he believed two questions need to be addressed. He stated the first question as whether the currently certified system allow a voter to cast a straight party vote to vote not only for the candidate that they are entitled to vote for but also for one or more candidates that they are not entitled to vote for because of the split precinct situation. He stated that the second aspect of the problem involves to what extent the configuration that was approved on April 28, 2006 precludes a county from proceeding to build its general election ballot which is an important activity for the counties in the weeks ahead.

The Chair recognized Mr. Shamo who identified himself and indicated that he indicated his job at MicroVote involved sales and support primarily for the State of Indiana.

The Chair asked Mr. Shamo if he was familiar with the application filed by MicroVote on August 14, 2006. Mr. Shamo indicated that he was familiar with the application. The Chair also asked if Mr. King had correctly summarized the issues. The Chair stated that he thought that the Commission had approved the system on April 28, 2006 before the primary and now it appears that as we approach the general election we are dealing with another problem.

Mr. Shamo indicated that he thought the problem has been in communication between MicroVote and the Commission. He stated that what it boils down to is that the Commission will probably see upgrades and updates from every vendor before every election based upon what you learn from the election before. He stated that this case is different in that the Independent Testing Authority tests issues. He stated that the split precinct issue came up after MicroVote submitted its application and thought that it was complete to go forward and then questions started coming back.

The Chair asked why the issue was not caught at the April 28, 2006 Commission meeting and why didn't the Commission know about the issue then. The Chair stated that he understood that the straight-party voting function wasn't necessary in the primary but wanted to know why the split district problem wasn't discussed.

Mr. Shamo stated that their focus was to have a voting system approved for the 2002 primary election. He stated that during the qualification testing performed by the Independent Testing Authority if issues arise or errors in the software system then you stop and correct the errors before you go forward. He explained that the issue that came up was with the straight-party vote in a split precinct with district one and district two candidates.

The Chair asked whether the straight-party problem only comes up where you have a split precinct. Mr. Shamo explained that straight-party voting is not universally required by all states. The 2002 qualification standards do not address it and it is treated as a voting variation which is an option in your technical data package and that is the package that the Independent Testing Authorities review.

The Chair asked whether MicroVote could tell the Independent Testing Authority that we use straight-party voting in Indiana. Mr. Shamo answered "yes." The Chair then stated that the Independent Testing Authority should know that we have straight-party voting in Indiana even though other states do not. Mr. Shamo answered "yes" and added that it was important to remember that this issue got through the Wyle which was the hardware and firmware Independent Testing Authority. He stated that the issue was only discovered during the third phase of Ciber's testing. He stated there were time constraints due to the approaching primary and this problem was discovered to exist in the firmware, which is the firmware resident inside the panel, and not the software.

The Chair asked whether MicroVote knew this was a problem prior to April 28, 2006 and whether MicroVote chose to disable the straight party balloting for the primary. Mr. Shamo answered "yes." Mr. Shamo added that, at the time, the Independent Testing Authority outlined to MicroVote its option to remove this item from its technical data package and go forward to complete testing.

The Chair asked Mr. Shamo why MicroVote did not tell the Commission about this problem in April of 2006. Mr. Shamo indicated it was probably an error based upon the concern of getting the software in place for the primary.

The Chair asked whether the clerks were told about this. Mr. Shamo stated that, in terms of a mass email or anything direct, then absolutely not.

The Chair asked if there were any clerk's present and there were none. The Chair stated that he had received a bunch of emails from clerk's asking why I am not holding a meeting immediately to fix this problem. He stated that he was not pleased that MicroVote has known about this problem since April of 2006 and did not file an application until August 14, 2006 to fix it and he was getting emails from clerks saying that the Commission is screwing over the clerks because the Commission is not holding a meeting immediately to fix this MicroVote problem. He stated that he was upset since MicroVote knew about this problem for four months and then MicroVote is responsible for generating these types of emails to him from clerks that blame the Commission for not holding a meeting.

Mr. Shamo indicated that he did not use the word fault and indicated to clerks that it was the Chair's prerogative to call a meeting. He stated that if there was a personal error on his part it was with his level of comfort with the process as it was unfolding within the offices of MicroVote in terms of testing. He stated that the fact that this error was found on the third phase of testing on the second level was alarming to MicroVote but he was not offering that as an excuse.

The Chair indicated that the Commission and the Election Division share the concern that no one caught this problem.

Mr. Shamo went on to explain, that with respect to MicroVote's communication with its customers, he took for granted his associations with customers in the sense that MicroVote indicated that it would take care of any issue necessary for the November election. He stated that, going into the primary election, that the things that the Commission may be too busy to see from MicroVote's perspective is that MicroVote has had someone at every poll worker training class in Indiana, distributed training DVDs to every precinct at no cost to the counties, and perform public testing at no cost.

The Chair recognized John Price who identified himself as legal counsel for MicroVote. He stated that the Indiana statute specifically exempts primary elections from the straight-party requirement.

The Chair indicated that he was aware of that but that his concern is that there was an emerging problem and the Commission was not advised.

Mr. Price explained that as presented by the Independent Testing Authority the issue was not a deal killer and the rush was on due to the impending primary.

Commissioner Dumezich stated that the day after the primary was over the rush was no longer on and notification could have been given to the Commission over problems that are reasonably foreseeable at that point in time because, at that point, we are one hundred and eighty days away from the general election where straight party voting is an issue..

He acknowledged the list of things that MicroVote does but indicated that even if you do many things well but do one important thing badly then the thing you do badly is what you get remembered for.

Mr. Shamo indicated that this was a fair observation and indicated that as he understood the timetable he was not concerned in that they were essentially ready in July with the exception of vacation schedules of staff members of the Independent Testing Authority which caused them to lose two weeks.

The Chairman indicated that he had a concern with respect to the Independent Testing Authorities and indicated that he believed that the Election Assistance Commission may be looking into some issues relevant to the discussion. The Chairman asked Mr. King if he would address the activities of the Election Assistance Commission.

Mr. King indicated that he had received an email this morning after consultation with Brian Hancock of the U.S. Election Assistance Commission. He added that he had provided a copy of the email to Mr. Price prior to the meeting and then he provided copies to Commission members and offered to summarize the email. He stated that it might be simpler to read the response from Mr. Hancock which states "although I am not always sure that the labs (meaning the ITAs) have operated in this manner my feeling, and I think would be the feeling of the National Association of State Election Directors Technical Committee, is that the ITAs should test the full functionality of the system which, to me, includes testing not only to the appropriate standards but also exercising due diligence to make sure the system is operate to the vendor's specifications. So regardless of the standard, if the vendor claims that the system does straight party voting the ITAs should verify that this is in fact true. If you have the time you might consider getting Sandy Sineback's opinion as well"

Mr. King explained that Sandy is the state election director for the State of Iowa and the head of the National Association of Election Directors ("NASED") Technical Committee.

Mr. Shamo stated that the ITAs have been very proactive and responsive and for MicroVote to receive a response from Brian Hancock within twenty four hours or twenty four weeks would be rare.

The Chair asked for a clarification of who Brian Hancock was. Mr. King responded that, as indicated on the email, Mr. Hancock is the Director of Voting System Testing and Certification for the U.S. Election Assistance Commission.

Mr. Shamo stated he wished to give an example about how responsive Mr. Hancock was. He stated that the State of Indiana, fortunately for all involved, does not require the final report to move forward with qualification. He stated that some states require the issuance of a NASED number before approving a voting system. He stated that the NASED number was applied for immediately after the testing was completed in April and MicroVote received the NASED number last week.

The Chair asked how the new voting system fixes the four problems with the previous system that have been identified.

Mr. Shamo said he would start with the serial number associated with the audit trail problem and the optional absentee voting in the clerk's office. He indicated that there are a number of issues that did not necessarily address problems but just improved upon existing functions.

The Chair asked Mr. Shamo to address the problems as they potentially relate to the upcoming November election.

Mr. Shamo indicated that when you go into advance voting on any direct record electronic machine (DRE) you are required to associate that ballot with their ten digit registration number so the vote can be cancelled on election day if that voter passes away or there is some other reason to retract the vote. He stated that MicroVote never disposes of the ballot but, instead, they flag the identification number of the voter so that it is not included within the tally. He indicated that the problem with this function as originally written is that the State of North Carolina requires that the audit tape that is printed after tally to include the ten digit number with the vote record for each vote so that you have a way to tack a voter's ballot. He stated that this would not work in the situation where the vote is an absentee vote.

Mr. Shamo indicated that the number of precincts that they could load onto one machine was expanded. He indicated that they were previously limited to about twenty five precincts per panel. He stated that some of the larger counties in Indiana, like Allen County or Lake County, wanted to have three hundred or four hundred precincts on one panel.

Mr. Shamo indicated that another change relates to a customer like LaPorte County which has a tradition to "vote for ten" so they wanted to have straight party voting associated with ballot location ten. He explained that they have the capability of producing the party logo as a bitmap which was not clear. He stated that they improved the image of the logo and added the capability of associating a number to the ballot position.

Mr. Shamo indicated that he was aware of the straight party issue where he thought things were going fine with the application and Mr. Shamo did not understand the enormity of the Commission's concern.

The Chair asked whether the split precinct problem is where you have a split precinct with a straight party vote that results in an overvote. Mr. Shamo responded "yes." The Chair asked if there was a problem with the straight party voting independent of the split precinct problem.

Mr. Shamo explained that the problem was that the straight party functionality was simply disabled so that you could not use the straight party functionality period. He stated that it was not removed from the firmware.

The Chair asked who disabled it. Mr. Shamo responded that it was disabled during the ITA discussions in April so that MicroVote could continue with qualification testing.

The Chair asked what the problem would be if the functionality would have been allowed to continue to operate. He asked whether, in that case, the only problem would be with the overvote potential for a straight party vote in a split precinct. Mr. Shamo responded "yes." The Chair indicated that it was his understanding that the split precinct situation was rare. Mr. Shamo indicated it was very rare but he thinks that Allen County has some split precincts.

The Chair recognized Mr. King who indicated that he spoke with Pam Finlayson, the election director in Allen County, who indicated that she had no split precincts in Allen County but that she had been told by MicroVote that the problem would still occur but she may have been referring to the fact that the straight party functionality was disabled. He added that he thought it was important for the Commission and staff to understand that while split precincts are very rare but it may occur this year with partisan town council candidates with districts that would be part in a precinct and part out. He added that it is much more common where you have a voting system panel that is sitting in a polling place and there are five precincts that have their ballot styles on one voting panel. He indicated that, in this scenario, and assuming the straight party voting is enabled, that if a voter votes in precinct A for that ballot style that no votes are credited to candidates in precinct B, C or D.

Mr. Shamo indicated that this would not present a problem because these ballots would be treated as separate independent ballots. The Chair asked if that was true with both the old and the new versions of the software. Mr. Shamo indicated that was true with the new version and he believed it was true with the old version. Mr. King responded that this was a critical point.

The Chair recognized Mr. Kings for a follow-up question for Mr. Shamo. Mr. King asked that Mr. Shamo consider a hypothetical situation in Town of Westfield where part of a precinct is located in the Town of Westfield and part of the precinct is in an incorporated area of the county outside of the Town of Westfield. He asked whether a straight party vote by a voter who gets the ballot style with the Town of Westfield candidates would also record votes for candidates who are listed on the ballot available to voters in the same precinct who live outside of the Town of Westfield. He stated that if you have ballot style A with Smith for town council on it and the voter with ballot style A votes a straight ticket for the Republican Party candidates where people in the same precinct vote ballot style B on the same panel because they live outside of the town. He asked whether, in that scenario, Senator Richard Lugar get two votes.

Mr. Shamo indicated that he believed in that scenario the Senator Lugar would not receive two votes. He said that he thinks in terms of what appears on the ballot face and with the Infinity you have the ability with the electronic interface to not have the candidate appear on the ballot but when that is done a ghost can remain. He explained if the voter sees the town offices and votes a straight republican ballot then it is his understanding that there are ghosted offices that the software has disabled from appearing on the face of the ballot but that these ghosted candidates would nonetheless receive votes.

Mr. King then asked then, in the scenario he described, candidates who are both styles of the ballot would not receive multiple votes because of a straight party vote cast by a single voter but the resident who lives outside of the Town of Westfield and cast a straight party vote for the Republican Party the that voter would not see Town of Westfield candidates on the ballot but nonetheless the system would count a two votes for the Town of Westfield offices. Mr. Shamo responded that it would cast only one vote for the Town of Westfield offices.

The Chair asked about the certification from the ITA. Commissioner Riordan asked Mr. Shamo whether the ITA has confirmed that the described problem has been fixed. Mr. Shamo responded "yes." Commissioner Riordan commented that the difficulty Mr. Shamo had articulating the problem has not given her much confidence that the problem has been fixed particularly in the situation where the Commission does not have the full report from the ITA. She indicated that best situation would be to have someone from the ITA explaining this issue is fixed to the Commission.

Mr. Shamo indicated that the concern expressed by the Commission at this point is exactly the kind of concern that MicroVote had in April and that is why MicroVote felt it should take the summer to test that issue to make sure they were resolved. Mr. Shamo stated that he is comfortable that this feature and function has been adequately tested at this point. He explained that he has enormous faith in Jack Cobb with the ITA and he now appreciates their purpose.

The Chair asked whether staff had a communication from the ITA confirming that this problem has been fixed. Mr. King indicated that all he had at this point is the letter that he included in the memo verbatim and that staff has nothing that specifically states that the problems described by Mr. Shamo have been fixed.

The Chair stated that the letter from Mr. Cobb simply indicates that all the testing is complete. Mr. Shamo indicated that the letter indicates the tests were successful.

The Chair indicated his problem is that his understanding is that the Federal Election Commission standards do not require testing of straight party voting. Mr. Shamo stated that they test straight party voting as a voting variation. He added that when the ITAs tested it in the spring they found the problem and offered the option to MicroVote to disable this voting variation and proceed with qualification. He indicated that MicroVote

submitted the variation in the technical data package for the latest round of testing and they completed the testing on it.

The Chair stated, speaking for himself, that he would like to see a more specific letter from the ITA that indicates that these four identified problems have been tested and fixed. He added that there is no doubt that the elections coming up would be highly contested and will be very close and he wants to make sure the system works correctly. The Chair then asked how difficult it would be to obtain a more specific ITA letter.

The Chair recognized Mr. King who indicated that the Commission has in the past recessed its meeting to call the ITA to get an answer to a question so that the Commission could reconvene and proceed to consider an application for approval of a voting system. He indicated that he thought it was possible for an ITA to respond to such an inquiry with the consent and encouragement of the vendor. He added that one final point that would need to be clarified is the question of setting up the general election ballot. He indicated that if this problem only occurs in the very narrow situation described by MicroVote then why all forty seven counties would be precluded from setting up their general election ballot.

Mr. Shamo responded by stating that the certified version of the software currently has the straight party voting function disabled.

Commissioner Riordan asked whether any of the counties would be able to offer straight party voting if the newest version MicroVote's software was not approved. Mr. Shamo responded that they could not offer straight party voting with approval of this latest version of the software.

The Chair asked whether staff had a recommendation. Mr. King indicated that he did not know whether he and Kristi, as Co-Directors, had a recommendation to make at this point other than proceeding to get the sort of confirmation from the ITA that the Chair referenced. He added that staff would also want to have a better understanding of the time it would take for MicroVote to set up forty seven counties in the state with a system upgrade that has the straight party voting enabled.

Commissioner Riordan indicated one of the things that has always concerned her is that the Commission receives the short letter from the ITA indicating that the testing has been performed and the system is ready to go with a report to follow. She added that certification then is granted contingent upon receipt of the full report. She stated that she knew that the law allows this but she would be very interested in seeing a report of the problems tested for by the ITA and their affirmation to the Commission that the glitches have been resolved. Commissioner Riordan also asked for an explanation of the time required to install the upgrade assuming it is approved.

Mr. Shamo stated that he would like to begin installing the upgrade no later than early next week. He stated that installing the software on the machines does not physically take place until October but the system is all tied together requiring additional preparation.

Commissioner Riordan asked for an explanation of the preparation required. Mr. Shamo stated that getting to forty seven counties and five thousand machines takes time to prepare and accomplish.

Commissioner Riordan indicated that she wanted to see from the ITA a description of the problems as has been described at today's meeting and to confirm that those problems have been fixed.

Mr. Shamo asked whether it was possible to take a few minutes as Mr. King suggested and try to get in contact with the ITA.

The Chair stated that he was willing to convene meeting after they get a line by line confirmation from the ITA identifying these four problems and indicating that the problems are underneath it says we have tested and we certify that in a split district situation with a straight party vote the system will record a double vote.

Mr. Shamo indicated that they might be able to get it today. The Chair indicated that he did not think they would get it today.

The Chair indicated that he was willing to do what Commissioner Dumezich is suggesting and direct staff to identify each of the four issues to the ITA and obtain an answer from the ITA on each of the four issues. He stated that he would want that answer from the ITA before the Commission considers approval of the voting system application for certification. The Chair stated he did not know where other Commission members stood but that he would entertain a motion to table the application until a response is obtained from the ITA.

Commissioner Dumezich said that he would move that the ITA response should indicate that it considered these four questions and that the problems identified in the questions have been remedied. Commissioner Riordan seconded the motion. The Chair called the question, and declared that with four members voting "aye" (Mr. Wheeler, Mr. Poor, Mr. Dumezich and Ms. Riordan), and no Commission member voting "no," the motion was adopted.

The Chair recognized Mr. King who indicated that his understanding of the Commission's motion was that he and Ms. Robertson would prepare a document to send to the four Commission members for their review and edit if necessary before the document would be sent to the ITA to make sure that he and Ms. Robertson have captured all of the concerns of the Commission.

The Chair indicated he would like to see this done and that the Commission was not trying to slow the process down except to make sure that it is done right. He indicated that he did not want to go through meeting after meeting to address questions as to why the voting system is not fixed. He said that he wanted to make sure the system is fixed and fixed right.

The Chair indicated that he would call a meeting of the Commission as quickly as possible considering the schedules of other Commission members.

Mr. Shamo asked about the time required to provide public notice for a meeting of the Commission.

The Chairman indicated that forty-eight hours public notice of a Commission meeting must be given. He added that the Commission needs to handle another matter concerning a candidate's right to access to the ballot which will require the Commission to provide at least five days notice be given to interested parties.

Mr. Shamo indicated that the suggested timeline will severely cripple the counties.

The Chair responded that MicroVote has known about this problem for the last four months. The Chair added that once the questions come back that he will call a meeting as soon as possible.

### **3. Request for Commission to Extend Candidate Filing Deadline**

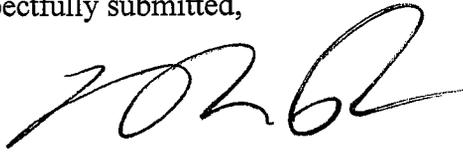
The Chair asked Mr. King to address the other agenda item.

Mr. King indicated that Co-General Counsel Cody Kendall received a filing from a candidate who is asking the Commission to act under Indiana Code 3-6-4.1-17 which is a statute that the Commission has not ever acted on before. Mr. King explained that the statute allows for the extension of a filing deadline, and other deadlines in the election code, due to a natural disaster or emergencies. Mr. King stated that there was apparently a declaration of emergency in Michigan City proclaimed by the Mayor due to flooding on August 23, 2006. He added that the candidate's filing was due by noon Friday, August 25, 2006. He stated that, without going into the merits of this person's claim, the LaPorte County Clerk's Office has been notified that the candidate's request has been filed with the Commission and would be prepared to appear before the Commission or submit written statements to the Commission regarding whether the deadline should be extended for an individual to file as a candidate for school board for the Michigan City School Corporation.

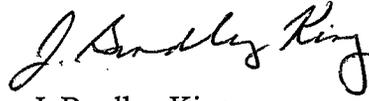
### **4. Adjournment**

There being no further items on the Commission's agenda, the Chair entertained a motion to adjourn. Ms. Riordan moved to adjourn the meeting of the Commission and her motion was seconded by Mr. Dumezich. The Chair called the question, and declared that with four members voting "aye" (Mr. Wheeler, Mr. Poor, Mr. Dumezich and Ms. Riordan), and no Commission member voting "no," the motion was adopted. The Commission then adjourned at 11:40 p.m.

Respectfully submitted,

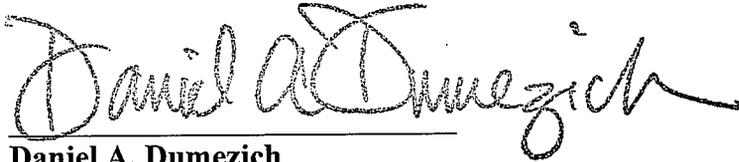


Trent Deckard  
Co-Director



J. Bradley King  
Co-Director

**APPROVED:**



**Daniel A. Dumezich**  
Chairman