

NOVEMBER 10, 2020

The Board of Chaves County Commissioners held a Special Commission Meeting in the Commission Chamber of the Joe Skeen Building, #1 St. Mary's Place in Roswell, New Mexico. Chairman Cavin called the meeting to order at 2:00 p.m. Commissioner Corn led the pledge and Commissioner Dana led in prayer. Those present were Commissioners Cavin, Dana, Ezzell, Corn. Commissioner Bilberry joined by telephone. Also present were County Manager Stan Riggs, Public Services Director Bill Williams, County Treasurer Charlotte Andrade, Sheriff Mike Herrington, Representative Candy Spence Ezzell, Commissioner Elect Dick Taylor, County Clerk Dave Kunko, news media, staff and guests.

CANVASS OF 2020 PRIMARY ELECTION

Chaves County Clerk Dave Kunko thanked his staff for all the hours they have been working in preparation for the Primary Election. He mentioned how proud he was of his office and how proud he was to work with this group of women that really care about the job they do. We had been short-handed and his staff even gave up their lunch hour during Early Voting. He then thanked the poll workers and the amount of responsibility they take on in election years. Elections do not happen without them. Lastly, he thanked Fernando and the Post Office for help and understanding on the importance of ballots and other election mail. Mr. Kunko briefly went over the canvass with the summary totals of the votes in Chaves County. He also explained that New Mexico did not have any problems with Dominion Voting Equipment. Nationally there was a question about problems voting with a sharpie. He explained this equipment actually recommends sharpies for marking the ballot. Mr. Kunko stated that 83% of those who voted were early and absentee voters. This took some pressure off of election day. He then referred to Early Vote, Absentee and Election Day turnout statistics. He stated there were 14,966 early voters, 3,719 absentee, 3,752 election day, 12 provisional ballots and 62 UOCAVA (Uniformed and Overseas Citizens Absentee Voting Act) ballots. In all the turnout was 64% of those eligible to vote. Mr. Kunko stated that 1-12-25.4H NMSA allows the Clerk's Office to qualify, open, tally and document the provisional ballots prior to the canvass. He stated only 12 of the 64 provisional ballots were qualified. Mr. Kunko then pointed out a page provided to the Commissioners that compared the 2016 General Election turnout numbers with the 2020 numbers.

Commissioner Corn commented on the large election day turnout in the valley. He asked how many tabulators were changed out. Mr. Kunko stated one tabulator was changed out in early vote and none on election day. Commissioner Corn thanked the Clerk's Office and poll workers for providing a fair and transparent election.

Commissioner Dana stated Rita Kane-Doerhoefer asked her to tell the Clerk's Office what an amazing job they did on election day. The Clerk's Office responded immediately to any issues they had at her polling place. The person sanitizing the polling place was awesome. Chaves County should be very proud of our County Clerk's Office. Commissioner Dana was happy to see the turnout and hoped Chaves County could keep it going.

Commissioner Ezzell stated it was clear that the main-stream media did not know the difference between a mailout ballot and an absentee ballot. Commissioner Ezzell asked Mr. Kunko to explain the difference in ballot security between an absentee ballot that was requested by an eligible voter as opposed to a mail-out ballot received unsolicited by the voter. Mr. Kunko stated an absentee request is received directly from an eligible voter wishing to vote. In an all-mail out ballot election every individual on the voter roster will automatically receive a ballot. Mr. Kunko mentioned numerous ballots are sent to addresses the voter no longer occupies due to voter rolls being difficult under current laws to keep up to date, making ballot security next to impossible. Commissioner Ezzell asked if a State with all-mail ballots send out ballots with a return envelope by bulk mail and does it get post marked. Mr. Kunko stated if they go out as bulk-mail they don't receive a post mark. Our mail was sent with a special bar code and not every ballot envelope received a post mark. Commissioner Ezzell asked if the Absentee Board had the authority to compare signatures on the ballot envelope with the voter registration signature. Mr. Kunko stated they do not have that authority. Commissioner Ezzell asked if we had any incidents of concern. Mr. Kunko stated there were only minor issues like every election.

Commissioner Corn asked how we process an absentee ballot once we received it from the voter. Mr. Kunko stated the first thing is to tear off the flap and verify that it has been signed and the voter supplied the last 4 digits of their social security number. Then we scan a barcode which displays the correct last 4 digits we check against the envelope. Once accepted this adds that voter to the absentee roster and flags them as a returned absentee ballot. Commissioner Corn asked what the process was if the signature and last 4 digits were missing. Mr. Kunko stated that the provision in the law specific to this election required us to attempt to contact the voter in at least 2 ways in order to supply the information that was missing so that their ballot could be counted. The forms of contact could be by phone, email or regular mail. Mr. Kunko mentioned the adding of the last 4 digits of the social security number cancels the ability of that ballot to be challenged because there is a statute that states challengers are not allowed to see any portion of the social security number. When the identifier was birth year a challenger could look at that envelope. Commissioner Corn mentioned the purge process and the fact that we could remove deceased voters with an obituary from the newspaper. Not all deaths will have obituaries in the newspaper. Commissioner Corn asked if there was a way to access the information from the Bureau of Vital Statistics. Mr. Kunko stated the Vital Statistics Bureau supplied information every few months. Commissioner Corn asked if he moved and registered in Texas if there was a procedure for Texas to notify us of the new registration. Mr. Kunko stated some states will send a notification. He also mentioned a group called "ERIC" that is made up of between 20 and 30 states that readily share this information. He mentioned that Texas was not currently a member of ERIC. There was additional discussion about the purge and why those numbers are so low.

Commissioner Bilberry thanked the Clerk's Office for a job well done.

Commissioner Ezzell stated that Dominion had been in the news and he asked if we had any problems with their software. Mr. Kunko stated Chaves County did not have any problems with the Dominion software.

Chairman Cavin stated he could not compliment the Clerk's Office enough for doing such an amazing job. We set the standard for the State. These other States that have all these problems should follow our lead. He congratulated those candidates that were successful in this election. Chairman Cavin complimented Cindy Fuller on receiving the most votes in Chaves County.

Mr. Kunko was amazed at the high percentage of experienced Poll Workers that chose to work in spite of COVID-19. He added that should the Commission choose to approve the canvass they would need to sign off on 3 originals.

Cindy Fuller came up to the podium and stated the Clerk's Office wished to honor Dave Kunko since this is his last election. She read letters from Ernie Marquez with Automated Election Services and Quay County Clerk Ellen White. Both letters were very complimentary of Mr. Kunko for all the years they had been working with him. She then presented Mr. Kunko with a T-shirt that said "I do have a retirement plan, I plan to go fishing".

Commissioner Corn moved to adopt the Canvass of the 2020 Chaves County General Election as presented. Commissioner Dana seconded the motion. A voice vote was unanimous, and the motion carried.

UNSCHEDULED COMMUNICATIONS

State Representative Candy Spence Ezzell complimented the Clerk's Office on a fantastic job. She mentioned Friday she attended a legislative council meeting by Webex. She stated a document was presented to them at the meeting that was the logistics for the 55th Legislative Session to convene January 19, 2021. There were concerns about even having a session this year. Items discussed were Social Distancing, Standing Committee Meetings at the Convention Center, Limiting access to the Capitol Building to Legislators, staff and credentialed media, closing to the general public, holding House and Senate sessions in respective chambers, and allowing public comment at committee meetings via Zoom. Other State Buildings were considered for legislative meetings. The approximate cost of using the Convention Center is \$750,000.00 for the 60-day session. There would be an additional \$20,000 for 150 reserved parking places. This does not include City Employee overtime and renovation of the Convention Center prior to use. There was no input on this from minority members. She advised the

Speaker that she needed input from her constituents on this document prior to being able to vote on it. Chaves County is well represented during legislative sessions. She mentioned concern over a virtual session and electronic bills. The minority members asked if the public cannot be there then why would they be there. Commissioner Corn was concerned about electronic bills. This really creates a bill process issue. It was suggested to meet in person to pass the budget then recess until later. The public should be there, it is the public's house.

MANAGER COMMUNICATIONS

Mr. Riggs stated we are dealing with COVID issues daily. Finance is open after being closed due to positive virus tests. Some Commissioners and staff have been tested due to possible exposure. Tax payments are coming soon. We will need to stay open. Mr. Riggs stated we have the best Clerk's Office in the State and they prove it every election. He stated they received a notice from the State saying we had to hire people from Work Force Solutions and they would tell us who to hire.

COMMISSIONER'S COMMUNICATIONS

Commissioner Corn thanked the Clerk's Office and all the poll workers. The voting process has changed a lot over the years. We now have VCC's and they appear to be working very well. All the citizens of Chaves County are dedicated to getting the job done. He is glad this election is over and we will see what happens in the rest of the Country. He stated he was present during machine certification and it appears to be a very good system.

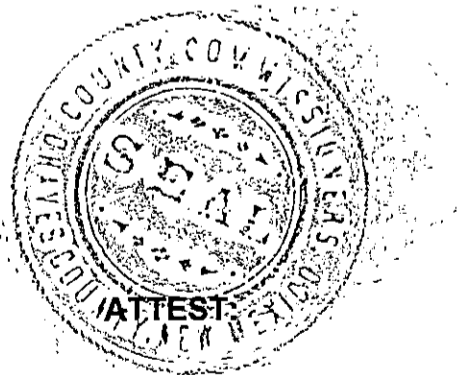
Commissioner Dana thanked the Clerk's Office and poll workers but also thanked the voters. She was worried we would have problems with voters. Most voters wore masks and were very courteous. She told Representative Ezzell she was concerned about transparency. The State doesn't want public input. The people of New Mexico need to be there and it must be transparent. She thanked Representative Ezzell for speaking today and all her efforts in Santa Fe.

Commissioner Ezzell thanked the Clerk's Office and said it was a pleasure to represent this County knowing we have the best people in every department. He congratulated the newly elected officials.

Commissioner Bilberry thanked the Clerk's Office and he has enjoyed working with us the last 4 years. He told Cindy Fuller she would do just fine. He thanked Representative Ezzell for all her efforts. He said it was obvious the State does not want to hear from us. He thanked all the County Departments.

Chairman Cavin stated every office is amazing and we set the standard for this Country. He asked Mr. Kunko if people ever sign their ballots. Mr. Kunko stated you might be shocked at some of the messages we receive. Some ballots have been signed. God Bless America, it is the best place to live.


The meeting was adjourned at 3:27p.m.



BOARD OF CHAVES COUNTY COMMISSIONERS

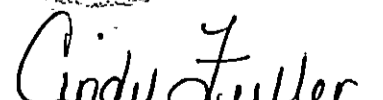

William E. Cavin, Chairman


Jeff Bilberry, Vice-Chairman


Dara Dana, Member


T. Calder Ezzell Jr, Member


Robert Corn, Member


Cindy Fuller
Dave Kunko Chief
County Clerk Deputy