

Audit Committee Meeting
Washoe County, Nevada
June 9, 2023, at 10:00 AM

Voting Members: Commissioner Herman, Matthew Buehler, Barbara Kinnison,
Charlene Hart, Randy Brown

Non-Voting Members: County Manager Eric Brown

Other attendees: Katelyn Kleidosty (Internal Audit Manager), Louis Martensen
(Internal Auditor), Commissioner Hill (alternate), Abigail Yacoben
(Chief Financial Officer), Trenton Ross (Deputy District Attorney)

Agenda Item 1: Roll Call

The meeting was called to order at 10:00 AM and Mrs. Kleidosty performed roll call – those listed above were present. Quorum was met.

Agenda Item 2: Public Comment

It was announced that seven emails were received and would be placed on the record.

Mr. Robert Beadles demanded that County Manager Eric Brown be fired and the contract with The Elections Group be cancelled because he believed they used unsafe and ineffective techniques. He claimed The Elections Group was not registered with the Nevada Secretary of State, a breach of the Nevada Revised Statutes (NRS). He stated this would constitute a breach of each member's oath of office as they would hold other businesses to a higher standard. He said Mr. Brown broke County guidelines by bringing in the group and misled the public and the Commissioners during Board of County Commissioner (BCC) meetings. He said they would sue if Mr. Brown was not fired and the contract was not cancelled. He offered to bring in professional organizations to help the Registrar of Voters (ROV) who would meet their pricing requirements. He turned in a document which was placed on the record.

Ms. Tracey Hilton-Thomas thought that facts had been omitted from the ROV's assessment report which needed consideration before a decision was made. She had attended a meeting with The Elections Group on March 14, after which she emailed responses to the questions that had been asked during the meeting. She said election worker manuals were living documents, and Technology Services had backups of all County documents. The forms used in polling locations were updated in 219, but no one from the audit committee or the ROV's office reached out to the Poll Worker Administrative Committee to get updated information. She suggested the creation of an election citizen advisory board. She spoke about the introduction of signature tablets in 2018, saying tablet signatures did not match paper signatures, and the money spent on them was wasted when the ROV reverted back to the legacy system in 2019. Electronic registration brought electronic provisional ballots, she continued, and Washoe County, in reporting zero provisional ballots in 2020, violated election law. She recommended reverting to tablet use and only registering voters on paper. She turned in a document which was placed on the record.

Ms. Valerie Fiannaca said there was evidence of corrupt elections from the national to the local level. She expressed concern with the report, which cost taxpayers \$100,000. She remarked there were citizens in Chambers who were versed in election law along with an expert with 20 years of service who should be hired, not The Elections Group. She felt the focus should be on voter roll accuracy, vote counting, dropbox removal, and transparency. She wanted the County to commit to reporting votes before the bottom 90 percent of the rest of the state. She read a quote from Captain Seth Keshel about heroes being the ones who did not know comfort zones.

Mr. John Quandt said he served as a poll worker and manager in the prior two elections where he witnessed illegal activity. When he brought this to the Registrar's attention, he was asked to leave. He felt The Elections Group was not the solution. He referenced a citizen activist group that would support those who were part of the solution, not those who were part of the problem. There was little faith in the integrity of the election system, and it needed to be fixed at the local level.

Ms. Janet Butcher praised the Audit Committee for allowing public comment at the beginning of the meeting. She brought up meeting with The Elections Group, which she thought was going to be an internal group. She wondered why the ROV hired people without experience when there were applicants who had some. The Elections Group, she contested, had nefarious resources, and there was no need to spend \$600,000 on a group with particular intentions. She thought there were people in the community who could help. She spoke about a BCC meeting from 2018, noting there were problems back then too, and she did not think an organization from Virginia was needed.

Ms. Penny Brock said freedom was everything to her, and the people came before the Committee to protect that freedom. She spoke about an election proposal brought forth by Commissioner Herman, which laid out ways she felt elections needed to be run. She expressed distrust of The Elections Group because very little information could be found about them. She said she never received a satisfactory answer about who referred The Elections Group to Mr. Brown, and she was unsure whether a request for proposal was ever sent out. She said the group did business in Nevada but did not have a state business license, for which she believed they should be fined between \$1,000 and \$10,000.

Mr. Alan Munson expressed concern about how money was spent. He concurred with opinions that The Elections Group was biased and there were qualified local people who could do the job. He thought the remaining money could be better spent hiring staff, since the report indicated that was a need. He believed people would volunteer during election season to do the job that was needed, but an outside group was not needed just to say there was a problem.

Ms. Susan VanNess indicated The Elections Group was based out of Illinois and was not registered with the Nevada Secretary of State. She wondered which statute exempted them from registering and asked who was supposed to check the registration status of businesses who had contracts with Washoe County. She asked whether The Election Group would provide the ROV after phase II with informational binders necessary for the continued operation of the department. She called for Mr. Brown to be investigated since he refused to answer where he discovered The Election Group. She said the ROV had informed Commissioner Clark that all ROV employees had resigned, but she said many employees who worked in 2020 had come back.

Mr. Cliff Nellis said the ROV's office was a Democrat-run operation despite requests to have it run by a Republican. He wondered whether the ROV would listen to The Elections Group if it suggested moving signature verification closer to the observation area. He said there were excess votes in the prior election and claimed The Election Group would rig the election. He recommended returning to paper ballots, which would require three precincts at 300 polling places to each count 3,000 votes; this would be done cheaply and quickly. He alleged a bill was passed which would allow people to be incarcerated for saying an election was rigged. He asked them to not hire The Election Group.

Ms. Nicol Herris thanked the Committee for taking public comment at the beginning of the session. She felt integrity was important and the people speaking were trying to make things better. The Committee members were here to represent them. She noted things at meetings had become more adversarial over the past three years, so restoring confidence and working together was important. Common ground needed to be found. She said very little was reported to the community other than what was relayed by the news, which could be solved by distributing a unified report. She spoke about inconsistency in election training, saying no momentum was being built. She believed the County should provide informational voting system sheets.

Mr. Nicholas St. Jon said the citizens of Washoe County were at the top of the org chart, but he thought they were not being heard and the County was not being transparent. He brought up issues he had with the report, including that only three conservative poll workers were interviewed for it, and that the political affiliation of the external stockholders was unclear. He said he was never interviewed for the report, even though the publishing of his error report forced the issue of having an independent third party review the process. He asked why conservative voices were not sought, adding that the governing body had a duty to redress any grievances. He cited some of the report's findings: a lack of standard operating procedures, poor communication, and what he believed was an incorrect resolution to 300 jurat affidavits turned in to the ROV's office.

Ms. Lisa Fleiner brought up a public records request for polling data from the 2020 general election, which took five months to complete. The explanation for the delay was that 252,000 ballots had to be reviewed for confidential information, yet the request was completed in a few days when the requestor said they did not need phone numbers or addresses. While she agreed there was a need to hire more employees, she took issue with the high salaries tied to those positions. She said ballots were reprinted two times and people were still left out, which she thought could be solved by sending proofs to each registered candidate. She asked how the public could be ensured that they would be involved if they so desired, and requested that test ballots not be pre-concocted samples. She expressed concern that mail ballot processing stopped at 7:00 p.m. on election night but tallies were not released until the last ballot was cast on 5:00 p.m. the following Saturday.

Ms. Debbie Hudgens felt the BCC needed to define the term 'cast'. Given that State law required ballots with identifying marks to be rejected, she asked who decided what those marks would be. She noted a court order was required to see a ballot after it was counted, and it was impossible to then determine whether it was counted as intended. She asked whether ballots filled out in different colored ink were thrown out. She raised concern about Mr. St. Jon applying for an adjudicator position when he was told he was not needed as an intake specialist even though polling stations were short-staffed. She noted the report did not address the Electronic

Registration Information Center, which she said did not verify citizenship on the new registrations it sent over. She spoke about discrepancies in voter roll numbers and ineffective communication, which eroded trust. She said the ballot chain of custody was a key component of intake practices, and it should be included utility for reconciliation of counting. She alleged the chain of custody was broken on the final day of early voting, as well as during the primary and general elections.

Ms. Pam Darr commented The Election Group only represented one party, bringing up that someone was removed in Virginia because of the infiltration of elections systems by nonprofit organizations. She thought all parties should be equally represented in the vote counting process, adding she shared this view by people of all political affiliations. She stated the fact that The Elections Group was being considered caused a loss of trust with some people. She thought more varied opinions should be represented because the community included a mix of people. This was a great opportunity to make everyone part of the process.

Ms. Val White suggested that Washoe County receive The Election Group's report and then discontinue working with them. There were many experts without questionable agendas and affiliations. She described the group's recommendation to hire new employees and a vendor as a paid takeover of the election department, saying The Elections Group had likely candidates in mind. She claimed several Elections Group employees denied their identity when she approached them at a BCC meeting. She urged the BCC to sever ties with The Elections Group and terminate Mr. Brown for unethical behavior and dishonesty.

Ms. Margaret O'Neill entreated the County to implement in-person voting. She compared her story about her signature being flagged as a potential mismatch in person with her neighbor who did not have time to vote after she was notified that her mail-in ballot had a mismatched signature. Because of that, her neighbor's vote did not count. She spoke about opting not to return a voter registration status form to the DMV, which caused her new driver's license to be denied because a small box was not checked; she felt the form was misleading and could easily be misunderstood. As of January 2022, she was told, filling out the voter registration form was required.

Mr. Billy Hurt thanked the speakers who attended the meeting. He expressed a preference for same-day, in-person paper ballots with exceptions for military personnel and those with handicaps. He read a series of quotes about the vulnerability of voting machines by Democratic politicians: Representatives Adam Schiff, Sheila Jackson Lee, Val Demmings, Jennifer Wexton, as well as Senators Amy Klobuchar and Kamala Harris. He urged the board to consider these moving forward, saying local experts should be used instead of a company from Virginia.

Mr. James M. Benthin opposed the hiring of The Elections Group, instead supporting local control wherever possible. He noted this would be a large cost to taxpayers, which he thought should not be spent out of state. He advised the Committee to continue to search for people who could do the job on a local level, adding The Elections Group was partisan.

Ms. Victoria Myer said The Election Group saw three of its contracts with other states not be renewed, and she was unsure why outside groups were being brought in. She mentioned she was a poll watcher in 2022 and took photographs of ballot bags and computers left in the hallway. She reported this to the ROV Jaime Rodriguez and the Secretary of State, the latter of which

replied there was no problem. She said the Audit Committee had the authority over who ran elections, and they needed to do their job for the people. She indicated there were chain of custody issues, and the Committee would be held personally liable.

Agenda Item 3: Approval of Minutes for April 6, 2023 Meeting

There was no response to the call for public comment.

Commissioner Hill moved to approve the minutes. Mr. Buehler seconded the motion, which carried unanimously.

Agenda Item 4: Discussion of The Elections Group – Registrar of Voters 2022 Election Operational Review

Mrs. Kleidosty reminded the Audit Committee members that this was a discussion only and the Committee would make no recommendations for the Board of County Commissioners (BCC). Members of The Elections Group were available electronically to respond to any questions.

Commissioner Hill indicated she had asked for an audit of the last election, which she thought was important for transparency in the community. The report showed that the County had many opportunities for improvement. She said the audit confirmed many of the concerns brought up by public commenters, and the County could do a better job with communication and staffing. Regarding a comment that the situation had gotten adversarial, she agreed there was no need to feel that way. The audit was done in response to people not being heard and staff being unable to perform it because of the transition to a new internal auditor. She thought The Elections Group provided great recommendations. She spoke about having had communication issues with the Registrar of Voters (ROV) when she ran for office, and much of that was due to staffing.

Commissioner Hill read a section of the report which said brute force labor was not a sustainable solution to the ROV's challenges; only investment in capacity building and an effort to institute best practices would allow the County to deliver the proper election experience. She asked to see staff's response to the findings in the report, as well as a timeline for implementation of the recommendations. One recommendation, for example, was to provide a bigger space for the ROV office to accommodate the needed technology and a 50 percent increase in ballots. Other recommendations regarding standard operating procedures could be implemented quickly. She wished to hear these responses in December.

Commissioner Hill stated the report noted a 50 percent increase in voters but no increase in staffing positions. Additionally, the report suggested not only moving from temporary workers to full-time office assistants, but adding a deputy registrar of voters. She acknowledged these positions were already incorporated into the budget, but the BCC had not yet approved the staffing structure; this report supported the need for these positions. The report also outlined a list of standard operating procedures, including suggestions for ballots, staffing, business processes, workflows, and document management, all changes she believed could happen quickly. She commended The Elections Group for their recommendations for improving processes for ballot

intake, ballot processing, precinct sorting and reporting, accounting and reconciliation of ballot tracking, and signature verification.

Commissioner Hill stated there was an opportunity to improve communication with the public and ballot observers. She read a section of the report about an absence of a crisis communications plan for ballot mailing issues; more of these issues were revealed by the media than any internal resolution process. Additionally, detailed and accurate information was not communicated effectively to the primary stakeholders, increasing public confusion and eroding trust. She felt the audit was a way to show the issues that had occurred during the election. She said they learned that election observers did not feel informed, resulting in that adversarial relationship, which may have been caused in part by a lack of a dedicated communications plan. The report, she noted, recommended adding one.

Commissioner Herman noted many of the findings made by The Elections Group had already been communicated by members of the public. She personally had reported voting incidents that happened to citizens for eight years. The issues were not new and she did not think there was a need to continue with The Elections Group. They needed to listen to the people. She said people were willing to help and a proper election could be held if the Nevada Revised Statutes (NRS) were followed. She felt the provisions of the Election Integrity Bill spelled out what should be done. Commissioners, elected officials, and nonelected officials were responsible for the elections, and she said she did not want someone from another state deciding the process for voting. She said she once lost the ability to vote because somebody voted in her place.

Commissioner Herman said she was putting together a new voting integrity bill, expressing her support for the public commenters. She stated the NRS ensured a balanced election, meaning the job should be done by equal numbers of political parties.

Member Buehler felt the report provided a good baseline but he wished to move forward locally. He requested an elections advisory committee made up of citizens who advised the ROV and the BCC about what they should do to make elections fair and transparent. The process could change over time, and a committee dedicated to the idea would be a good idea.

Member Kinneson stated she worked as a certified public accountant (CPA) in multiple counties in California, and she worked with many election committees. She thought it was necessary to reconvene after hearing staff's response as to how things had been corrected. She thought the public needed to be heard and the concerns they repeatedly brought up needed to be addressed. She agreed with Member Buehler's suggestion about the committee. Regardless of whether the ROV agreed with the opinions of observers, she continued, they needed to listen to observers and attempt to address their issues. She said the Commissioners were willing to listen to the public's concerns, and they should return when they could provide answers.

Member Hart, also a CPA, agreed she wanted to hear staff's responses to the report. She expressed concern about reports of election staff being unable to provide documentation. She concurred that a timeline was needed since the report provided many recommendations. If the decision was made to not move forward with The Election Group, she insisted a strong project manager would be needed.

Member Buehler responded the project manager should be found locally since the County had a lot of talent. Commissioner Hill noted The Election Group suggested a project manager as part of their report without saying it needed to be them. She reminded everyone the BCC had only approved the funding for the initial report and there was no commitment to move forward with them. The desire for this item to come before the Audit Committee was to include the professional expertise of its members. The County Manager was listening to the meeting.

Member Brown concurred with the other comments made by the Committee.

Agenda Item 5: Audit Committee Member Comments

Commissioner Herman, Member Brown, and Member Hart, had no comments.

Commissioner Hill requested an item laying out timelines and providing staff's responses to the report. She hoped that could come back quickly. Ms. Kinnison agreed that would need to happen in a timely fashion.

Member Buehler asked whether these concerns would be addressed at the June 23 meeting, to which he was informed they would not. Deputy District Attorney Trenton Ross responded this item would go before the Board of County Commissioners (BCC) and he was unsure whether it would return to the Audit Committee. Because of that, no timelines could be set. Commissioner Hill pointed out that a Commissioner was requesting the item to come before the Audit Committee.

County Manager Eric Brown asked whether there was a desire to have the item come back to the Audit Committee before moving forward to the BCC. Commissioner Hill replied that would be appropriate because she did not feel audits were complete until staff was able to respond to the findings. The next scheduled Audit Committee meetings were June 22 and sometime in September, though a special meeting could be called. Mr. Brown indicated he would confer with the Registrar of Voters and return with a recommendation for the timing on a special meeting.

Agenda Item 9: Public Comment

Mr. Sean Sullivan commented he lived in Washington D.C. for ten years but left because he was disgusted by local politics; he was experiencing the same thing in Reno. He said people did not trust elections anymore, saying they wanted paper ballots in precincts. He demanded The Election Group be held to the same standards as other businesses. He felt the process was overly complicated and he wanted to see changes.

Ms. Tracey Hiltion-Thomas thanked Member Buehler for recommending a citizen advisory committee for elections, which would need to be accomplished by resolution. She hoped the Commissioners could assist in getting that on a Board of County Commissioner agenda. She felt like observation conditions needed to be taken into account when considering a remodel of the office of the Registrar of Voters (ROV). She suggested making the hallway wall into the ROV glass so the public could observe without needing to be admitted by staff. She felt the County Administrative Complex atrium should not be used as a polling station, offering the conference

room in building C as an alternative. She thought the County could send out voter verification postcards now to verify the voter lists.

Mr. John Quandt opined the report was a blueprint to turn the County into a Marxist organization. He asked why he was told his services were not needed when there was a staffing shortage, adding that his wife was treated poorly as a volunteer. He said The Election Group was funded by the Center for Tech & Civic Life, a left-leaning organization. He noted he, like 50 percent of Nevada residents, was registered as an Independent, and they were watching what was happening.

Ms. Janet Butcher stated she documented her observations for free and sent it to the Commissioners and County Manager Eric Brown. She also relayed many of those concerns to the Board of County Commissioners, though she did not include solutions because she thought they were obvious. She estimated The Election Group's report cost more than \$1,170 per page, and she alleged they were brought in for as a way to earn goodwill. She welcomed the idea of a citizens advisory board, but she stressed the use of volunteers was not working. She thought the right person needed to be hired into the ROV's office to solve problems.

Mr. Nicholas St. Jon said he attended logic and accuracy tests in other cities where he was permitted to walk among those doing data entry and ballot counting, but he was not allowed to do so at the County. He expressed frustration that the observation allowed was not meaningful. He noted several states had uncoupled themselves from the Electronic Registration Information Center, and the BCC had the power to do so as well. He said many people had volunteered to help clean up the voter rolls free of charge, and he sought an item on a BCC agenda to discuss this. The report, he said, estimated 200 hours would be necessary for The Election Group to implement the changes, and he believed \$500,000 would not be sufficient for that purpose. He asked them to cut ties with The Election Group. He spoke about the unreliability of Dominion voting machines, referencing a case at the Sheriff's Office about vote tampering in Washoe County District 1.

Ms. Victoria Myer displayed pictures of unattended ballots in a hallway near the ROV's office. She raised concern about inconsistent answers she received from ROV Jaime Rodriguez about a computer's possible connection to the internet, which resulted in further deterioration of trust in local elections. She wanted a return to paper ballots and a one-day voting holiday, believing that obscuring the process would only lead to more suspicion. She said she witnessed and reported multiple historical owners for homes all received ballots, which showed that voter rolls needed to be cleaned. She appreciated the suggestion of a citizen committee and wished to see Commissioner Herman's election integrity bill on an agenda.

Ms. Cindy Martinez expressed appreciation for the report, saying it objectively confirmed the concerns of the public. There needed to be confidence in secure elections. She felt clerical errors, improper training, and antiquated systems did not constitute felonious violations; however, flaws in the process could enable people to engage in criminal behavior. She pointed out the County was limited in what it could do and, while she supported the previous election integrity bill, she did not think it was a good use of time. She proposed that Washoe County declare an administrative state of emergency to enact procedures to speed up meetings to review potential

changes. That would free up money to help with staffing. She suggested funneling unspent COVID-19 funding away from projects and directing it to this endeavor.

Ms. Penny Brock stated she was a voter, not a stakeholder. She said Mr. Brown exceeded his authority by hiring The Election Group without the BCC's approval; the purchasing agent, she said, was authorized. She took issue with the claim that Mr. Brown called volunteers dangerous. She asked for his replacement, along with that of Ms. Rodriguez by Tracy Thomas, who had 20 years of experience in the ROV's office. She believed that, since the original vote for The Election Group failed on a 2-2 vote, it should not have been placed on another agenda. As such, the contract with the group should be invalidated and they should not be paid. She requested an audit of Mr. Brown.

Ms. Valerie Fiannaca agreed with the potential state of emergency suggestion. She described Commissioner Hill reading the report as a waste of time, and extending the timeline would create chaos. She believed Ms. Rodriguez's talents would make her a natural fit for a public information officer, not the Registrar. She thought there was no one competent to run an election in six months, alleging the intent was to ensure chaos in the election.

Ms. Susan VanNess thought time was of the essence. She said several citizens were taking a class on election security. She displayed a video of an ROV employee using a device he was not supposed to use, claiming it changed the votes on the machine. She stated she had other videos of similar behavior, and she had observed the chain of custody was not followed. She offered to make a presentation of these occurrences, remarking that outside agencies were not needed. She said the media ran a story about her being a sniper based on information given by Mr. Brown and Ms. Rodriguez.

Ms. Val White remarked The Election Group did not recommend changing the ROV, and she agreed with the suggestion of changing the entire wall of the ROV office to glass. She said portions of the election room were still obscured from the observing area. She believed a security guard was hired to intimidate observers, and expressed frustration that Ms. Rodriguez allowed County employees to use their phones in the processing center. She expressed concern both about the use of flash drives which could be used to manipulate votes, and the access given to volunteers that she was not given. Another issue was that guest wifi was used at the University of Nevada, Reno polling station. She thought the BCC was approving deception.

Adjournment

At 11:55 AM the meeting was adjourned.