

VALENCIA COUNTY BOARD OF COMMISSIONERS

Special Meeting

November 9, 2006

PRESENT	ABSENT
Paul Trujillo, Chairman	
Ron Gentry, Vice-Chairman	
Mary J. Andersen, Member	
Georgia Otero-Kirkham, Member	
Lynette Pinkston, Member	
Francisco Apodaca, County Manager	
Cynthia R. Wimberly, County Attorney	
Tina Gallegos, County Clerk	
Press and Public	

1. The meeting was called to order by Chairman Paul Trujillo at 4:15 PM.

2. Chairman Trujillo asked Marilyn Silva to lead the Pledge of Allegiance.

3. Approval of Agenda

Commissioner Pinkston moved for approval of the agenda. Seconded by Commissioner Kirkham. Motion carried unanimously.

4. Action Item:

Board of County Commissioners Convene as Canvassing Board to Begin to Canvass the 2006 General Election

Commissioner Andersen moved to convene as the Canvassing Board. Seconded by Commissioner Pinkston. Motion carried unanimously.

Tina Gallegos, County Clerk said we are here today according to statute on post election duties per Section 1-13-1 to convene as the canvassing board to begin that process. The next six days before the final canvass, the election department checks machine tape totals, election day rosters for each precinct to make sure the presiding judge and election officials filled out all of the necessary information on that roster cover, verify tally sheets. At the final canvass, we will go into detail the election night procedure, canvassing procedure and provisional ballot procedures and any court cases that have been brought forward during this canvassing period.

Ms. Gallegos stated we had all of our precincts reporting, there are no missing returns at this time, we did have a 54% voter turnout, which is very good for a general election. We had approximately 19,892 people vote, this includes election day, absentee, and early numbers. We had 284 provisional ballots, The process and procedure to count the provisional ballots will come from the Secretary of State and the New Mexico State Statute.

Ms. Gallegos said tomorrow is a holiday but her staff will be counting the provisional ballots and go through that procedure. We have asked for both party chairs to be present, county attorney and the race for County Commission District 1, both of those candidates or representatives will be present. At this time the provisional ballots were impounded so District Court will turn them over to us at 8:00 AM and we will then commence the provisional ballot process.

Ms. Gallegos said there will also be a representative from Congressional District 1 tomorrow for the provisional ballot count procedure.

Commissioner Gentry asked Ms. Gallegos to explain the security of the paper ballots with this new system. What happens with those ballots, what is the process? Ms. Gallegos said all of the general election ballots that went into the tabulator go into a locked ballot box. There are two locks on that ballot box, one is mailed to District Court and the one is kept by the Bureau of Elections Office. The only way to open any of those boxes is with a court order requiring that process. They are kept in the County warehouse where they will remain for 22 months per statute. The County Clerk's Office is the only one that has keys to that warehouse.

Commissioner Kirkham said at the public hearing meeting, Mr. Pratt stated he would like to see us do an audit of a couple of the machines. Could this be possible to do an audit so we can assure the community that those machines did work as we thought they would? Ms. Gallegos said we would need to get with our County Attorney, get a court order, we would need to decide which precincts to do this audit on? Ms. Gallegos mentioned to the Commission this process would be time consuming and we would have to pay the poll workers for their time, this would be a challenge, as we have impending elections coming up. We have the Peralta Incorporation paper ballot election and the School Board elections coming in January and February.

Commissioner Kirkham made a motion that we have the County Clerk's Office do an audit of a small precinct, to assure the public that the machines ran as they should. Seconded by Commissioner Andersen. Discussion. Motion carried unanimously.

Mr. Kaneshiro said this audit is a good idea but he cautioned the Commission to wait per statute five days after the state final canvass because of the challenge period. That way we will not need any petitions or court orders.

Moises Griego and Pedro Rael asked Ms. Gallegos to explain the provisional ballot process that is going to take place tomorrow.

Ms. Gallegos said it is a clear set of standard procedures that her office will follow and these will be provided to them.

Commissioner Pinkston moved to recess as the County Canvassing Board and adjourn as the County Board of Commissioners. Seconded by Commissioner Kirkham. Motion carried unanimously.

Adjournment

Chairman Trujillo adjourned at 4:44 PM.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the **November 9, 2006** Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

VALENCIA COUNTY BOARD OF COMMISSIONERS

**ss/
PAUL EDWARD TRUJILLO CHAIRMAN**

**ss/
RON GENTRY, VICE-CHAIRMAN**

**ss/
MARY J. ANDERSEN, MEMBER**

**ss/
GEORGIA OTERO-KIRKHAM, MEMBER**

**ss/
LYNETTE PINKSTON, MEMBER**

ATTEST: ss/

TINA GALLEGOS, COUNTY CLERK

DATE: December 15, 2006