

Andrea Gyger

From: Michelle Nauer <mnauer@ouraycountyco.gov>
Sent: Thursday, July 03, 2014 11:45 AM
To: SoS Rulemaking
Cc: Hilary Rudy; 'John W. Nelson'
Subject: Comments - working draft election rules
Attachments: soscomments.pdf

Hi!

Please see the attached comments regarding the new proposed rules. These actually came from John Nelson, long time election judge who has seen many changes. I respectfully request the attached be included. Thanks!

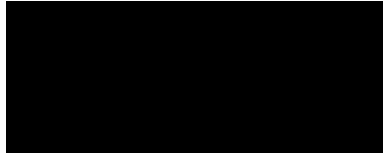
Michelle Nauer – Ouray County Clerk

Michelle Nauer

From: John W. Nelson [REDACTED]
Sent: Monday, June 30, 2014 3:56 PM
To: Michelle Nauer; Paul Elmont
Subject: SOS comments

Importance: High

Please check this out and feel free to be critical. I just want our county to be presented.



June 28, 2014

Mr. Scott Gessler
Office of the Secretary of State
1700 Broadway, Ste.200
Denver, CO 80290

Re: Proposed Election Rule changes

Dear Mr. Gessler:

Unlike the other respondents to your request for comments, I am not a county clerk, county employee or equipment executive. For 13 years, I have served as a volunteer election judge in Ouray County. The courthouse staff has lost 5 employees recently due to economic contractions within the county, most from the office of the county Clerk & Recorder. Your office and the outstanding cadre of the Colorado County Clerks have been a tremendous help to us and our Clerk, Michelle Nauer, who is just now recovering from a major medical emergency. We truly appreciate the assistance in the recent primary, particularly the help of Hillary Rudy and Jerome Lovato from your office.

I point out the financial crisis in our county, located in the southwestern part of the state, to emphasize the tremendous burden some of the proposed rule changes will have on the smaller and financially troubled counties subject to these proposals. I understand that you and your staff are attempting to improve the current system while implementing the recent changes in legislation but some of the changes being proposed are simply overwhelmingly devastating for the already financially strapped smaller counties.

Like many current requirements imposed by the federal government, the proposed "unfunded mandates" may make good sense in larger financially secure counties but make little common sense in the smaller populations like Ouray County. Though well-intentioned, the inevitable results will be devastating.

Of all of the proposals, probably the most devastating is that of Rule 20.5.2, requiring the acquisition of \$25,000 BOSS (ballot programming software). The comments from Mr. Perez (of Hart), Sheila Thruston (Crowley County) and Beverly Wenger (Yuma County) and others of the 24 comments are terribly realistic and relevant to this proposal.

The Rule 20.17.5 power supply proposal again is another expense which appears unnecessary since the use of paper ballots in such an unlikely situation would seem to suffice, as pointed out by Ms. Wenger and others as well.

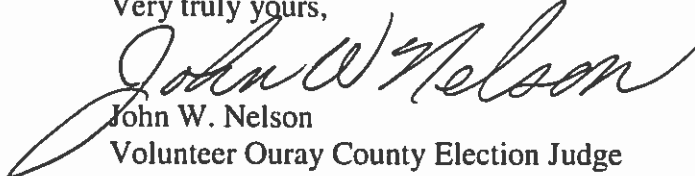
While Rule 20.3.1 (e) relating to an adjustable headset may seem reasonable, you might consider that our E-slates have not been voted upon in several years, even though they have been tested for accuracy each election (when we had individual precincts before the single VSPC), were always readily accessible and encouraged by the election judges. Our voters prefer mail in ballots, just as simple as that. Any further expenditure on these machines appears to be a horrible waste of already scarce funds. Given this circumstance, R. 20.11.2 is hardly relevant to us.

Rule 20.5.2 (H) dealing with storage facility access logs and security are likewise impossible for compliance in our circumstances. Our courthouse, the only available reasonable facility for holding an election, is 125 years old. Part of the election equipment is stored in a dungeon-like basement, complete with its own ghost, and under an open stair casing leading to the courtroom where True Grit was filmed. Neither area can be secured. The electronic portion of the equipment is stored in a vault, probably a 100 years old which is open to other courthouse personnel, making a strict log-in system impractical.

Many other comments, like those of Ms. Kathleen Irie (San Miguel County) are accurate and relevant as well, hers and others relating to R. 20 17.6 (E) and the use of a special key for the Hart system rather than the current button.

It is unfortunate that there are only 24, and now 25, comments on this series of proposals which will be financially devastating for many of our smaller Colorado counties. Thank you for your consideration of these brief comments.

Very truly yours,



John W. Nelson
Volunteer Ouray County Election Judge

JOHN W. NELSON
Office 970-240-2800
[REDACTED]

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.