

State of Texas	§	Court Order
Collin County	§	2023-856-09-18
Commissioners Court	§	

An order of the Commissioners Court approving the filing of the August 28, 2023 minutes.

On Monday, August 28, 2023, the Commissioners Court of Collin County, Texas, met in Regular Session in the Commissioners Courtroom, Jack Hatchell Collin County Administration Building, 4th Floor, 2300 Bloomdale Road, City of McKinney, Texas, with the following members present, and participating, to wit:

Judge Chris Hill
 Commissioner Susan Fletcher, Precinct 1
 Commissioner Darrell Hale, Precinct 3
 Commissioner Duncan Webb, Precinct 4

Absent: Commissioner Cheryl Williams, Precinct 2

Commissioner Fletcher led the Invocation.
 Judge Hill led the Pledge of Allegiance.
 Commissioner Hale led the Pledge of Allegiance to the Texas Flag.

Judge Hill called to order the meeting of the Collin County Commissioners Court at 1:30 p.m. The meeting adjourned at 4:26 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 4:19 p.m. and adjourned the meeting at 4:20 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-54488 Contract renewals for CSCD, Sex Offender Counseling (RFP No. 2022-334 & No. 2022-444) with F. Liles Arnold, LPC, LSOTP, Creative Counseling, Inc., Fletcher Counseling, Inc., LSOTP, Anna J. Shursen, PhD, LSOTP d/b/a Forensic Evaluation and Treatment Services, and Sereneco Wellness Center to extend the contracts for one (1) year through and including August 31, 2024, Adult Probation.
2. AI-54540 Personnel Changes, Human Resources.

FYI NOTIFICATION:

1. AI-54516 Intra-County account transfers transmitted August 10, 2023, Auditor.

COMMISSIONERS COURT BUSINESS:

Public comments related to an item on the Agenda.

Horace Winchester, Allen, supports election integrity. He read Article 1, Sections 2 and 27 and Article 5, Section 4 of the Texas State Constitution to the Court. With his background, Mr. Winchester knows there is no way to audit the input with the output of the computers we currently use in our election process. He is advocating we return to paper ballots because there is no way to know what is going on with our current voting system.

John Paulson, Plano, is a precinct chair and supports election integrity. Over the past few years, several experts have provided data too compelling to ignore. It has shown statistically impossible election results. Experts show the many ways the ES&S (Election Systems & Software) machines can be compromised and were obviously compromised in the 2020 election. Mr. Paulson said many of the members in his precinct questioned the accuracy of the election voting machines. They experienced distress and a majority of them prefer paper ballots. The election fraud nationwide is obvious. He asks the court to move to paper ballots and remove the election machines. If our votes are not accurate or do not count, it compromises and degrades the whole process.

Ramesh Singamsetty, McKinney, said he supports hand-counted paper ballots and is willing to volunteer as a counter. A lot can go wrong with current technology when placed in the wrong hands and minds.

Amy Haynes, McKinney, believes the Commissioners are good representatives of Collin County and have represented the citizens well. However, it is greatly concerning that it has taken this long for election integrity to be put on the agenda. As a precinct chair, she hears individuals express they do not have faith in the current election system or that their vote is being counted accurately. It is time to return to a hand-marked paper ballot voting system in Collin County, and she knows we can do it.

Roger Wheelock, McKinney, supports election integrity. Anyone who is paying attention and looking at all sides of the issue can conclude the election machines can be hacked. CISA (Cybersecurity and Infrastructure Security Agency) said "the November 3, 2020 election was the most secure in American history." They did not know for 10 months they themselves had been hacked. The National Academies of Sciences, Engineering, and Medicine said "there is no realistic mechanism to fully secure vote casting tabulation computer systems from cyber threats." Peter Lichtenheld the Vice President for Operations in the Hart Intercivic Inc. said "anybody who says something is not hackable, is a fool. Anything can be

hacked, but it takes access to the thing and knowledge as well, and mostly time, but it is absolutely possible.” Even the experts see the danger in trusting machines rather than people to count our ballots. There are a lot of vulnerabilities. CDF (Citizens Defending Freedom) has suggestions, and Mr. Wheelock requests the Court to read and address the suggestions. Before voting machines were active, paper ballots were always counted effectively and efficiently by the end of the Election Day with far fewer hands involved. We do not trust computer voting.

Beverly Pacio, McKinney, supports election integrity. Through a series of deception, both intentional and unintentional, she has lost confidence in much of her government. On voting day, she went to bed with her candidate ahead only to find out in the morning he/she has lost. Recently she has read about the large find of fraudulent votes across the United States. Technology can be manipulated by shrewd and devious individuals who have mastered their craft of hacking. As people pour into our state from other states and through open borders, it becomes imperative to strongly consider returning to paper ballots and restoring the integrity of our voting process.

Mike Grilz, Prosper, said on November 3, 2020, so many of us went to bed feeling great only to wake up the next morning with a punch to the gut. As time moved on, each of us remembered the moment when we realized our election had been stolen. Over the months that followed, we learned of the multitude of methods that were used to pull this off. The primary tools were the machines and voter rolls. We have learned stolen elections have catastrophic consequences. As a result of the stolen election, our borders have become an entry point for millions of illegal immigrants, sex trafficking, drugs, and much more. Children are being sexually groomed in school, the military cares more about equity than becoming the cohesive unit necessary to win wars. People are now being persecuted and prosecuted for expressing their opinions and religious beliefs. Over the past two and a half years Collin County volunteers have worked tirelessly to take all we have learned and present this Court with our reasons for change in our election systems. We recently offered to make available a cyber-expert to demonstrate the ease of hacking into our own voting equipment, this idea was turned down by our elections board administrator. Our election system cannot be considered secure with these vulnerabilities. Our Constitutional Republic is at stake in 2024, and we simply cannot fall short this time.

Tom Klein, McKinney, is a three-term republican chair of precinct 140 which is one of the largest precincts in Collin County. He has attended demonstrations of several manual counting systems, and he believes they could be run effectively in his precinct with enough volunteers to staff counting for the elections.

Sharon Mathews, McKinney, agrees hand counting paper ballots, voting within precincts, and no use of voting machines would be far better for us.

Chuck Reynolds, Celina, said on December 7, 1941, tragedy occurred on Pearl Harbor. But we did not think it could happen. Then on September 11, 2001 tragedy occurred again. There were clear warnings.

Elections are our true freedom. We now face a completely different environment in technological reality. Freedom is not free and will not survive on autopilot. Sixty-two percent of U.S. citizens believe election outcomes are being impacted. There is no confidence in elections, and their concerns are justified. Counties must hand mark and hand count ballots.

Mary Anne Morris, McKinney, said the Constitution states the rights of citizens of the United States to vote shall not be denied or abridged. Ms. Morris is part of the major grass root movement of people concerned about the election process. We need to return to hand-marked and hand-counted paper ballots. This was successfully done in Missouri with zero errors and in a timely and cost effective manner. They have also disproved every excuse as to why we should avoid paper ballots. It is only natural to think Collin County is immune to this, but we are not. Fraud has been confirmed and verified. Whether the Court agrees or not, polls show a majority of all Americans do not have trust in the system any longer. We do expect timely, fair, and transparent elections for all legal citizens. Wisdom will lead you to implement this. You will be seen as people with honor, and have the opportunity to be a beacon of light.

John Stufflebeam, Celina, read several recent resolutions by the National Republican Committee pertaining to the integrity of our elections. Mr. Stufflebeam is trained and certified to be a judge, a clerk and voter registrar.

Denise Stufflebeam, Allen, talked about precinct level voting. The Commissioners Court has the option to either participate in the county-wide polling place program or opt out of it for Election Day. They are requesting we go back to precinct level voting on Election Day. Convenience is not a valid excuse for using the county-wide voting. The auditability of the election should be what takes precedence. Also, the law requires ballots should be stored by precinct. Ms. Stufflebeam read a few quotes from the Secretary of State expressing the difficulty it had in auditing and reconciling the 2020 election because of county-wide voting.

Ellen Leyrer, Plano, supports hand-counted paper ballots and is willing to be a volunteer. We need to protect our elections. It is undisputable that computers can be hacked. There can be no confidence in election results as long as these machines are used. It is not too strong to say that America's life, the life of our nation and her citizens, is on the line.

Bob Koons, Plano, is a chemical engineer with a particular interest in statistics and computer programming. When the 2020 election went down, he knew we had been hacked and it was stolen. His second career was as a dentist. He realized early on the COVID epidemic was a massive propaganda campaign. Mr. Koons is also a precinct chair, on the ballot board, and the election protection community. His primary credentials, are he is a child of God and understands that puts him in a minority. He is frustrated and did not want to come to Court to speak. But he came to deliver his concerns.

Carol Robison, McKinney, said she would like us to go back to paper ballots. Sometimes the old ways are the best ways. Ms. Robison would also be willing to help and be a counter.

Carol Glassen also supports returning to paper ballots. Ms. Glassen would also volunteer to help count ballots. She would also like to be able to take a picture of her ballot.

Debbie Calvin came to speak on item number 7 which is the Register of Ballots Form. This form reconciles how many ballots are used by a polling place. Collin County only uses this form on Election Day. It needs to be filled out daily including during Early Voting so that there is a chain of custody of the ballots. The response from the Elections staff said this statement is incorrect because Collin County uses ballot accountability forms during both Early Voting and Election Day. There is partial agreement with this statement from Elections. There is an Early Voting daily report form that records most of the information found on the Election Day Register of Ballots Form. However, the Early Voting Daily Report Form is missing a key process. That process is verifying how many blank signed or initialed ballots were issued to a location and then reconciling voting transactions that occurred that day with unused ballots to ensure all ballots are accounted for. We forget the significance of each piece of paper we call a ballot. Each and every ballot represents potential transfer of power and ultimately huge sums of money. As such, a ballot, voted or not, should be handled throughout the election process just as a financial institution handles the various instruments they use to transfer value. Each day those instruments are reconciled. We ask that the reconciliation of all ballots, both used and unused, be added to the daily early voting process for each polling location. Custody of ballots must be ensured during the entire election period.

Dave Vardell, McKinney, said we have already lost country. This is no longer the United States, and we are trying to get it back. That is how serious this voting process is. Mr. Vardell's ancestors came to this country to escape religious persecution. Today we have persecution of our citizens who have cast a ballot that was changed to someone they did not vote for. We must go back to paper ballots. Collin County has been a leader in Texas, and it is time to restore what Texas fought for at the Battle of San Jacinto.

Sandra Davis, McKinney, is Precinct Chair for Precinct 226. She represents and has talked to both republicans and democrats in her precinct. Everyone lists election integrity as one of their primary concerns. There is a total lack of trust in our present system. Everyone wants their vote to count, to be on paper ballots, counted at the precinct level, and made by legal citizens. We want those who commit fraud to be prosecuted and held accountable. And anyone who participates in fraudulent ballots and votes to also be held accountable. Anyone found guilty of this should be banned from ever holding a public office or to be involved in the voting process in any way. The constitution must be upheld. The Commissioners Court has been elected by the residents of Collin County and entrusted to represent our ideas, our beliefs and our wishes. We are calling on the Court now to stand up and do exactly what you have been elected to do by the people in this County.

Avis Novak, McKinney, came to speak on her number one concern which is that these machines are not legally certified. The legal responsibility for verifying that the voting system complies with Texas and federal regulations falls on this Court as outlined in Texas Election Code Chapter 122.005. Ms. Novak recommends the Court verify the signatures on the accreditation certificates for the laboratory responsible for testing the voting systems during the period applicable prior to using that voting system in an election. You will see an invalid signature which means the Court cannot legally adopt the voting system for use in an election in Texas and still comply with the Texas Election Code Chapter 122 requirements. The certification process needs to be followed. The only legal way currently to conduct elections is by adhering to the Chapter 65 method of voting on paper ballots, tallying hand-counted paper ballots, and having voters verified with paper poll books printed 30 days prior to the election.

Deborah Boehm, Plano, thanked the Court for putting this on the agenda. Data expert, Dr. Walter Daugherty, analyzed CVRs (Cast Vote Records) from 300 counties across the nation. He found irregularities in 298 counties that can almost certainly be attributed to electronic manipulation. One of the two counties where things appeared normal was Denton County which has hand-counted ballots. Ms. Boehm quoted a Bible verse, and she asked the Court to be brave and not go along with the highest bidder. She asked the Court to get rid of the election machines and volunteered to help count ballots.

Daniel Boehm, Plano, came to speak on election integrity. He volunteered as a poll watcher for several locations during the 2022 general election. At the Spring Creek College location, Mr. Boehm said the room was about a quarter the size of the Commissioners courtroom, and you could hear everything going on. Mr. Boehm overheard the election official yelling out the password for the machines. He was not only shocked by this but also the fact that the password used was almost exactly the same one he saw on a video by the Democratic Party on election integrity from the early 2000s. The only difference was adding a few digits at the end. Secondly, Mr. Boehm said he would like to address a response given on point thirteen on an email referencing the duties of the Election Commission regarding the Election Administrator. He said the answer restated part of the Texas Election Code limiting the duties of the Election Commission in each county to hiring, firing, or taking disciplinary actions related to the position of the Election Administrator. It referenced Attorney General Opinion LO88.62, which was not on the Attorney General's website. Mr. Boehm had to do some digging before he was able to find it. The details of the opinion conclude the legislator did not intend for the Elections Commission to be involved in the day-to-day performance of the Elections Administrator. However, Mr. Boehm said the opinion is taken out of context.

Judge Hill asked Mr. Boehm regarding what the password was being used for. Mr. Boehm said it was for the computer being used by the election official. Judge Hill asked the Elections staff to look into what the password and computer from the Spring Creek location were used for and report this information back to

the Court. Additionally, Judge Hill asked Mr. Boehm to write down the password he heard on a card so Judge Hill can have the Elections staff verify the purpose and use of the password.

Commissioner Fletcher asked Mr. Boehm if poll watchers were given a procedure to follow when they see or hear something they believe is inappropriate. Additionally, if there was a procedure, did Mr. Boehm follow it and what was the outcome. Mr. Boehm said he did report the incident, but he did not go back to check on the outcome or hear of any outcome from reporting the incident. Commissioner Fletcher asked when the Elections staff look into the machines that they also find out the outcome from the incident report by Mr. Boehm.

Justin Bennett, Plano, said he also came to talk about election integrity. There are experts who have analyzed the data from the 2020 election and found problems which show there are integrity issues with the election systems. The experts said there are algorithms within the system that change votes and do line drops to switch votes from one candidate to another. An example of this came from Enigma Intel who evaluated data from swing states. In Pennsylvania, they found 17,000 votes were switched from Trump to Biden. In Georgia, the silo data at 3:00 a.m. showed 23 vote dumps matching the exact same percentage as well as another 95 vote dumps later on. In Wisconsin, voting was halted when Trump was ahead 51% to 48%. However, in the morning Biden showed 52% of vote. Mr. Bennett said people think elections are secure in Texas because we do not use Dominion software. However, an algorithm also set Texas results. It appeared to make the race between Trump and Biden in Texas seem closer than it actually was. Mr. Bennett said Trump actually won much more of the vote than was shown by the algorithm.

Keresa Richardson, McKinney, started by thanking the Court for putting election integrity on the agenda for discussion. She said this is a grassroots movement by citizens, and she thanked her fellow patriotic citizens for presenting details to the Court today. Ms. Richardson expressed her appreciation for living in Collin County and having the representation we have. In her opinion, Collin County is a leader in Texas. However Collin County goes, so goes the rest of Texas. And as Texas goes, so does the rest of the country. Ms. Richardson said the County has a distinct responsibility to show trust in our elections system and a responsibility to be leaders in our state. She thanked the Court for their leadership and asked they consider moving forward with paper ballots in order to restore trust in the election system.

Mike Giles, McKinney, thanked the Court for having election integrity as a discussion item since it is a crucial subject. Mr. Giles said voter fraud is nothing new. It has been going on since the first elections. There is always someone who is trying to get away with something. Computers and the internet have increased fraud on an industrial scale and flipped elections. Most Americans want all fellow citizens registered to vote to have just one vote. Election integrity has two sub-categories: voter fraud and election

fraud. Voter fraud is when the one vote rule is broken. A study found voter rolls across the country increase by 15-25% before a major election. However, after the election the rolls decreased by the same amount which is obviously suspicious. Mr. Giles feels this voter fraud is solvable although it'll take a lot of hard work. Election fraud is more difficult. To quote Joseph Stalin, "it is not who votes that counts, but who counts the votes."

The County uses machines that are supposed to be isolated from the internet, but they are not. There is a small chip which can be easily added to the motherboard without detection. The vendor for the machines refuses to share code information stating it is proprietary. If the code cannot be checked, you have no idea if it has been hacked. Election integrity is like whack-a-mole where it is not just solved with one-step, but continually looking for issues that pop up and need to be addressed.

Debbie Lindstrom, McKinney, said election integrity is a topic everyone can agree on because everyone wants fair elections. However, people have differing opinions on the details of what it looks like. When there is a problem, there needs to be a discussion. Ms. Lindstrom said the importance of this topic deserves more than three-minute comments followed by a Court discussion. Election integrity comes with a cost. Recently, some have been arrested, some have been impeached, some had their businesses ruined, and some have had their reputations destroyed. Over 70% of voters know election integrity is a problem. Although she appreciates Judge Hill adding this topic to the Court's agenda, what her group truly desires is an honest, two-way conversation. It would help clear up any misunderstandings about the process. The original file for improvements was intended for Judge Hill at his request to receive suggestions. And this should have been clear by the title of the document submitted by Ms. Lindstrom's group: "CDF Suggestions for Election Improvements." Instead of having a conversation, Ms. Lindstrom said the Elections Office was given an opportunity to argue about the suggestions. Ms. Lindstrom's group was given 72 hours to craft a response to those arguments. The document provided by Ms. Lindstrom's group outlines evidence of violations and vulnerabilities to the voting system. The burden of proof showing the claims are invalid is on the Court. The Court needs to show proof the voting systems are fine. Ms. Lindstrom said the Collin County Ballot Board has always done a great job, and she does not have any issues with their department. The issues being raised are regarding laws and machine vulnerabilities. Since she will not have time to go through all the Election Office arguments, Ms. Lindstrom gave the Court a document with the CDF (Citizens Defending Freedom) answers for their review. Lastly, Ms. Lindstrom said she saw the same password issues while working as a clerk as well as on the Ballot Board.

Jessica Hulcey, McKinney, said she gave the Court a document for them to review. As an HD-61 (House District 61) chair, she is over 45 precincts. Therefore, she does not take the idea of hand counting ballots lightly because she knows what it entails. However, everyone involved in putting together documents has

done their homework. It is a recreation of the information presented at the roadshow by the Election Integrity Committee. It outlined the hand-count of paper ballot simulation such as the team of 21 volunteers involved, a picture of the hand count, when it took place, and what was needed to complete the simulation. The results were 250 ballots with 20 races took 10 people, plus 10 counting calculators one hour to hand-count.

Judge Hill asked Ms. Hulcey how many candidates were listed in the 20-race simulation. She said there were two candidates for each race like in a primary election. Judge Hill said he observed from the videos that the calculators could only count two candidates per pass. Ms. Hulcey said there is an option for a hybrid where the two candidates are counted on the calculators and any additional written-in candidates could be tallied separately. She noted this is an example of why a dialog is necessary to discuss these kinds of details and address questions that arise.

Commissioner Fletcher asked Ms. Hulcey if the process being described could be certified by the state. Ms. Hulcey said the cameras provide instant ability to audit. However, the calculators would need to be approved. The last page of the document provided to the Court contains a resolution for the Collin County Republican Party of Texas requesting those two things be cleared by the SOS (Secretary of State) as well as any other improvements for hand counting. Ms. Hulcey said Chapter 65 gives us the right to do it. Ms. Hulcey's group is requesting different ways to make hand counting easier, faster and more transparent.

Pamela Sardo, Josephine, said without election integrity we do not have a Constitution. This Court is perfectly positioned to be solution driven and act in eliminating all voting machines and go back to hand counted ballots. Ms. Sardo said she is personally willing to hand count ballots. Members of this Court attended meetings with various experts who presented evidence of suspicious actions. In Collin County, the experts showed evidence of names appearing and disappearing. This aligns with the Secretary of State Website technical assessor who wrote he would not certify machines without changes. In posted Commission documents, the Elections Administrator responded by citing an election advisory as well as an attorney general opinion, neither of which are law. The law states in Chapter 65 of the Election Code that hand counting is an approved method. The administrative branch is unable to overrule the law stated in Article 2 Section 1 of the Texas Constitution. Texas Election Commission (TEC) 127.201 states manual counts of all races are required in at least one-percent or three precincts. Posted documents show the Election Administrator said he believed the method was followed quoting information from 2018. The beliefs and advisories are nice, but the law is required to be followed. Ms. Sardo stated the solution is to go to precinct level voting, bring in independent IT, and have hand-marked ballots.

Robert Canright, Plano, is Precinct Chair for Precinct 34. He expressed his gratitude for being able to speak to the Court on this topic. A committee of County employees and citizens working together to reach the best voting solution might be an important next step forward. How Collin County can deal with election fraud has not been a part of the discussion in election integrity. Catching and prosecuting election fraud is complicated, but this also needs to be worked out. He is glad the dialogue is starting with the County regarding this issue. He is grateful for the wonderful job the Court does of managing the County.

Commissioner Duncan Webb left the court room. (Time: 2:59 p.m.)

Terry Markoff, McKinney, said election integrity makes him think of Joseph Stalin who said, "It doesn't matter who votes, what they vote for or how many votes they get. What matters is who is counting the votes." Today, machines and technology are doing the counting, and they can be manipulated. We believe it has been manipulated. Election security experts on election integrity have agreed that hand-marked paper ballots are the most reliable in preventing errors. Hand-marked paper ballots are intuitive, easy to use, and reduce human and computer errors. The ballot would then be scanned and secured in a lockbox.

Lynnette Ammar, Parker, is Precinct Chair of Precinct 165. Her neighbors and family have great concern regarding election integrity. They do not trust the machines. We have voted on paper ballots and believe we can again. Ms. Ammar attended the hand count road show and found the information compelling. She acknowledged the software can be viewed as a video game for the software engineers. It is unrealistic to think we will be able to secure all of the software actions that occurred during elections in our country. It is expensive to purchase the equipment that we don't trust to protect one of our most sacred rights. Ms. Ammar supports paper ballots and is willing to assist with and recruit volunteers to accomplish this task.

Judi Neal, Plano, came from California in 2019 where she was very active in election integrity in LA County. She worked on audits in one of the most corrupt counties in the nation. She's been a clerk, an observer and worked on the ballot board. She has never felt as secure as she does now knowing that the people running our elections are doing a good job. We don't know what is going on with the machines, and it is important to know that. The only way to get past it is to return to paper ballots. She appreciates the Courts concern.

Lee Moore, Fairview, thanked the Court for putting election integrity on the agenda to allow a deeper discussion of one of the most valuable rights we have as American citizens. The message over the past couple of years has been clear. We do not trust the machines. We also need to find ways to increase transparency. Others who don't trust the election system chose a more dangerous path – they check out and stay home. Ms. Moore spoke to Commissioners Court last August regarding her concerns about the iDRAC8 component. The original component was a plug in, but the new system has it now integrated onto the motherboard which is what the "i" stands for. This is always on even if the main computer is powered off. Under Texas law, remote access is not allowed. Ms. Moore thanked the Court for agreeing to

remove this component from any future contracts with ES&S. To ensure this back door is not exploited nefariously, she has requested the Court tell ES&S to use the current system without this remote access before the 2024 election.

Tara Schulte, McKinney, explained her clerk experience during the 2022 midterm elections. She worked at a polling station, and that day 534 votes were cast. She had the responsibility of doing the tape for the DS200. She has heard that Collin County may be turning purple and she decided to look at the votes cast that day. She looked at the top three which included the governor's race and the difference between Governor Abbott and Beto O'Rourke's was only about 70 votes apart. She then checked the race between Judge Hill and Joshua Murray. Judge Hill had about 330 votes while Mr. Murray had 187 votes. That would mean people walked into the voting booth and decided they loved Beto but they also loved Judge Hill. She does not buy that. This was very concerning to her. She then spoke as the CDF Executive Director. The CDF presented the Court with a list which included suggestions, and Ms. Schulte said we need to get rid of the machines.

Jennie Daley, Plano, is a retired CPA (Certified Public Accountant) Auditor. After the 2020 election, she too had suspicions. She went through Representative Matt Shaheen's office to ask a question of our Elections Administrator to see if this Collin County target IP number was an election office. It was, and she asked why on November 5th at 3:20 a.m. was our election's office the recipient of data coming from a source code in Virginia. She wasn't convinced by the answer and decided to become an election clerk after that. She has worked three elections and learned how to do the job. It was slow in April and she was wondering why the poll books were not ready to go on the first day of early voting. They had to manually check in the first voters. Why were the poll books constantly being updated? She heard that 5,000 records were being updated at one time. They also suspended running the tapes at the end of the first day which concerned her.

Rozzie Decker, came forward to express her concerns about election integrity. Once a vote is put into a machine, we do not know what happens to that vote. Due to proprietary issues with the software, we cannot know. Our elections need to be above reproach. Our republic cannot stand if our population is not sure if their vote counts. Our republic requires a citizenry that participates and is sure that their voice is heard. Citizen participation is already decreasing due to the belief that their vote does not count. Hand-counted paper ballots will go a long way to increase the confidence in our election system.

Michelle Adams, Plano, said she cares a lot about safe and secure elections. She was sure we had safe and secure elections until she was proven wrong. She has spent the last three years studying statistical algorithms looking at what the machines are putting out and comparing data county by county. It doesn't look right and, when you have an anomaly, it's because a county did something different. If there is a county that did something different like used paper ballots and the data looks different, that raises questions. The percentage of Americans that do not trust our election systems is at 60% and higher among

republicans. That should raise concerns. This is an opportunity for Collin County to take a leadership role to say let's pause and go to paper ballots until we can figure out how to have a safe and secure election. Ms. Adams is most concerned about the machines, but she is also concerned about statistical. She also worries about who owns the software companies. The ownership has been changing from one country to another country. We need to look into where our machines and software come from.

Susan Christenson, Allen, has learned so much about this system. She had a few questions for the Court. Bruce Sherbet's son-in-law works for ES&S and used to be a frequent visitor to the Elections Office and even in the tabulation room. Is this not a conflict of interest? Also, why would we chose a location for the Election Office between the Dallas Morning News and ES&S?

Commissioner Fletcher clarified that Bruce Sherbet's son-in-law does not work for ES&S. Commissioner Hale said the reason Dominion ended up next to the Election Office goes back to the history of the other voting machines that the County used to have. The original McKinney-based company was located in that building. They were required to have storage facilities for the machines within a certain proximity to the Elections Office. After a few bankruptcies and acquisitions, that is how Dominion ended up there. Commissioner Hale said we don't even use Dominion machines. (Time: 3:26 p.m.)

1. **Consent Agenda Items:** Judge Hill asked for comments on the consent agenda. Commissioner Hale pulled 1I10 for comment. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 3:27 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Darrell Hale

Vote: 3-0: Passed

a. AI-54508 Disbursements for the period ending August 22, 2023, Auditor.

COURT ORDER NO. 2023-752-08-28

b. AI-54509 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2023-753-08-28

c. Award(s):

1. AI-54523 Office Supplies (Coop Quote No. 2023-373) to ODP Business Solutions, LLC utilizing Omnia Partners City of Tamarac Contract No. 19-12R, Purchasing.

COURT ORDER NO. 2023-754-08-28

d. Agreement(s):

1. AI-54512 Interlocal Agreement with the City of Wylie concerning McMillen Drive from McCreary Road to Country Club Road, 2018 Bond Project No. RI18028, Engineering.

COURT ORDER NO. 2023-755-08-28

2. AI-54531 Interlocal Agreement with the City of Anna concerning Leonard Road from Foster Crossing to the Collin County Outer Loop, 2018 Bond Project No. RI18031, Engineering.

COURT ORDER NO. 2023-756-08-28

3. AI-54532 Interlocal Agreement with the City of Josephine concerning North Greenville Ave from CR 850 to IDS Property Line, 2018 Bond Project No. RI18030, Engineering.

COURT ORDER NO. 2023-757-08-28

4. AI-54534 Master Services Agreement (Contract No. 2023-338) with Waypoint Business Solutions, LLC for Isilon Production Storage System Expansion, and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2023-758-08-28

e. Amendment(s):

1. AI-54466 No. 6 to Software Maintenance, Records Management System (Contract No. 2013-019) with MCCi, LLC to extend Laserfische support for one (1) year through and including October 13, 2024, and further authorize the Purchasing Agent to finalize and execute same, Information Technology.

COURT ORDER NO. 2023-759-08-28

f. Change Order(s):

1. AI-54505 No. 1 to Adventure Camp RTU Replacements (Contract No. 2022-382) with Johnson Controls, Inc. to provide various changes to the contract, utilizing the Sourcewell Coop. Contract No. 070121-JHN and further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2023-760-08-28

g. Contract Renewal(s):

1. AI-54522 Professional Services, Testing and Balancing Services for Various Projects (RFQ No. 2021-311) with Engineered Air Balance Co., Inc. to extend the contract for one (1) year through and including October 31, 2024, Construction & Projects.

COURT ORDER NO. 2023-761-08-28

2. AI-54511 Professional Services, General Civil Engineering (Contract No. 2021-296) with Kimley-Horn and Associates, Inc. to extend the contract for one (1) year through and including September 30, 2024, Engineering.

COURT ORDER NO. 2023-762-08-28

3. AI-54526 GPS Offender Monitoring (Contract No. 2022-230) with Buddi US, LLC to extend the contract for one (1) year through and including August 31, 2024, Purchasing.

COURT ORDER NO. 2023-763-08-28

h. Budget adjustment(s)/amendment(s):

1. AI-54510 \$266,454,500 to record proceeds of 2023 bond funds for road and open space bond projects, Auditor.

COURT ORDER NO. 2023-764-08-28

2. AI-54515 \$77.60 to re-budget a refund received for overpayment of recording fees on two (2) parcels, Engineering.

COURT ORDER NO. 2023-765-08-28

3. AI-54393 \$4,180 to reallocate funds for the Spay/Neuter Program, Development Services.

COURT ORDER NO. 2023-766-08-28

i. Miscellaneous:

1. AI-54506 Removal of a cash box from the Juvenile Probation Office in the amount of \$100, Auditor.

COURT ORDER NO. 2023-767-08-28

2. AI-54535 Reject all proposals received for Construction: Collin County Adult Detention Facility Infirmery Expansion (IFB No. 2023-188), Construction & Projects.

COURT ORDER NO. 2023-768-08-28

3. AI-54536 Accept the roads within Branch Village Phase 1 and 2 for county maintenance, Engineering.

COURT ORDER NO. 2023-769-08-28

4. AI-54514 Transfer of equipment to Myers Park, Engineering.

COURT ORDER NO. 2023-770-08-28

5. AI-54557 Assignment of two (2) vehicles from fleet services to Constable, Precinct 3, Public Works.

COURT ORDER NO. 2023-771-08-28

6. AI-54474 Payment of Guardian RFID Invoice No. 9486 in the amount of \$49,195, utilizing Inmate Commissary Funds, Sheriff.

COURT ORDER NO. 2023-772-08-28

7. AI-54498 Purchase of various inmate supplies not to exceed \$30,492.92, utilizing Inmate Commissary Funds, Sheriff.

COURT ORDER NO. 2023-773-08-28

8. AI-54529 Payment of Digital Direct Communications Invoice No. 30212 and Invoice No. 30211 for a total amount of \$12,923.40, utilizing Inmate Commissary Funds, Sheriff.

COURT ORDER NO. 2023-774-08-28

9. AI-54541 Personnel Appointments, Human Resources.

COURT ORDER NO. 2023-775-08-28

10. AI-54542 Personnel Changes, Human Resources.

Commissioner Hale congratulated the following employees who all received promotions: Andrew Eberlein, Geshia Thomas, and Jamin Daly. With no further comments, a motion was made to approve this item. (Time: 3:27 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Commissioner Susan Fletcher

Vote: 3-0: Passed

COURT ORDER NO. 2023-776-08-28

2. General Discussion Items:

a. AI-54524 **Public Hearing** - Re-plat of Litchford Heights Addition Lot 2BR and 2R, Engineering.

Clarence Daugherty, Engineering, had a request from Roxanne Padgett, owner of Litchford Heights lot 2B, to subdivide lot 2B into two lots, lot 2BR and lot 2R. The resulting lot 2BR will be 1.407 acres and lot 2R will become 1.0 acres. All proper notifications were made prior to the public hearing.

Judge Hill opened the public hearing at 3:28 p.m. and asked for comments. Hearing none, Judge Hill closed the public hearing at 3:28 p.m.

A motion was made to approve the item. (Time: 3:29 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Darrell Hale

Vote: 3-0: Passed

COURT ORDER NO. 2023-777-08-28

b. AI-54598 Election integrity, County Judge.

Judge Hill thanked all of the public speakers for taking the time to be in Court and express their concerns. This is one of the highest priorities for the Court right behind public safety and criminal justice. Mr. Giles said it best when he said, “If you don’t have election integrity, you don’t have a republic.”

Following Commissioners Court on July 24th, Judge Hill met with many of today’s speakers, and they talked for five hours. He was grateful for their participation and had asked them to put together a paper on some of their preferred action items. That was the genesis of what they gave the Court from CCDF (County Citizens Defending Freedom). Judge Hill said the responses to this document were provided by the Elections Office and not the Court. This is the beginning of the dialogue, and Judge Hill wanted to provide comments to some of the items.

For item number 3, the recommendation was to use preprinted and sequentially-numbered ballots. The elections code requires this. It also references that, if you use electronic voting machines, you must follow the guidelines prescribed by the Secretary of State. We follow that by using the randomized numbers that are provided when you vote. When a person checks in to vote, the system generates that randomized number and logs that it has generated it. It does not log who it gave it to – just that it was generated. When ballots are tallied, if ever a ballot comes through that has a serial number that the system knows it did not generate, it will flag that as a counterfeit ballot. This is a security feature built into the system. The recommendation by CCDF is to go back to the preprinted, sequentially-numbered ballots. Judge Hill will recommend that we ask Elections staff to go back to getting paper stocked with preprinted sequentially numbered ballots.

The next item is 4a which states any future renewal of the contract with ES&S should require the absence of the iDRAC8 component in the system. According to our Elections Office, we do not use this component in any elections in our county. It was utilized in 2019, but it is not used any longer.

Number 7 is the register of ballots form. The answer from the Elections staff is Collin County uses ballot accountability forms during both early voting and on Election Day. The answer from staff seems to be at odds with the attention that is given in the CCDF document. Judge Hill asked that the Elections staff get back to the Court regarding the reconciliation of all ballots used and unused.

Item number 8 was to increase the text font on the bottom of the ballot so that voters can read their ballots more easily. The Judge thinks this is a great idea, and he has asked the Elections staff to look into doing this.

Number 14 is to change the wording on the screen to something like, “Read your ballot, make sure your selections are correct, then please deposit your ballot into the tabulator.” Judge Hill agreed this is a good idea and should be encouraged. The Election’s staff is already looking into changing the text on the screen.

Number 17 is to place the logic and accuracy test notification on the front page of the Elections website. The Election’s staff agreed this is a good idea, and they are already talking to the Public Information Team who runs the website.

There were also some ideas that we currently don’t have the authority to accomplish under state law. The Judge wanted to reference some of those because, while they may be good ideas, the County cannot accomplish them because they will most likely need legislative action.

The first was item 2 which was to go to precinct level voting because County-wide is not auditable. In November 2020, Early Voting represented 93% of the total votes cast during that election. Currently, the only precinct voting option for Collin County would be to change Election Day voting which was only 7% of the total ballots cast during the November 2020 election. This recommendation would require a legislative change to Early Voting.

The next item is 4b which is access to the source code. Collin County does not have access to the source code for our tabulation system. The Texas Secretary of State has possession of the source code for all voting systems used in and across the state.

Number 9 is to allow voters to mark a hand-marked ballot at the main election office instead of using a BDM (Ballot Marking Device). Currently, this is not allowable by Texas Election Code. The code does not permit two methods of voting in a polling location during a voting period.

Number 12 was to allow citizens to take a picture of their ballot. While this was addressed by many speakers and a good idea, Sec. 61.014 of the Texas Election Code prohibits the use of a recording device within 100 feet of a polling location. According to Election’s staff, there is a process by which you can follow your ballot. You can write down your randomized serial number of your ballot, and you can track it.

Number 16 in the document was the recommendation that we send email reminders to all voters informing them of upcoming elections and polling locations. Unfortunately, our voter registration files do not contain email addresses of our voters, and therefore we could not send out mass email reminders.

Another item that came up during discussion was the fact that our Election's Office is sandwiched between the Dallas Morning News and the Dominion Voting Systems offices. Judge Hill said either the County needs to get the Election's Office out of that space or get the others out of their spaces. Whether or not anything sinister is going on, it's just not the highest standard that we want for transparency and integrity. We have inquired about renting their spaces, but that option is not available to us. The Judge's preference would be for the County to find its own location for the Election Office, and County staff has been instructed to start looking into this. Judge Hill does not have the sole authority to accomplish this. The Judge made a motion to vote on the Court's intent to explore other options in looking for our own space for the Elections Office. Commissioner Hale seconded the motion.

His last comment was regarding number 1 which was to get rid of all of the machines which includes BMDs, tabulators, electronic poll books etc. That is a big ask and a big responsibility for us as a county. There is always some county dragging behind in counting their votes. No one ever gives them credit for taking their time and counting carefully, but rather people start thinking they are cheating. We must be accurate, and we must be timely. The Judge has concerns about our ability to do it in a timely fashion. Based on the number of votes cast, races, and candidates in the last election, it would take us 8,169 hours to hand count those ballots. To get the results of our election by midnight, we would need 6,127 workers to count ballots. To have the results by the next morning, we would need 2,042 workers. If we had 24 hours to get the results, we would need only 1,021 workers. But if they worked in shifts of eight hours, we would need three times that number of workers. The only method we are allowed to use in Texas is the Chapter 65 method of counting which is call and tally, and this is a very slow method. That is our current obstacle.

Judge Hill said this is just the beginning of the dialogue. There was an idea presented by Mr. Deisle. Before we get to the November election, we will have the March primary. Where we had 366,000 voters in the November general election, we only had 81,000 voters in the republican primary. The Republican Precinct Chairs will determine how the republican primary is conducted – not the Commissioners Court. Judge Hill said many of the public speakers said they were precinct chairs. Precinct chairs have the authority of the executive committee of the Republican Party to decide to do a hand count for the primary election. That is an opportunity to take on that task at a fraction of the number of voters if the Executive Committee so chooses. Judge Hill suggested doing this and demonstrating it can be done with excellence. The Democratic Party may do the same.

Commissioner Fletcher agreed with Judge Hill's comments and said he addressed many of the issues she had. She also agreed it is important for voters to check their ballots to make sure their selections are correct. She added that it is also important to remind the voters that their vote is not counted until they go to the

tabulator. There are people who still walk out with their ballots thinking that is a receipt. She would like to add that to the wording on the screen. She struggles with hand-counted paper ballots because not everyone is honest and trustworthy. There are many issues with voter and election integrity that need to be recognized as a state and a nation. There are many things that can be done to make elections more secure. However, we do not have the authority on many of these issues. She is very supportive of giving citizens the confidence in these elections necessary as well as making sure we are doing everything possible to have timely and accurate elections.

Commissioner Hale liked number 12 about being able to take a picture of your ballot. He has already contacted his representatives to look into this. It is reasonable and should be a simple legislative fix. On number 16 during COVID, we had a dial out system to make announcements to county citizens. This could be utilized before early voting and Election Day. This could direct citizens where to go to vote.

For number 17 with the Logic and Accuracy Test notification on the front page of the Elections website, this could also be on the front page of the County website. Lastly, in regards to the iDRAC8 component, there is no reason for any of our machines to have remote access.

Commissioner Fletcher, when she was doing research on this issue about ten years ago, said she advocated for being able to take a photo of your ballot or to get some type of receipt. Across the country we have large unions, and these unions can turn things sour very quickly. She would like to find a way to do that without intimidation.

Judge Hill reiterated his motion regarding the Court's intent to explore other options in looking for our own space for the Elections Office. (Time: 4:11 p.m.)

Motion by: Judge Chris Hill

Second by: Commissioner Darrell Hale

Vote: 3 – 0 Passed

COURT ORDER NO. 2023-778-08-28

A motion was made to remove the iDRAC8 component from our inventory if there are any remaining in inventory with regards to any election machines. The motion also included excluding the iDRAC8 component from any future contracts. (Time: 4:13 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Judge Chris Hill

Vote: 3 – 0 Passed

COURT ORDER NO. 2023-779-08-28

Judge Hill said he anticipates there will be more discussion on this topic. Whereas he shared his concerns on hand counts regarding accuracy and time limits, which does not address the other concerns about auditing a machine. That is a critical question that most all of the speakers have asked. We have to get to a point where we have a system that blends the machine reading of our ballots with our hand counting. Currently, we are not allowed to have a hybrid system where some ballots are counted one way and others are counted another way. If the legislature would give us authority to have a machine count and then immediately begin the hand count, we could blend the advantages of both. We would have the machine count by midnight, and then we could take the next two weeks and hand count those ballots to confirm what the machine count was. That is a goal the Judge is working towards.

Commissioner Hale agreed with Judge Hill. Statistically, once it gets to a certain number of votes, you will know what the rough distribution will be across the county. Commissioner Fletcher agreed as well.

Judge Hill recessed Commissioners Court at 4:19 p.m. and called to order the Collin County Health Care Foundation. The meeting was reconvened at 4:20 p.m.

3. Executive Session Items:

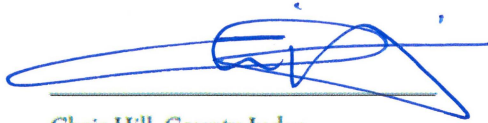
The Court did not recess into executive session.

Public Comments not related to an item on the Agenda.

Jim Garrison, McKinney, said mask mandates are starting up again in this country. In 2020, three Commissioners on this Court voted to allow the State of Texas to collect data on behalf of Collin County. That data would determine how much longer Collin County was going to be in lockdown. Three weeks after the collection of that data started, the County posted on its COVID update a big red disclaimer stating the County has zero confidence in the State's numbers. Governor Abbot recently signed SB29 which is a bill that would prohibit local entities from enforcing any mandates. Unfortunately, that is an executive order that can and most likely will be challenged. Mr. Garrison wants the Court to stand behind SB29 to make sure to protect the citizens and provide them with the same freedoms the Court had when it was able to continue to work and receive a paycheck to provide for their families.

Judy Dishong, Plano, said she is advocating for accurate, non-partisan information. (Time: 4:25 p.m.)

With no further business of the Court, Judge Hill adjourned the meeting at 4:26 p.m.



Chris Hill, County Judge



Susan Fletcher, Commissioner, Pct 1

Not Present

Cheryl Williams, Commissioner, Pct 2



Darrell Hale, Commissioner, Pct 3



Duncan Webb, Commissioner, Pct 4



ATTEST: Stacey Kemp, County Clerk