

BOARD OF SELECTMEN
Minutes of March 1, 2021

MEMBERS PRESENT: Chairman Ross McLeod called the meeting to order at 7:05 PM. Selectmen Bruce Breton, Heath Partington and Roger Hohenberger were present, as were Town Administrator David Sullivan and Town Counsel Bernard Campbell. Mr. McLeod advised that, as a quorum was present, the Governor's Executive Order 2020-04 #12, which authorizes the Board of Selectmen to meet electronically, does not apply. He indicated, however, that in keeping with Statute, the Board can authorize one or more members to participate by means other than in person if the latter is not reasonably practicable; asking for a motion to permit Mrs. Simmons to participate as such.

Mr. Hohenberger moved and Mr. Breton seconded to allow Selectman Simmons to participate via Zoom. Roll call vote, all "yes" with the exception of Mrs. Simmons who had not yet joined the meeting. Mr. McLeod explained for the record that Mrs. Simmons' absence was due to required quarantine; adding that all votes would be by roll call.

Following the Pledge of Allegiance, Mr. McLeod read the agenda item as posted as follows: *"The Board will meet with Town election officials and other officials to discuss the status of the Town's efforts to ascertain and resolve the reason(s) for the discrepancies between the Town's general election results in its State Representative race and the Secretary of State's recount results for the same race, and to discuss options for the Town going forward, noting legal restrictions and ongoing legislative efforts relevant to this issue. Input will be focused on this particular Town issue, as a Town issue."* He advised that the order of presentations/speakers will be as follows:

- Town Clerk Nicole Bottai
- Moderator(s)
- Jeffrey Sylvestro, CEO of LHS
- State Representatives and/or Senator
- Board discussion
- Public input from Windham residents present
- Public input from Windham residents participating via Zoom; advising they should raise their hand to be recognized

Mr. McLeod went on to clarify that all speakers must state their name and address for the record, and there will be no input from non-residents; adding the Board's responsibility is to the residents of Windham. He indicated that others should feel free to submit any information to the Town Administrator, who will then forward it to the Board.

Mr. McLeod then outlined the issues to be discussed, including: the integrity of the four Windham machines; the integrity of the recount in Concord, and; what to do going forward. Mr. McLeod indicated that, as to the latter, the ballots are legally the Secretary of State's, not the Town's, and the machines are in the Town's possession. Mr. McLeod also indicated that SB43, which provides a mechanism for the Town to do an audit of the Representative race, has passed the Senate; adding it is scheduled for discussion in the House on 3/5 at 10:00 AM. Mr. McLeod noted that, as the bill is in the House, non-Windham residents should contact their legislators with concerns.

Mr. McLeod went on to note that conversation or input regarding the following would be useful that evening: whether to use 100% of the ballots in the audit; whether all of the machines will be tested; and whether or not this will be done in Windham. As to the latter, Mr. McLeod indicated that while we could request it be done here, intuitively it seemed that better security and observational capacity may be available in Concord; adding that even if it is done here, the machines still have to be transported somewhere as it cannot be done where they are stored and trust and faith has to be placed in law enforcement.

Mr. Hohenberger noted that the Attorney General and Secretary of State had been invited, and inquired whether they were present. Mr. McLeod replied that counsel for the Secretary of State had advised they will not be attending or observing, while the Attorney General may observe but will not participate.

Town Clerk Nicole Bottai approached and read a prepared statement outlining procedures and events leading up to this meeting, and going forward, as attached. Mr. McLeod sought clarification as to where the required testing of the machines was being conducted in preparation for the March 9 ballot vote, and Mrs. Bottai replied in the upstairs of the Town Hall, on the following day, at 11AM.

Jeff Sylvestro, CEO and President of LHS Associates, approached and began by clarifying he was not here to provide answers, as he does not have them; rather he is here for transparency and to dispel myths that are out there. He then went through the attached presentation.

Mr. McLeod extended thanks to Mr. Sylvestro, and asked that he speak further to Dominion's influence or involvement with the machines used in November. Mr. Sylvestro obliged, reiterating that LHS has been a vendor for multiple manufacturers and explaining that in New England elections are run on a town level versus at the county or state level; adding that because of the latter it is not a situation many vendors want to get involved in, but it is a niche his family opted to open their business in. As to Dominion, Mr. Sylvestro outlined a series of business changes/filings which resulted in Dominion assuming ownership of the intellectual property rights for the Accuvote machine; clarifying Dominion did not manufacture the machine or create the software and that LHS is the only one who programs and maintains the machines.

Mr. McLeod noted that Mr. Sylvestro had advised that post election audits are conducted in other states, and questioned why this is not done in New Hampshire. Mr. Sylvestro indicated that would be a question for the Secretary of State; adding there is a bill right now to evaluate some sort of post election process, however, NH currently does not have one. Mr. Hohenberger then inquired whether there had ever been any discrepancies found during those audits, and Mr. Sylvestro replied in the negative.

Mr. Partington inquired about software upgrades to the machines, and Mr. Sylvestro replied the last upgrade was done in April of 2010 and involved upgrading of the firmware in the machine that recognizes the software which is used to program the machines themselves.

Mr. Partington then inquired whether there is a way to save the current state of the memory cards so as to preserve that data, and Mr. Sylvestro indicated the only way to reuse the system is to wipe it and start fresh. Discussion ensued in that the memory cards can be copied, and that the State intends to do so in order keep the originals in their current state.

Mrs. Simmons pointed out that there were some sound issues on Zoom; requesting those speaking do so directly into the microphone.

Peter Griffin, Town Moderator, extended thanks to all for coming. He pointed out the extensive years of service of the moderators, town clerk, and other election officials, and noted all have had concerns since day one and want it to be resolved in an equitable manner. Mr. Griffin indicated it takes 100 people to put together an election, citing examples, and that it is a tremendous process; reiterating the need for resolution.

Betty Dunn, Deputy Town Moderator/School District Moderator, approached noting that all want to know what the correct numbers are; adding she wished to emphasize that, at this moment, we do not know which numbers are correct. She noted a lot of emphasis has been put on the Town and the machine, but there was also a recount which she had attended; reiterating the number of individuals assisting and hours spent in Windham preparing for and holding an election.

Mrs. Dunn then went on to explain some of the events on election night, such as hand counting of military ballots, and how at the end of the evening on 11/3, all were happy with the work that had been put in and that the election had come out well; with no hitches. She then noted that, when the recount had been requested, the election officials had been happy about it, as it would serve as verification of what they had done.

Mrs. Dunn went on to note that she had attended the recount as a resident, not in any official capacity, and outlined the details of the processes that had occurred there; adding that when the tallies were done and put into a spreadsheet is when the problem became apparent. She indicated people need to be aware that there is a set of town numbers and those from the recount, and she feels there is a significant vulnerability in the latter; adding she did not think anything malevolent had occurred, but just that there was a great risk for error.

Mrs. Dunn then indicated that on the town side, we have all the documentation as described by the Town Clerk, and have given it out to others, including the state, who have recreated the spreadsheets and found no error. She noted that, at this point, she believes we can say that no significant errors were made by the townspeople, so either the machines are wrong or the recount is wrong; adding she hopes we get an answer as soon as possible as to what happened and which set of numbers are correct. Mrs. Dunn suggested that, as to the legislation, there be some kind of forensic audit of the ballots.

Mr. McLeod noted that shortly after this had happened the Town wanted to try and find out what was going on; adding there had been much back and forth with the Attorney General's Office which felt they could not conduct this sort of audit as once the recount was done, the process was done. He noted the Town was now working with the legislators to try and do something.

Senator Regina Birdsell, District 19 Senator and Vice-Chair of the Election Law Commission, approached noting that Senator Chuck Morse was also present; adding the latter has led the efforts to get this legislation through the Senate and into the House. Senator Birdsell indicated she had also been working with Senator Guida since January trying to get to the bottom of this issue. She noted that the Ballot Law Commission, in their review, had found no evidence of voter fraud but did have concerns regarding the differences in the vote counts on election night and at the recount.

Senator Birdsell noted that getting to the bottom of the discrepancy requires an audit, which the Attorney General did not feel he had the authority to do; adding that in order to remove some of the legal ambiguity and to make sure an audit happened and was authorized by law, the Senate moved quickly to put forth SB43. She indicated it had passed 24-0 and allows the Attorney General to conduct an audit of the Rockingham County District 7 State Representative race; going on to explain the genesis of the bill and input from the Moderators, a result of which is the ballots will be put through the machines and a hand count will be conducted.

Senator Birdsell went on to explain the legislation also requires the audit of the machines and the ballot counting to be done in public and livestreamed; adding that the Secretary of State has custody of the ballots and the Town had custody of the machines, which will continue to be the case until the audit takes place in a secure location. She advised that, though it had passed with little debate, floor remarks were made which have been given to the Selectmen. Senator Birdsell advised they would like the audit done expeditiously and all ballots reviewed and, based on some ambiguity in the language, they have recommended the following to the House: that the phrase "ballots" means 100% of the ballots and that all the ballots need to be run through all four machines. She advised the House will be hearing the bill on 3/5 at 10:30 AM.

Senator Birdsell then noted that Senator Jim Gregg is also working on a long-term solution, SB89, which includes provisions to allow the Ballot Law Commission the authority to request an audit and the Attorney General the authority to carry it out. She indicated that every voter should have the utmost trust in the voting system and, hopefully, SB43 is a means to that.

Mr. Hohenberger inquired whether the language of the bill could be changed at this stage, and Senator Birdsell replied that, as the Senate has passed it, any language changes would need to go through the State Reps.

Representative Charles McMahon approached; extending thanks to all. He then expressed concerns regarding the bill language and the application of the effort for a recount to have the public have confidence in the results; citing the portion which read “the Attorney General shall determine in their discretion the manner and process for conducting the audit.” Mr. McMahon explained that he does not agree with this, as it does not speak to what the Town wants to happen, which is to have input into what takes place; adding that he wants the Town’s narrative to be spoken for, which involves 100% of the ballots and all four voting machines. He indicated that, in accordance with the rules, he would like a recommendation to come from the Board either for narrative testimony from the Representatives on the bill or an amendment to same; reiterating it should be 100% of the ballots, not a portion, and every one of the four voting machines. Mr. McMahon noted that we then target what needs to be improved, if an issue is identified, so that we can have a confident process going forward.

Representative Bob Lynn concurred with Mr. McMahon and Senator Birdsell in that there should be a complete audit, with 100% of the ballots counted as soon as possible. He indicated he, personally, had no doubt as to the good faith of all involved; adding he had also been present for the recount. As to the latter, Rep. Lynn indicated, from what he saw, that Secretary of State Gardner and his staff at least tried to be very fair and above board, but it is possible a mistake was made; adding it is also possible one was made here. He noted that we need to get to the bottom of the issue, and that Senators Morse, Birdsell and Guida should be thanked for their efforts.

Rep. Lynn indicated that, as the bill will be going to Committee, there is less reason to not amend it to make it more specific; adding that is what they will do and it will have to go back to the Senate. He felt we will be able to have specific language and the audit will be done, although it may take a bit longer, but we will find out what happened. Rep. Lynn noted he rejects the conspiracy theories that there was malfeasance or intentional behavior involved.

Mr. Hohenberger noted there was no design of the experiment in the legislature, and that we need a process and the details of the process involved; asking Mr. McMahon to make that amendment. Discussion ensued regarding the need to confer with the Moderators to ensure the amendment meets their expectations.

Mr. McLeod then extended thanks to Senators Morse and Birdsell for their work; adding this had been his first conversation with Senator Morse and it had been very informative, praising his efforts.

Mr. Hohenberger noted there have been some emails circulating with a proposed process, and that Mr. Eyring’s is a start, but while it is important to do it expeditiously, it is also important to do it correctly; adding it needs to be put down on paper exactly what needs to be done. Mr. Partington concurred, and added there is a need to make sure the evidence is maintained including copies of the current state of the machines before the start of the audit and the need for the original data as it pertained to the ballots.

Mr. Breton concurred with Mr. Partington and Mr. Hohenberger. He then also extended thanks to the Senators and noted that as SB43 had passed 24-0 he was sure that the new legislation that will go back to the Senate will also pass unanimously; adding he was also sure that public input will be taken. Mr. Breton then extended thanks to Mr. McLeod for his leadership throughout the process.

Mr. McLeod noted it had been Mr. Breton, as well as Mrs. Simmons, who were pushing the matter right out of the gate; adding this Board really does well for the citizens and extending thanks to both.

Mrs. Simmons concurred with her fellow members, adding she was 100% in favor of the modification as proposed by Representative McMahan and that all ballots be run through all four machines. She then inquired as to whether there were any timing as to when the vote will happen; noting she is aware there is a Committee hearing on the 5th. Mr. McMahan replied that this would not be an early bill, thus there will be time for review and debate on the efficacy of the narrative; adding this means we should get it right the first time, thus the need for it to come from the Board and Moderators with specifics rather than something possibly contrary to our intent.

Mrs. Simmons then inquired what the options are for the Town if the bill does not pass the House. Attorney Campbell noted that his conversations with legal staff at the Secretary of State and Attorney General offices have been, up to now, that they have no ability to conduct an audit without legislative authorization. He indicated that whatever the Board asks to have done with the Bill in the House, we need to be mindful that it will have to go back to the Senate; adding the Attorney General and Secretary of State have significant influence at the State level so that also should be kept in mind. Attorney Campbell noted that if we want something to pass, we have to reach a consensus that does not result in one of those groups opposing what comes out of the House and back to the Senate.

Attorney Campbell went on to note that, if the legislation does not pass, he has been unable to find any legal recourse for the Town to pursue the matter any further; adding the State has been very clear. He reiterated that the State has the ballots and, without legislation, there is no ability to get to them; clarifying they will be preserved for at least 22 months after the election, so there is time to sort it out. Attorney Campbell then reiterated that, without legislative authority, he did not see a path to have access to them, thus the answer is to pass acceptable legislation that allows the audit to occur.

Mr. McLeod expressed his concurrence with his fellow members; adding he understands there might be concerns regarding who does or does not have conflicts of interest. He questioned whether, as to the Attorney General's Office, people may be confusing a charging decision with a conflict; adding he can appreciate people might take issue with same as he has experienced that. Mr. McLeod noted that the reality is, however, that we are stuck with the Attorney General's interpretation of the law that they do not feel they can do anything further absent a bill; adding he views that as completely separate from an indictment on the quality of their work, citing his personal experience working with them. He asked that people step back and consider what they are upset with versus the quality of the Attorney General's work; adding he was confident that if they are tasked via the bill with doing a recount, they will execute it with the utmost integrity.

Mr. McLeod concurred with running 100% of the ballots through, noting the problem could be manually at the State, or could be machine error; citing the varying circumstances/disparities in the account and noting that something is amiss. He noted that he, intuitively, thinks there may be two different errors, however, we just want to uncover what went wrong; adding if there is something we can do better here we will absolutely do it. Mr. McLeod indicated that we take pride in doing a good job and doing it right so, if there is something wrong we want to know thus we want this audit.

Rep. Lynn approached to concur with Mr. McLeod regarding the integrity of the Attorney General; adding they will do the job and do it right. He then agreed that there should be a 100% count of ballots and they should be run through all machines, which is what the amendment will request; adding however, that it is important to understand also that the concerns raised by the Attorney General and Secretary of State are not frivolous. Rep. Lynn noted that there is a statute limiting recounts to one, in order that we do not have a system that would allow 100 recounts thus never knowing who actually won; adding there is a real public interest in having election decisions made final and concluded. He indicated it is important to understand there are interests on the other side and the Secretary of State and Attorney General were trying to protect those, which are legitimate.

Mr. McLeod noted Windham residents and property owners would now be invited to speak; indicating that Ken Eyring would go first as Mr. McLeod knows he has come prepared. He felt that, as it pertained to every email the Town has received and every issue raised, Mr. Eyring has already raised those issues and will be able to articulate what those present are thinking.

Ken Eyring, 20 Bella Vista Road, approached extending thanks to the Board and explaining that he had put together a proposal for what he felt would be a full and proper audit; noting this was most vital as our elections require in our constitutional republic that those we vote for actually serve in office. He indicated he had spoken with Mr. McLeod, Dr. Strang, and Senator Guida to ensure he had a thorough and complete process; adding he had also shared it with Mrs. Bottai, who thought it looked good, and asked her to forward it to Mrs. Dunn and Mr. Griffin. Mr. Eyring indicated its purpose is to be a starting point; stressing the need to make sure every angle is covered as what happened on November 3 is unacceptable.

Mr. Eyring then went on to give a recap of what had happened with the election/recount figures, and the disparities between the two; noting in the one race in question the hand count difference was 1,363 over 10,006 ballots which is the largest unexplained discrepancy in the history of NH. Mr. Eyring went on to stress the importance of having a thorough investigation and defining a process ahead of time so that when it is televised observers can follow along; going on to note the many requests to the State from the Town and others for an investigation and the lack of response from the State. Mr. Eyring then read a portion of an op-ed written by Senator Guida relative to what he termed a document review by the Attorney General, as opposed to an investigation of the machines or total ballot count.

Mr. Eyring extended thanks to a number of individuals who supported putting together a process and demanding answers from the State. He then expressed concerns regarding weakness in the language of the Bill as it pertained to auditing all of the ballots and all of the machines; reiterating the need for a process. He then sought clarification from Mr. Sylvestro if he were in favor of a forensic audit of the machines, with the latter replying in the affirmative, and going on to note Mrs. Dunn had also expressed she would like a forensic audit of the ballots. At one point, Mr. McLeod was forced to gavel the meeting and request there be no shouting from the audience.

Mr. Eyring explained there were world renowned experts in the fields of such forensic audits, and that he had spoken to each; suggesting that if a committee is put together in regards to his document, it is only a starting point as it is all about getting the process right. He also requested that he and Kristi St. Laurent be invited as members; clarifying she is in agreement with him and Tom Murray on the work they have done. Mr. Eyring indicated he felt that the audit process should happen here in town, that all of the town be invited to participate, that people should be up close and personal looking out for the interest of our town; adding the latter should be equally representative of both sides of the aisle otherwise there will be questions. Mr. Eyring then clarified that none of the concerns he was expressing should be directed towards the Board, as they have been awesome and were deserving of a round of applause.

Mr. Eyring then suggested prior to any audit that Jovan Hutton Pulitzer, holder of 200 technology patents, and Colonel Phil Waldron, cyber warfare specialist, be retained; adding that he would be willing to pay for same or to take up a collection. Mr. Eyring stressed he is not suggesting that anyone did anything wrong, his position is we do not know and that is it; adding there is a huge discrepancy between the 3rd and the 11th, we do not have the answers to that, and we cannot assume anything. He felt we have to try to recreate the election as much as we can, noting that is the purpose of his proposed process and citing examples of how it would proceed.

Mr. Eyring went on to note that we are at a standoff because the State has our ballots and that he agreed that, by law, they may have the right custody of them. He did, however, request that Town Counsel look into RSA 33-A, 656:40, and 656:42 VIII C 2, and Ballot Law Rule 602.01A, and 602.01c; explaining that given these the Selectmen should be able to test the ballot machines for the upcoming election by taking the ballots from November 3 and putting them through all of the machines and doing the test ourselves.

Mr. Eyring noted it was not in the Town's interest to give up the machines, which have been in the vault locked up since the 3rd, and the ballots are in Concord and the State does not want to give them to us; suggesting that on the day of the audit the ballots be brought down and the machines imaged by Colonel Waldron and Mr. Pulitzer, outlining his suggested process. He indicated Colonel Waldron and Mr. Pulitzer will go into the machines to make sure everything is connected, look at the memory cards, and validate and verify they are working properly; adding he did not believe that anyone who had anything to do with the elections should have direct input into the audit. Mr. Eyring then clarified he did not mean they should not be involved, but they should not be hands on; adding this should apply to the Secretary and Deputy Secretary of State and others who oversaw the process both in Windham and in Concord. He then indicated the importance of the Board of Selectmen's involvement in defining the process of how we will get answers.

Mr. Eyring extended sincere gratitude to the Board for allowing him to speak uninterrupted; expressing respect for all and stressing the need to get this right. He indicated he would appreciate the Board considering him for the Committee, noting we need to move quickly and encouraging all to log into the hearing on Friday.

David Allain, 125 N. Lowell Road, approached with concerns regarding same day voter registration; noting that he had moved from Massachusetts where one had to register thirty days before. Discussion ensued in that Mr. Allain should take this up with the State Representatives.

Marilyn Todd, 17 Second Street, approached noting that, as an auditor, what bothers her the most is having to go through all of these procedures; adding that with 10,000 votes the answer is easy to get to. She then noted that Mr. Sylvestro had indicated that Dominion does not go online, however, she had been researching voter integrity and had recently viewed a video of a special meeting in Georgia where it was shown it can. Mr. McLeod reiterated that his intent was that this stay a local issue, and a discussion ensued, with much disruption from the audience, regarding LHS, online access, and the relevance of such videos.

Mrs. Todd then noted that hand counts statistically produce more accurate results than machines and indicated there are reports from Texas supporting same. Mr. McLeod again asked that Mrs. Todd's input remain focused on the local nature of this issue. Discussion ensued, with Mrs. Todd indicating that she had planned to say many other things and encouraging all to go online and view the Georgia meeting.

Kristie St. Laurent, 32 Range Road, approached clarifying she had requested the recount. She extended thanks to the Board and the legislators for pursuing the issue; adding she completely supported recounting 100% of the ballots as we need to find out where the discrepancy happened and ensure it does not happen again.

Daniel Popovici-Muller, Clark Farm Road, noted he works in finance and, when audited he does not audit himself. He indicated no one is questioning anyone's integrity, and suggested that if there is a way to make the ballots public and publish them on the website, now is the time to do so. In response to Mr. Popovici-Muller's suggestion, Town Counsel Bernie Campbell recounted a case he had been part of that involved a recount; the end result of which was a change in RSA 91-A specifying that ballots are not public documents subject to public access.

Albert Todd, 17 Second Street, approached expressing that our votes are a consensus to our government that they may govern us, and that we have been waiting since November is a problem; adding the Selectmen should be defining a timeline no later than next month. He then indicated he supported the proposed amendment.

Mr. McLeod suggested that Mr. Todd speak to Mr. McMahon regarding the timeline, and a discussion ensued regarding the importance of reaching out to our legislators. Mr. Todd then praised the Board for stepping up; but reiterated we should not be waiting.

Tom Murray, 29 W Shore Road, approached extending thanks to Mr. Eying, the Board, Town Counsel, Mr. Sullivan, Mrs. St. Laurent, and the public. He explained that he has spent much time going through and analyzing the Town's results/tally sheets; going on to extend thanks to several other individuals for their work including the Senators and Mr. Sylvestro. To the latter, and his statement that there were six elections that were free of error, Mr. Murray stated that we do not know that; adding no one is saying fraud occurred, but we do not know what happened and want meaningful answers.

Mr. Murray went on to note that he does not share the same confidence in the Attorney General, indicating he has spoken with Chong Yen and disagrees that he is willing to do a meaningful audit; adding there is a difference between a document review and an audit. He indicated that we want the latter, as we want to know whether the issue was at the local or state level, or if it was the machines.

Mr. Murray noted it is important that anyone who had direct involvement from the beginning should not have the same as it pertained to the audit; questioning the ability to be impartial in the event of a pecuniary interest or if one may have made a mistake. He noted that it should also be livestreamed/broadcast and no ballot should be out of sight.

Mr. Murray went on to note that it had been stated the State did not count the "no votes"; clarifying that would not have changed the results of what did get counted. He noted the recount was done in a very transparent, methodical way; explaining various parts of the process and agreeing they did not count the "no votes". Mr. Murray noted that Mr. Eyring and Mr. Abirached had pled with the Secretary of State to count them in order to have checks and balances, however, that had not happened.

Mr. Murray then indicated that the recount had been exclusive to the State Representative race, but went on to cite what he termed anomalies in machine 2 with the Presidential, Senate and other races, as well as over votes. He indicated these are the reasons he and Mr. Eyring have been conducting an analysis and attending hearings, and why they were requesting an audit. He then requested that, as we do not know the answers to any of these questions, can the ballots in the upcoming election be hand counted.

Mr. McLeod noted that, as far as machine 2, it had been used primarily to process the absentee ballots, thus the differences in numbers; which Mrs. Bottai confirmed. To respond, Mr. Murray endeavored to invite Dr. David Strang of Gilmanton to speak; the latter of whom advised he had worked with Mr. Murray and Mr. Eyring to analyze machine 2. Discussion ensued, with much disruption from the audience and input from Mr. Eyring, in that Mr. McLeod had clearly laid out the procedures at the beginning of the meeting, which had included that input from non-residents would not be accepted.

Mr. Murray indicated he had spoken with Mrs. Simmons regarding machine 2, and that he had inquired whether there was a specific machine that was used for absentee ballots only, and that he was told no. He noted that there were approximately 3200 absentee ballots and Dr. Strang had done a statistical analysis of those, in which he found that Senator Shaheen would have had to garner 90% of the absentee vote on machine 2, which is not possible. Discussion ensued regarding the anomalies and Mr. Murray working with Mr. Eyring to bring the information to the Representatives in writing; with Mr. Murray citing others who are also familiar with the machines who can assist.

There being no Windham residents on Zoom who wished to speak, Mr. McLeod closed public comment; inquiring how the Board wished to proceed knowing the House was to take this issue up on Friday.

Mr. Hohenberger suggested a committee be established this evening in order that they can meet prior to Friday to get something down in writing; proposing a minimum of one or two State Representatives who understand the language of bill and how to word it correctly. He noted that we have to make sure the amendment can go through, as if the bill fails we accomplish nothing. Mr. Hohenberger went on to note it was important to have Mr. Eyring involved, the Town Clerk and Moderator(s), as well as Mrs. St. Laurent and at least one Selectmen.

Lengthy discussion ensued regarding consensus of the members to establish a Committee and the membership thereof, the timeline of events, which Board members could serve, and what it should be called. Mr. Hohenberger suggested, as to the latter, that it be the "Windham Election Integrity Committee". Mr. Breton asked that Mr. Murray be added, as well.

After further discussion, with input from Mrs. Bottai, regarding the timing of the Committee's meeting, the bill language, Selectmen appointees, with Mr. Partington and Mrs. Simmons volunteering, Mr. Hohenberger moved to organize a board called the Windham Election Integrity Committee to be comprised of one or two State Representatives, Nicole Bottai, Peter Griffin and/or Betty Dunn, Ken Eyring, Tom Murray, Kristi St. Laurent, Jennifer Simmons, and Heath Partington.

Brief discussion ensued, and Mr. Hohenberger amended his motion to include Senator Birdsell. Mr. Breton seconded. Roll call vote – all "yes".

The Chair extended thanks to all. Mr. Breton moved and Mr. Partington seconded to adjourn. Roll call vote – all "yes".

Meeting was adjourned at 9:55 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant