

**EUREKA COUNTY BOARD OF COMMISSIONERS
CANVASS OF ELECTION RECOUNT
November 19, 2010**

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law for a special meeting on November 19, 2010. Present were Chairman Leonard Fiorenzi, Vice Chair Jim Ithurrealde, Deputy District Attorney Kelly Brown, and Clerk & Treasurer Jackie Berg. The meeting was called to order at 6:00 p.m. and began with the Pledge of Allegiance. The interactive video conference was connected and utilized between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

Commissioner Ithurrealde motioned to approve the agenda notice as posted; Chairman Fiorenzi seconded the motion; motion carried 2-0.

PUBLIC COMMENT

Chairman Fiorenzi opened the floor for public comments; there were none.

CANVASS OF THE RECOUNT VOTE

Abstract and Canvass of the Vote: Clerk, Jackie Berg, provided the abstract and breakdown of the votes for the 2010 General Election, which were amended following the recount of the Clerk/Treasurer race conducted on November 12th. Chairman Fiorenzi read the results of the recount for the Clerk/Treasurer race into the record, as follows:

<u>CANDIDATE</u>	<u>BALLOT</u>	<u>PRECINTS:</u>				<u>TOTAL</u>
		<u>P1</u>	<u>P2</u>	<u>P3</u>	<u>P4</u>	
Jackie Berg	Electronic	105	81	0	0	186
	Paper	24	15	55	94	188
	TOTAL	129	96	55	94	374
Carri Wright	Electronic	118	165	0	1	284
	Paper	18	9	36	27	90
	TOTAL	136	174	36	28	374

Commissioner Ithurrealde motioned to approve abstract of the vote as canvassed by the Board of Eureka County Commissioners following the results of a recount of the Clerk/Treasurer race conducted on November 12th for the November 2, 2010, General Election; Chairman Fiorenzi seconded the motion; motion carried 2-0.

Determining Winner in Tie Vote: Deputy District Attorney, Kelly Brown, explained the process required under statute for determining the winner of a race in the event of a tie vote. In most races, this is the responsibility of the Clerk, but since this tie is for the Clerk's race, the responsibility falls to the Board of Commissioners. Five day written notice must be given to the candidates for a lottery type determination, usually a card draw. Mr. Brown provided the Board with the prepared written notices/summons along with draft instructions for the card draw. A lengthy conversation ensued regarding the rules of the card draw and several changes were

made to the draft instructions, which will be issued to the candidates along with the notice. Several minor comments and questions were received from the audience during this discussion.

Commissioner Ithurrealde motioned to set the date and the time of the card draw for December 3rd at 3:00 p.m. and directed the Deputy District Attorney to issue the summons/notice to the candidates; Chairman Fiorenzi seconded the motion; motion carried 2-0.

PUBLIC COMMENT

Chairman Fiorenzi opened the floor to public comments. Informal discussion related to the card draw continued briefly between the Board members and the audience. There were no further comments.

ADJOURNMENT

Commissioner Ithurrealde motioned to adjourn the meeting at 6:41 p.m.; Chairman Fiorenzi seconded the motion; motion carried 2-0.

Approved this 3rd day of December, 2010.

/s/ Leonard Fiorenzi
Leonard Fiorenzi, Chairman

Attest: /s/ Jackie Berg
Jackie Berg