



**Municipality of Anchorage
Election Commission**

**April 1, 2025 Regular Municipal Election
Public Session of Canvass**
Minutes of the Meeting of April 17, 2025



1. CALL TO ORDER

Chair Nolan called the Regular Municipal Election Public Session of Canvass meeting to order at 5:00 p.m. at the Election Center – 619 E Ship Creek Ave, Suite 100, Door D, Anchorage Alaska.

2. ROLL CALL

PRESENT: Katie Nolan, Loren Leman, Mead Treadwell, and Ann Courtney
EXCUSED: None

Municipal Clerk Heinz took roll call, and a quorum was achieved with four commission members present.

Also, in attendance were Jamie Heinz, Municipal Clerk; Liz Edwards, Deputy Election Administrator; Dean Gates, Assembly Counsel; Matthew Hurt, Legislative Counsel, and Jessica Willoughby, Assistant Municipal Attorney.

3. MINUTES OF THE PREVIOUS MEETING

A. Minutes of the Anchorage Election Commission Meeting of January 8, 2025

Commissioner Treadwell spoke regarding the accuracy of the minutes and that they did not tell him anything that anybody said. He recommended the Clerk's Office look into technology that created transcripts.

Chair Nolan noted a link at the bottom of the minutes where the recording was located on the website. She also amended the agenda to add discussing summary minutes in the new business section of the agenda.

Loren Leman moved,
Ann Courtney seconded,

to approve the minutes of the January 8, 2025 Anchorage Election Commission Meeting

and this motion passed 4-0.

AYES: Katie Nolan, Loren Leman, Mead Treadwell, and Ann Courtney
NAYES: None

4. OLD BUSINESS - None

5. NEW BUSINESS

A. Disclosures

Commissioner Treadwell disclosed he Chaired a discussion group called the Center Right Coalition and said there were Assembly and School Board candidates who spoke to the group. He recused himself from any action with who was brought before the group.

Commissioner Courtney disclosed she helped with the Turnagain Community Council and Spenard Community Council to put together a candidate forum. She stated she did not participate in any discussion or any campaigning.

Commissioner Leman stated this year he had the least involvement in Municipal campaigns and activities than any other year that he has been a registered voter.

Chair Nolan disclosed she was the president of HALO the Anchorage Hillside Home and Landowners Organization; they held their regular annual candidate forum for Assembly and School Board Candidates. She stated she did not write the questions, ask the questions, or moderate the forum. Her only involvement was with the introduction.

Commissioner Treadwell spoke again and disclosed that one of the candidates was his eye doctor and did not create his appointment until after the votes were cast.

Assembly Counsel Gates advised the commission that the process on disclosures was for the Chair to make a determination if there was a substantial personal interest.

Chair Nolan ruled that no one had a conflict of interest and none of the Commissioners objected to her ruling.

Commissioner Leman amended his statement to include that he attended community functions where candidates were present but did not indicate his support or non-support.

Commissioner Treadwell added he had a discussion with multiple Assembly candidates who were not in his voting jurisdiction, but no favor was asked, and no support was given and was simply a discussion. Another Assembly candidate, an incumbent, heads an organization who holds a reception at Commissioner Treadwell's residential home. The reception was held either directly before the election or right after, but before the Public Session of Canvass. He stated they did not discuss politics.

Chair Nolan ruled that no one had a conflict of interest and none of the Commissioners objected to her ruling.

B. Review of Pending Rejected Ballot envelopes

Commissioner Treadwell expressed he would like the canvass motions to be similar to the Assembly meetings and have a consent agenda. The idea was for the commission to pull from the reject codes to discuss and anything not pulled will be approved for rejection in one motion.

Mead Treadwell moved,

to adopt the canvass worksheet as a consent

Loren Leman seconded,
and this motion passed 4-0.

agenda

AYES: Katie Nolan, Loren Leman, Mead Treadwell, and Ann Courtney
NAYES: None

Commissioner Leman asked for clarification if the commission was using the revised version of the canvass worksheet and *Municipal Clerk Heinz* confirmed yes.

Municipal Clerk Heinz read the number of potentially rejected ballot envelopes for each reject code on the record. There were 0 for reject code A, 3 for reject code D, 18 for reject code E1, 1 for reject code G, 1 for reject code I, 0 for reject code K, 1 for reject code M, 8 for reject code MOA, 0 for reject code O, 0 for reject code R, 6 for reject code T, 7 for reject code V, 301 for reject code W, 3 for reject code W1, 0 for reject code W2, 3 for reject code X, 0 for reject code XX, 41 for reject code Z, 386 for reject code Z1 with 1 cured over break, 0 for reject code Z2, 0 for reject code 2, 11 for reject code 3, 3 for reject code 9, 1 for reject code 10, and 0 for reject code 11.

Commissioner Treadwell pulled reject codes T, V, 3, and 9.

Commissioner Courtney pulled reject code E1.

Loren Leman moved,
Mead Treadwell seconded,

to approve rejection of all the reject codes with the exception of the following: 18 returned ballots without an envelope, reject code E1; 6 ballot envelopes from voters who registered after the 30-day deadline, reject code T; 7 ballot envelopes received too late after the polls closed at 8:00 p.m. on Election Day either by Email, Fax, Accessible Vote Center, and Secure Drop Box, reject code V; 11 ballot envelopes signed by someone other than the voter, reject code 3; and 3 ballot envelopes signed by Power of Attorney of the voter, reject code 9

and this motion passed 4-0.

AYES: Katie Nolan, Loren Leman, Mead Treadwell, and Ann Courtney
NAYES: None

Reject Code E1

Loren Leman moved,
Mead Treadwell seconded,
and this motion passed 4-0.

to approve rejection of 18 returned ballots without an envelope, reject code E1

AYES: Katie Nolan, Loren Leman, Mead Treadwell, and Ann Courtney
NAYES: None

Commissioner Courtney stated she remembered there was 19 returned ballots at the worksession and asked why there were now 18 at the Canvass. *Municipal Clerk Heinz* provided a reminder that during the worksession the Commission discovered there was one with a signature and a witness with the same last name. It was determined that the signature matched, and so it was counted.

Before moving on to the next reject code it was clarified and confirmed that the commission had already approved rejection of code Z1.

Reject Code T

Mead Treadwell moved,
Loren Leman seconded,

to approve rejection of 5 ballot envelopes from voters who registered after the 30-day deadline, reject code T, and to have further discussion on the one voter who appeared with a voter registration card

and this motion passed 4-0.

AYES: Katie Nolan, Loren Leman, Mead Treadwell, and Ann Courtney

NAYES: None

Commissioner Treadwell requested to examine the ballot of the person who went to a vote center with a voter registration card and asked the Clerk for an overview of the circumstances.

Municipal Clerk Heinz provided an overview noting the voter went to an Anchorage Vote Center (AVC) and told the workers they registered 32 days before the election; however, upon review, the Municipal Clerk determined using the State of Alaska Division of Elections voter registration database that the voter was registered on March 12, 2025. *Municipal Clerk Heinz* added that the voter presented their Driver's License as their identification.

Chair Nolan noted that providing their Driver's License as identification and not their voter ID card was a different matter. *Commissioner Courtney* thanked the Clerk for clearing it up as it made a difference.

Mead Treadwell moved,
Ann Courtney seconded,

to accept 1 ballot envelope from a voter who registered after the 30-day deadline, reject code T, but appeared at the Vote Center with a voter registration card

and this motion failed 0-4.

AYES: None

NAYES: Katie Nolan, Loren Leman, Mead Treadwell, and Ann Courtney

Mead Treadwell moved,
Loren Leman seconded,

to approve rejection of 1 ballot envelope from voters who registered after the 30-day deadline, reject code T,

and this motion passed 4-0.

AYES: Katie Nolan, Loren Leman, Mead Treadwell, and Ann Courtney
NAYES: None

Reject Code V

Mead Treadwell moved,
Loren Leman seconded,

to approve rejection of 7 ballot envelopes received too late after the polls closed at 8:00 p.m. on Election Day either by Email, Fax, Accessible Vote Center, and Secure Drop Box, reject code V,

and this motion passed 4-0.

AYES: Katie Nolan, Loren Leman, Mead Treadwell, and Ann Courtney
NAYES: None

Commissioner Treadwell asked about the procedure on election night when dropboxes were closed. *Municipal Clerk Heinz* explained the Drop Box pickup procedure used on election night noting that, similar to vote centers, the cars in line before 8:00 p.m. were allowed to drop off their ballot envelopes before the box was closed.

Commissioner Leman asked if voters were offered the option of taking their ballot to the post office and *Municipal Clerk Heinz* answered that was one of the options offered.

Reject Code 3

Mead Treadwell moved,
Loren Leman seconded,

to approve rejection of 11 ballot envelopes signed by someone other than the voter, reject code 3 and to direct staff to send to the Municipal Prosecutor for investigation

and this motion passed 4-0.

AYES: Katie Nolan, Loren Leman, Mead Treadwell, and Ann Courtney
NAYES: None

Commissioner Treadwell suggested that some might have been honest mistakes and some might not have been but it was worthy of investigation. He also asked for clarification regarding their recommendation to send ballot envelopes to the Municipal Prosecutor, if they went directly to the Municipal Prosecutor or to the Assembly first to accept their recommendation. *Municipal Clerk Heinz* stated that the motion was to direct the staff to send to the Municipal Prosecutor.

Reject Code 9

Mead Treadwell moved,
Loren Leman seconded,

to accept 1 ballot envelope and approve rejection of 2[3] ballot envelopes signed by Power of Attorney of the voter, reject code 9

and the motion on this reject code, as amended, passed 4-0.

AYES: Katie Nolan, Loren Leman, Mead Treadwell, and Ann Courtney

NAYES: None

Commissioner Treadwell said there was one envelope that was voted by Power of Attorney (POA) but done at a vote center. He suggested that the voter could not sign and the POA signed as a witness. He recommended the commission accept that ballot envelope because it happened at a vote center, and it wasn't the voter's fault. He suggested the ballot should be accepted as he believed the witness was a witness, proving the person was eligible to vote and not able to sign in this circumstance.

Mead Treadwell moved,
No one seconded,

to Amend the previous motion amending to
to accept 1 ballot envelope and approve
rejection of 2 ballot envelopes

and this motion passed with unanimous consent.

Commissioner Leman said there was a statement that Power of Attorney would not be accepted and he wanted to make it clear that this was a different circumstance even though the POA did sign it noting it could have been signed differently like a witness with an X or a check and it would have been accepted.

Commissioner Courtney added that, without really knowing what happened she felt like they were guessing at what happened and that the statute was very clear that no Power of Attorney may vote a ballot. She stated that she would hate to overrule the Municipal Code without knowing really what happened.

Municipal Clerk Heinz read the section of code pertaining to special needs voting. She explained the person helping the voter marked an X on the register at the vote center, wrote the voter's name on the signature line, and then a line lower wrote their name and "POA", and the election worker signed on the witness line.

Assembly Counsel Gates stated he interpreted the POA improperly signed the declaration on the voter's signature line which is improper for the POA as a witness.

Municipal Clerk Heinz reiterated the POA marked an X on the register log, the POA wrote the voter's name on the line where the voter is supposed to sign, wrote the words "by" and then POA. She added that she was unsure if the voter assistant was signing and witnessing, or if the vote center worker signed in the witness line.

Commissioner Courtney asked if the POA voted for the person or just signed the X.

Municipal Clerk Heinz read the statement from the election worker.

Commissioner Treadwell reiterated his understanding of the situation seeing no evidence of bad faith, but the Election Official was not able to catch the error in time.

Assembly Counsel Gates read Municipal Code AMC 28.70.030 – Ballot return envelope review standards noting the voter was not the person who made a mark anywhere and if the voter wasn't able to make a mark, code stated it should not be counted.

Commissioner Courtney asked if AMC 28.50.130 – Assisting voter at a polling location or vote center comes into play at all in the situation.

Assembly Counsel Gates stated there was no evidence that the process was followed properly.

Commissioner Treadwell suggested there was evidence that the voter could speak, she made the effort to vote, brought someone with her to assist in voting, did not object to him signing for her, and the Election Official signed as well. He said he would argue an election mistake was made, and that the women's vote should be counted.

C. Adoption of the Election Canvass Report for the Regular Municipal Election of April 1, 2025

Chair Nolan asked for a motion to adopt the amended Canvass report and *Municipal Clerk Heinz* stated it did not need to be amended as they accomplished everything, however, the commission should take a break so that staff can update the numbers so the commission can sign it.

Katie Nolan moved,
Mead Treadwell seconded,
and this motion passed 4-0. to adopt the Election Canvass Report of the April 1, 2025 Regular Municipal Election

AYES: Katie Nolan, Loren Leman, Mead Treadwell, and Ann Courtney
NAYES: None

Chair Nolan added to the agenda Item D. Discussion of the Minutes

D. Discussion of the Minutes

Commissioner Treadwell said, while looking at the minutes they approved earlier in the meeting, there were a number of things said in Old Business, a time when he was absent, and he would be interested to know what was discussed. He said it would be helpful to have a set of minutes that summarized the discussion. He suggested that for anybody reading the minutes it was a totally useless waste of government resources to indicate someone spoke but not give any indication of what was being spoken about.

Municipal Clerk Heinz stated the code required that the body followed Robert's Rules and Robert's Rules called for action minutes. However, the code also provided that commissions can make their own rules of procedure and the Election Commission could make a motion.

Assistant Municipal Attorney Willoughby read Title 4 in Municipal Code regarding board and commission minutes. She stated that the Municipality had over fifty boards and commissions under Title 4 and it was unlikely that the Municipality would concede that each board and

commission had that authority to delegate to staff to take summary minutes but that if a board or commission were to take summary minutes and produce those minutes themselves, then that would be a different matter. She agreed the commission did have the authority over what they needed, and their authority was limited to what was in the code.

Chair Nolan noted certain other commissions had minutes with short statements.

Assistant Municipal Attorney Willoughby stated that not all boards and commissions were required to be recorded, however all were required to do action minutes. She added that some boards and commissions were required to be recorded so that if it did go to an appeal, there was a recording and the record was not the summary minutes, it was the recording.

Mead Treadwell moved,
Loren Leman seconded,

to make the operating procedure of the
Election Commission to succinctly summarize
points of view if they are differing minutes of
the commission

and this motion passed 4-0.

AYES: Katie Nolan, Loren Leman, Mead Treadwell, and Ann Courtney

NAYES: None

Commissioner Leman said he served on many commissions and action minutes were not totally useless but not as useful as they could be. He added that he's taken minutes and been responsible for them, noting the meeting may have been transcribed by a system, but he edited what was given to him. He added that minutes that provide more information without it taking more time should be a happy medium.

Assistant Municipal Attorney Willoughby responded and clarified that there were some board and commissions whose minutes included more than just action minutes, and she would defer to the Clerk's Office staffing of the Commission.

Commissioner Treadwell pointed out that they were voting on rejecting and accepting ballots and there was no doubt in this election, but all have seen elections where there had been doubt. He said sometimes the Assembly sought their advice and sometimes their advice essentially amounted to legislative intent, but in a contest of any kind, he questioned who could afford to go listen to hours and hours of recording to know what was discussed. He added that having minutes to know why they rejected the power of attorney, except for one, was an important thing for them, adding that not being consistent could leave the city open for a lawsuit.

Commissioner Courtney stated she was loathe to vote against the advice of the Commission's Attorney and asked for clarification if she said they could force the staff to flesh out the minutes.

Assistant Municipal Attorney Willoughby responded and said it came down to who had the authority to decide how boards and commissions were staffed, and it depended on the department and the department resources. She believed that decision was made by the department because they have the budget and the staff time. She thought the board or commission could make the request, but she believed the authority lied with the department.

Commissioner Courtney asked Municipal Clerk Heinz about staff time and her thoughts.

Municipal Clerk Heinz stated there was a short window of time that an election could be contested and then, 30-days after the election, everything was shredded. She noted that, in the event they had to go to court, they would have to do a transcript, where a court recorder would transcribe the meeting. The minutes approved by the Commission were not going to court at all and simply posted to the website along with the recording of the meeting. She added there was a possibility of going to court for misunderstanding what a commissioner was trying to say or putting bias in the minutes. She reiterated she was not in favor of summary minutes.

Commissioner Treadwell spoke again reiterating he was not asking for summary minutes that were a book, but simply what they were talking about, so they understood. He stated that he understood why *Commissioner Courtney* would not want to suggest they do something illegal. He added the power they had was to have discussions in the public, to hear public comment, and the Assembly who reads the minutes can see what was said instead of just hearing from a staff report. He said he was not proposing the commission do anything illegal or against city policy, but that the city policy made it clear they can have summary minutes. He added he was willing to work with staff to make sure the time spent on minutes was minimized.

Commissioner Courtney reiterated she simply asked Assistant Municipal Attorney Willoughby what her advice was.

E. To discuss comments to provide to the Assembly

Commissioner Treadwell said there was good discussion during this meeting and the questions he had for further discussion might first begin with a set of questions to staff and to forward recommendations to the Assembly.

6. Member Comments

Commissioner Leman said he's not sure he is a fan of mail-in voting but that had nothing to do with the Clerk and her staff because he thought they were doing an outstanding job in the challenging situation. He wanted more people to vote and participate in the election. He also said we need to do everything we can to compress the time and get results. He understood the overseas voting as he represented the military for ten years in the senate and was aware as his son who was in the military and understood the need to accommodate them. He suggested we need to keep working at what we can do to reduce that time.

Commissioner Courtney thanked the Municipal Clerk and her staff for a very well carried out election under what could have been a very stressful situation and for all the hard work put in even if the team didn't know they had to do it.

Chair Nolan said meeting only once or twice a year was not doing anybody any good as they didn't remember what happened at the last meeting. She suggested the potential of quarterly worksessions to talk about different ideas. She tried to talk to a previous person about advertising as the current advertising was not effective. She believed it was because the

municipality did not do advertising. She suggested an advertising person to reach people. She also suggested talking to 17-year-olds about the 90-day rules.

Commissioner Courtney agreed with Chair Nolan, adding that worksessions could be productive.

Commissioner Treadwell suggested a post office official attend a worksession. He also discussed asking for an executive session to discuss the personnel matters regarding the former Election Administrator to get reassurance, but he accepted the reassurance that there was nothing in whatever the personnel matter was, that affected the way elections were run or our safeguards. He added the reason he joined the commission was because there was a big question about trust in running elections in the country and in this town; didn't hear anything here today that would cause him to tell any voter that they can't trust what is happening in their system and they are there to back up the Elections team. He wanted to reiterate what Commissioner Courtney said and thanked the Municipal Clerk for stepping in.

Commissioner Leman said he would attend the quarterly meetings if there was a meaningful agenda.

Chair Nolan thanked the team for a tremendous job but did not appreciate the threatening letter giving the commission information they already knew about closed meetings.

7. Audience Participation - None

8. Adjournment

Katie Nolan moved,

to adjourn the April 1, 2025, Regular Municipal Election Public Session of Canvass of April 17, 2025

and this motion passed 4-0.

AYES: Katie Nolan, Loren Leman, Mead Treadwell, and Ann Courtney

NAYES: None

Chair Nolan adjourned the meeting at 7:48 p.m.

Respectfully submitted,

Amy Solberg for Jamie Heinz
Municipal Clerk

For detailed Board discussion, please refer to the recording of this meeting located on the Municipal Website at <http://www.muni.org/Residents/Pages/MuniMeetings.aspx>.