

**Elizabeth Milias**

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**From:** "Marilyn R Marks" [redacted]  
**To:** [redacted]  
**Sent:** Tuesday, September 28, 2010 2:27 PM  
**Subject:** FW: hp worksession with City Council Nov 17 2009---parallels to consider

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**From:** Jack Johnson [mailto:writejacknow@yahoo.com]  
**Sent:** Tuesday, November 17, 2009 8:16 AM  
**To:** 'Su Lum'; Marilyn R Marks  
**Cc:** micki@ci.aspen.co.us; 'Harvie Branscomb'  
**Subject:** RE: hp worksession with City Council Nov 17 2009---parallels to consider

Ms. Marks,

I have told you repeatedly not to contact me. I find your actions self serving, your excuses weak and your communications offensive and harassing. Please respect my wishes.

Jack Johnson

--- On Mon, 11/16/09, Marilyn R Marks <marilyn@aspenoffice.com> wrote:

**From:** Marilyn R Marks <marilyn@aspenoffice.com>  
**Subject:** RE: hp worksession with City Council Nov 17 2009---parallels to consider  
**To:** "'Su Lum'" <su@rof.net>  
**Cc:** micki@ci.aspen.co.us, "'Jack Johnson'" <writejacknow@yahoo.com>, "'Harvie Branscomb'" <harvie@media.mit.edu>  
**Date:** Monday, November 16, 2009, 11:50 PM

Su,

Thanks for responding. And I meant what I said about the appreciation I have for the whole task force effort and advocacy. (even if we disagree on direction.)

I feel that there are a host of good reasons that the EC was intended to be bi-partisan, with its neutrality developed by equally sized, healthy, opposing camps.

The state law requires the canvass boards to be appointed by the two major party chairs, not only for the healthy competition, but also to give some buffer from the direct control of the elected officials. (A check and balance built into the system at the state level.) Kathryn apparently has modeled the local EC tradition after the state law for canvass boards ---with the difference that the parties NOMINATE here and appoint the canvass boards. It seems like a good system to me. Independent competing third parties nominate their partisan candidates. Council appoints. That seems superior to a council incumbents choosing from among their supporters. That seems too politicized.

As for Jenny Flannigan, --while I don't know her, I was surprised to read the statement she gave Mitzi on neutrality in the EC, unless she meant that that neutrality is created by a bi-partisan balance. I don't know how one would ever appoint properly "neutral " people to an Election Commission. Surely most people who care about elections also have a strong bias toward a candidate or issue in any election. It seems like the system sort of helps recognize that natural bias and put it to work in a healthy way. I'm copying Harvie because he and I talked about Flannigan's statement, which I believe he was going to follow up on . Maybe he has more info.

9/28/2010