

**STATE BOARD OF ELECTIONS
Board Meeting
Wednesday, July 1, 2009
Springfield, Illinois**

MINUTES

PRESENT:

**Bryan Schneider, Chairman
Wanda Rednour, Vice Chairman
Patrick Brady, Member
John R. Keith, Member
William McGuffage, Member
Albert Porter, Member
Jesse Smart, Member
Robert Walters, Member**

ALSO PRESENT:

**Dan White, Executive Director
Steve Sandvoss, General Counsel
Rebecca Glazier, Assistant to Executive Director**

The regular monthly meeting of the State Board of Elections was called to order at 10:30 a.m. with eight members present.

Chairman Porter opened the meeting by leading everyone in the pledge of allegiance.

The Executive Director noted that every two years the election of a new chairman and new vice chairman is held. Also, if new members are appointed they would take office today. However, there was no action on the appointment process so the current members will continue to serve until current members are reappointed or new ones are confirmed. The first order of business is the election of the new Chairman and new Vice Chairman. Director White then recognized outgoing Chairman Porter and noted how fortunate he was to serve with him and discussed the many accomplishments of the Board during this two-year period. On behalf of the Board and staff, Director White presented Chairman Porter with an engraved gavel commemorating his two years as Chairman and thanked him for his service to the State Board of Elections and the State of Illinois. Chairman Porter thanked Director White and noted his appreciation for the support of staff of the State Board of Elections. He thanked the Board members and indicated it will be a pleasure to be able to help the new Chairman carry out the responsibilities of the chairmanship.

At this time Chairman Porter called for the election of officers, beginning with chairman. Member Smart nominated Bryan Schneider for chairman. Member Brady seconded the nomination. With no objections, the motion was called and passed unanimously.

Newly elected Chairman Schneider then opened the floor for nominations for vice chairman. Member McGuffage nominated Wanda Rednour to serve as vice chairman. Member Keith seconded the nomination. With there being no further nominations and no objections the motion for election of vice chairman passed unanimously. At this time the Board took a recess for a Board picture.

Director White noted there were no minutes for approval because of the short time frame between the June and July meetings.

The Executive Director noted the change in the order of the agenda in order to accommodate Dianne Felts who is testing off-site. Dianne Felts presented modifications of ES&S's Auto-MARK and M-100 voting equipment. Steve Pearson was present on behalf of ES&S and discussed the de minimis modifications. The modifications are engineering change orders which change hardware only. All of the changes that are submitted today have been approved by an Election Assistance Commission (EAC) accredited laboratory. The de minimis changes are so minor they do not have to be tested by the EAC but rather a testing laboratory. The current ES&S systems being used in Illinois were approved by NASED and the EAC will not start looking at any engineering orders until they certify a system. Once upgrades are made to the system it will be submitted to the EAC for approval. After discussion, Member Smart moved and Vice Chairman Rednour seconded to approve changes presented by Dianne Felts and ES&S. Discussion ensued on what the changes actually are and Mrs. Felts distributed a listing of the engineering change orders noting that she did not include this in the packet as she was told it was confidential and could not distribute it. The General Counsel reviewed the listing with Mrs. Felts and indicated that the list could be approved in its entirety as these changes were either de minimis or tested at the laboratory. After further

discussion Member McGuffage offered a substitute motion to approve the 22 de minimis changes to the M-100 and the 38 de minimis changes to the AutoMARK contained in the ES&S M100 Engineering Change Order List document. Member Smart seconded the motion which passed by roll call vote of 8-0. Mrs. Felts indicated she would perform a test on the other changes that were not de minimis and would report back to the Board. Discussion ensued on having a technical engineer on staff which Director White noted was included in the request for a Testing Center the last two years.

Director White discussed the legislative session indicating the Governor addressed a rare joint session and indicated there is a \$9.2 billion deficit. The fiscal year ended June 30 with no budget in place and the Governor is expected to take veto action at 1:30 p.m. today. State Board of Elections staff has been notified to report to work as usual. Discussion ensued on the current FY 09 bills which are processed before any FY 10 bills will be processed. Cris Cray discussed the two budget bills which are on the Governor's desk and are expected to be included in the veto action. All election bills provided to the Board last month have been sent to the Governor's office and he has 60 days to act.

The Executive Director noted that with the short time between the June and July meetings the FY07 fiscal report for the period ending June 30, 2009 and the fiscal report for the Help Illinois Vote Fund will be sent to the Board members at a later date. Director White presented the two year plan of activity for the months of July and August for informational purposes.

Rupert Borgsmiller indicated that staff has completed a presentation for the Board on the progress of the Business Entity Registration website. Sharon Steward and Kim Matrisch presented a demonstration of the electronic program which will be up and running on our website by August 1. Mr. Borgsmiller will send out a letter around July 27 to all current registrants informing them that they will need to re-register by October 1. The Board commended staff for their work on this project.

The Executive Director presented the FY 10 Board meeting schedule for further review. Director White explained that the video equipment in the Thompson Center is unavailable on the Chicago Board meeting dates as the Governor's office reserves the equipment every Monday for the entire day. He presented options for Board consideration. Member Smart moved to change the Chicago meetings to as follows, August 18, October 20, February 17, April 20 and June 15. Member Walters seconded the motion which passed by roll call vote of 8-0.

Director White presented for informational purposes an IVRS update on duplicate registrations as requested by the Board. This will be an informational item on each Board agenda starting this month. Member Keith suggested adding the previous month's duplicates to each report so they can tell which jurisdictions had the changes.

The General Counsel presented an appeal of a campaign disclosure fine that the hearing officer recommends be granted in the matter *SBE v. Grundy County Republican Central Committee*, 08AG038 and noted his concurrence with the hearing officer recommendations. No one was present in this matter. Member Smart moved to grant the appeal. Member Brady seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented an appeal of a campaign disclosure fine that the hearing officer has recommended be denied in the matter of *SBE v. Cynthia Pruim Haran*, 08AG021 and concurred with the recommendation. No one was present in this matter. Member Keith moved to accept the recommendation and the appeal be denied. Member Smart seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented a request for a payment plan from the Republican Organization of Elk Grove Township. The committee proposes a payment schedule for eleven months beginning with two payments in June 2009 with final payment in April 2010. Mr. Sandvoss had no objection to the proposed payment plan. Member Smart moved to accept staff recommendation and accept the payment plan. Vice Chairman Rednour seconded the motion

which passed by roll call vote of 8-0.

The General Counsel presented for informational purposes a listing of committees that paid civil penalties.

Member Keith moved to recess to executive session to discuss pending litigation and personnel issues. Vice Chairman Rednour seconded the motion which passed by roll call vote of 8-0. Meeting recessed at 11:55 a.m. and reconvened at 12:15 p.m.

Member Keith moved to direct the General Counsel to advise the Attorney General of the sense of the Board in the case of *Maddox v. Blagojevich* in accordance with the action taken in executive session. Member Smart seconded the motion which passed by roll call vote of 8-0.

The next regular meeting of the State Board of Elections will be held on Tuesday, August 18, 2009 at 10:30 a.m. in Chicago or at the call of the chair whichever occurs first.

With there being no further discussion, Member Walters moved to adjourn. Member McGuffage seconded the motion which passed unanimously. The meeting adjourned at 12:18 p.m.

Respectfully submitted,

Assistant to Executive Director

Executive Director