

**STATE BOARD OF ELECTIONS
Board Meeting
Monday, September 18, 2006
Springfield, Illinois**

MINUTES

PRESENT:

Jesse Smart, Chairman
Wanda L. Rednour, Vice Chairman
Patrick Brady, Member
John R. Keith, Member
William McGuffage, Member
Albert Porter, Member
Bryan Schneider, 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 10:40 a.m. with eight members present.

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

The Executive Director noted that the August 31 meeting minutes would not be presented for approval today but would on the October agenda.

The Executive Director presented for the Board consideration a candidacy withdrawal request from James M. Wilson, 16th Judicial Circuit candidate and reviewed the policy of the Board for considering such requests. Vice Chairman Rednour moved to accept the withdrawal. Member Porter seconded the motion. In response to a question, Mark Mossman indicated that he contacted the three election jurisdictions affected by the withdrawal indicating none voiced disapproval. The motion was called and passed by 8-0.

Director White presented a listing of election judges schools currently scheduled. As time draws closer to the election more schools will be added. He further mentioned that pre-election planning has started and assignments are being made for election day. An updated election authorities guides is also in its final stages of preparation.

The Executive Director reported on the Advisory Committee meeting held prior to the Board meeting this morning. Discussions centered on election day activities, an update on HAVA funds and the database, an update on voting systems testing, legislation and specifically canvassing dates. Chairman Smart felt it was an excellent meeting.

Director White indicated that the certification of the ES&S M650 Central Count Scan was not ready for disposition today. After discussion the Board agreed to meet by conference call on Friday, September 22, 2006 at 10 a.m. to consider this certification.

Director White presented a status report on HAVA funds held by Rock Island. County Clerk Dick Liebovitz brought a check for \$200,000 to the office this morning along with an invoice for an additional \$100,000. This accounts for a major portion of what is owed back to the state. Staff continues to work with Rock Island to resolve this matter. Member Keith moved to continue the instructions to the General Counsel as they are and this be placed on the October agenda as well as withholding any future funds until all funds are returned or accounted for. Member McGuffage seconded the motion which passed by roll call vote of 8-0.

Director White presented a revised State Board of Elections Policy Manual which contains changes made based on previous Board discussions. Discussion ensued on domestic partners/same sex partners and it was noted the definition of such was taken from the Department of Central Management Services and all new or current employees will be provided notice of available benefits. Discussion then ensued on bereavement leave and it was noted that other constitutional agencies provide 1, 2 or 3 days for this type of leave. Member Keith moved to approve the policy manual as submitted with revisions severing Section 5.06 and considering that separately. Member Brady seconded the motion which passed by roll all vote of 8-0.

Discussion ensued on Section 5.06, Bereavement Leave, of the Policy Manual. Member Brady suggested bereavement leave not be included in the Policy Manual. Member McGuffage felt it should be provided for and thought three days was appropriate but would settle for one day. Member McGuffage then moved to adopt Section 5.06 as written providing for one day bereavement leave. Vice

Chairman Rednour seconded the motion which failed by a roll call vote of 4-4 with Members Brady, Schneider, Walters and Chairman Smart voting in the negative.

Member Keith then moved to adopt a policy where bereavement leave can be taken but must be taken using an employee's other time. Member Brady seconded the motion which passed by roll call vote of 5-1-2 with Member Schneider voting no and Members McGuffage and Walters voting present.

Director White discussed the Open Meetings Act that now requires a physical presence of a quorum to conduct official business. Staff has been researching costs to implement videoconferencing in each SBE office. There are other offices in the Thompson Center that the SBE may use but most likely costs will still be incurred. It was noted that the facilities must be large enough to accommodate a large group of people as some of the meetings will require such. The Press Association indicated at the time the bill was being considered that it had no problem with the SBE receiving an exemption. It was agreed to include this on the October agenda for further discussion. In the meantime staff should speak with Speaker Madigan's office to explain the costs involved as well as to try to get an exclusion on the campaign disclosure seven day calendar meetings.

The Executive Director presented for informational purposes 1) the final FY06 fiscal report and the FY 07 fiscal report for the period ending August 31, 2) the fiscal report for the Help Illinois Vote Fund, and 3) the two year plan of activity for the months of September and October. Director White mentioned that all FY 06 obligations have been met and approximately \$800,000 is being returned to the State Treasury.

Chairman Smart indicated that in speaking with SBE staff, Judge Kelley was quite insistent that the State Board of Elections reach a decision in the matter of *Lietz, Dreher, v. Parnaruskis*, 06SOEBGE503. Chairman Smart asked all Board members if anyone was willing to change their vote. Discussion ensued on proper notice and whether the Board could discuss this matter. As no one spoke on changing their vote, it appears the 4-4 vote stands.

Jerome White was present representing Mr. Parnarauskis for the purpose of inquiring on the status of the matter. Chairman Smart again indicated that the Board remains deadlocked and Judge Kelley, Seventh Judicial Circuit Judge, will address this matter at 8:30 a.m. on September 19.

Member Keith moved to recess to executive session to discuss pending litigation. Vice Chairman Rednour seconded the motion which passed unanimously. Meeting recessed at 11:30 a.m. and reconvened at 11:50 a.m.

Upon reconvening Member Schneider moved to ratify the decision of the Board in executive session and to direct the General Counsel to contact the Attorney General to represent the Board in the *Parnarauskis v. State Board of Elections* matter. Member McGuffage seconded the motion which passed by roll call vote of 8-0.

The General Counsel indicated that a decision was reached in the matter of *Lee v. ISBE* and copies would be made for all Board members. Mr. Sandvoss indicated he would review the decision and update the Board if any action would be necessary.

The next regular meeting of the State Board of Elections will be held on Monday, October 16, 2006 at 10:30 a.m. in Chicago.

With there being no further discussion, Member Rednour moved to adjourn. Member Walters seconded the motion which passed unanimously. The meeting adjourned at 11:55 a.m.

Respectfully submitted,

Assistant to Executive Director

Executive Director