

**STATE BOARD OF ELECTIONS  
Special Board Conference Call  
October 25, 2006**

**MINUTES**

<b>PRESENT:</b>	<b>Jesse R. Smart, Chairman Patrick A. Brady, Member John R. Keith, Member William M. McGuffage, Member Albert S. Porter, Member Bryan A. Schneider, Member Robert J. Walters, Member</b>
<b>ABSENT:</b>	<b>Wanda L. Rednour, Vice Chairman</b>
<b>ALSO PRESENT:</b>	<b>Daniel W. White, Executive Director Steve Sandvoss, General Counsel Dianne Felts, Director/VOSS Amy Calvin, Administrative Specialist II</b>

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The special meeting of the State Board of Elections was called to order via telephonic means at 2:00 p.m. with seven members present. Vice Chairman Rednour was absent and Member Keith held her proxy.

The Chairman presented the ES&S M650 central count optical scan system for consideration and asked Dianne Felts to proceed. Ms. Felts informed the Board that she contacted the election authorities in Minnesota, Missouri, Michigan, Florida and California and they all confirmed that they did not have any problems with the machine. The State of Michigan noted that they imposed a restriction that an ES&S operator had to be on site election night because the machines were a little difficult to operate for some people. Ms. Felts said she traveled to Omaha to perform another test and ran 1,600 folded ballots without any problems except one over-vote that occurred due to a speck of food on the ballot near the oval. She then suggested some additional restrictions, one of them being to out stack the over-votes so the election authority can check to see if the fold is causing the over-vote. The second restriction was to only run approximately thirty ballots at a time through the machine to alleviate jamming and for the first three elections, an ES&S technician be present on election night for assistance if needed. In response to a question regarding the cost for the technician, John Oldham, present on behalf of ES&S, indicated that site support for one to two elections is included in their contracts and the customer would be responsible for this cost. A third election would be a separate billable expense to the customer. Ms. Felts then recommend two year interim certification of the M650 central count optical scan system with the following restrictions: 1)

an operator from ES&S be present in the jurisdiction on election day for three elections; 2) out stacking of over-votes; 3) only run 30 folded ballots at a time; and 4) perform all contests on the same day at the same time. Member Walters moved to accept the recommendation of Ms. Felts. Member Brady seconded the motion which passed by roll call vote of 8-0.

The General Counsel noted that the next two campaign disclosure complaints, *Mark Edwards v. Kevin Polo for Judge*, 06CD045 and *Kevin Polo/Kevin Polo for Judge v. Kenneth R Deihl for Judge*, 06CD046 would require closed hearings unless the parties present agreed to waive closed session. Richard Means, present in Chicago on behalf of Kevin Polo agreed to waive closed session, and Bill Nichelson, present in Springfield on behalf of Mark Edwards and Kenneth Deihl, indicated that he preferred to proceed in closed session. Member Schneider moved to recess to executive session. Member Brady seconded the motion which passed unanimously. The meeting recessed at 2:20 p.m. and reconvened at 2:40 p.m.

Upon reconvening Member McGuffage moved to ratify the action taken in executive session and accept the recommendation of the General Counsel in *Mark Edwards v. Kevin Polo for Judge*, 06CD045 and *Kevin Polo/Kevin Polo for Judge v. Kenneth R Deihl for Judge*, 06CD046. Member Schneider seconded the motion which passed unanimously with Member Keith recusing himself from the matter.

With there being no further discussion, Member Keith moved to adjourn until November 13, 2006 at 10:30 a.m. Member Walters seconded the motion which passed unanimously. The meeting adjourned at 2:41 p.m.

Respectfully submitted,

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Amy L. Calvin, Administrative Specialist II

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Daniel W. White, Executive Director