

STATE BOARD OF ELECTIONS
Regular Meeting
Wednesday, February 18, 2015

MINUTES

PRESENT: Jesse R. Smart, Chairman (Springfield office)
Harold D. Byers, Member (Springfield office)
Betty J. Coffrin, Member
William M. McGuffage, Member
Casandra B. Watson, Member

ABSENT: Charles W. Scholz, Vice Chairman
Ernest L. Gowen, Member
Bryan A. Schneider, Member

ALSO PRESENT: Steven Sandvoss, Executive Director
Jim Tenuto, Assistant Executive Director
Ken Menzel, General Counsel
Darlene Gervase, Administrative Assistant III

Chairman Smart convened the meeting at 10:34 a.m. Members Coffrin, McGuffage and Watson were present in Chicago. Chairman Smart and Member Byers were present in the Springfield office via video conference. The Chairman led everyone in the Pledge of Allegiance.

Mr. Smart gave an update on the Vice Chairman's health.

The Chairman held Members Gowen's and Schneider's proxies and Member Byers held Vice Chairman Scholz's proxy.

Member Byers moved to adopt the Minutes from the January 20, 2015 meeting. Member McGuffage seconded the motion which passed unanimously.

The General Counsel's report began with Motions for Reconsideration. Mr. Menzel recommended the Motions be denied as neither committee offered any grounds on which they could be granted an appeal. Member Coffrin moved and Member McGuffage seconded the motion which passed unanimously.

Executive Director Sandvoss advised the Board that Item 3, *SBE v. Boone County Republican Central Committee*, is the same letter that was submitted to the Board at the January meeting. It was rejected in January and should be removed from the agenda.

A settlement offer from the Citizens for Lauren Beth Gash, 14MQ030, met all the requirements of the settlement policy. Mr. Menzel indicated that the committee would have had the option to avoid the fine by keeping the committee closed until July, 2016, but apparently preferred to settle. Member Byers moved to accept the termination offer from the committee and Member Watson seconded the motion which passed unanimously.

Member McGuffage asked if it was requirement that a parent committee file an A-1 when transferring money to a subsidiary. The Executive Director confirmed the requirement stands. Member Byers moved and Member Coffrin seconded the motion to deny the appeals of the Illinois Chamber PAC; West Central IL Labor Council COPE; and Citizens for McCoy. The Motion

passed unanimously.

As to Item 8, Ms. Mary Burress appeared in the Springfield office for her committee. Ms. Burress said she was on vacation and apologized for the late filing. General Counsel Menzel confirmed that she filed a final report and the balance was donated to Children's Advocacy in Tazewell County. The Chairman moved to adopt the Hearing Officer's and General Counsel's recommendation and Member Coffrin seconded the Motion. The Motion passed unanimously.

Mr. Menzel summarized *SBE v. Tazewell County Republican Central Committee*, 14MA024 and he differed with the Hearing Officer in that the appeal should be granted in total, rather than granted and denied in part. He recommended the committee be granted the one-time computer defense on one filing and grant the appeal on the other. Member moved to adopt the hearing officer and General Counsel's recommendations. Member Watson seconded the motion which passed unanimously. Ms. Shelly Hranka and Mr. Donald Grunewald were present in the Springfield office for the committee.

The General Counsel summarized and agreed with the Hearing Officer's Recommendation in Item 10, *Reyes v. First Ward Organization*, 14CD005 and *Reyes v. 1st Ward Democratic Committeeman's Fund*, 14CD006. He indicated both parties were represented by counsel. Richard Means, attorney for the Complainant, agreed with the Hearing Officer's Recommendation and asked the Board to adopt his and the General Counsel's Recommendations. Mr. Francis Ostian, attorney for the Respondent, disagreed and took offense to certain Findings of Facts. Respondent recently hired attorney Brian Porter, who asked for a continuance. Continuance was denied. Member McGuffage moved to adopt the Hearing Officer and General Counsel's Recommendations. Member Byers seconded the motion which passed 8-0.

At 11:15 a.m. Member Byers moved to recess to closed session in order to hear two complaints following closed preliminary hearing. The Motion, seconded by Member Coffrin, was passed unanimously.

The Board returned to open session at 11:17 a.m. with the same members present.

Member Byers moved to dismiss 15CD001 and 15CD002 following closed preliminary hearing. Michael Kasper was present in the Springfield office on behalf of the Respondents. No one appeared on behalf of the Complainant in either case. Member Coffrin seconded the motion which passed unanimously.

Mr. Menzel continued with Item 11, *Johnson v. Kane County Conservative Coalition*, 14CD109. Respondent Jon Zahm had not returned to the Board Room after Executive Session so the Board continued the matter to later in the meeting.

Informational payment of penalties contained on page 123 of the Board's packet were presented to the Board.

The General Counsel's Report concluded with information regarding two Title III HAVA complaints against Bureau County. Mr. Menzel appointed Jim Tenuto as Hearing Officer and the matter will be ready for decision at either the March or April meeting.

Executive Director Sandvoss presented updates of the 2015 Consolidated Election. The Election Day Assignments; Primary Testing and Judges training schools were briefly discussed.

Mr. Sandvoss discussed SB172 and Kyle Thomas elaborated by stating that the agency would be responsible for receiving, encrypting, and transmitting data contained in the IVRS database and the data for all individuals in the databases of the Secretary of State, the Department of Aging, the Department of Employment Security, the Department of Health and Family Service and the Department of Human Services, to the Electronic Registration and Information Center (ERIC).

The board recalled Campaign Disclosure Item 11. After a short summary of the *Johnson v. Kane County Conservative Coalition* complaint, General Counsel Menzel stated that he agreed with the Hearing Officer's Recommendation. Complainant Corey Johnson and Attorney Josiah A. Groff were present as well as Respondent Jon Zahm. Parties spoke briefly to the Board. After discussion, Member Coffrin moved to adopt the Hearing Officer and General Counsel's recommendations. Member Watson seconded the motion which passed unanimously.

The Director asked Kyle Thomas, Director of Voting and Registration Systems to elaborate further on SB172. Meetings with other agencies; fiscal costs; technical connection with POVA programs was discussed. An expansive list of modifications to the local Election Management Systems and IVRS are necessary to reach the mandated requirements of SB172.

Kevin Turner, IT Director, said that technical requirements are necessary to secure transmission data to ERIC. He added that a Microsoft industry tool will be utilized to aid in the necessary changes to the programs.

Mike Roate, Director of Administrative Services clarified the costs involved with SB172, costs imposed by the legislation, and budgetary matters.

Legislative Liaison, Cristina Cray, presented a list of 91 election bills. The first bill to be considered will reduce the stipends for county clerks. Bills 1921 and 2334 are shell bills.

Mr. Roate presented the Monthly Fiscal Report and confirmed that he and Ms. Cray will attend the budget meetings before the legislature when they meet in March. He intends to emphasize that SB172 will cost extra money and that a lump sum budget would be preferred.

Director Sandvoss concluded his report with fiscal status reports and the two year plan of staff activity for February and March.

As a follow up to the on-going complaints of Ms. Sharon Meroni regarding the Chicago Board of Elections and the filling of the positions of Republican Election Judges in Chicago. Lance Gough, Executive Director, and Kelly Bateman, Assistant Executive Director of the Chicago Board of Elections, and their attorney, Joan Agnew were present. Ms. Meroni did not appear. Attorney Agnew referred to numerous documents contradicting Ms. Meroni's allegations, along with detailing the history of the Chicago Board working with Ms. Meroni and various representatives of the Republican Party of Cook County to fill those positions. Further, Ms. Agnew complimented Member Cowen for his tireless efforts to secure Republican judges in a city that is overwhelmingly Democratic. On behalf of the Board, Member McGuffage thanked Attorney Agnew for her presentation.

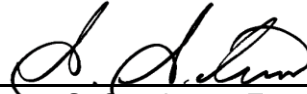
Mr. Sandvoss indicated that if any campaign disclosure complaints are filed between March 6 and March 25, 2015, a special board meeting will have to be scheduled. He suggested April 3 or 6 and will keep the Board advised.

There being nothing further before the Board, Member Byers moved to adjourn and Member

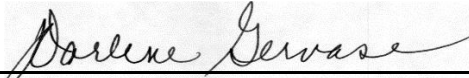
Coffrin seconded the motion. The motion passed unanimously.

The meeting adjourned at 12:38 p.m.

Respectfully submitted,



Steven S. Sandvoss, Executive Director



Darlene Gervase, Administrative Assistant III