

STATE BOARD OF ELECTIONS
Regular Meeting
Tuesday, December 19, 2017

MINUTES

PRESENT:

William J. Cadigan, Chairman
John R. Keith, Vice Chairman
Andrew K. Carruthers, Member
Ian K. Linnabary, Member
William M. McGuffage, Member
Katherine S. O'Brien, Member
Charles W. Scholz, Member
Casandra B. Watson, Member

ALSO PRESENT:

Steven S. Sandvoss, Executive Director
Bernadette Matthews, Asst. Exec. Director
Kenneth R. Menzel, General Counsel
Amy L. Calvin, Administrative Assistant III

The meeting convened at 10:30 a.m. via videoconference with seven Members present in Chicago. Member McGuffage was delayed and Member Watson held his proxy until his arrival at 11:30 a.m.

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

Vice Chairman Keith moved to approve the November 20 meeting minutes as presented with the minor revisions noted. Member Scholz seconded the motion which passed by roll call vote of 8-0.

General Counsel Menzel presented the nominating petition for Terry Getz, Office of Governor and indicated it failed the apparent conformity review. Mr. Menzel recommended that Mr. Getz not appear on the general primary election ballot because the petition did not contain at least 10% of the required number of signatures for that office. No one was present on behalf of the candidate. Member Linnabary moved to adopt the recommendation of the General Counsel and the name of Terry Getz not appear on the ballot. Member Scholz seconded the motion which passed by roll call vote of 8-0.

Member Scholz moved to recess the State Board of Elections and convene as the State Officers Electoral Board. Member Linnabary seconded the motion which passed by adoption of the previous roll call vote. The meeting recessed at 10:35 a.m. and reconvened at 10:57 a.m. with the same attendance as noted in the initial roll call.

Mr. Menzel noted that the settlement offer for agenda item 5.a.3, *The Committee to Elect Michael Strange*, 32073, 17MQ132 would be placed on the January meeting agenda at the request of Mr. Strange.

Mr. Menzel presented a settlement offer for agenda item 5.a.1, *Schuyler County Democratic Committee*, 5476, 17JQ017 and recommended the offer be rejected. The committee did not fall under the small dollar committee status due to their average balance the last four quarters. No one was present on behalf of the committee. Member Linnabary moved to adopt the

recommendation of the General Counsel. Member Carruthers seconded the motion which passed by roll call vote of 7-0. Member Scholz recused himself from the matter.

Mr. Menzel presented a settlement offer for agenda item 5.a.2, *East St. Louis Republican Central Committee*, 18551, 17DQ035 and recommended the offer be accepted. The committee also included a check for the settlement offer with their paperwork. No one was present on behalf of the committee. Member Scholz moved to adopt the recommendation of the General Counsel. Member O'Brien seconded the motion which passed by roll call vote of 8-0.

Mr. Menzel presented appeals of campaign disclosure fines for agenda items 5.a.4-5: *SBE v. Pro-Life Victory Committee*, 14081, 17AJ010; & *SBE v. Public Safety Party*, 32756, 17MA073, and concurred with the hearing officer recommendation to grant the appeals. No one was present on behalf of the respondent committees. Member Carruthers moved to grant the appeals. Member Linnabary seconded the motion which passed by roll call vote of 8-0.

Mr. Menzel presented the following appeals of campaign disclosure fines for agenda items 5.a.6-7: *SBE v. New Vision Democratic Organization*, 31920, 17MA055; & *SBE v. Citizens for Libertyville for President, Trustee & Clerk*, 32449, 17AJ023 and concurred with the hearing officer recommendation to deny the appeals. No one was present on behalf of the respondent committees. Member Scholz moved to deny the appeals. Member Linnabary seconded the motion which passed by roll call vote of 8-0.

An appeal of campaign disclosure fine for agenda item 5.a.8, *SBE v. Westchester First Party*, 23491, 17AM062 was presented and Mr. Menzel concurred with the hearing officer recommendation to grant the appeal in part and deny the appeal in part. Dave Galandak was present on behalf of the committee and offered a settlement of \$200 to resolve the matter. Vice Chairman Keith moved to grant the appeal in part and deny the appeal in part, order the committee to amend the A-1 report and accept the \$200 settlement offer to be paid within thirty days. Member Carruthers seconded the motion which passed by roll call vote of 8-0.

A listing of civil penalties payments was presented for informational purposes.

Member Scholz moved to executive session to conduct personnel matters. Member Cadigan seconded the motion, which passed unanimously. The meeting recessed at 11:20 a.m. and reconvened at 1:40 p.m. with all Members present.

Member Carruthers moved to authorize Mr. Sandvoss to engage in conversation and make an offer to one of the candidates that was interviewed during executive session for the position of Public Information Officer. Member McGuffage seconded the motion which passed by roll call vote of 8-0.

Next on the agenda was the report of the Executive Director. Mr. Sandvoss deferred to Brent Davis to discuss the preparations for the March 20, 2018 General Primary Election. Mr. Davis said it was a very smooth petition filing period and reported that 470 petitions were filed at 8:00 a.m. A total of 761 petitions were filed by the end of the period, which was approximately 60% more than those filed in 2016. He also indicated that the special judicial petition filing period began on January 18 and, to date, six candidates had filed their petitions. A listing of election judge training schools was also presented for informational purposes.

Kyle Thomas presented a request for approval of ES&S EVS 5.5.0.1 voting system modification and referred to his memo that was distributed to the Board under separate cover. Due to space limitations in the Springfield office, the vendor paid for rental of off-site space to conduct the test. Mr. Thomas recommended that the Board grant ES&S a two-year interim approval for the voting system with the staff recommendations as outlined in his memo. Vice Chairman Keith moved to grant the two-year interim approval and the vendor follow the staff recommendations contained in Mr. Thomas' report. Member Scholz seconded the motion which passed by roll call vote of 8-0.

Mr. Sandvoss presented the legislative update and indicated that a listing of elections related legislation was included on pages 57-60 of the board packet. Cris Cray discussed the legislative agenda for the 2018 Spring Session and thanked the Legislative Sub-Committee for their hard work compiling the proposals. She noted that most of the items covered campaign disclosure issues and 99% of the proposals listed had already been drafted. Ms. Cray responded to questions regarding the proposals and indicated she would send all of the legislation to the Board after it is finalized. She then discussed the Internet Voters' Guide which is required by statute to be published for every federal general election. The statute also provides that the Board, at its discretion, may publish the Guide for federal general primary elections. Ms. Cray explained that staff is very busy with objections during this time and recommended the Guide not be published for the 2018 General Primary Election. Member Scholz moved to not publish the Internet Voters' Guide for the March 20, 2018 General Primary Election. Member McGuffage seconded the motion which passed by roll call vote of 7-1 with Member Watson voting in the negative. Chairman Cadigan directed Ms. Cray to notify the General Assembly that the Guide will not be published and post the same information on the agency website as well.

Next on the agenda was the IVRS update and Kyle Thomas reported that a new voter information search tool was in place for the public voter search during the objection cycle. The desktop tool provided a faster search and used a snapshot of the database during the entire petition circulation period. He also said that a conference call meeting was held with the Secretary of State's Office regarding Automatic Voter Registration and another meeting was scheduled with DoIT and the Department of Natural Resources to review the bill. The program for the ERIC in-state updates was close to being completed to enable the information to be shared with the election authorities.

Mr. Sandvoss presented the staff compensation update and referred to the memos and material contained on pages 66-72 of the board packet and the revised memo distributed prior to the meeting. He reviewed the memos and indicated that funding was allocated in the FY18 budget for modest employee increases. The revised proposal contained in Mr. Kirk's memo provides for a 2% cost of living (COLA) increase retroactive to July 1, 2017 and an additional 2% COLA to each employee on their anniversary date. The first COLA consists of a 1% COLA make-up for the lack of any increase in FY16 and another 1% COLA to make up for the lack of increase for FY17. The stipulations were also outlined in the revised memo and Mr. Sandvoss submitted the request to the Board for their consideration. Chairman Cadigan thanked Members O'Brien and Watson as well as Jeremy Kirk for all of their hard work on the staff compensation proposals. Discussion ensued amongst the board regarding the COLA's, merit based compensation, staff evaluation process and establishment of a plan for future fiscal years. Vice Chairman Keith moved to approve the recommendations in the December 2017 memo of December from Mr. Kirk, 2017, and to direct staff to formulate for Board review an agency-wide merit evaluation system and recommendation as to whether or not all evaluations should be on a specific date and, if so, what that date should be. Member McGuffage seconded the motion which passed by roll call vote of 8-0.

Mr. Sandvoss presented the FY19 Appropriation Request and reviewed several highlights of the executive summary. Funding increased 5.2% from the FY18 appropriation mainly in the areas of contractual services, equipment purchases, telecommunications/bandwidth, personal services and election judge reimbursement. Full funding was also included for the county clerk stipends and also the request for the IVRS grant for the election authorities. After discussion, Member Linnabary moved to approve the FY19 Appropriation Request as presented. Member Scholz seconded the motion which passed by roll call vote of 8-0.

The fiscal reports and two year plan of staff activity were presented for informational purposes.

Member Carruthers moved to recess to executive session to consider personnel matters. Member McGuffage seconded the motion which passed by roll call vote of 8-0. The meeting recessed at 3:05 p.m. and reconvened at 3:40 p.m. with all Members present.

Member Carruthers moved to approve the November 20, 2017 executive session minutes as presented. Member O'Brien seconded the motion which passed by roll call vote of 8-0.

Member Carruthers moved to adjust the salaries of Brent Davis and Tom Newman as presented in executive session. Member Linnabary seconded the motion which passed by roll call vote of 8-0.

Member Carruthers moved that the salaries of Steve Sandvoss and Ken Menzel be increased by 4%, effective January 1, 2018 and renew Mr. Menzel's contract for a two year period from January 1, 2018 to December 31, 2019. Member Linnabary seconded the motion which passed by roll call vote of 8-0.

With there being no further business before the Board, Member Linnabary moved to adjourn until Thursday, January 11, 2018 in Chicago. Member Carruthers seconded the motion which passed unanimously. The meeting adjourned at 3:45 p.m.

Respectfully submitted,



Amy L. Calvin, Administrative Assistant II



Steven S. Sandvoss, Executive Director