

STATE BOARD OF ELECTIONS  
Regular Meeting  
Tuesday, June 19, 2018

MINUTES

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

ABSENT: William M. McGuffage, Member

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

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The meeting convened at 10:30 a.m. via videoconference with the Springfield office with seven Members present in Chicago. Member McGuffage was absent and Members Watson and Scholz held his proxy.

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

Member Scholz moved to approve the minutes from the May 21 meeting as presented with one small revision. Member Linnabary seconded the motion, which passed by roll call vote of 8-0.

General Counsel Menzel presented appeals of campaign disclosure fines where he concurred with the hearing officer recommendation to grant the appeal for agenda item 2.a.1) *SBE v. Citizens for One Wauconda*, 24810, 18DQ068 and 2) *SBE v. Citizens for Brian Leggero*, 32824, 18DQ131. Member Linnabary moved to grant the appeals. Member Scholz seconded the motion, which passed by roll call vote of 8-0.

Mr. Menzel presented an appeal of campaign disclosure fines where he concurred with the hearing officer recommendation to deny the appeal for agenda item 2.a.5) *SBE v. Citizens for Gary Grasso*, 18524, 18AD014. Mr. Menzel reviewed the matter. Anthony Bass and Gary Grasso were both present and explained that the \$25,000 was logged within three days, however, returned to the contributor because it exceeded the contribution limit. He also noted that the committee had a current fund balance of \$94.00. After discussion, Mr. Bass offered a settlement amount of \$1,000 payable from Mr. Grasso's personal funds and an additional \$94 from the committee's fund. Member Keith moved to accept the settlement offer, order to the committee to file a final report reflecting the contribution to the committee of \$1,000, final out the committee within 30 days and reject the appeal as precedent to the settlement. Member Carruthers seconded the motion, which passed by roll call vote of 7-0. Member Watson recused herself from the matter.

Mr. Menzel presented an appeal of campaign disclosure fines for agenda item 2.a.6) *SBE v. Friends for Starrett*, 24288, 18DQ065 and reviewed the matter. He concurred with the hearing

officer recommendation to deny the appeal and accept Ms. Starrett's settlement offer of \$136.35. Vice Chairman Keith moved to deny the appeal and accept the settlement offer of \$136.35 to be paid within thirty days. Member Scholz seconded the motion, which passed by roll call vote of 8-0.

Mr. Menzel presented an appeal of campaign disclosure fines for agenda item 2.a.7) *SBE v. Liberty Principles PAC, 24614*, 18IE002 and reviewed the matter. He concurred with the hearing officer recommendation to deny the appeal. Christine Svenson was present on behalf of the committee and offered her comments. She explained that this was an independent expenditure committee and there was never any intent to not disclose the contributions to the general public. They did their very best reporting the voluminous number of expenditures that were made in the most timely fashion that it could be done. Ms. Svenson stated that the committee had not previously violated that provision and asked for leniency. After conferring with her client, Ms. Svenson offered a settlement of \$7,500. Vice Chairman Keith moved to deny the appeal and accept the \$7,500 settlement offer to be paid within thirty days. Member Linnabary seconded the motion, which passed by roll call vote of 6-2. Members McGuffage and Watson voted in the negative.

Mr. Menzel presented an appeal of campaign disclosure fines for agenda item 2.a.12) *SBE v. Roger A. Agpawa for Mayor, 32731*, 18MA010 and reviewed the matter. He concurred with the hearing officer recommendation to deny the appeal and also stated that the committee was advised to amend their reports to correct the negative funds balance. Roger Agpawa was present and said he recently was able to get someone to help with the filings and that the fund contained approximately \$40. Mr. Menzel suggested the committee get their reports in order first and then could offer a settlement at a later time. Member Scholz then moved to deny the appeal. Member Carruthers seconded the motion, which passed by roll call vote of 8-0.

Agenda item 2.a.4) *SBE v. Citizens for Furstenuau, 11006*, 18DQ015 was presented and Mr. Menzel concurred with the hearing officer recommendation to deny the appeal. He also noted that, in the event the appeal was denied, the committee wished to offer \$133.97 which would be compliant with the Board's settlement offer policy. Vice Chairman Keith moved to deny the appeal and accept the settlement offer. Member Linnabary seconded the motion, which passed by roll call vote of 8-0.

Vice Chairman Keith moved to deny the following appeals of campaign disclosure finds for agenda items 2.a.3 & 8-11:

- 3) *SBE v. Illinois Community Action Fund PAC, 1432*, 18DQ010
- 8) *SBE v. Citizens Elect Cody Holt, 25982*, 17JQ182;
- 9) *SBE v. Citizens for S. Coleman, 27370*, 17SQ167;
- 10) *SBE v. Friends of Bartlett Fire, 32505*, 18AD029;
- 11) *SBE v. Citizens for Joshua Gray, 32637*, 18AD030;

and also order #11 to file the amended reports within sixty days as recommended by staff. Member Scholz seconded the motion, which passed by roll call vote of 8-0.

Complaints following public hearing were presented for agenda items 2.a.14-19:

- 14) *SBE v. Friends of Bridget Dancy*, 18CD010;
- 15) *SBE v. Citizens to Elect Terry Morris*, 18CD033;
- 16) *SBE v. Citizens for Glazar*, 18CD035;
- 17) *SBE v. Friends of Jeanne Oddo for Alderman*, 18CD039;
- 18) *SBE v. Robert W. Jennings*, 18CD046;

19) *SBE v. Republican Gun Club of St. Clair County*, 18CD047.

Mr. Menzel concurred with the hearing officer recommendation that the complaints be upheld and issue a Board order requiring the delinquent report(s) be filed within 30 days of the order or face a fine up to \$5,000. Member O'Brien moved to accept the recommendation of the General Counsel. Member Scholz seconded the motion, which passed by roll call vote of 8-0.

Agenda item 2.a.13) *SBE v. Eagle Forum State PAC*, 18CD004 was removed from the agenda because the committee filed the required reports.

Mr. Menzel presented a listing of civil penalty assessments necessitating a final board order. Member Scholz moved to assess the civil penalty against the committee listed on page 87 of the board packet. Member Linnabary seconded the motion, which passed by roll call vote of 8-0.

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

The Chairman turned to the report of the Executive Director and indicated that Bernadette Matthews, Assistant Executive Director would be presenting that report. Ms. Matthews began with the legislative update and asked Bryan Pryor to proceed. Mr. Pryor said that a listing of elections related legislation was included on pages 89-90 of the board packet. The appropriation bill, House Bill 109 was signed by the Governor on June 4<sup>th</sup> and became Public Act 100-0586. The budget implementation bill, House Bill 4432, was also signed on that same day and became Public Act 100-0587. Mr. Pryor stated that the veto session is scheduled for November 13-15 and November 27-29.

Ms. Matthews presented the HAVA grant fund distribution that was included on pages 91-94 of the board packet. She explained that Public Act 100-0587 created the Cyber Navigator Program for the local election jurisdictions. It requires that \$6,946,952.50 of the \$13.8 million must be used to implement the program. The memo included in the board packet outlines the components of the Cyber Navigator Program as well as estimated costs. It was also noted that the election authorities had discussion on the matter at their last Advisory Committee Meeting and feedback was given to staff. Noah Praetz, Director of Elections for Cook County was present and offered his comments. Member Scholz moved to adopt the amended tentative 5 year budget for the HAVA grant as outlined in the board packet. Member Linnabary seconded the motion, which passed by roll call vote of 8-0.

Kyle Thomas began the IVRS update with a report on the Automatic Voter Registration (AVR) hearings. The last hearing was conducted on May 23 in Chicago and was very well attended. At the hearing, Dustin Schultz presented a Power Point presentation that incorporated input from the Secretary of State's office as well as screenshots of the signature pads. Testing has been conducted with the Secretary of State's office and on July 2, staff will begin receiving the electronic registrations for the opt-in portion of AVR. Mr. Thomas noted that his staff conducted IVRS regional training sessions with the election authorities and those were all well received. Matt Emmons reported that his staff, along with IVRS staff, has been busy with the Aurora data conversion. He referred to his memo on pages 95-96 of the board packet that outlined equipment procurements and said that all of the orders were placed by the end of the fiscal year.

The merit based compensation proposal was presented on pages 97-108 of the board packet and Chairman Cadigan reminded the board that this was carried over from last month's meeting. Chairman Cadigan urged the board to adopt Option 2 with a slight modification. The merit-based compensation methodology identified in Option 1 would be a one-time non-pensionable lump sum

payment, and the annual COLA that would be given to employees would be included in the pensionable base salary. Jeremy Kirk indicated that this would still fit into the FY19 overall budget. Vice Chairman Keith also added that the employee would have to be certified, not on probationary status, to be eligible for the compensation. Chairman Cadigan moved to adopt Option 2 with the modifications made by himself and Vice Chairman Keith. Member O'Brien and Vice Chairman Keith seconded the motion, which passed by roll call vote of 8-0.

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

Vice Chairman Keith moved to recess to executive session to consider complaints following closed preliminary hearing, litigation and personnel. Member Scholz seconded the motion, which passed by roll call vote of 8-0. The meeting recessed at 11:35 a.m. and reconvened at 1:35 p.m.

As to agenda item 2.a.22) *Andrews v. Friends of Michael Hayes Committee*, 18CD076, Member Carruthers moved to dismiss the complaint for want of prosecution. Member Linnabary seconded the motion, which passed by roll call vote of 8-0.

Member Carruthers moved to convert the existing position of Procurement Specialist to that of Lead Information System Developer and hire Tony Godar for the position. Member Linnabary seconded the motion, which passed by roll call vote of 8-0.

Member Carruthers moved to offer Matt Emmons the position of Director of Information Technology. 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 July 10, 2018. Member Carruthers seconded the motion, which passed unanimously. The meeting adjourned at 1:40 p.m.

Respectfully submitted,



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Amy L. Calvin, Administrative Assistant III



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Steven S. Sandvoss, Executive Director