

MADISON COUNTY BOARD OF ELECTIONS
SPECIAL SESSION
Board of Elections Conference Room
Thursday, July 21, 2014
1:00 P.M.

MINUTES

CALL TO ORDER

Chairman Smathers called the meeting to order at 1:05 p.m. Present for the meeting were Chairman Dyatt Smathers, Secretary Ray Lewis, Member Jerry Wallin, Director Kathy Ray, and Deputy Director Shirley Ponder.

AGENDA

The purpose of the meeting was to review the motion from the Ad Hoc Committee concerning the voting equipment. The Ad Hoc Committee voted (8,1) to move forward with the testing of the DS200s at the Board of Elections one-stop site during the upcoming November election and, if all goes well, to move forward with the purchase of the DS200 for the entire county. Commissioner Baker objected to the contractual arrangement with a "no" vote.

NEW BUSINESS

Discussion ensued about the Cuyahoga County, Ohio investigation and the use of the DS200 during the past Presidential primary in which Mitt Romney received few to no votes in several precincts within Cuyahoga County. Cuyahoga County conducted its own study and determined the phenomena to be a trend over several elections in the precincts in question and was in no way linked to the use of the DS200 voting equipment. They reported they are pleased with the performance of the DS200 and the ease of use for poll workers.

Chairman Smathers' conversation with Cuyahoga County's election staff led to the discovery of their election's website. The website is outstanding and contains a wealth of information and training videos for poll workers on the use of the DS200.

Discussion ensued regarding Commissioner Baker's "no" vote to the Ad Hoc Committee's motion.

The Board of Elections will be the Board to decide if the test of the DS200 is successful.

The County Attorney Donnie Laws will review the voting equipment contractual agreement prior to presenting it to the County Commissioners for approval. The contract will need to be ready for approval at the upcoming August 12th Commissioners' meeting.

The Director read the Ad Hoc Committee's motion from the July 14th meeting.

Moved (RL) to support the Ad Hoc Committee's motion to test the DS200 machine during one-stop voting at the Board of Elections site during the November 2014 election, and based upon a successful test, proceed with the purchase of the equipment.

The Director presented a Resolution to Test Voting Equipment to the Board for approval and submission to the County Commissioners.

Discussion ensued regarding the actual number of voting machines that will need to be purchased if the commissioners approve the DS200 for countywide use. Director Ray informed the Board that the contract will allow the Board the flexibility to choose between the AutoMark and ExpressVote ballot markers since the ExpressVote has been submitted for SBOE certification.

Discussion ensued regarding the number of DS200 machines that will be used in November 2014. Clarification was provided that a successful test of the DS200 must be conducted before the machines can be approved for use across the county. Thus the 2016 Primary election will be the first spread of the DS200 machines across the county.

The Director will check with ES&S regarding the warranty for the voting equipment since some of it will not be used until the 2015 November Municipal and 2016 May Primary elections.

Chairman Smathers indicated that the funds appropriated by the commissioners for the purchase of the equipment is available during the current fiscal year. The company is willing to provide the machines for testing. If the test is good, the expectation is that the county will sign the contract. If the test is no good, then the company will back away and tear up the contract. The negotiation for the warranty agreement and trade-in of the current equipment will be worked out between the company, county attorney, and the commissioners.

Moved, Seconded (JW, RL) and Carried (3,0) to test the DS200 at the Board of Elections one-stop site during the upcoming November 2014 election. Based upon a successful test, the Board of Elections recommends that the county commissioners honor the contractual agreement with the company to purchase the equipment. If the test is not successful, the contract will be rendered null and void.

Chairman Smathers requested that the Director contact ES&S and expedite the voting equipment contract.

The Director requested that Chairman Smathers be present at the Commissioner's August 12th meeting to answer questions regarding the Board's motion and Resolution to test and purchase the voting equipment.

CITIZENS COMMENTS

A citizen requested clarification regarding the resolution's reference to the demonstration of a second voting machine. Chairman Smathers responded that the ExpressVote was the second voting machine demonstrated and is up for SBOE certification, and that there are no federal funds available to assist with the purchase of new voting equipment.

The citizen further questioned the reason that the Board of Elections has to take possession of the proposed machines. Chairman Smathers indicated the reason is from a financial arrangement that they must be invoiced and paid for in this current fiscal year and to take advantage of the trade-in value of our current equipment. The citizen suggested the Board

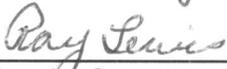
make the machine purchase in increments as machines are needed and put the remainder of the funds in escrow for future purchases.

ADJOURNMENT

Moved, Seconded (JW, RL) and Carried (3,0) to adjourn at 1:52 P.M.



Kathy Ray, Director



Ray Lewis, Secretary



Dyatt Smathers, Chairman