

Marion County Election Board
Meeting Minutes
February 27, 2003

Members Present: Chairwoman Candace Marendt, Vice Chairman Steven Eichholtz, Secretary Doris Anne Sadler

Also Present: Tony Schaffer (Chief Clerk), Dan Ladendorf (Election Board Attorney), Robert Vane (Election Board Administrator), Valerie Hurd (Election Board Clerk), David Woo (Election Board Service Center), Wendy Orange (ES&S), Barbara Fowler (Voter's Registration), Cathline Mullin (Voter's Registration), Sherry Beck (Voters Registration), David Corbitt (2002 Candidate), Mike Wolley (2002 Candidate), Dan Drexler (2002 Candidate), Jack Reno (father of 2002 Candidate Jack Reno), John Daily (2002 Candidate)

- I. The meeting was called to order by Chairwoman Marendt.
- II. **APPROVAL OF MINUTES:** Secretary Sadler moved to adopt the minutes of the January 31, 2003 meeting as submitted. The motion was seconded by Vice Chairman Eichholtz and unanimously approved.
- III. **OLD BUSINESS:**
 - A. **Update on new voting system:** Secretary Sadler reported that the process of implementing the new system is moving along smoothly. The shelving units needed to store the machines are being installed and all modifications to the electrical system are being made to handle the machines. To date, 800 of the 937 of the optical scan machines have been delivered to the Voting Services Center. Mrs. Sadler also reported that the City-County Council passed the approval of the financing of the machines and the Indianapolis Bond Bank did approve a short-term, 1-year loan allowing for a draw-down of funds as needed. The first payment to ES&S will be made in March. Vice-Chairman inquired about why we would take delivery on the machines when we don't physically have to money to pay for them. Mrs. Sadler explained that since the Council approved the contract and funding measures that it made sense to accept delivery. Secretary Sadler went on to explain that part of the financing will come from Federal funding appropriated to Indiana through the Help America Vote Act.
 - B. **Voter Outreach for new voting system:** Secretary Sadler stated that a very comprehensive voter outreach program has been developed to introduce the public to the new machines. She discussed the partnership she has formed with the Marion County Library Board. With this partnership all branch librarians will be trained to use the

th) as part of the outreach effort. Chairwoman Marendt asked about reaching out to senior citizens. Mrs. Sadler stated that outreach plans are being developed for local nursing homes.

- C. Public Records Requests:** Secretary Sadler updated the Board on the public records request for straight-party lever totals. David Woo and his staff worked hard to gather the information. Tim Irwin placed all totals into a spreadsheet and this information will be released to the requestors: the Indianapolis Star and the Marion County Democratic Party and to anyone else who requests a copy. Mrs. Sadler thanked David and his staff for their hard work and diligence in fulfilling this request. Chairwoman Marendt requested that this information be converted into electronic format.
- D. Disposal of lever machines:** David Woo reported that he has been working with the city of Indianapolis' Purchasing Department to make disposal arrangements. The purchasing office provided Mr. Woo with a timeline and the timeline indicates that the machines cannot be disposed of until April 3rd due to the public notice postings that need to be done. Public notices need to be posted on March 10th and March 17th. Mr. Woo stated he had planned on having the machines disposed of at a sooner date to make room for the new voting equipment that has already started to arrive. He asked Secretary Sadler for her help in trying to move this process along a little faster.
- E. Annual Campaign Finance Reports:** Robert Vane (Election Board Administrator) reviewed late and delinquent campaign finance reports. Five individuals came before the Board and seven letters were submitted requesting a reduction or waiver of the late fees. Attached, please find the lists of candidates who filed their reports after the January 15th noon deadline and the list of candidates who have failed to file their Annual report.
- David Corbitt was present to address the Board. He ran for school board on the 2002 Primary Election ballot. As of today, he has reached the maximum fine of \$1000.00 for not filing his Annual

- Mike Wolley submitted a letter to the Election Board and was present at the meeting. He was a candidate for school board on the 2002 Primary Election ballot and filed his Annual report on January 31st. He misunderstood the reporting requirements and asked to have his fine reduced. Chairwoman Marendt moved to have his fine reduced to \$50.00; Vice-Chairman Eichholtz seconded and with a unanimous vote the Board reduced Mr. Wolley's fine to \$50.00
- Dan Drexler submitted a letter to the Election Board and was present at the meeting. Mr. Drexler was a first time candidate for Marion County Auditor. He filed his report on February 26th. Chairwoman Marendt moved to have the fine reduced to \$50.00, Secretary Sadler seconded and with a unanimous vote the Election Board reduced Mr. Drexler's fine to \$50.00.
- Jack Reno, Sr. was present to address the Board regarding the late filing of his son's Annual report. The report was filed on January 23rd and a fine of \$450.00 was assessed. Mr. Reno was a candidate for State Senate and indicated that all reports were properly filed with the Indiana Election Commission. He apologized for not filing with the County Election Board. Secretary Sadler moved to have his fine reduced to \$50.00; Vice-Chairman Eichholtz seconded and with a unanimous vote the Board reduced his fine to \$50.00.
- John Daily was present to address the Board. He was a candidate for State Representative. Chairwoman Marendt moved to have Mr. Daily's fine reduced to \$50.00, Vice-Chairman Eichholtz seconded and with a unanimous vote, his fine was reduced to \$50.00.
- Carol Orbison submitted a letter to the Election Board requesting a reduction of her fine. She was a candidate for Superior Court Judge. Her letter indicated that she apologized for filing her report one day late. Secretary Sadler moved to reduce Mrs. Orbison's fine to \$50.00; Chairwoman Marendt seconded and with a unanimous vote, Mrs. Orbison's fine was reduced to \$50.00.
- Kevin Fleming submitted a letter to the Board requesting a reduction of his fine. He was a candidate for State Representative and he filed his Annual report on January 21st and was assessed a fine of \$350.00. Vice-Chairman Eichholtz moved to have Mr. Fleming's fine to \$50.00, Chairman Marendt seconded and with a unanimous vote the Board reduced Mr. Fleming's fine to \$50.00.
- Joell Palmer could not attend this meeting but submitted a letter to the Election Board. He was a candidate for Center Township Trustee and filed his Annual report late on January 27th. He was assessed a fine of \$650.00 and his letter indicated that he was

- Dennis Wilson, a candidate for State Representative submitted a letter to the Election Board requesting a reduction of his fine.. He filed his report on January 21st and was assessed a fine of \$300.00. Mr. Wilson was a first time candidate and he did not raise or spend any money. Secretary Sadler moved to have Mr. Wilson's fine reduced to \$50.00, Vice-Chairman Eichholtz seconded and the Board voted unanimously to reduce Mr. Wilson's fine to \$50.00.

Noting the time, Vice-Chairman Eichholtz suggested tabling the remaining campaign finance matters for the next meeting. The Board agreed to this request.

F. Candidacy Declarations:

- 1. Update on pending legal issues regarding City-County Council Districts:** Mr. Ladendorf (Election Board Attorney) explained that the Indiana Supreme Court agreed to take the matter on an expedited appeal and oral arguments have been scheduled for March 6th. After the oral arguments, it is anticipated that the Court will act quickly to decide if there will be a Primary election, when it will take place and who will be included on the ballot. Vice-Chairman Eichholtz asked if the Court had asked the Election Board for input regarding the time needed to prepare for the Election. Mr. Ladendorf replied that the Election Board has been enjoined into the appeal and that the Court is mindful of the absentee ballot deadlines that the Election Board has to honor. Mrs. Wendy Orange (ES&S) reported that it will take approximately one week to complete the coding, programming and testing needed to prepare absentee ballots. Mr. Ladendorf stated that he should have more information at the next meeting after oral arguments have taken place.

There being no further business to come in front of the Marion County Election Board, Chairwoman Marendt adjourned the meeting.

The next Election Board meeting has been scheduled for Thursday, March 20, 2003 in Room 107.

Candace Marendt, Chairwoman

Steven Eichholtz, Vice Chairman

Doris Anne Sadler, Secretary