

Marion County Election Board
Meeting Minutes
June 5, 2003

Members

Present: Chairperson Candace Marendt; Vice Chairman (proxy) Cathline Mullin; Secretary Doris Anne Sadler

Attending: Dan Ladendorf (Election Board Attorney), Robert Vane (Election Board Administrator), Jennifer Walda (Election Board Clerk), Wendy Orange (ES&S), Barbara Fowler (Voter Registration), Sherry Beck (Voter Registration), Vince Randolph, Steve Quick (Ward Chairman), Shawn Davis, Melinda Wood, Nannette Tunget (Southport Mayor), Lydia Sandlin, Henry Dean (Attorney for Chris Zoeller), Mark Mertz, John Bainbridge, Robin Thoman, Joel Miller

- I. The meeting was called to order by Chairman Marendt

- II. **New Business: Primary Election re-caps:** Secretary Sadler stated she was pleased with the new voting system and, despite some minor equipment problems, the feedback we have received from the public has been exceedingly positive. Secretary Sadler also stated that the board benefited from the low (9.8%) voter turnout as it gave us a chance to break in our equipment and prepare for much greater turnout in November. Secretary Sadler encouraged all involved in voting process to recruit more pollworkers for General Election Day.

Robert Vane (Election Board Administrator) commented on what the Election Board has done internally since the primary. We have met with ES&S, ACS, and ISA with the intention streamlining the election results reporting process and making the inspector kits and instructions easier to read and use.

On behalf of the Election Board, Secretary Sadler thanked all the inspectors. Secretary Sadler also added that she was very pleased with the new administrative staff and all the work they did with new equipment, new council districts, and severely compressed time lines.

Chairman Marendt commented to Voter Registration on a superb job getting glitches worked out. Mr. Vane stated he sent an e-mail to all City-County employees who worked the polls requesting feedback regarding the machines and inspector training and materials. He also stated that he had received about 25 replies.

- III. **Voter Outreach Update:** Secretary Sadler asked for Ms. Jackie Cissell to comment on this situation. Ms. Cissell read a litany of scheduled voter outreach presentations. Ms. Cissell stated there will be one machine in every public library from July 7th until October 7th (when the machines will have to go back to the Election Service Center for use in the General Election). She stated she also has videos, brochures, and will be contacting those organizations that could not be reached in the spring and encouraging any community groups that would like a presentation to please call Jackie at 327-5100 for scheduling.

- IV. **Homecroft Ballot Error:** Attorney Ladendorf stated the Homecroft ballot language mistakenly instructed voters to “vote for no more than 3 candidates” when in fact it should have read “vote for no more than 4 candidates”. All four candidates have been certified as winning the primary election and will be on the ballot in the General Election. Secretary Sadler stated there were signs placed at these precincts to inform the voters of the error and the voting machine was programmed to accept the vote for four candidates. The error will be corrected for the November election.

- V. **Meridian Hills Ballot Error:** Attorney Ladendorf stated that Meridian Hills town council adopted new districts this year. The districts went from being all at-large positions to being defined by districts. The Meridian Hills ballot allowed every voter to vote for every candidate when the voting should have been done on a district-by-district basis. This error will be corrected for the November election. A gentleman attending the meeting asked if the ballot would be public record. Chairman Marendt responded that the ballot is available for inspection.

- VI. **Southport Election Complaint:** There were quite a few people to represent these particular complaints. Attorney Ladendorf swore in all representation for Southport. There were many accusations among the candidate and the poll workers. The discussion became very detailed and featured highly conflicting testimony. Attorney Ladendorf stated to both parties that the judges and inspector of that location make up the election board for election day and have the right to enforce all election rules. Chairman Marendt moved to close this matter due to lack of evidence and declined to refer the complaint to the Prosecutor's office. Secretary Sadler second. Unanimous vote to close this matter.
- VII. **Speedway Election Complaint: Polling Place Update:** No one appeared in front of the board to discuss or dispute this matter.
- VIII. **Inspector No-show Ward 1 Precinct 4:** Administrator Robert Vane made a brief summary of facts regarding this matter. In Ward 01 Precinct 004, Mr. Vince Randolph did not discharge his duties as inspector due to a family emergency. Mr. Randolph designated a replacement, and returned his supplies to the Public Assembly Room. The replacement inspector, Ms. Shawn Davis, attended training and tried to retrieve the inspector supplies, but could not find them. Because of this last fact, Ms. Davis did not open her polling place on election day. Secretary Sadler stated the Election Board has received a tremendous amount of publicity on this matter and there was some confusion and miscommunication. On the morning of the election, the Election Board received the news that there was no inspector. A new inspector kit was assembled and an inspector installed in that precinct by 9 a.m.

Mr. Tony Duncan commented to the Board that the problem was due to "total negligence". Mr. Steve Quick stated that he will make sure of his inspectors' whereabouts and confirm their appearance at the polls on election day. Mr. Joel Miller, representing the Marion County Democrat Party, wanted to know if the Democrat party could have several people trained as inspectors in case these problems appear again in the November election. Attorney Ladendorf stated the Board would have a pool of inspectors on site at the Election Board to act as emergency replacements.

IX. **Pike Township Precinct 2 Voting Issue:** Mr. Vane stated that a Mr. Ricky Clark, 2003 Primary Election Candidate, City County Council District 1, was upset that he was denied a chance to vote at the polling place that corresponded with his residential address. The inspector informed him that he was not a registered voter at this precinct (despite Mr. Clark's belief that he had completed the proper forms in November 2002). The inspector also called the Office of Voter Registration and received confirmation that his decision to deny Mr. Clark the right to vote at Pike Precinct 2 was correct. Mr. Clark then traveled to Ward 1 Precinct 4 (where he was still registered) to cast his vote. Mrs. Cathline Mullin, proxy for Mr. Eichholtz and Democrat voter registration board member, stated that Ms. LaDonna Freeman (her vice chairwoman) had spoken with Mr. Clark (neither Ms. Freeman nor Mr. Clark attended the Election Board meeting). Chairman Marendt advised the Board to send an official letter of apology to the inspector in Pike 002. Chairman Marendt then closed the matter as a resolved issue.

X. **Adoption of Campaign Finance Hearing Procedures:** Administrator Vane submitted the Indiana Election Division guidelines to the Board. Chairman Marendt moved to adopt numbers 1-4, and 6 of the guideline. Secretary Sadler seconded. Unanimous vote.

XI. **Other Business:**

A. Secretary Sadler stated the "Vote Indiana Team" plan (sponsored by the Indiana Secretary of State's office) was now available for public comment. She commented very positively on the plan and that (as written) it was beneficial to Marion County. She also stated the public comment period will last for 30 days. Secretary Sadler hopes to have the funds to repay the bond for the new voting equipment by the end of the summer.

B. Mr. Woo came before the Board seeking approval from the Board to open sealed election materials for two misplaced poll books. Secretary Sadler stated that all filings for a recount had passed. Attorney Ladendorf stated it would be safer if a bi-partisan team was present for the opening and closing of

materials in case of conflict. Secretary Sadler agreed and asked if there was someone from Voter's Registration willing to help in this matter. Vice Chairman's proxy, Mrs. Mullin, said it would be no problem. Attorney Ladendorf stated to make sure all opened materials be re-sealed, re-signed, and the opening of the material is noted. Secretary Sadler moved to approve the opening of the election materials. Chairman Marendt seconded. Unanimous vote.

- C. Attorney Ladendorf informed the board that the delivery of the general election ballots to the Clerk's Office will be September 20, 2003.
 - D. Mr. Vane commented that absentee applications have been ordered and will be sent to parties and available on web site when returned by the printer.
 - E. Ms. Celeste Jaffe, Lawrence Township City- Council District 01 was present on behalf on Pre-Primary Campaign Finance Reports. Secretary Sadler stated she was sorry but the Election Board will take care of this matter in the next Election Board meeting scheduled for Thursday, June 26, 2003 at 10 a.m. in room 107 and she would need to appear at this time.
- V. There being no further business to come in front of the Marion County Election Board, Chairman Marendt adjourned the meeting.

The next Election Board meeting is scheduled for Thursday, June 26, 2003 in Room 107.

Candace Marendt, Chairman

Steven Eichholtz, Vice Chairman

Doris Anne Sadler, Secretary