

Marion County Election Board Meeting Minutes May 28, 2008

Members Present: Chairman Mark K. Sullivan; Vice-Chairman Patrick Dietrick; Secretary Elizabeth L. "Beth" White.

Others Present: Andy Mallon, Director of Elections; Tenley Drescher-Rhoades, Counsel to the Election Board; A. Scott Chinn, Counsel to the Election Board; ; Jennifer Handlon; Angela Nussmeyer; Jennifer Troutman.

- I. Call to Order.** Chairman Sullivan called the meeting to order and introduced the agenda.
- II. Campaign Finance Filing Issues:** Mr. Mallon explained the campaign finance report issues at hand, late and delinquent filings. He also explained that according to Indiana Code, the Election Board must assess a fine and then the Board must hold a hearing to either waive or reduce the assessed fine.

Mr. Mallon read a list of those candidates and committees who filed their campaign finance reports late. Clerk White motioned to assess fines according to IC 3-9-4-17(c). Chairman Sullivan seconds the motion, and it passes unanimously.

Mr. Mallon explained there were also committees failing to file a campaign finance report. Clerk White motions to determine those delinquent committees, send a letter notifying of such, and at the next meeting assess the maximum fine of \$1000, unless the committees appear and show just cause otherwise. The motion passes unanimously.

- III. Pike Township Board Contest Update:** Mr. Mallon synopsisized the court case concerning Pike Township Advisory Board District 1. There were two candidates, Mr. Willis and Ms. Byers. Ms. Byers won the 2008 Primary Race. A dispute arose concerning Ms. Byers residency in District 1. The issue arose before the election, but after the challenge deadline. Proper protocol is now being followed, i.e.) the decision is now in the hands of Marion County Circuit Court. As of this moment, the lawsuit requires nothing of the Board. A hearing was set for 6/9/08 at 1:30 p.m. Follow up will occur.

Contract Issues: Mr. Mallon introduced the first issue, taxi cabs. Five additional were used on the Primary Election Day than were original allotted. Clerk White motioned to approve the additional cab services, and the motion passed unanimously.

The second issue pertained to the ES&S contract. Mr. Mallon explained that the contract with ES&S expires after the General Election for both service and maintenance for machinery. He explained the need for renegotiation. Mr. Mallon also described an offer ES&S extended to buy Marion County's extra

M-100 machines (approximately 150 machines). This transaction could aid the county on the balance still owed on the Ivotronic machines. Clerk White notes protocol is specific on selling government owned machines and the Board agrees more research and information is required.

The third contract issues pertained to legal services, namely Baker & Daniels. An addendum would be necessary; increasing the amount the Election Board can spend on legal services to \$198,000, an additional \$65,000 to the original contract. Clerk White notes H.B. 110 requires referendums and acknowledges the need for increased legal service. Clerk White motions to pass the addendum granting the additional \$65,000, and the motion passes unanimously.

- IV. Statistical Information:** Mr. Mallon provided a brief statistical analysis of the 2008 Primary Election. Including turn-out, Ivotronic count and provisional ballot count. He explained there were 67 voters without identification, but only 4 of those voters brought identification later. Mr. Mallon also noted the larger number of walk-in absentee voters compared to the mail-in absentee voters. Please see the attached page for specific numbers.
- V. Adjournment:** Chairman Sullivan motioned for adjournment and called this meeting to close.

Chairman, Mark K. Sullivan

Vice Chairman, Patrick Dietrick

Secretary, Elizabeth L. White

2008 Primary Election – Basic Statistics

Total Precincts	590
Precincts Counted	590
Registered Voters	653,606
Total Turnout	36.64%

Ballots Cast	Total Votes	%	M-100 Voters	iVotronic Voters	Voted Provisional Ballots
<i>Total</i>	239,450	36.64%	238,696	613	141
<i>Democrat</i>	191,776	80.09%	191,103	557	116
<i>Republican</i>	47,131	19.68%	47,055	51	25
<i>Nonpartisan</i>	545	0.23%	538	7	0

Provisional Ballots	Total Votes	% of Total	% of Prov.
<i>Total Cast</i>	526	0.22%	100.0%
<i>Valid (Counted)</i>	141	0.06%	26.8%
<i>Invalid (Not Counted)</i>	385	0.16%	73.2%
Sub-total Voter ID	67	0.028%	12.7%
<i>ID Presented*</i>	4	0.002%	0.8%
<i>No ID Presented</i>	63	0.026%	12.0%

* Valid ID presented to the Election Board after Election Day AND all other requirements met (e.g., correct precinct, registered voter, etc.)