

1 Registration System and call it a day.

2 MR. KING: Mr. Chairman, if I can respond.

3 The -- the deadline for Lake County, and all
4 counties, to set polling places for the May primary
5 is April 9th.

6 MS. NUSSMEYER: Uh-huh.

7 MR. KING: And I don't understand how we can
8 put ourselves in the shoes of the Lake County folks
9 with the unknown events that can occur between
10 March 23rd, for example, and April 9th that might
11 require the location -- relocation of a polling
12 place.

13 And so from my perspective I see the benefit
14 of asking for ongoing input from Lake County when
15 we know when those polling places are set, as
16 firmly as they can be set barring an emergency.

17 CHAIRMAN BENNETT: I don't think that's too
18 much to ask.

19 MS. NUSSMEYER: Huh-uh.

20 MR. KLUTZ: If we could -- Chairman, if we
21 could jump up to A. I guess we're asking Lake
22 County to identify precincts on the active voter
23 list that may not be consolidated due to local
24 election district boundaries. Do we have
25 particular boundaries that we're talking about in

1 which all location election or -- say "yes" for the
2 court reporter.

3 MS. NUSSMEYER: Yes. It would not be party
4 offices. It would be elected office. So it would
5 be complying with all of their township, town.

6 CHAIRMAN BENNETT: Schools?

7 MS. NUSSMEYER: School board districts
8 perhaps. Although school board districts tend to
9 split precincts, if -- if memory serves. And I --
10 I believe the plan that's -- plans that were
11 presented last year provided that level of analysis
12 that they were trying to -- trying to prevent there
13 being breaches or consolidations occurring around
14 their local election districts.

15 And so I would suspect this would be a fairly
16 simple issue for them to resolve at the -- the
17 County level for us.

18 MR. KING: My -- my -- my response would be
19 that that certainly is accurate. But I think,
20 again, ambiguity is an invitation for dispute and
21 frustration and litigation. And so what -- what I
22 would suggest to the Commission is, if we're going
23 to talk about local election districts, that you
24 clearly specify the ones you mean, such as City
25 Council districts, Town Council districts, to go

1 beyond a couple that Co-Director Nussmeyer
2 mentioned.

3 And so it would be better, if we're going to
4 have that as a consideration, to make it clear
5 exactly what has to be checked.

6 MS. OVERHOLT: I think that's fine. Although
7 I would, out of an abundance of caution, I think
8 any language that's added like that should say,
9 Including but not limited to -- limited to, in case
10 we miss some.

11 CHAIRMAN BENNETT: Uh-huh. Uh-huh.

12 MS. NUSSMEYER: Shall we recite those for the
13 record now or work on language to share with the
14 Commission for the next meeting?

15 CHAIRMAN BENNETT: Well, I guess that's what I
16 was thinking is we might want to --

17 MR. DICKEY: If you're trying to move forward,
18 I think you better do it now.

19 MS. NUSSMEYER: Okay. I'm gonna' allow
20 Mr. Kochevar to recite -- or Dale or Brad -- or you
21 may have a list in front of you currently.

22 MR. KOCHEVAR: Well, I -- I was thinking about
23 that as you were discussing it. I do know -- and I
24 am from Lake County originally. I do know that the
25 districts do -- local election district boundaries

1 would want to make sure that you have and are being
2 reviewed would be the County Commissioner
3 districts, County Council districts. 'Cause they
4 are a county that uses single-member districts
5 only. City Council districts, Town Council
6 districts.

7 I will state this: I think it's an option
8 that you can look at the township boundaries. But
9 my view, my -- my recollection is that the -- the
10 County does not, and they're not allowed to, go
11 take a precinct boundary from one township and
12 across into another one. That's not lawful.
13 And -- but I will mention that nonetheless as there
14 are a number of townships in Lake County. That's
15 all I can think of off the top of my head. And I
16 will defer to Mr. King or Mr. --

17 MR. KING: I -- I would agree with
18 Mr. Kochevar's list so far as to say he's correct
19 that under State law precincts cannot cross
20 township and townships, at least outside of Marion
21 County, don't have legislative bodies. But I think
22 the additional one is school corporations which do
23 have.

24 In fact, just for the record, the metes and
25 bounds legal descriptions of the Lake Station

1 School Corporation Districts are set forth in State
2 statute for several years. So I know from having
3 seen that statute that such creatures do exist.
4 But I'm not -- not aware of any others.

5 But I -- I would echo Commissioner Overholt's
6 comment that there can be a variety of local
7 service districts that are unique to particular
8 counties, that we have no comprehensive list of
9 that may not have elected officials but may
10 nonetheless --

11 MR. SIMMONS: Lake County has -- I'm sorry.
12 Do you have a sewer district up there?

13 MS. OVERHOLT: That's what -- sewer district
14 is what just came to my mind because I seem to
15 remember --

16 MR. SIMMONS: I think they have one the last
17 two that are elected. I don't know.

18 MS. OVERHOLT: Well, but if we -- so we're
19 not -- I mean, I think if we do the "including but
20 not limited to" these are the main --

21 MR. KING: And so --

22 MS. OVERHOLT: -- ones that we need to be
23 concerned about.

24 CHAIRMAN BENNETT: To go back to the beginning
25 of Paragraph 4, it talks about the Director and

1 Deputy. Is that the correct title or is it
2 Assistant?

3 MR. KING: Assistant.

4 CHAIRMAN BENNETT: So we should change that to
5 -- to the Director and Assistant.

6 MS. NUSSMEYER: Uh-huh. And, Mr. Chairman,
7 this might be part of your mark up. But it's
8 probably good to clarify. In that second sentence
9 where it says before 5:00 p.m. Eastern Time, comma,
10 March 16th, 2018.

11 CHAIRMAN BENNETT: I think that would be
12 helpful.

13 MS. NUSSMEYER: I think it's implied, but it
14 would be better to be spelled out.

15 CHAIRMAN BENNETT: Just have the -- the four
16 or 5:00 p.m. Eastern Time, March 16th, just --

17 MR. KING: Oh, yes, I see.

18 CHAIRMAN BENNETT: Maybe a period after final
19 voter or active voter list? We can say, This
20 report must. I think it was Co-Director King on
21 Paragraph B, that was talking about ongoing input
22 from Lake County with regard to polling locations.
23 I don't know that we resolved that issue.

24 MR. KING: Mr. Chairman, I can just say we --
25 we do know the list that -- of polling locations

1 that have been entered by Lake County into SVRS.
2 Whether that is complete, and certainly whether
3 it's final, I don't know.

4 CHAIRMAN BENNETT: Seems to me it would be
5 instructive to us if we asked for information
6 regarding the ones that were anticipated to be used
7 in the May 2018 election, and see what kind of a
8 response we get, if any.

9 From current list of polling locations to be
10 used or anticipated -- or anticipated to be used in
11 the May 2018 election. And strike "preferably
12 those." If this is going to be an order from us,
13 it should be a little more definite.

14 MS. NUSSMEYER: And, Mr. Chairman, if I may.
15 Just to assuage concerns, perhaps at the after --
16 on Subsection B here after "election," put a comma,
17 and provide ongoing updates as requested from the
18 Co-Directors or the Commission.

19 MR. KING: I'm -- Mr. Chairman, if I may
20 respond.

21 CHAIRMAN BENNETT: Yes.

22 MR. KING: I -- I'd say, And provide updates
23 of any change. Note of any change no later than
24 April 9th. I guess they have until April 9th,
25 under the general law, to change --

1 CHAIRMAN BENNETT: Change?

2 MR. KING: Polling locations.

3 CHAIRMAN BENNETT: Right. So we'd want --
4 before April 9th, April 8th, close of business or
5 something?

6 MS. NUSSMEYER: Uh-huh.

7 MS. OVERHOLT: Their deadline is April 9th.

8 MR. DICKEY: Their deadline is April 9th to
9 have it. So you're getting -- you're getting a
10 list in advance, and then they're providing updates
11 until it's final.

12 MS. NUSSMEYER: Uh-huh.

13 MR. KING: Uh-huh.

14 CHAIRMAN BENNETT: Uh-huh. Is that the
15 language we would use "until it's final" or just
16 until April 9th?

17 MR. KING: April 9th is the statutory --

18 CHAIRMAN BENNETT: Yeah.

19 MR. DICKEY: I think you put April 9th.

20 MS. NUSSMEYER: Uh-huh. The only change would
21 be if there was an emergency like a building burned
22 down, and I suspect we would likely hear about
23 that.

24 MR. KING: Right.

25 CHAIRMAN BENNETT: So are we committed to

1 pressing on?

2 MS. NUSSMEYER: Uh-huh.

3 CHAIRMAN BENNETT: -- whether we --

4 (A discussion was held off the record between
5 Mr. King and Chairman Bennett.)

6 CHAIRMAN BENNETT: Are we ready to move on to
7 4B? Okay. So 4C, share estimated cost per
8 precinct per staff. I know it says "more." Should
9 be and other hard costs associated with managing a
10 precinct polling place on election day.

11 MS. OVERHOLT: Should share be include instead
12 of share?

13 CHAIRMAN BENNETT: Or provide?

14 MS. OVERHOLT: Well, it says that -- I'm going
15 back to the top of four. It says -- that last line
16 says, The Lake County staff provide to the
17 Co-Directors a report which must --

18 CHAIRMAN BENNETT: Yeah.

19 MS. OVERHOLT: -- identify precincts, provide
20 a current list. And then say include estimated
21 cost per precinct.

22 CHAIRMAN BENNETT: Yeah. I think that --
23 point of personal privilege: I didn't bring a
24 glass of water to this meeting. Can we take --
25 does anybody mind if we take a quick recess?

1 MS. OVERHOLT: No.

2 CHAIRMAN BENNETT: No objection, we'll --
3 let's take a five-minute recess.

4 MR. KING: Some water.

5 (A recess was taken between 2:49 p.m. and
6 2:57 p.m.)

7 CHAIRMAN BENNETT: Reconvening the Commission
8 Meeting about 3:00 p.m.

9 I believe we finished up with Paragraph 4 and
10 are ready to talk about Paragraph 5.

11 MR. KLUTZ: Mr. Chairman, if I could just
12 propose -- I don't know if this is necessarily a
13 motion -- but just propose, for purposes of this
14 meeting, procedurally, we've got -- we've made good
15 progress. So we've -- we've gotten through one
16 through three, which kind of deals with what the
17 Election Division and Commission and staff are
18 going to be going. We've just gotten through four,
19 which talks about Lake County officials. Five also
20 deals with Lake County officials.

21 I'd kind of propose that we finish up through
22 five and kind of pause and/or just cut it off
23 there. That's the end of what we're doing today.
24 And get that out to people with our staff and the
25 Lake County officials and reconvene shortly after,

1 whatever the latest deadline is, the Lake County
2 people have to report back to us, and see what
3 their cooperation level was, what information was
4 provided and where do we go from here.

5 CHAIRMAN BENNETT: Is -- is that a motion
6 or --

7 MR. KLUTZ: Sure.

8 CHAIRMAN BENNETT: Okay. Is there a second?

9 MS. OVERHOLT: So the -- just to make sure I
10 understand. So --

11 MR. KLUTZ: Yeah.

12 MS. OVERHOLT: Okay? So to -- so we'll
13 continue talking about Item 5 on Exhibit 2.

14 MR. KLUTZ: Correct.

15 MS. OVERHOLT: And then issue something based
16 on --

17 MR. DICKEY: Issue -- issue one through five.

18 MR. KLUTZ: Correct.

19 MS. OVERHOLT: Issue one through five. And
20 then meet again to sort of talk about six through
21 eight.

22 MR. KLUTZ: Yeah.

23 CHAIRMAN BENNETT: When you say "issue" do you
24 mean vote on an order and issue an order or you
25 just stand -- or just talk through issue five?

1 MR. KLUTZ: Well, talk through issue five.

2 CHAIRMAN BENNETT: And then reconvene the
3 meeting and talk --

4 MR. KLUTZ: Yeah. So get -- talk through
5 five, just as we talked through one through four.
6 Get it to where everything's agreeable. Turn that
7 into an order --

8 CHAIRMAN BENNETT: Okay.

9 MR. KLUTZ: -- and then reconvene at this
10 latest deadline when we should have things. If
11 it's March 23rd, maybe we meet on 24th, or sometime
12 after that deadline --

13 MS. NUSSMEYER: Uh-huh.

14 MR. KLUTZ: -- and see where do we -- did --
15 you know, what did they turn in? What do we have?
16 And how should we go forward? Maybe it is six
17 through eight as proposed by the Democrat proposal.
18 But -- but maybe it's not based upon what the
19 cooperation and what we received.

20 CHAIRMAN BENNETT: Okay. And I think I
21 understand the motion. Is there a second?

22 MS. OVERHOLT: I'll second for purposes of
23 discussion.

24 CHAIRMAN BENNETT: Okay.

25 MR. DICKEY: Yeah. And I think -- I think the

1 other advantage is essentially that would take you
2 through a timeline through the end of the month,
3 which at that point -- bringing to mind we're
4 talking about the legislature -- will get you
5 through 1383 and -- and get that solidified into
6 law. So that might also help clarify.

7 CHAIRMAN BENNETT: Very good. Any other --
8 any further discussions?

9 MS. NUSSMEYER: Mr. Chairman, if I may. And
10 maybe I'm just being a Girl Scout here. Is it
11 worth staff reaching out to the Lake County GIS
12 Department to ask for a shapefile of their local
13 election districts in case we want to consider
14 that? I say "we." The Commission wants to
15 consider that moving forward after this March 23rd
16 deadline in the event that Lake County isn't
17 responsive? I guess I would hate for -- if that
18 was something that was going to inform your
19 decisionmaking, if it was something that was going
20 to take a month to get, I guess I would rather know
21 that next week than find out about it after the
22 23rd.

23 And so maybe we -- we add something to
24 Number 3 that asks staff to request a shapefile
25 from Lake County so that we have it in our

1 possession should it be needed. That would be a
2 suggestion, if I might. Maybe it's --

3 MR. KING: Well, can I --

4 CHAIRMAN BENNET: Mr. King, can you respond?

5 MR. KING: May I respond? I think one simple
6 way to do that is to -- on 5A just perhaps strike
7 should the staff not comply with Section 5, say
8 I -- IED staff are directed to request a shapefile
9 from County GIS Department so that we can -- we can
10 do that independently.

11 MS. NUSSMEYER: And you're comfortable with
12 doing that on March 23rd instead of March 12th?
13 That would -- that's the only reason why I
14 suggested moving it up in the order a little bit so
15 that there would not be much of a delay. But
16 that's a suggestion; I'm not married to it.

17 CHAIRMAN BENNETT: Well, I guess I'm back to
18 my confusion about whether we're going to issue
19 this order or whether we're just trying to get in
20 position to make an order.

21 MS. OVERHOLT: I thought -- I thought we
22 were -- I thought we were gonna' get this to a
23 certain point today, as Commissioner Klutz
24 suggests, get to the end of five. And then I
25 thought once that that would -- that one through

1 five would be issued as an order is what I thought
2 that Commissioner Klutz -- maybe I misunderstood.

3 MR. KLUTZ: That's what I was suggesting.

4 CHAIRMAN BENNETT: That we get through one
5 through five, and then we would vote on it and make
6 it an order.

7 MR. KLUTZ: Correct.

8 MS. NUSSMEYER: Uh-huh.

9 CHAIRMAN BENNETT: Okay. So then back to the
10 question of whether the March 23rd date is
11 appropriate.

12 MR. DICKEY: Would it be easier if we just
13 pulled it out as a new -- if we're -- if we're only
14 going to go through items five, essentially what
15 we'd say here is we're deleting six on for the
16 purposes of our order. Pull out the language about
17 the -- the GIS file, shapefile, as a new Number 6.

18 MS. OVERHOLT: Uh-huh.

19 MR. DICKEY: And just instruct the staff to
20 request that now. I mean, at their earliest
21 convenience.

22 MS. OVERHOLT: Right.

23 MR. DICKEY: 'Cause what -- what I worry
24 about, knowing County offices and the requests that
25 they receive, is that if we don't make that

1 request, there is -- there is that delay, and then
2 that causes a ripple effect in subsequent
3 discussions and meetings.

4 MS. OVERHOLT: Uh-huh.

5 MR. DICKEY: And then you can -- and then the
6 Commission could come back once that process has
7 gotten us to the end of March and rediscuss whether
8 we need to do anything else or if we need to
9 continue with six through eight or new proposals.

10 MS. OVERHOLT: Right. Right.

11 MR. KLUTZ: I -- I don't have any problem with
12 that.

13 MR. KING: Mr. Chairman --

14 CHAIRMAN BENNETT: Yes.

15 MR. KING: -- if I can respond. I think that
16 the point that Mr. Dickey raised is well taken in
17 that we don't know who the County GIS Department
18 is. We don't know that they're responsible to the
19 County Commissioners. They're certainly not
20 responsible to the Board of Elections and
21 Registration, I'm sure.

22 And so if five were amended and simply keep
23 the first sentence, A, B and C could form a
24 separate -- a new six. The -- the only other
25 question I had about five is when Lake County staff

1 is referred to, does that refer to both the
2 Director and the Assistant Director? In other
3 words, does this require bipartisan agreement
4 between those two bodies with regard to providing
5 the final active voter list?

6 MS. NUSSMEYER: Uh-huh.

7 MS. OVERHOLT: Is it -- Angie, I'm turning --
8 Co-Director Nussmeyer, I'm turning to you since
9 you've been in these shoes. And what -- what does
10 it require on the County level to -- should it be
11 both of them, the Director and the --

12 MS. NUSSMEYER: My recommendation to my
13 commissioners would be that it would come from
14 both. I suppose if they can't reach an agreement
15 on something they could highlight a disagreement in
16 any report to the Co-Directors. But I do think
17 it's worthwhile to have as much cooperation in this
18 report it that we receive and share with the
19 commissioners that there can be.

20 CHAIRMAN BENNETT: So we would identify the
21 staff as the Assistant Director --

22 MR. KING: Strike staff and just say --

23 CHAIRMAN BENNETT: Director.

24 MR. KING: -- Lake County Director and
25 Assistant Director.

1 CHAIRMAN BENNETT: And what about that date?

2 Is that date, March 23rd, still viable?

3 MS. NUSSMEYER: Uh-huh.

4 MR. KING: So far as I'm aware.

5 CHAIRMAN BENNETT: Okay. Okay. And then six.

6 MR. KING: This becomes the new six, if you
7 accept the suggestion that's been made.

8 CHAIRMAN BENNETT: Okay.

9 (A discussion was held off the record between
10 Mr. King and Chairman Bennett.)

11 CHAIRMAN BENNETT: So is that where we would
12 draw the line under Zach's motion, would be at the
13 end of five after we make the changes we've already
14 discussed.

15 MR. KING: Before 5A.

16 CHAIRMAN BENNETT: Yeah, before 5A. Which
17 means that we'd be essentially near completion of
18 our work for today.

19 MS. NUSSMEYER: Mr. Chairman, if I may just
20 clarify with you. I believe this is where we're
21 all at, is for 5A -- either that is 5A or it
22 becomes a new Number 6, but that the -- should the
23 staff of the Lake County Board of Elections and
24 Registration not comply with Section 5, that that
25 is stricken, and we are directing staff to request

1 that shapefile and to pull the report out of SVRS?
2 And that would be done today, or even Monday, so
3 that we have at the least the ball rolling in
4 getting a shapefile from Lake County so that we're
5 not hamstrung with delays because we don't know
6 where their local election district boundaries
7 might be.

8 CHAIRMAN BENNETT: So -- so we -- we could
9 just move 6A up to five and Lake County Staff --
10 Lake County Director and Assistant Director --

11 MS. OVERHOLT: No.

12 MR. DICKEY: Huh-uh.

13 MR. KING: No.

14 CHAIRMAN BENNETT: I thought the idea was to
15 get a request out for the GIS --

16 MS. NUSSMEYER: Uh-huh.

17 CHAIRMAN BENNETT: -- file --

18 MR. KING: Uh-huh.

19 MS. OVERHOLT: Right.

20 CHAIRMAN BENNETT: -- following this meeting.

21 MS. OVERHOLT: Right. And that's why -- so
22 we're pulling it out -- right now under five it
23 look -- it's kind -- it's tied to that Friday,
24 March 23rd timeline. So we're --

25 CHAIRMAN BENNETT: But if you put a different

1 date -- I was going to suggest that we put a
2 different date in there that -- well, okay.

3 MS. OVERHOLT: I think we're just saying that
4 the whole -- that whole from -- from A -- A, B and
5 C under five now can be pulled out and stand alone
6 as a new -- that would become Section 6.

7 CHAIRMAN BENNETT: That we would vote on
8 today.

9 MS. OVERHOLT: Right. 'Cause we're
10 revising -- yes, we would vote on today.

11 CHAIRMAN BENNETT: Okay.

12 MR. DICKEY: So -- so essentially IED staff
13 are directed to request a shapefile to pull the
14 polling location. I'm summarizing. Do you want to
15 put a date?

16 MS. NUSSMEYER: I think we certainly could put
17 a date.

18 (After off-the-record discussions,
19 the following proceedings were had:)

20 MR. DICKEY: I'm just wondering if it makes it
21 easier for you guys to have the clarity in there.

22 MS. NUSSMEYER: We don't control the County
23 GIS.

24 MR. DICKEY: No. But you're just -- it's an
25 order to you, essentially, to make the request-by

1 date.

2 MS. NUSSMEYER: Oh, well, sure. I -- at least
3 staff are directed to request these thing no later
4 than Monday, March 11th or March 12th, right? We
5 could put the request in Monday.

6 MR. KING: Assuming we know --

7 MS. NUSSMEYER: -- who?

8 MR. KING: -- who to put the request into. I
9 might suggest -- I mean, we -- I think we can try
10 to get it as soon as possible --

11 MR. DICKEY: So we don't need the date?

12 MR. KING: Well, I'm saying we can go with the
13 original suggestion of March the 23rd. It's just
14 the same date up above. Sometime during -- during
15 the course of the next week we will do that. And
16 if we find out who to make the request to on
17 Tuesday, we'll do it on Tuesday.

18 MS. OVERHOLT: I was going to say, it could
19 be -- we could put it in a good old "as soon as
20 possible" or "as soon as practicable."

21 MR. KING: That may make more sense.

22 MS. NUSSMEYER: Uh-huh.

23 MR. DICKEY: I'm fine with that. I just think
24 we need to be expressive in that.

25 CHAIRMAN BENNETT: Well, does somebody want to

1 say exactly what this should --

2 MS. OVERHOLT: The IED staff are directed,
3 comma, as soon as possible, colon. And then it's,
4 To request a shapefile to pull the poll locations.
5 And I think that -- are people -- well --

6 MR. KLUTZ: Uh-huh.

7 MR. DICKEY: B and C could just --

8 MS. OVERHOLT: And B and C could just --

9 MR. DICKEY: B and C could just be deleted,
10 right?

11 MR. KLUTZ: Uh-huh.

12 MS. NUSSMEYER: Uh-huh.

13 MR. KING: Can I make -- may I ask a question,
14 Mr. Chairman, about --

15 CHAIRMAN BENNETT: Yes.

16 MR. KING: I think I answered -- the effective
17 deleting, what's now 5C, which sets the deadline
18 for completing work on Wednesday, April 4th, under
19 this new six is only going to apply to the Election
20 Division anyway and therefore --

21 MS. NUSSMEYER: Uh-huh.

22 MR. KING: And we're -- you would also be
23 deleted sub B, IED staff will use the shapefile to
24 identify precincts that may not be consolidated?

25 MS. OVERHOLT: I don't know why we're

1 eliminating B.

2 MS. NUSSMEYER: You don't want to keep these
3 open?

4 MS. OVERHOLT: Yeah. And if you want to make
5 it clean, that B could just become a new Roman III.
6 And just -- and then to be consistent, it would
7 just start with the word "use." Or "to use,"
8 sorry. It would start with "to use."

9 MS. NUSSMEYER: If I may, just to reorder.
10 And I don't mean --

11 MR. DICKEY: You want to put three in two?

12 MS. NUSSMEYER: Could B become two and two
13 become three, Roman Numeral III? Because one and
14 two relate to the shapefile, and then three would
15 relate to the poll locations. And you might even
16 be able to combine one with that -- currently
17 Subsection B of Number 5.

18 CHAIRMAN BENNETT: What if we put these ideas
19 on paper and came back next Wednesday to approve
20 it? If we spent some time, the Co-Directors take
21 the ideas we've given at the meeting today and
22 renumber, rework, reorganize as appropriate and
23 then circulate that to Commissioners for review.

24 MS. OVERHOLT: That's cutting Lake County's
25 time --

1 MR. DICKEY: Uh-huh.

2 MS. OVERHOLT: -- to respond by -- I mean --

3 CHAIRMAN BENNETT: Okay.

4 MS. OVERHOLT: -- by a decent amount.

5 CHAIRMAN BENNETT: Okay. Well, let's do it --
6 we can do it tonight.

7 MS. NUSSMEYER: May I just read aloud what I
8 was proposing, and perhaps that would help, since I
9 was using a bunch of Roman Numerals and maybe
10 should not have?

11 CHAIRMAN BENNETT: Where are you going to
12 start?

13 MS. NUSSMEYER: IED staff are directed, as
14 soon as possible, colon, to request a shapefile
15 from the County GIS Department with the local
16 election district boundaries, comma, which will be
17 used -- and this is picking up now the current
18 Subsection B -- to identify precincts on the IED
19 active voter list that may not be consolidated to
20 avoid conflict with local election district
21 boundaries, semicolon, and to pull the poll
22 location by precinct report from the Indiana
23 Statewide Voter Registration System to identify
24 polling locations that may be used in the 2018
25 primary election, understanding the data in SVRS

1 may not be accurate or complete, period.

2 MS. OVERHOLT: Uh-huh.

3 MR. KING: And so to clarify, your language
4 would set forth the first sentence in five with A
5 and B as revised, as you've just described it.

6 MS. NUSSMEYER: So we're going to keep it as
7 5A and 5B? Or are we gonna' -- I thought we were
8 pulling it out for a new Number 6.

9 MR. KING: That's -- well, it can be a new --
10 it can be a new Number 6; I understand.

11 MS. NUSSMEYER: So it would start off --

12 MR. KING: Six -- 6 consists of what's now 5A
13 and 5B as --

14 MS. NUSSMEYER: Correct.

15 MR. KING: -- you reorganized it.

16 MS. NUSSMEYER: Yes.

17 MR. DICKEY: Yes.

18 MR. KING: Okay. That's -- that's --

19 MR. KLUTZ: For clarification, the -- the
20 reason or purpose for identifying polling locations
21 is simply a taken into consideration?

22 MS. NUSSMEYER: Yes.

23 CHAIRMAN BENNETT: How long would it take in
24 the computer to make these changes? I mean, is it
25 something we can do --

1 MR. KING: Oh --

2 CHAIRMAN BENNETT: -- really -- take a break
3 and get that done so we can --

4 MR. KING: We can certainly do our best.

5 MS. NUSSMEYER: Uh-huh, yeah. I can take this
6 back and --

7 MS. OVERHOLT: Well, they've already got some
8 things --

9 MR. KING: I -- I put -- I put together the
10 shell of an order. But it was the plan that had
11 been submitted by the Democratic Commissioners.
12 And so I can take that and rework it and then have
13 you review it, make sure we're in --

14 MS. NUSSMEYER: Oh, yeah. That's perfect.

15 MR. KING: Give us maybe 15 minutes.

16 MS. NUSSMEYER: Okay.

17 CHAIRMAN BENNETT: We are recessed for that
18 purpose.

19 (A recess was taken between 3:18 p.m. and
20 3:43 p.m.)

21 CHAIRMAN BENNETT: All right. Let's call our
22 meeting back to order. The time is 3:45
23 approximately. And Val had an opportunity to
24 prepare a proposed order. And I would ask
25 Co-Director Mr. King to report on that.

1 MR. KING: Thank you, Mr. Chairman, members of
2 the Commission. Order Number 2018-25 reflects the
3 changes discussed by Commission members previously
4 in this meeting. The Co-Directors made some
5 nonsubstantive, editorial polishing, which you've
6 had a chance to review. We believe we've
7 accurately captured all of the changes agreed to by
8 the Commission in its discussion. And I'll defer
9 to Co-Director Nussmeyer to add anything further.

10 MS. NUSSMEYER: No, I agree with Mr. King's
11 assessment here. I would say that the -- the
12 biggest change perhaps is in subdivision four,
13 where previously we had used the term of art of
14 final active voter list. And we felt that created
15 some confusion, and essentially just asked the Lake
16 County Director and Assistant Director to provide a
17 report. And that report then is outlined in
18 Subsection A, B and C of Number 6. And so that was
19 the -- the biggest change, I think, that editorial
20 change that he and I made.

21 CHAIRMAN BENNETT: Very good. Any questions
22 or comments by the Commissioners?

23 MS. OVERHOLT: Well, the -- the one comment I
24 had is the second whereas clause at the beginning.
25 Because I think we all understand that this is kind

1 of the first set of directives that we're issuing,
2 and we'll be coming back to determine whether we
3 need to issue anything else. I would suggest that
4 in that second whereas that we insert the word
5 "initial" before procedures so it would read,
6 Whereas the Commission determines that the initial
7 procedures for the development and adoption of a
8 plan should be set forth in this order. Just to
9 commemorate the fact that -- that I think we all
10 anticipate this is not necessarily the only order
11 we'll be issuing.

12 MR. KLUTZ: There will be more.

13 MS. OVERHOLT: Yeah.

14 CHAIRMAN BENNETT: Is there any discussion or
15 should we like that by consensus?

16 MR. KLUTZ: I'm -- I'm fine with that.

17 CHAIRMAN BENNETT: Fine with me.

18 MR. DICKEY: I think we have consensus.

19 CHAIRMAN BENNETT: Okay. I take that by
20 consensus, insert initial --

21 MR. KING: Uh-huh.

22 CHAIRMAN BENNETT: -- between D and procedures
23 in the second whereas paragraph. Anything else?

24 (A discussion was held off the record between
25 Mr. King and Chairman Bennett.)

1 MR. KING: I can do it. I didn't want to hold
2 you up if you were --

3 MS. NUSSMEYER: I'll take that.

4 (A discussion was held off the record.)

5 CHAIRMAN BENNETT: Okay. I have in my hand
6 Order Number 2018-25 of the Indiana Election
7 Commission that has been revised in accordance with
8 every comment that has been made in the last
9 session of our meeting. Is there a motion to adopt
10 this order?

11 MR. KLUTZ: So moved.

12 CHAIRMAN BENNETT: We have a motion and a --
13 do we have a second?

14 MR. DICKEY: I'll second.

15 CHAIRMAN BENNETT: Motion and a second. Any
16 further discussion? Hearing none, all in favor say
17 "aye."

18 THE COMMISSION: Aye.

19 CHAIRMAN BENNETT: All opposed say "nay."
20 Ayes have it; motion carries. Order Number
21 2018-25.

22 (A discussion was held off the record.)

23 MS. OVERHOLT: Do you guys care about the
24 color of the ink?

25 MR. DICKEY: Oh, I do. Should I put "for"?

1 MS. NUSSMEYER: I would.

2 CHAIRMAN BENNETT: I think we've had a
3 productive day here today. Thank you, everyone,
4 for all your patience and best thinking. Is there
5 a motion -- motion to adjourn?

6 MS. OVERHOLT: Oh, before we do this, so are
7 we gonna' to set another meeting, or you'll send
8 out a notice of another meeting after --

9 CHAIRMAN BENNETT: We'll notice another
10 meeting.

11 MS. OVERHOLT: Okay.

12 CHAIRMAN BENNETT: So I'll move to adjourn.
13 Is there a second?

14 MR. KLUTZ: Second.

15 CHAIRMAN BENNETT: All in favor say "aye."

16 THE COMMISSION: Aye.

17 CHAIRMAN BENNETT: All opposed, "nay." Ayes
18 have it. Meeting adjourned.

19

20 (Time Noted: 3:49 p.m.)

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22

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25

1 STATE OF INDIANA)

2) SS:

3 COUNTY OF HAMILTON)

4

5 I, Lisa C. Pierce, a Notary Public in and for
6 the County of Hamilton, State of Indiana at large,
7 do hereby certify that the foregoing hearing was
8 taken on behalf of the Indiana Election Commission
9 at the Indiana Government Center, Indiana Election
10 Division, 302 West Washington Street, E-204,
11 Indianapolis, Marion County, Indiana, on
12 March 9, 2018, commencing at the hour of 1:38 p.m.,
13 pursuant to Rules of Applicable Procedure;

14 That said hearing was taken down in
15 stenographic notes and afterwards reduced to
16 typewriting under my direction, and that the
17 typewritten transcript is a true record of the
18 testimony given by said participants;

19 That the parties were represented by their
20 aforementioned counsel.

21 I do further certify that I am a disinterested
22 person in this cause of action; that I am not a
23 relative or attorney of any party; or otherwise
24 interested in the event of this action, and am not
25 in the employ of the attorneys for any party.

1 IN WITNESS WHEREOF, I have hereunto set my
2 hand and affixed my notarial seal this ____ day of
3 _____, 2018.

4

5

6

7

Lisa C. Pierce

8

NOTARY PUBLIC

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12 My Commission Expires:
13 March 14, 2021

14 County of Residence:
15 Hamilton

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