

State Board of Elections Meeting
Meeting Minutes

Wednesday, October 30, 2019
3:00 pm CT

Secretary of State's Office
500 East Capitol Ave., Ste. 204
Pierre, South Dakota

Secretary of State Steve Barnett called the meeting to order at 3:02pm CT.

Present via conference call: Margaret Gillespie (Board of Elections member), Karen Layher (Board of Elections member), Carri Crum (Board of Elections member), Linda Lea Viken (Board of Elections member), Mike Buckingham (Board of Elections member), C.J. Moit (Disability Rights South Dakota), Holly Farris (Attorney General's Office), Kris Jacobsen (South Dakota Association of County Officials) Bob Mercer (Keloland News reporter) and Cathy McNickle (Brown County Auditor).

Present in person: Secretary of State Steve Barnett (Chair, Board of Elections), Jason Lutz (Deputy Secretary of State), Kea Warne (Director, Division of Elections), Rory Mennenger (Elections and Federal Programs Coordinator), Christine Lehrkamp (State Elections Coordinator), Rachel Soulek (HAVA Coordinator), Bailey Tibbs (Elections Assistant) and Emily Kerr (Director, Business Services Division).

Quorum present.

Introductions were made by board members, Secretary of State staff, and others present on the call.

A *motion* to approve agenda by Viken; second by Buckingham.

Roll call vote: Buckingham-Aye, Crum-Aye, Gillespie-Aye, Knobe (excused), Layher-Aye, Viken-Aye, Secretary Barnett-Aye. Approved.

A *motion* to approve the August 13, 2019 Board of Elections minutes by Viken; second by Buckingham.

Roll call vote: Buckingham-Aye, Crum-Aye, Gillespie-Aye, Knobe (excused), Layher-Aye, Viken-Aye, Secretary Barnett-Aye. Approved

Update on Election Systems & Software Election Equipment Testing (October 21-23) for Certification:

Kea Warne, Director, Division of Elections updated the Board regarding the three-day certification. The ExpressVote ballot marking devices and the DS200, DS450 & DS850 tabulators met all the requirement to be certified in South Dakota. See the attached report **2019EVS6100Report** that provides the details of the testing requirements.

Public comments: Hearing none.

A *motion* to approve the certification of new election equipment by Layher; second by Crum.

Roll call vote: Buckingham-Aye, Crum-Aye, Gillespie-Aye, Knobe (excused), Layher-Aye, Viken-Aye, Secretary Barnett-Aye. Approved

Update on Post-Election Audit Information:

Secretary Barnett updated the board on the Post-Election Audit. The following was his statement.

“During the election equipment testing with Election Systems and Software (ES&S), Minnehaha County Auditor Bob Litz agreed to use the mock election ballots that we use for testing the equipment to walk through potential processes for a post-election audit. This was an easier option

than asking for a Judge to allow him to open the ballot boxes from the 2018 General Election, as those are to be sealed for 22 months after a federal election. Also, the ballots for testing are not from a past election.

Mark Manganaro, State Certification Manager with (ES&S) provided a demonstration on the process to place an ink cartridge in the DS450 and DS850 tabulating machines to be able to sequentially number the ballots for use in a post-election audit. Mr. Manganaro also provided a brief demonstration of the Election Management System (EMS) that would be a required software program the counties would have to purchase to view the vote cast record. Secretary of State staff present to observe these processes included Deputy Jason Lutz, Director, Division of Elections, Kea Warne, and State Election Supervisor Christine Lehrkamp, along with Minnehaha County Auditor Bob Litz.

We are looking at having a more in-depth demonstration on this process in March 2020 from another ES&S representative. Further research on post-election audits will need to be conducted prior to any legislation drafted for future legislative sessions. Auditor Litz remains supportive of this process and committed to continue working with our office as we develop a process that can work for all our counties. At this time, no further action is needed from the Board.”

Public comments: Hearing none.

Public Comments:

There were no public comments.

General Remarks:

Secretary Barnett thanked the board for their time in calling in or driving to Pierre for the meetings. It can be a thankless job, but the Secretary of State staff appreciates their dedication.

Secretary Barnett informed the board that all 66 counties would be using updated ballot marking and tabulating devices for the 2020 election. The Secretary of State reimbursed the 30 counties that purchased in 2018 and purchased updated machines for the remaining 36 counties.

Adjournment:

Secretary Barnett entertained a motion to adjourn the meeting.

A *motion* to adjourn by Layher; second by Buckingham.

Roll call vote: Buckingham-Aye, Crum-Aye, Gillespie-Aye, Knobe (excused), Layher-Aye, Viken-Aye, Secretary Barnett-Aye. Approved.

Meeting was adjourned at 3:16pm CT.