



# OFFICE OF THE SECRETARY OF STATE

## STEVEN J. BARNETT, SECRETARY OF STATE

### JASON LUTZ, DEPUTY SECRETARY OF STATE

#### HAVA Grant Board Draft Minutes

Thursday, July 29, 2019

10:30 a.m. CT

South Dakota Association of County  
Commissioners Building  
211 E Prospect Ave  
Pierre, SD 57501

Conference call dial-in information:

Dial-in number: 866.410.8397

Conference code: 2178377981

The meeting was called to order by Rory Mennenger, Chair and Election and Federal Projects Coordinator, at 10:33 am (CT).

**Present in-person** were board members Rory Mennenger, Alli Moran (South Dakota Department of Tribal Relations- Senior Policy Advisor), Minnehaha County Auditor Bob Litz, Lake County Auditor Bobbi Janke, Ziebach County Auditor Cindy Longbrake and Disability Community representative Travis Arneson.

**Via conference call**, board member present was Turner County Auditor Sheila Hagemann. Quorum is established.

Others present in-person are: Steve Barnett (Secretary of State), Jason Lutz (Deputy Secretary of State), Kea Warne (Director, Division of Elections), Emily Kerr (Director, Business Services Division), Rachel Soulek (HAVA Coordinator), Christine Lehrkamp (State Election Coordinator), Bailey Tibbs (Elections Assistant) and Bob Mercer (Media).

Others present via conference call, C.J. Moit (Disability Rights South Dakota).

Brief introductions were done by all those present and on the phone.



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#### **Approval of the Agenda**

Motion to add Ziebach County HAVA application to the agenda was made by Cindy Longbrake, second by Bob Litz. Roll call vote: Rory Mennenger- AYE; Sheila Hagemann- AYE; Bobbi Janke- AYE; Bob Litz- AYE; Alli Moran - AYE; Cindy Longbrake- AYE and Travis Arneson- Absent. Approved.

Motion to change the date on the agenda for the previous meeting from July 27 to July 20 by Bob Litz, second by Bobbi Janke. Roll call vote: Rory Mennenger- AYE; Sheila Hagemann- AYE; Bobbi Janke- AYE; Bob Litz- AYE; Alli Moran - AYE; Cindy Longbrake- AYE and Travis Arneson- Absent. Approved.

Motion to approve the agenda as amended by Bob Litz, second by Bobbi Janke. Roll call vote: Rory Mennenger- AYE; Sheila Hagemann- AYE; Bobbi Janke- AYE; Bob Litz- AYE; Alli Moran - AYE; Cindy Longbrake- AYE and Travis Arneson- Absent. Approved.

#### **Approval of draft minutes from the July 20, 2017 meeting**

Motion by Bob Litz to approve the July 20, 2017 minutes, second by Cindy Longbrake. Roll call vote: Rory Mennenger- AYE; Sheila Hagemann- AYE; Bobbi Janke- AYE; Bob Litz- AYE; Alli Moran - AYE; Cindy Longbrake- AYE and Travis Arneson- Absent. Approved.

Kea Warne gave an overview of HAVA Grant Board. In 2014, former Secretary of State Jason Gant added a grant program in the HAVA state plan for counties to apply for to use for HAVA requirements. In 2015, former Secretary of State Shantel Krebs along with the State Board of Election members appointed the first HAVA Grant Board and put parameters in place along with creating the applications that counties will use to apply for the grant fund. The members must consist of the Senior Elections Coordinator from the Secretary of States office who will serve as the Chair, four county auditors (two Democrats and two Republicans), member from the Department of Tribal Relations and a member from the disability community. The HAVA Grant Board will make recommendations to the Secretary of State pertaining to the local grant program.



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Kea Warne gave an update on the Help America Vote Act \$3 million Security Grant. In 2017, the federal government passed a security act that gave states money to use for election security and updating election equipment. Each state had to provide match money and South Dakota received that from the legislature during the 2019 legislative session. The Secretary of State's office is purchasing equipment for 36 counties to purchase tabulators and ballot marking devices. The state will send out letters to the counties outlining the equipment the state will purchase. The rest of the counties will be getting reimbursed for election equipment they purchased before the 2018 election. In the letters to the counties, in addition to stating what they will be receiving. They will also be allowed to purchase extra equipment or upgrade to the higher tabulating machine, but they will need to pay that out of county general funds or with their state held county HAVA funds.

Bob Litz stated that the money being spent to upgrade county equipment is one of the best ways the state can use this federal grant. Litz mentioned that the state of Pennsylvania is going into debt upgrading election equipment doing what South Dakota is doing. Our state is very fortunate to be in the position it is. Litz also suggested that the Secretary of State should look at their budget and consider making sure cyber security is being addressed.

#### **Review of HAVA Grant Applications**

Kea Warne explained that counties must be at a zero balance to be able to apply for this grant.

Bobbi Janke asked about the process to request the grant money and if they have to submit receipts.

Kea Warne explained that counties must submit receipts before they are reimbursed. The amounts listed on the grants are estimates of the costs they expect to incur. Many counties can look back at past elections for estimates but there are many counties that have new auditors that have not been through the process.

The HAVA Grant Board recommended voting on the applications for the regular grant in one group and



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voting on the grants for the in-person satellite voting center grants separately.

- A. Brule County requested \$9,000 and had listed expenses of \$10,358. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.
- B. Davison County requested \$9,000 and had listed expenses of \$23,280.00. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.

Travis Arneson joined the meeting at 10:58 am.

- C. Fall River County requested \$9,000 and had listed expenses of \$9,000. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.
- D. Hughes County requested \$9,000 and had listed expenses of \$9,000. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.
- E. Jackson County requested \$9,000 and had listed expenses of \$9,000. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.
- F. Meade County requested \$9,000 and had listed expenses of \$9,200. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.
- G. McCook County requested \$9,000 and had listed expenses of \$9,000. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.
- H. Oglala Lakota County requested \$9,000 and had listed expenses of \$9,000. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.



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- I. Potter County requested \$9,000 and had listed expenses of \$9,000. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.
- J. Sanborn County requested \$6,350 and had listed expenses of \$6,350. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.
- K. Sully County requested \$9,000 and had listed expenses of \$9,000. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.
- L. Todd County requested \$9,000 and had listed expenses of \$10,977. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.
- M. Tripp County requested \$9,000 and had listed expenses of \$11,103.13. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.
- N. Union County requested \$9,000 and had listed expenses of \$9,794. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.
- O. Yankton County requested \$9,000 and had listed expenses of \$11,884.10. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.
- P. Ziebach County requested \$8,100 and had listed expenses of \$8,100. Board member Bob Litz stated that the county met the spend down requirements and all the items they requested meet the HAVA reimbursement requirements.

After reviewing all the applications, the committee held discussion on all the applications.

Bob Litz moved recommending all the \$9,000 HAVA Grant applications except for Ziebach County's application and have a separate vote for that application so Cindy could abstain herself, second by



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Cindy Longbrake. Roll call vote: Rory Mennenger- AYE; Sheila Hagemann- AYE; Bobbi Janke- AYE; Bob Litz- AYE; Alli Moran - AYE; Cindy Longbrake- AYE and Travis Arneson- AYE. Approved.

Bobbie Janke moved to approve Ziebach County's application, second by Bob Litz. Roll call vote: Rory Mennenger- AYE; Sheila Hagemann- AYE; Bobbi Janke- AYE; Bob Litz- AYE; Alli Moran - AYE; Cindy Longbrake- Abstain and Travis Arneson- AYE. Approved.

Board member Bob Litz commented that the HAVA Grant Board just made recommendations to spend \$140,450 on elections through a democratic process.

#### **Review of In-Person Satellite Voting Center Pre-Approval Applications**

Kea Warne explained the process of the In-Person Satellite Voting Centers. Counties do not have to spend down their county funds to apply for this grant. There are parameters in place that a county must meet to be eligible to apply for the In-Person Satellite Voting Center Grant. The grant's goal is to make voting more available to people in areas where travel is a burden. There is no limit on the amount they can request but they still must meet the requirements and follow state reimbursement rates.

Bob Litz had questions on the days listed for some counties who conducted absentee voting at the satellite sites noting that many of them were not open the full 46 days.

Kea Warne explained that there is no state law requiring the site to be open the full 46 days for in-person absentee voting. Counties work with their county commissioners to set the days and hours.

Bob Litz moved voting on each of the in-person applications separately, second by Bobbi Janke. Roll call vote: Rory Mennenger- AYE; Sheila Hagemann- AYE; Bobbi Janke- AYE; Bob Litz- AYE; Alli Moran - AYE; Cindy Longbrake- AYE and Travis Arneson- AYE. Approved.

A. Buffalo County requested \$8,441.88 and had listed expenses of \$8,441.88. Travis Arneson asked for more clarification on the amount. Christine Lehrkamp asked if the amount is just for the Primary





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election or for both the Primary and General election. Kea Warne clarified that the amount requested is for the full election cycle. Cindy Longbrake moved to approve the amount, second by Bob Litz. Roll call vote: Rory Mennenger- AYE; Sheila Hagemann- AYE; Bobbi Janke- AYE; Bob Litz- AYE; Alli Moran - AYE; Cindy Longbrake- AYE and Travis Arneson- AYE. Approved.

B. Dewey County requested \$6,500 and has listed expenses of \$6,005.60. Cindy Longbrake mentioned that the amount requested was more than the expenses listed. Bob Litz questioned approving more money than the listed expenses and stated that in the HAVA Grant Board guidelines there is a clause for extraordinary expenses. He added that he does not believe the board should make recommendations of approving more than what the listed expenses are for a county. Kea Warne clarified that it is up to the board to approve an amount and that counties at this point are just listing an estimate of the costs they will incur. She added that they wouldn't be able to be reimbursed more than the amount requested. Travis Arneson asked if there is a mechanism for this situation. Kea Warne explained that there is not a mechanism. Bob Litz moved to approve the amount listed for expenses of \$6005.60 instead of \$6,500, second by Bobbi Janke. Roll call vote: Rory Mennenger- AYE; Sheila Hagemann- AYE; Bobbi Janke- AYE; Bob Litz- AYE; Alli Moran - AYE; Cindy Longbrake- AYE and Travis Arneson- AYE. Approved.

C. Jackson County requested \$24,094.32 and total expenses of \$23,096. Kea Warne explained that the state had two Memorandums of Understanding with Oglala Lakota County and Jackson County. Oglala Lakota's MOU expired after the 2018 election cycle, but Jackson County's MOU goes through the 2022 Election Cycle. Warne explained that based on the amount requested, Jackson County will not have any money left for the 2022 election cycle. Bob Litz stated that he looked back through notes from a previous meeting when Secretary Krebs was in office. He mentioned that extraordinary cases can be looked at and this would more than likely fall under that category. He recommended that during those election cycles Jackson County request additional funds. Bobbi Janke moved to approve the total expense listed of \$23,096, second by Alli Moran. Roll call vote: Rory Mennenger- AYE; Sheila Hagemann- AYE; Bobbi Janke- AYE; Bob Litz- AYE; Alli Moran - AYE; Cindy Longbrake- AYE and Travis Arneson- AYE. Approved.



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Board went at ease at 11:40 am while copies for Todd County's updated request were made. The Board resumed at 11:52 am.

- D. Todd County requested \$4,805.85 and had total expenses listed of \$4,805.85. Rory Mennenger explained that Todd County did have to redo their original application and that the new application passed out were the numbers to look at for approval. Bobbi Janke moved approval of Todd County's application, second by Cindy Longbrake. Roll call vote: Rory Mennenger- AYE; Sheila Hagemann- AYE; Bobbi Janke- AYE; Bob Litz- AYE; Alli Moran - AYE; Cindy Longbrake- AYE and Travis Arneson- AYE. Approved.
- E. Oglala Lakota County requested \$20,349.03 and had total expenses listed of \$20,349.03. Rory Mennenger noted the math error on the sheet passed out. Bobbi Janke moved approval of the application, second by Alli Moran. Roll call vote: Rory Mennenger- AYE; Sheila Hagemann- AYE; Bobbi Janke- AYE; Bob Litz- AYE; Alli Moran - AYE; Cindy Longbrake- AYE and Travis Arneson- AYE. Approved.

Board member Bob Litz stated that he thought they were all very fair numbers that were being requested for the in-person satellite voting centers. He added that almost two hundred thousand dollars was approved for recommendation to the Secretary of State by a democratic process. Litz stated that it is spendy per vote for the in-person satellite sites, but they serve a great purpose.

The board moved to public comments. C.J. Moit stated that she just called in to see how things were going. Deputy Secretary of State Jason Lutz thanked all of the board members for being involved in a very important process and that this process is important for the counties and the state as a whole. He thanked everyone in the room for their participation and that the Secretary of State's office is here for the counties. Kea Warne thanked all of the board members and especially the county auditors who all agreed to serve another term. Rory Mennenger thanked everyone for their participation.

There were no general remarks.





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Bobbi Janke moved to adjourn at 11:59 am, second by Bob Litz. Roll call vote: Rory Mennenger- AYE; Sheila Hagemann- AYE; Bobbi Janke- AYE; Bob Litz- AYE; Alli Moran - AYE; Cindy Longbrake- AYE and Travis Arneson- AYE. Approved.

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