

# Indiana Election Commission

## Minutes

### November 2, 2017

**Members Present:** Bryce H. Bennett, Jr., Chairman of the Indiana Election Commission (“Commission”); Adam Dickey, Proxy for S. Anthony Long, Vice Chairman of the Commission; Suzannah Wilson Overholt, member; Zachary E. Klutz, member.

**Members Absent:** S. Anthony Long, Vice-Chairman of the Commission.

**Staff Attending:** J. Bradley King, Co-Director, Indiana Election Division of the Office of the Indiana Secretary of State (Election Division); Angela M. Nussmeyer, Co-Director of the Election Division; Matthew Kochevar, Co-General Counsel of the Election Division; Dale Simmons, Co-General Counsel of the Election Division; Abbey Taylor, Campaign Finance staff; Michelle Thompson, Campaign Finance staff.

**Others Attending:** Dr. Bryan Byers, Voting System Technical Oversight Program (VSTOP).

#### **1. Call to Order and Documentation of Compliance with Open Door Law:**

The Chair called the November 2, 2017 meeting of the Commission to order at 11:00 a.m. EDT in the Election Division office in Room E-204, Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana.

Mr. King confirmed that notice of this meeting had been given in compliance with the Open Door Law.

The chair recognized Mr. Simmons, who administered the oath to each individual testifying before the Commission at this meeting.

#### **2. Approval of August 9, 2017 and August 28, 2017 Minutes:**

Mr. King and Ms. Nussmeyer presented the August 9, 2017 and August 28, 2017 Commission minutes for approval. Mr. Klutz moved that the minutes be approved as presented, seconded by Ms. Overholt. There being no further discussion, the Chair called the question, and noted that with four Commission members voting “aye” (Bennett; Dickey; Overholt; and Beckley), and no member voting “nay”, the motion was approved.

#### **3. Approval of Orders 2017-5 through 2017-139:**

Ms. Taylor and Ms. Thompson presented Commission Orders 2017-5 through 2017-139, and noted that these Orders set forth the findings and determinations made by the Commission on campaign finance enforcement actions at its August 18, 2017 meeting. Mr. Klutz moved that the Orders be adopted as presented, seconded by Ms. Overholt. There being no further discussion, the Chair called the question, and noted that with four

Commission members voting “aye” (Bennett; Dickey; Klutz; and Overholt), and no member voting “nay”, the motion was approved.

Mr. Klutz moved, seconded by Ms. Overholt, that the Election Division be authorized to use the signature stamps of Commission members to indicate approval of these Orders. There being no further discussion, the Chair called the question, and noted that with four Commission members voting “aye” (Bennett; Dickey; Klutz; and Overholt), and no member voting “nay”, the motion was approved.

#### **4. Voting System Technical Oversight Program (VSTOP) Report:**

The chair recognized Dr. Bryan Byers, who presented the recommendation of VSTOP that MicroVote Engineering Change Order ECN 117 for Infinity EMS 4.1 be approved for implementation in Indiana. A copy of the recommendation is incorporated by reference in these minutes.

Mr. Klutz asked for clarification regarding the requirement for certification of voting systems by the U.S. Election Assistance Commission (EAC). Dr. Byers responded that Indiana law did not require EAC certification for Commission approval of voting systems or engineering change orders, and that VSTOP had found that the ECO in this case complied with the requirements of Indiana law.

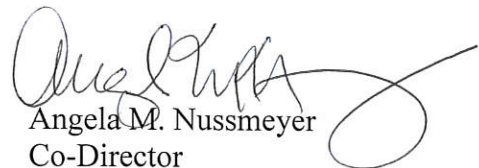
Mr. Dickey moved, seconded by Mr. Klutz, that the MicroVote Engineering Change order ECN 117 for Infinity EMS 4.1 be approved for implementation in Indiana. There being no further discussion, the Chair called the question, and noted that with four Commission members voting “aye” (Bennett; Dickey; Klutz; and Overholt), and no member voting “nay”, the motion was approved.

#### **5. Adjournment**

Mr. Dickey moved, seconded by Ms. Overholt, that the Election Commission do now adjourn. The Chair called the question, and noted that with four Commission members voting “aye” (Bennett; Dickey; Klutz; and Overholt), and no member voting “nay”, the motion was approved. The Commission then adjourned at 11:09 a.m.

Respectfully submitted,

  
J. Bradley King  
Co-Director

  
Angela M. Nussmeyer  
Co-Director

**APPROVED:**

  
**Bryce H. Bennett, Jr., Chairman**