

**SPECIAL SESSION OF THE WINNEBAGO COUNTY BOARD OF SUPERVISORS
WEDNESDAY, JUNE 14, 2006
Winnebago County Courthouse, 415 Jackson Street, Oshkosh, Wisconsin**

At 5:00 p.m., Chairman David Albrecht welcomed members of the Board, representatives from ARC-Winnebago County Disability Association, and the general public to the meeting and invited them to participate in the hands-on demonstration of the Diebold TSX voting system.

Supervisor Hall asked that representatives from Vote Pad be allowed to demonstrate their voting equipment. After Kevin Kennedy of the State Elections Board explained that the Vote Pad is not approved for use in Winnebago County, Chairman Albrecht ruled that Vote Pad would not be allowed to demonstrate their equipment.

Representatives from Diebold Election Systems setup and demonstrated their touch screen voting system. Members of the Board and the public, including people with various types of disabilities, were given the opportunity to use the equipment and ask questions of the vendor. Many of the people who used the equipment were satisfied with its performance. However, a couple of blind citizens did express concerns about the quality of the audio component, as well as confusion with some of the instructions for casting their ballot.

At 6:00 p.m., Chairman Albrecht called the business portion of the meeting to order. The meeting was opened with the Pledge of Allegiance and an invocation by Supervisor Barker.

Motion by Supervisor Hotynski and seconded to adopt the agenda. Carried by voice vote.

The following Supervisors were present: Weber, Barker, Griesbach, Hotynski, Ramos, Maehl, Koziczkowski, Pollnow, Widener, Lauson, Albrecht, Anderson, Thompson, Lohry, Farrell, Hall, Wingren, Jacobson, Norton, Warnke, Spanbauer, Schmuhl, Kline, Locke, Eisen, Schaidler, Finch, Farrey, Sievert, Diakoff, Brennand, Egan, Ellis, Rengstorf and O'Brien.

Excused: Arne, Robl and Lennon.

PUBLIC HEARING

The following people then addressed the board with their questions, concerns and comments about the Diebold touch screen voting system:

Barbara J. Hanson, 1744 Lakeshore Drive, Menasha; Kathleen Propp, representing the League of Women Voters, 1936 Hazel Street, Oshkosh; Michael Huckaby of Madison, Wisconsin, representing the National Federation of the Blind of Wisconsin; John Lemberger, 736 Evans Street, Oshkosh; Eugene Drzycinski, 2040 White Swan Drive, Oshkosh; Ashley Hesse, Arc-Winnebago County Disability Association, 4815 Plummers Point Road, Oshkosh; Gary Jepson, 25 West South Park Avenue, Oshkosh; Ann Frisch, 3565 Bambi Lane, Oshkosh; Mary Ann Offer, 1103 East Parkway Avenue, Oshkosh; Tony Palmeri, 212 West Parkway Avenue, Oshkosh; Steve Barney, 1260 Elmwood Avenue, Oshkosh; Pamela Ubrig, City of Oshkosh Clerk, 215 Church Avenue, Oshkosh; Barbara Van Clake, Deputy Omro City Clerk, 205 South Webster, Omro; Nancy Christensen, Outagamie County Clerk, 410 South Walnut Street, Appleton; Alisha Feidman representing Disability Rights of Wisconsin; Drew Meiske, 320 Rosalia Street, Oshkosh; Don Merkes, 377 Nassau Street, Menasha; Bruce Hungerford, 1437 Windmar Drive, Menasha; Ron Hardy, 1437 North Main Street, Oshkosh;

Diana Smith, representative for Vote Pad, Inc. also addressed the Board stating that she was available if anyone had questions about her company's product.

Kevin Kennedy, Executive Director of the Wisconsin State Elections Board, addressed the County Board and the public by explaining the Help America Vote Act (HAVA) and its various requirements, particularly the requirement that all municipalities must install a piece handicap-accessible voting equipment at each of their polling places that allows someone with a disability to vote privately & independently. He explained that there is \$6,000 in federal money available for each of the state's 2,800+ polling places to be equipped with handicap-accessible voting equipment. Mr. Kennedy stated that it's up to each of the municipalities to choose which type of voting equipment they want for their polling places, however, they may only purchase equipment that has been tested and certified by the Wisconsin State Elections Board.

Mr. Kennedy explained that the State Elections Board (SEB) has asked the county clerks to help their county's municipalities coordinate the purchase of their equipment. This makes the paperwork, purchase and refunding process go smoother, and it helps the smaller municipalities that may not have the time or manpower to dedicate to this project. He explained that they also encourage the county clerks to assist municipalities with this and other projects because of the financial benefits working together generates—shared programming costs, training costs, etc. Mr. Kennedy then explained the various types of handicap-accessible voting machines that the State Elections Board has approved. He stated that many of these new voting machines are components of existing optical scan systems that counties and municipalities are currently using.

Mr. Kennedy then explained the testing and certification process that Diebold and other vendors went

through. He stated that because security issues were raised about Diebold's TXS system late in 2005, the SEB developed security procedures for anyone using Diebold equipment to follow. The SEB has now made those security procedures a requirement for any type of voting equipment, because they realize that the security of elections is dependent on how clerks and poll workers handle and secure the equipment, not only the design of the equipment.

Other points made by Mr. Kennedy included:

- Heightened election security procedures for county and municipal clerks are being developed and will be implemented by this fall's elections
- The Wisconsin Legislature is requiring that each voting equipment vendor provide their source codes for each election to the SEB to be held in an escrow account. Upon request, these source codes would be made available to the candidates.
- All voting equipment must have a paper record of the votes cast by an elector that the elector can examine. Diebold and all the other vendors' equipment meet this requirement.
- The SEB has had representatives from the handicapped community involved in this process since the very beginning of this project in 2001. They have participated in the testing and examination of all of these pieces of equipment.
- This new equipment is available to every voter, not just the disabled. It is important that clerks and poll workers are well trained on this new equipment so they can assist voters at this fall's elections.

Mr. Kennedy then addressed the various concerns raised by members of the public and the Board. He took additional questions from John Bodnar, Winnebago County Corporation Counsel and the County Board.

MOTION TO RECONSIDER RESOLUTION #29-52006

Your undersigned Supervisor who voted on the prevailing side of Resolution #29-52006, hereby moves the Board to reconsider said resolution.

Submitted by:
JOHN SCHAIDLER, DISTRICT 28
COUNTY BOARD SUPERVISOR

Motion by Supervisor Schaidler and seconded to approve the request to reconsider Resolution No. 29-52006. "Authorize Acceptance of a Grant of \$294,000 for the Purchase of 49 New Voting Machines for County and Municipal Use and Appropriate Funds to Capital Outlay Account in the County Clerk's 2006 Budget for that Purpose." Ayes: 28. Nays: 6 – Pollnow, Thompson, Lohry, Hall, Wingren and Norton. Excused: 4 – Lauson, Anderson, Lennon and Robl. CARRIED.

Motion by Supervisor Schaidler and seconded to postpone action on Resolution No. 29-52006 until the Board's regular meeting on June 20, 2006. Ayes: 30. Nays: 2 – Wingren and Spanbauer. Abstain: 1 – Hall. Excused: 5 – Lauson, Anderson, Lennon, Robl and Finch. CARRIED.

Chairman Albrecht adjourned the meeting at approximately 9:40 p.m.

Respectfully submitted,
Susan T. Ertmer
Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the minutes of the Winnebago County Board of Supervisors' special meeting held on June 14, 2006.

Susan T. Ertmer
Winnebago County Clerk