

# Indiana Election Commission Minutes August 9, 2017

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

**Members Absent:** None

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

**Others Attending:** Dr. Jay Bagga and Dr. Bryan Byers, Voting System Technical Oversight Program (VSTOP); Mr. Daniel Dernulc; Ms. Dana Dumezich; Mr. Patrick Gabrione; Mr. Randy Meyer; Mr. Ian Piper, Dominion Voting Systems; Mr. John Reed.

## 1. Call to Order:

The Chair called the August 9, 2017 meeting of the Commission to order at 1:32 p.m. EDT in State House Room 431, 200 West Washington Street, Indianapolis, Indiana.

## 2. Transaction of Commission Business:

The Commission proceeded to transact the business set forth in the Transcript of Proceedings for this meeting prepared by Elizabeth Summers Long of Connor Reporting.

The Commission corrected the following scrivener’s errors in this document:

Page 5, delete line 17, and replace with “there of agreements with committees which have requested as of this date that you ratify”.

Page 13, line 7, before “Kochevar” insert “Mr.”.

Page 13, line 24, replace “.” with “,”.

Page 13, line 25, replace “Another employee” with “and any another employees before it is”.

Page 14, line 2, replace “parts and ballots” with “partisan balance.”

Page 14, line 21, after “12:00” insert “p.m.”.

Page 14, line 23, replace “adoptive” with “adopted”.

Page 15, delete lines 2 and 3, and replace with “This law also provides that if the Lake County Board of Elections and Registration did not”.

Page 15, line 9, after “on” insert “the”.

Page 15, line 11, replace “division” with “committee’s”.

Page 16, line 12, replace “commission” with “Commission’s”.

Page 16, line 14, replace “commission” with “Commission”.

Page 16, line 14, replace “Copy” with “A copy”.

Page 16, line 18, replace “Election” with “Elections”.

Page 16, line 22, replace “, plus” with “to place”.

Page 17, line 5, after “did”, insert “not”.

Page 19, line 25, replace “plans with “plan”.

Page 20, line 3, replace “representatives and” with “representative”.

Page 20, line 16, replace “it’s” with “its”.

Page 23, line 5, replace “Board” with “Party”.

Page 23, line 18, replace “Peg Ecrmon” with “Patrick Gabrione”.

Page 23, line 19, replace “Eleciton” with “Election”.

Page 23, line 24, after “Republican” insert “Party”.

Page 24, line 1, before “Reed” insert “Mr.”.

Page 25, line 22, replace “it’s” with “its”.

Page 25, line 22, replace “it’s” with “its”.

Page 26, line 25, replace “Journal” with “General Assembly”.

Page 27, line 7, replace “2016” with “2017”.

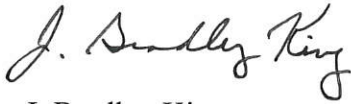
Page 28, line 9, replace “2016” with “2017”.

Page 159, line 1, replace “the commission” with “Commissioner Klutz”.

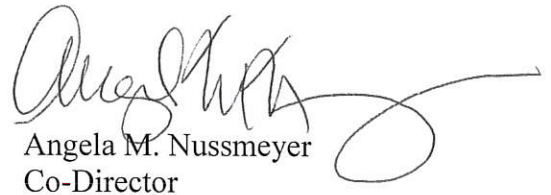
Page 160, line 1, replace “commissions” with “commission’s”.

This document is incorporated by reference into these minutes. The Commission adjourned this meeting at 3:30 p.m.

Respectfully submitted,



J. Bradley King  
Co-Director



Angela M. Nussmeyer  
Co-Director

**APPROVED:**



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

ORIGINAL

*In the Matter Of:*

INDIANA ELECTION COMMISSION HEARING

TRANSCRIPT OF HEARING

August 09, 2017



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Transcript of Hearing  
August 09, 2017

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BEFORE THE INDIANA ELECTION COMMISSION

TRANSCRIPT OF HEARING

Hearing heard on the 9th day of August,  
2017, in the offices of Indiana State House, 200  
West Washington Street, Room 431, Indianapolis,  
Indiana.

A STENOGRAPHIC RECORD

By: Elizabeth Summers Long  
Notary Public  
Stenographic Reporter

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A P P E A R A N C E S

INDIANA ELECTION COMMISSION:

- Bryce H. Bennett, Jr. - Chairman
- S. Anthony Long - Vice-Chairman
- Suzannah Wilson Overholt - Member
- Zachary E. Klutz - Member

INDIANA ELECTION DIVISION STAFF:

- Bradley King - Co-Director
- Angela M. Nussmeyer - Co-Director
- Dale Simmons - Co-Legal Counsel
- Matthew R. Kochevar - Co-Legal Counsel

1 (Time Noted: 1:32 p.m.)

2 CHAIRMAN BENNETT: Call to order the  
3 meeting of the Indiana Election Commission  
4 public session for Wednesday, August 9, 2017.  
5 Time is 1:30 p.m., and the following members of  
6 the commission are present; myself, Bryce  
7 Bennett, Chairman, Vice-chairman, Anthony Long.  
8 Member, Suzannah Wilson Overholt, and member  
9 Zachary Klutz.

10 We have the Indiana Election Division Staff  
11 with us, Co-Director Brad King. And Co-Director  
12 Angela Nussmeyer, Co-General Counsel Dale  
13 Simmons, and general -- and Co-General Counsel  
14 Matthew Kochevar.

15 Our court reporter today is Elizabeth Long  
16 with Connor Reporting. And before we begin, I  
17 want to remind everyone of a couple of things.  
18 Number one, if you are speaking, there is a  
19 button at the bottom of the microphone nearest  
20 you that needs to be pushed and the light needs  
21 to be illuminated green so that your voice can  
22 be amplified and recorded by the court reporter.  
23 So please try to remember to hit that button  
24 when we're speaking so your comments can be  
25 recorded.

1           And, of course, identify yourself when you  
2           begin to speak, spell your name and speak  
3           clearly, and do not speak at the same time as  
4           others.

5           At this time I will request the  
6           co-directors confirm that the commission meeting  
7           has been properly noticed as is required under  
8           Indiana's Open Door Law.

9           CO-DIRECTOR KING: Mr. Chairman and members  
10          of the commission, notice of this meeting was  
11          posted in compliance with the Indiana Open Door  
12          Law.

13          CHAIRMAN BENNETT: At this time, I would  
14          ask for a presentation of the minutes of the  
15          June 23, 2017 meeting.

16          CO-DIRECTOR KING: Mr. Chairman and members  
17          of the commission, previously, copies of the  
18          minutes of June 23, 2017 commission minutes  
19          approved by Co-Director Nussmeyer and myself was  
20          submitted to members, and we recommend them for  
21          your approval.

22          CHAIRMAN BENNETT: Is there a motion to  
23          approve the June 23, 2017 minutes?

24          VICE-CHAIRMAN LONG: Moved.

25          CHAIRMAN BENNETT: Is there a second?

1 MEMBER KLUTZ: Second.

2 CHAIRMAN BENNETT: Is there any discussion?

3 Hearing none, all in favor, say aye.

4 VICE-CHAIRMAN LONG: Aye.

5 MEMBER KLUTZ: Aye.

6 MEMBER WILSON OVERHOLT: Aye.

7 CHAIRMAN BENNETT: Aye.

8 All opposed say nay.

9 Ayes have it, motion carried, minutes are  
10 adopted.

11 At this time we will move our attention to  
12 a ratification of the campaign finance  
13 settlement agreements. And I would ask for a  
14 presentation by Ms. Taylor and Ms. Thompson.

15 MS. TAYLOR: Mr. Chairman and members of  
16 the commission, there is a list in your binder  
17 there of committees that have to ratify to date,  
18 the settlement agreement and waive the hearing.

19 CHAIRMAN BENNETT: Is there a motion to  
20 ratify the campaign finance settlement  
21 agreements as presented?

22 VICE-CHAIRMAN LONG: Moved.

23 CHAIRMAN BENNETT: Is there a second?

24 MEMBER KLUTZ: Second.

25 CHAIRMAN BENNETT: Any discussion? Hearing

1 none, all in favor say aye.

2 VICE-CHAIRMAN LONG: Aye.

3 MEMBER KLUTZ: Aye.

4 MEMBER WILSON OVERHOLT: Aye.

5 CHAIRMAN BENNETT: Aye. All opposed say  
6 nay.

7 Ayes have it. Motion carried and the  
8 agreements are ratified.

9 VICE-CHAIRMAN LONG: Nice job, ladies.

10 CHAIRMAN BENNETT: I would ask that the  
11 oath be administered to individuals testifying  
12 before the commission this afternoon. And I  
13 would ask that Mr. Simmons present that oath and  
14 for everyone present who plans to testify at the  
15 meeting, please stand for administration of the  
16 oath.

17 CO-COUNSEL SIMMONS: Raise your right hand,  
18 say I do after the administration of the oath.

19 Do you solemnly swear or affirm under the  
20 penalties of perjury that the testimony you're  
21 about to give the Indiana Election Commission at  
22 today's meeting is the truth, the whole truth,  
23 and nothing but the truth, say I do.

24 THE WITNESSES: I do.

25 CHAIRMAN BENNETT: Thank you. I now



1 recognize Dr. Jay Bagga and Dr. Bryan Byers from  
2 Ball State University, which administers the  
3 Voting System Technical Oversight Program, also  
4 known as VSTOP, for a presentation concerning  
5 voting systems. At the June 23 meeting, the  
6 commission approved all pending applications for  
7 recertification or engineering change orders  
8 with the exception of an application from  
9 Dominion Voting System. The binders for today's  
10 meeting include a report from VSTOP, behind the  
11 green tab, concerning its recommendations  
12 regarding the approval of certain documents  
13 concerning Dominion Voting Systems as part of  
14 the system recertification process.

15 Dr. Bagga and Dr. Byers, would you please  
16 discuss the status of Dominion Voting System's  
17 application for recertification of the Dominion  
18 Voting GEMS 1.18.24D1.0 system and VSTOP's  
19 recommendation regarding the documents provided  
20 to the commission today.

21 DR. BYERS: Thank you, Mr. Chairman and  
22 members of the commission. My name is Dr. Bryan  
23 Byers. My first name is spelled B-R-Y-A-N, last  
24 name B-Y-E-R-S.

25 This report describes the current status of

1 the Dominion Voting System's compliance with the  
2 requirements of the Indiana Election Commission  
3 resolution 2016-1, dated July 27, 2016.

4 VSTOP received the final revision --  
5 revised revision of the Dominion Voting System's  
6 test report from Pro V&V test lab on August 1,  
7 2017.

8 VSTOP has reviewed the Pro V&V test plan  
9 report. The report states that Dominion Voting  
10 System's compliance evaluated, more specifically  
11 GEMS Election Management System, AccuVote-OS,  
12 optical scanner, and AccuVote-TSX, direct record  
13 electronic device, as presented for evaluation,  
14 meet the requirements for the voting systems of  
15 the State of Indiana as prescribed by Senate  
16 Enrolled Act 61. VSTOP agrees with this  
17 conclusion.

18 DR. BAGGA: Mr. Chairman and members of the  
19 commission, my name is Jay Bagga, J-A-Y,  
20 B-A-G-G-A. I am the co-director of VSTOP.  
21 VSTOP has also received from Dominion the  
22 implementation plan. It is included in Appendix  
23 C of the book for implementing the modified  
24 SEA61 compliant motion, should the commission  
25 approve that modification. VSTOP has reviewed

1 that implantation plan. VSTOP also asked the  
2 lab, Pro V&V, to review the plan. Pro V&V  
3 replies that the implementation plan is  
4 acceptable, and VSTOP agrees with this  
5 assessment.

6 Appendix D, in your folder, has copies of  
7 the communications between Pro V&V, Dominion and  
8 VSTOP. The commission also required Dominion to  
9 provide EB updates, and Dominion did so, filing  
10 a report every Friday since the last commission  
11 meeting.

12 Therefore, VSTOP recommends the approval of  
13 Dominion's Voting System's test report from Pro  
14 V&V, and VSTOP also recommends Dominion Voting  
15 System's implementation plan in that order.

16 Thank you.

17 CHAIRMAN BENNETT: Very good. Thank you.  
18 Is there a representative of Dominion, or any  
19 other person, present who wishes to testify  
20 regarding this matter?

21 MR. PIPER: Yes, sir, I'm Ian Piper, I-A-N,  
22 P-I-P-E-R. With the Dominion Voting Systems,  
23 and the director of Federal Certification.

24 I just do want to thank VSTOP for their  
25 efforts in this campaign and that we will try to

1 meet the implementation by the 17th, should the  
2 commission approve the use of the system. Thank  
3 you.

4 CHAIRMAN BENNETT: Thank you. Anyone else?

5 VICE-CHAIRMAN LONG: Question, Dr. Byers,  
6 you -- this equipment that you talked about, the  
7 ballot reader?

8 DR. BYERS: Yes.

9 VICE-CHAIRMAN LONG: I'm looking at your  
10 summary, under which section of the equipment is  
11 that? I don't see something that says ballot  
12 reader on it?

13 DR. BYERS: The -- are you referring to  
14 AccuVote-OS optical scanner?

15 VICE-CHAIRMAN LONG: I'm just -- you  
16 outlined various parts and components --

17 DR. BAGGA: Yes, sir.

18 VICE-CHAIRMAN LONG: -- tested for. One of  
19 which had to do with the ballot scanners. I  
20 don't see a ballot scanner listed in the VSTOP  
21 report, page 1 of your report.

22 DR. BYERS: So this commission -- on table  
23 2-1, on page 5 of the report, is a table of the  
24 equipment listed and it is AccuVote-OS, which is  
25 the optical scanner.

1 MEMBER WILSON OVERHOLT: That's the scanner  
2 Mr. Long is talking about?

3 DR. BAGGA: Yes.

4 VICE-CHAIRMAN LONG: OS --

5 DR. BAGGA: OS is the optical scanner.

6 VICE-CHAIRMAN LONG: Okay. I don't talk  
7 that language. I call the operating system in  
8 my office OS. So that is an optical scanner?

9 DR. BAGGA: Several, yeah.

10 VICE-CHAIRMAN LONG: Okay.

11 DR. BAGGA: Usually -- has several  
12 implications, in this context, OS stands for  
13 optical scanner.

14 VICE-CHAIRMAN LONG: Keeping the --  
15 excellence and computer work, I obviously took  
16 the wrong interpretation. Thank you.

17 CHAIRMAN BENNETT: Any other questions or  
18 comments from the commission members?

19 Is there a motion to approve the Dominion  
20 Voting System report of Pro V&V laboratories and  
21 Dominions Voting system's implementation plan?

22 VICE-CHAIRMAN LONG: Motion.

23 CHAIRMAN BENNETT: Motion? Is there a  
24 second?

25 MEMBER KLUTZ: Second.

1 CHAIRMAN BENNETT: We have a motion and a  
2 second. Is there any discussion? Very good.  
3 All in favor say aye.

4 VICE-CHAIRMAN LONG: Aye.

5 MEMBER KLUTZ: Aye.

6 MEMBER WILSON OVERHOLT: Aye.

7 CHAIRMAN BENNETT: Everyone opposed say  
8 nay. Ayes have it, motion carried. And we can  
9 go forward.

10 VICE-CHAIRMAN LONG: I think we need a  
11 motion to approve the -- the implementation  
12 schedule. I thought there were two motions that  
13 you requested?

14 CHAIRMAN BENNETT: Well, and I thought that  
15 the motion was to approve both.

16 VICE-CHAIRMAN LONG: That's -- I was  
17 wondering if we could do it all at one --

18 CHAIRMAN BENNETT: Yes.

19 VICE-CHAIRMAN LONG: Okay. For clarity, it  
20 covers both.

21 CHAIRMAN BENNETT: No further discussion or  
22 concerns from the commission?

23 Very well. We will now move to -- thank  
24 you very much.

25 DR. BYERS: Thank you.



1 DR. BAGGA: Thank you.

2 VICE-CHAIRMAN LONG: Thank you.

3 CHAIRMAN BENNETT: We will now turn to the  
4 Lake County Small Precinct Consolidation (P.L.  
5 262-2017).

6 But before taking up this agenda, I think  
7 it would be helpful for Mr. Simmons or Kochevar  
8 to briefly describe the contents of Senate Bill  
9 220-2017 to the commission members.

10 CO-COUNSEL SIMMONS: Mr. Chairman and  
11 members of the commission, I will start with  
12 that and Matthew can certainly jump in. I think  
13 this was covered last -- in the last meeting,  
14 but after each legislative session, the Election  
15 Division summarizes the legislation from that  
16 session.

17 So my presentation, basically, follows the  
18 summary in describing what we're doing in  
19 implementing senate election -- or Senate  
20 Enrolled Act 220, which is also known as Public  
21 Law 262-2017. The legislation established a  
22 small precinct committee in Lake County  
23 consisting of director and assistant director of  
24 Lake County Board of Elections and Registration.  
25 Another employee, before it is approved by

1 unanimous vote of the entire membership of the  
2 board providing that parts and ballots is  
3 maintained. The committee was required to make  
4 findings with respect to three things.

5 Precincts in the county that have fewer  
6 than 600 active voters as defined in 3-11-18.1-2  
7 as of November 1, 2016.

8 Number 2, whether compliance with the  
9 precinct boundaries standards set forth in  
10 Indiana Code 3-11-1.5-4 or 3-11-1.5-5 would  
11 prevent the combination of a precinct with fewer  
12 than 600 active voters with one or more  
13 adjoining precincts.

14 And number 3, the potential savings in the  
15 administration of elections resulting from the  
16 combination of precincts as just described.

17 The small precinct committee was required  
18 by this law to establish any proposed plan to  
19 consolidate a precinct within the county, that  
20 is consistent with these standards. And then  
21 not later than 12:00, June 1, 2017, the Lake  
22 County Board of Election Administration would  
23 require an adoptive proposed precinct  
24 establishment order implementing the findings of  
25 the small precinct committee and file that

1 proposed order with the election division no  
2 later than August 1, 2017.

3 This view also provides that if the Lake  
4 County Board Election Administration did not  
5 file a proposed precinct establishment order,  
6 then the Indiana Election Commission should  
7 adopt a precinct establishment order for Lake  
8 County, not later than September 1, 2017 based  
9 on small precinct committee's proposed plan.

10 However, if the commission does not have  
11 the small precinct division proposed plan and  
12 findings, the commission shall adopt an order  
13 that the commission determines will realize  
14 savings for the county and not impose a  
15 unreasonable obstacles on the ability of voters  
16 of the county to vote at the polls.

17 A proposed precinct establishment order  
18 that is adopted -- takes effect January 1, 2018.

19 However, if an objection is filed to the  
20 proposed order, under 3-11-1.5-18, the order  
21 takes effect January 1, 2018, unless at least  
22 three members of the Indiana Election Commission  
23 affirmatively vote to sustain the objection.

24 Thank you.

25 CHAIRMAN BENNETT: Thank you.

1 Mr. Kochevar, anything to add?

2 CO-COUNSEL KOCHEVAR: Mr. Chairman and  
3 member of the commission, I will concur with  
4 Mr. Simmons' summary of the Senate Enrolled Act.  
5 I will also note that a summary, similar to what  
6 Mr. Simmons has given, can be found in the  
7 Indiana Election Legislative summary that was  
8 produced by the Election Division. That can be  
9 found on page 16 and 17 of that document. Thank  
10 you.

11 CHAIRMAN BENNETT: Thank you. At the  
12 commission's June 23rd meeting, we amended and  
13 adopted procedures and deadlines for the  
14 commissions towards this law. Copy of those  
15 procedures is included in the commissioner's  
16 binders behind the final tab. These procedures  
17 set a deadline of noon, July 13, 2017 for a  
18 member of the Lake County Board of Election and  
19 Voter Registration and director or deputy  
20 director of the Lake County Board, or for a  
21 county chairman of any of the three political  
22 parties currently entitled, plus candidates on  
23 the general election ballot, to file a small  
24 precinct consolidation plan.

25 Procedures set forth the requirements of

1 the contents of a plan, and provides that  
2 Election Division will notify the commission of  
3 a submission of any plan.

4 The procedures specified that the proposed  
5 plan did contain the certain maps and forms and  
6 that the proposed -- then the proposed plan  
7 would not be further considered.

8 Procedures gave an extended deadline at  
9 noon, August 1, 2017, for a submission of a  
10 complete plan by the Lake County Board, and  
11 further specified that a member of the  
12 commission may also submit a plan without being  
13 subject to the July 13th deadline.

14 No deadline is specified in the order for a  
15 commission member to submit a plan.

16 Procedures also state that the commission  
17 may modify plans submitted by -- submitted by  
18 any of the entities entitled to submit a  
19 proposed plan.

20 The Election Division was required to post  
21 each plan on the website as soon as possible  
22 after filing with the notes concerning the  
23 opportunity for public comment, which may be  
24 submitted in written form or in person at this  
25 meeting.

1           The Election Division was also required to  
2 post a copy of these procedures on the website  
3 and to provide a copy of the procedures to each  
4 member of the Lake County Board.

5           Finally, the procedure set the time, date  
6 and location of this meeting, and indicated the  
7 meeting's purpose was to review and discuss  
8 proposed plans and indicate that the commission  
9 may adopt a final order establishing  
10 consolidation.

11           I will ask the Co-Directors to confirm that  
12 the following information is correct.

13           One, a document incorporated material  
14 designated as plan number one was filed with the  
15 Election Division on July 11, 2017 at 2:20 p.m.  
16 as a submission from the Lake County Republican  
17 party chair, Daniel Dernulc, and has been  
18 published on the Election Division website.  
19 Commission members were notified shortly after  
20 the plan was filed.

21           Two, a document and incorporated material,  
22 designated as plan number two, was filed with  
23 the Election Divison on July 11, 2017 at 12:28  
24 p.m., as a submission from Patrick P. Gabrione,  
25 assistant director of the Lake County Board, and



1 has been published on the Election Division  
2 website. Commission members were notified  
3 shortly after this plan was filed.

4 Three, no other plans have been submitted  
5 by any person as of this time.

6 Four, the procedures and deadlines of the  
7 Indiana Election Commission, which contained  
8 another notice that the commission will provide  
9 the opportunity for public comment at this  
10 meeting, either in written form, or in person,  
11 at this meeting, has been published on the  
12 Election Division website.

13 Five, the Election Division provided a copy  
14 of these procedures to each member of the Lake  
15 County Board.

16 Six, the only written comment concerning  
17 any precinct consolidation plan is a letter,  
18 dated July 13, 2017, from James Weiser, chairman  
19 of the Lake County Democratic Central Committee.  
20 The co-directors also received a memorandum,  
21 dated August 4, 2017, where the office of Census  
22 Data, Legislative Services Agency, provided  
23 results of independent review request by both  
24 co-directors regarding whether any precinct  
25 consolidation of either plans, plan number one

1 or plan number two, crosses or breeches any  
2 senate, state senate district, or statehouse  
3 representatives and district.

4 These documents have been included in the  
5 commissioner's binder.

6 Number seven, although the commission was  
7 required to change the location of this meeting  
8 to Room 431, other than Room 243 -- 233, excuse  
9 me, at the Statehouse that notice of this change  
10 has been published on the Election Division  
11 website and posted outside of Room 233.

12 Co-directors, any response?

13 CO-DIRECTOR KING: Mr. Chairman and members  
14 of the commission, the co-directors have  
15 performed each of the duties set forth under the  
16 procedures as adopted by the commission, at it's  
17 previous meeting. I will add for the record  
18 that on June 26, 2017, both the co-directors did  
19 send a letter to the director of the Lake County  
20 Board of Elections and Registration setting --  
21 that included enclosure of the procedures that  
22 the Chair referred to, and copied the division's  
23 requirements to receive this notice. I have  
24 nothing further.

25 CHAIRMAN BENNETT: Thank you, Mr. King.

1 Mr. Kochevar, anything to add -- oh, I'm sorry,  
2 Ms. Nussmeyer?

3 CO-DIRECTOR NUSSMEYER: No, Mr. Chairman,  
4 thank you. I agree with everything that Brad  
5 mentioned in his --

6 CHAIRMAN BENNETT: Thank you.

7 For purposes of the commission's  
8 deliberation today, I'll move for the following  
9 procedures to be followed:

10 Number one, the individual who submitted  
11 plan number one, or a person authorized to  
12 present the plan on his behalf, will be  
13 recognized for no more than five minutes to  
14 address the commission concerning this plan,  
15 unless the commission gives consent to  
16 additional time for presentation.

17 Any individual who wishes to testify  
18 concerning plan number one will be recognized  
19 for no more five minutes to do so, unless the  
20 commission gives consent to additional time for  
21 testimony.

22 Three, the individual who submitted plan  
23 number two, or a person authorized to present  
24 the plan on behalf, will be recognized for no  
25 more than five minutes to address the commission

1 concerning this plan, unless the commission  
2 gives consent to additional time for the  
3 presentation.

4 Any individual who wishes to testify  
5 concerning the plan number two will be  
6 recognized for no more than five minutes to do  
7 so, unless the commission gives consent for  
8 additional time.

9 Finally, number five, time span for  
10 questions from the commission members will not  
11 be counted against the presenter. The Election  
12 Division may alert the commission when a  
13 presenter's time is about to expire.

14 Is there a second for these procedures?

15 VICE-CHAIRMAN LONG: I will second.

16 CHAIRMAN BENNETT: We have a motion and a  
17 second. Is there any discussion?

18 Hearing none, all in favor say aye?

19 VICE-CHAIRMAN LONG: Aye.

20 MEMBER KLUTZ: Aye.

21 MEMBER WILSON OVERHOLT: Aye.

22 CHAIRMAN BENNETT: All opposed say nay.

23 The ayes have it. The motion to adopt  
24 these procedures has been approved.

25 At this time, the commission proceeds to

1 recognize the presenter for plan number one.

2 MS. DUMEZICH: Well, my name is Dana  
3 Dumezich, D-A-N-A, Dumezich, D-U-M-E-Z-I-C-H.  
4 I'm a member of the Lake County Election Board  
5 and Vice-Chairman of the Republican Board.

6 CHAIRMAN BENNETT: Thank you.

7 MS. DUMEZICH: Can you hear?

8 CHAIRMAN BENNETT: Just so I understand,  
9 will you be presenting for all the plans or just  
10 plan number one?

11 MS. DUMEZICH: All.

12 CHAIRMAN BENNETT: All?

13 MS. DUMEZICH: Chairman --

14 MR. DERNULC: I did want to introduce --  
15 chairman and members of the commission, thank  
16 you very much for the time to present my plan  
17 and also the other plan. To let me -- we have  
18 Peg Ecrmon, our deputy-director of the Lake  
19 County Voter Registration Eleciton Board, Dana  
20 Dumezich, our Vice-Chairman for the Lake County  
21 Republican. And to my right, I have John Reed,  
22 our attorney for the county and my name is Dan  
23 D, as in David, E-R-N-U-L-C, and I am the  
24 chairman of the Republican -- I will be handing  
25 it over to Dana, and she will be presenting for

1 myself and Reed.

2 VICE-CHAIRMAN LONG: I couldn't hear your  
3 introducing of the gentleman at the table. I  
4 didn't hear his name. This --

5 MR. GABRIONE: Patrick Gabrione. I'm the  
6 Assistant Director with the Lake County Election  
7 and Registration Board.

8 VICE-CHAIRMAN LONG: I just didn't hear it.  
9 And we've not met before, that's why I --

10 MR. DERNULC: Sorry about that.

11 VICE-CHAIRMAN LONG: I know the guy sitting  
12 by him.

13 CHAIRMAN BENNETT: So you will be  
14 presenting plan number one at this point; is  
15 that correct?

16 MS. DUMEZICH: I will. I'd also like to  
17 point out Randy Meyer, Councilman from Cedar  
18 Lake, who is also here today. Well, so I won't  
19 take up too much of your time. I know -- thank  
20 you very much, ladies and gentlemen. I know we  
21 have flooded you with lots of information in  
22 your inboxes with letters. We are sorry that we  
23 have to bring this before you. We have tried to  
24 ensure the integrity and manageability of our  
25 county's elections. It is our goal to make our



1 precincts equally representative of our  
2 population, cost effective for our taxpayers,  
3 efficient and consistent. We believe in one  
4 person and one vote. There are large  
5 disparities and utilization of resources and  
6 taxpayer dollars within our county, and even  
7 within some of our communities.

8 In East Chicago 20, we have 182 active  
9 voters, and it costs \$3.85 per voter with the  
10 processing time of 15 voters per hour.

11 Cedar Lake 2 has a 1,391 active voters,  
12 with the cost of .50 cents per voter, and  
13 processing time of 116 voters an hour.

14 In Hammond 2, we have 284 active voters in  
15 one precinct that costs \$2.46 per voter.

16 Whereas in Hammond 33, we have 1,114 voters  
17 in the same time at a cost of .62 cents per  
18 voter.

19 I know you guys have heard some expressed  
20 concerns with moving polling locations and  
21 travel. In Gary, polling locations have moved  
22 42 times since 2014. For it's 105 precincts it  
23 has 62 polling locations.

24 In Gary 4, there are two polling locations  
25 that are 1/10th of a mile apart. That we

1 have -- data and I could go on almost forever  
2 and ever until you're all rolling your eyes and  
3 I get into the -- and get lost.

4 So, I'll move on. Legislation was passed  
5 in 2014 and a Supreme Court opinion was issued  
6 on our legislation and still nothing was done.  
7 The legislation was again passed earlier this  
8 year, and still no plan was put forth other than  
9 the plans being presented to you today.

10 Ample time was given the legislation, and  
11 then again by this commission. The actions and  
12 history of our county proves that this will not  
13 be accomplished without the enforcement of  
14 legislation and your oversight.

15 Many other counties have decreased their  
16 number of precincts for the efficiencies created  
17 by the electronic election registration,  
18 electronic voting, and early voting without the  
19 need for legislation and oversight.

20 Marion County produced precincts in 2007  
21 and again in 2011. These efficiencies have  
22 updated the need for small precincts. One out  
23 of every four voters are voting early,  
24 decreasing the stress on the polls. In 2015,  
25 the Indiana Journal realized these trends and

1 increased the maximum precinct size to 2,000  
2 active voters from 1,200.

3 This plan on the -- plan one, now -- plan  
4 one is based on our original proposed plan, that  
5 was lodged at the Lake County Election Board in  
6 compliance with the Public Law 262 on May 30,  
7 2016. This plan, plan one, does not result in  
8 any precinct being larger than the already  
9 existing precinct in Cedar Lake 2, of 1,391  
10 active voters.

11 Okay. I'll move on to plan two quickly.  
12 Plan two is almost exactly the same except for  
13 --

14 CHAIRMAN BENNETT: Just one second.

15 MS. DUMEZICH: Sure.

16 CHAIRMAN BENNETT: Would it be possible to  
17 keep discussions of the plans separate?

18 MS. DUMEZICH: Sure.

19 CHAIRMAN BENNETT: Is your discussion of  
20 one complete at this point?

21 MS. DUMEZICH: I can separate it. It's  
22 all --

23 VICE-CHAIRMAN LONG: Can she repeat what  
24 she just said on the 1,391 in one precinct?

25 MS. DUMEZICH: I'll start the paragraph

1 over and go a little bit slower. I do speak  
2 very fast.

3 VICE-CHAIRMAN LONG: Okay. I'd appreciate  
4 that. I don't spend a whole lot of time in Lake  
5 County.

6 MS. DUMEZICH: This plan, plan one, is  
7 based on the original proposed plan that we  
8 lodged at the Lake County Election Board in  
9 compliance with Public Law 262 on May 30, 2016.  
10 This plan, plan one, does not result in any  
11 precinct being larger than our already existing  
12 precinct in Cedar Lake 2 of 1,391 active voters.

13 And in essence, we didn't find any  
14 precincts over our already existing precinct of  
15 1,391.

16 So in plan one, we call it "Under 1,391,"  
17 there is no precincts exceeding over that.  
18 We -- at no point get near 2,000.

19 There is not a single precinct in Lake  
20 County in plan one that's over 1,391 active  
21 voters. We currently have 11 precincts over  
22 1,200 voters. And out of all of them the  
23 consolidation of any precinct we have of over  
24 1,200 voters will be hard to explain to the  
25 voters in those precincts.

1 Plan one results in a consolidation of 154  
2 precincts with neighboring precincts. Of the  
3 new 369 precincts only 34 of them will be over  
4 1,200. The cost savings and polling location  
5 personnel alone are 1,000 -- or, \$102,000.00 per  
6 election, \$205,000.00 per election year, and  
7 \$615,000.00 per election cycle. The law and  
8 procedures set forth by this commission are  
9 planning -- that active voters, lists of  
10 precincts with active voters under 600,  
11 legislative documentation, colored print maps of  
12 the appropriate size, completed IECA forms,  
13 census block information, and pay role  
14 statistics.

15 Does anyone have any questions?

16 VICE-CHAIRMAN LONG: I have one.

17 MS. DUMEZICH: Sure.

18 VICE-CHAIRMAN LONG: The 36 precincts that  
19 you have that exceed 1,200, is that the new  
20 consolidated precincts, 36 of them?

21 MS. DUMEZICH: It would be 34, yes.

22 VICE-CHAIRMAN LONG: 34, I'm sorry.

23 MS. DUMEZICH: Currently, we have 11, and  
24 that 34 includes the current 11.

25 VICE-CHAIRMAN LONG: So 34 is the total for

1 the county, 11 of those are not involved in the  
2 consolidation?

3 MS. DUMEZICH: Correct.

4 VICE-CHAIRMAN LONG: And that means 23 of  
5 them are over 1,200 as a result of the  
6 consolidation?

7 MS. DUMEZICH: Correct. And let me check  
8 --

9 MR. GABRIONE: Yeah, I could add that  
10 currently -- current precincts in the over 1,200  
11 venue, there are 9 of them in the south and two  
12 of them in the north, okay? Which goes to the  
13 basis of these proposals. When we look at the  
14 future, we call over 1,391 -- nothing over  
15 1,391. There will be an even rate. There will  
16 be 34, 16, and 18. So it does make a further  
17 balance when you look at it this way.

18 We also want to -- we were also suggesting  
19 that there would be only one explanation because  
20 between the two there is only one explanation.  
21 In those two books, everything is the same, from  
22 the mapping and coupling et cetera, except for  
23 that over 1,200 and under 1,200. And the result  
24 in payroll savings or the map couplings and the  
25 way the mapping is done.

1           When you're in the under 1,200, you don't  
2           have as many opportunities to merge. When  
3           you're over 1,200 you do.

4           So the sweet spot in all of the -- in all  
5           of the modeling we did, myself, and Michelle and  
6           my director, on the bottom -- we did back in  
7           2014, we knew right away that 1,200 whichever  
8           way you go, favors either side.

9           So the original one we did, we put together  
10          a 154, which was proposal number one, but we  
11          were sensitive to your motion at your last  
12          meeting where you recommended under 1,200.

13          MS. DUMEZICH: Thank you, Mr. Gabrione.

14          MEMBER KLUTZ: In preparing plan one, did  
15          you attempt to consolidate any precincts that  
16          were under -- or were above -- sorry, under 600  
17          voters? Above -- so if they already have 600  
18          voters would those be consolidated at all?

19          MS. DUMEZICH: Okay. I don't know if I'm  
20          sure I understand your question. So let me --

21          MEMBER KLUTZ: You only consolidated  
22          precincts that included 600 or less voters?

23          MS. DUMEZICH: No, there are a couple of  
24          instances where when you compare the boundaries  
25          and the, you know, location of them, that the --

1 you would pick up a precinct that is, like, 698  
2 and compare it -- combine that with a precinct  
3 that is 284. There -- because, you know, you do  
4 have all the way down to the school district  
5 lines you have to stay within those boundaries.  
6 And they have to be geographically -- you do not  
7 want to cross, you know, railroads as much as  
8 possible. You don't want to create, you know,  
9 corners, for instance, you know, the ones here  
10 and ones here. So there were a few of those in  
11 there, not very many, but there were a few of  
12 them. When I reviewed through all the documents  
13 --

14 MEMBER WILSON OVERHOLT: Did -- in your  
15 work with plan one, did any of that take into  
16 account the instability of polling locations,  
17 for example? And the impact that your  
18 consolidation would have on polling locations  
19 and the ability for voters to get to their  
20 polling location? Public transportation,  
21 whether there was a conceivable polling location  
22 in the new consolidated precincts that would  
23 make sense for voters? Was that part of your  
24 analysis? Or was it strictly the numbers?

25 MS. DUMEZICH: We looked at -- we actually



1 have maps where we have labeled bus routes to  
2 the new precincts. The way -- I'm not sure if  
3 it's done for the rest of the State this way,  
4 but in Lake County, the Democratic precinct  
5 person and the inspector, which is democrat,  
6 that's democrat -- they get to choose the  
7 polling location. Okay? So they move it  
8 wherever they like. We would like to be as  
9 consistent as possible, but not always, as I  
10 informed you in my speech, various -- moved it  
11 62 times in 2014.

12 I did, personally, an in-depth analysis of  
13 Area 44, to look and see and in some cases, by  
14 consolidating it, it's going to make it closer  
15 to a lot of voters. The bus routes, there's bus  
16 routes there. I did point out that in Area 44,  
17 there was a 10th of a mile difference between  
18 one polling and another polling location.

19 MEMBER WILSON OVERHOLT: Right, but in  
20 Gary, a 10th of a mile depending on what 10th of  
21 a mile that is, that could actually be rather  
22 significant.

23 MS. DUMEZICH: We do have -- in Lake County  
24 where we have to drive 10 miles to get to our  
25 polling location.

1 MEMBER KLUTZ: But again, this polling  
2 location is not the issue here.

3 MS. DUMEZICH: No.

4 MEMBER KLUTZ: It's precinct boundaries,  
5 right?

6 MS. DUMEZICH: Yes, it's precinct  
7 boundaries. Right.

8 MEMBER KLUTZ: We're not trying to change  
9 precinct location --

10 MS. DUMEZICH: No.

11 MEMBER KLUTZ: Let me ask a question. Did  
12 any of the precincts that are not combined in  
13 your proposing to consolidate, were they already  
14 at the same precinct location; do you know that  
15 or not?

16 MS. DUMEZICH: In some cases they were.

17 MEMBER KLUTZ: Some cases?

18 MS. DUMEZICH: In some cases they were.

19 And in some of them, and again, when I just did  
20 an in-depth analysis of Area 44, they were  
21 voting outside of their precinct. And as I  
22 pointed out, also, Gary has 105 precincts and  
23 only 60 polling locations. So there are people  
24 in Gary that travel outside of their precinct to  
25 combination sites. I know that's not the model

1 from the people I talked to here. That is  
2 not -- they don't want vote centers. In the  
3 south part of your county we do have vote  
4 centers called combos, where we -- I think,  
5 Michelle's hometown we have -- Michelle could  
6 probably speak to that.

7 We have a very large kind of vote, kind of,  
8 like, plaza, little center we go to use. But  
9 that's just not feasible in the north. But  
10 still it's just not feasible to maintain 105  
11 precincts for -- what is it? 48,000 active  
12 voters.

13 CHAIRMAN BENNETT: Any other questions?

14 VICE-CHAIRMAN LONG: Maybe I should know  
15 the answer to this, probably should, but I don't  
16 so I'll ask it anyway.

17 Did the small precinct committee in Lake  
18 County ever meet?

19 MS. DUMEZICH: Yes.

20 VICE-CHAIRMAN LONG: How many times?

21 MR. DERNULC: I think it may have -- I  
22 can't recall the time we met. I can tell you  
23 that we did not -- we were not able to meet more  
24 than two -- the total time was about two and a  
25 half hours. There were multiple requests for

1 meetings, and we weren't able to get our  
2 counterparts to meet with us.

3 CHAIRMAN BENNETT: Any other questions?  
4 Anything further that you would like to add with  
5 regard plan number one?

6 MS. DUMEZICH: Thank you for your time.

7 VICE-CHAIRMAN LONG: Thank you for your  
8 efforts. I do appreciate that.

9 CHAIRMAN BENNETT: Will you be presenting  
10 plan number two?

11 MS. DUMEZICH: Plan two it's essentially  
12 the same information as I said -- your inboxes  
13 with emails.

14 CHAIRMAN BENNETT: Excuse me. I think  
15 concurrent procedural issue that I --

16 MS. DUMEZICH: Okay.

17 CHAIRMAN BENNETT: I think we should ask if  
18 there's any public comment on plan one before we  
19 move to plan two. Hearing none, let's proceed  
20 to plan two.

21 MS. DUMEZICH: My name is Dana Dumezich. I  
22 spelled my name previously. And I represent on  
23 plan number two. Plan number two is almost  
24 exactly the same. We modified our original plan  
25 that we lodged at the Lake County Election Board

1 to make it agree with what you had asked,  
2 keeping the maximum consolidating precinct under  
3 1,200. That, I can guess, are the exact same  
4 information, the county stays the same, what the  
5 difference actually results in is plan number  
6 two results in a consolidation of 126 precincts,  
7 neighboring precincts, and the cost savings in  
8 polling location personnel alone, when I say  
9 polling location personnel alone, I'm just  
10 talking about paying the judge, the clerk, and  
11 the inspector, that doesn't talk about rentals,  
12 machines, transportation, nothing else besides  
13 that. The polling location personnel alone is  
14 \$84,000.00 -- almost \$85,000.00 per election.  
15 And \$509,000.00 four-year election cycle. With  
16 that plan, we still have 11 precincts over 1,200  
17 because they're currently existing. And I don't  
18 believe we're going to be splitting them. It  
19 just wouldn't make sense, especially in essence  
20 of us coming down and asking for a larger  
21 precinct size.

22 Does anyone else have anymore questions? I  
23 mean, I really could throw out a bunch of  
24 different data and you guys all rolling your  
25 eyes at me.

1 MEMBER KLUTZ: Perhaps for the record we  
2 could have a statement of cost savings that  
3 you've calculated for the per election and  
4 election cycle basis, too?

5 MS. DUMEZICH: Could you say that again?  
6 I'm sorry.

7 MEMBER KLUTZ: Yeah, perhaps you could give  
8 us the cost savings per election and for the  
9 election cycle that you predict for plan two?

10 MS. DUMEZICH: For plan two?

11 MEMBER KLUTZ: Thank you.

12 MS. DUMEZICH: Per election is \$84,950.00.  
13 That's adding it together. Get that for each  
14 election here. And then \$509,700.00 per four  
15 year election cycle. And that's just  
16 multiplying that three times because we only  
17 have election one year.

18 CHAIRMAN BENNETT: Can you contrast that  
19 with number one, again?

20 MS. DUMEZICH: Sure. Okay. We'll go to  
21 the basics, to the per election. So for  
22 election -- for plan one, which is under 1,391  
23 active voters, it's \$102,530.00 per election.  
24 For plan two, which is under 1,200 voters, it's  
25 \$84,950.00 per election.

1 And then do you want me to give you  
2 four-year election cycle?

3 CHAIRMAN BENNETT: Yeah.

4 MS. DUMEZICH: For the four-year election  
5 cycle plan one, which is under 1,391 active  
6 voters, it's \$615,180.00. For plan two, which  
7 is under 1,200 active voters, it's \$509,700.00.

8 CHAIRMAN BENNETT: Are there any other  
9 significant differences between the two plans  
10 except for the costs and the number of active --  
11 number of active voters? Are those the two  
12 major differences?

13 MS. DUMEZICH: Those are the two major  
14 differences. I mean, there's a little bit of  
15 shuffling when we had to, like, take one that  
16 was at say 1,219 voters, and we couldn't combine  
17 that in plan two. We had to move it to another  
18 one, and then leave a precinct that is under 600  
19 because there was no place else to put it.  
20 Because there are some precincts that we  
21 actually had no place else to put it because of  
22 legislative boundaries, mapping boundaries,  
23 school districts, et cetera.

24 CHAIRMAN BENNETT: Any other questions from  
25 the commissioners on either one of the plans?

1 MEMBER WILSON OVERHOLT: Was plan two ever  
2 submitted to the board?

3 MS. DUMEZICH: Yes.

4 MEMBER WILSON OVERHOLT: When did you do  
5 that?

6 MS. DUMEZICH: Pardon?

7 MEMBER WILSON OVERHOLT: When was that  
8 done?

9 MS. DUMEZICH: About the same time as plan  
10 one. I think it's on the website.

11 MEMBER WILSON OVERHOLT: I'm sorry. The  
12 county board, not us. The -- I'm just looking  
13 at the statutes that you presented plan one to  
14 the election board in May 2016. I'm wondering  
15 when you submitted plan two to the county board?

16 MR. REED: We did not -- it was submitted  
17 to the Indiana Election Division, not the county  
18 board.

19 MEMBER WILSON OVERHOLT: Okay. So that's  
20 what's confusing. Because you used the term  
21 board. Okay. So none of these were submitted  
22 at county level, then?

23 MS. DUMEZICH: We did lodge one at the  
24 county level. We lodged a report, it was not  
25 voted on.



1 VICE-CHAIRMAN LONG: Whose plan was  
2 submitted to the county? And I'm calling it the  
3 committee, that's what the statute called it.  
4 The small precinct committee, you met for two  
5 and a half hours? Was the plan submitted?

6 MR. REED: If I might clear that up. My  
7 name is John Reed. I'm an attorney for the Lake  
8 County Republican Party and also for the  
9 Republican election board.

10 The plan that was lodged with the Lake  
11 County Board of Elections and Registration was a  
12 plan that was derived from the republican side  
13 of the table. There was not a plan that was  
14 agreed upon in the small committee level. The  
15 small precinct committee never presented a plan,  
16 never could agree on getting together. I mean,  
17 it's like any other, I suppose, settlement or  
18 negotiation, once you reach -- no such plan came  
19 out of the small committee. The small committee  
20 failed to perform its given task.

21 VICE-CHAIRMAN LONG: My question is did the  
22 small precinct committee ever meet? That was my  
23 question.

24 MR. REED: Yes.

25 VICE-CHAIRMAN LONG: This gentleman said

1 two and a half hours.

2 MR. REED: I think there were two or three  
3 meetings that lasted over --

4 MR. GABRIONE: Over months.

5 VICE-CHAIRMAN LONG: Okay.

6 MR. GABRIONE: An hour here, a half hour  
7 there, 20 minutes.

8 VICE-CHAIRMAN LONG: And did the republican  
9 side of the aisle submit either plan to that  
10 committee in any one of those two or three  
11 meetings?

12 MR. GABRIONE: This republican at that  
13 committee, submitted what I had when we started  
14 at the first -- plan one, started on and I  
15 showed my numbers. We were complete. The other  
16 side said, "I don't have an answer yet. I don't  
17 have an answer yet." That was the sum total of  
18 those meetings.

19 VICE-CHAIRMAN LONG: So your plan, was it  
20 plan one that you submitted? Or was it plan two  
21 or something different?

22 MR. GABRIONE: It was -- we were working at  
23 that time before your recommendation of under  
24 1,200. We were working on the what we would now  
25 call the under 1,399 -- 1,391, so we were

1 working on plan one.

2 VICE-CHAIRMAN LONG: Plan one? So you were  
3 working on plan one. My question --

4 MR. GABRIONE: I completed it.

5 VICE-CHAIRMAN LONG: I apologize because  
6 I'm a trial lawyer and I -- my question is  
7 pretty narrow, was the plan one that was  
8 submitted to this board ever laid in front of  
9 the small precinct committee?

10 MR. GABRIONE: The numbers of mergers were  
11 --

12 VICE-CHAIRMAN LONG: No, that's not --

13 MR. GABRIONE: The total plan of 900 pages?  
14 No.

15 VICE-CHAIRMAN LONG: Okay.

16 MS. DUMEZICH: May I --

17 VICE-CHAIRMAN LONG: Don't read anything  
18 into my question. I'm not real happy with the  
19 Democrat Party in Lake County. We're involved  
20 in something that in another forum, I'll  
21 register my feelings. But the fact that we have  
22 been called upon, as legislative, to do  
23 something. So I want to be precise in what  
24 exactly happened that has brought us here today.  
25 And that's -- I'm not challenging or questioning

1 your motive, your work, but I just don't want  
2 you to think -- I'm not being a political  
3 adversary here. Even though I'm on the democrat  
4 side of the aisle. I want to find out what you  
5 all did to further this process from the  
6 legislation. And you've done that, and I  
7 appreciate that.

8 MS. DUMEZICH: Thank you, sir.

9 CHAIRMAN BENNETT: Do you want to add  
10 anything else?

11 Are there any public comment on plan two?  
12 Hearing none at this point, I will close the  
13 public hearing, in which we provided an  
14 opportunity to the public time -- comment on  
15 this plan in accordance to the procedures.  
16 Having heard the presentation and testimony of  
17 these plans is there any further commission  
18 discussion?

19 VICE-CHAIRMAN LONG: I would like to  
20 just -- first of all, point of personal  
21 privilege that -- I said it before, and I  
22 reiterate, for those -- for the Democrat Party  
23 here, I'm personally not very happy with the way  
24 this has been handled. That being said,  
25 Commissioner Overholt and I spent some time

1 reading the statute, and we've -- as we  
2 interpret it, and again, that's -- I guess, I  
3 don't know if it's an advantage or a  
4 disadvantage to have a lawyer on the commission,  
5 but under -- well, I'm calling -- I'm reading  
6 from the session one, paragraph F, and that  
7 33651210, is that it?

8 MEMBER KLUTZ: Yes.

9 VICE-CHAIRMAN LONG: Okay. "If a proposed  
10 precinct establishment order is not filed as  
11 provided under subsection (e), the commission  
12 shall adopt a precinct establishment order for  
13 the county not later than September 1, 2017,  
14 based on the committee's proposed plan." I  
15 don't think that applies. Because the committee  
16 has not submitted a plan. And there is a  
17 significance that -- and I gave Commissioner  
18 Overholt credit for helping me through this.  
19 She employed her thoroughness.

20 So that first sentence doesn't apply. The  
21 second sentence, I think stands alone and says,  
22 "The commission -- if the commission does not  
23 have the committee's plan and findings  
24 available, the commission shall adopt an order  
25 the commission considers will do both of the

1 following: (1) Realize the savings for the  
2 county, (2) Not impose unreasonable obstacles on  
3 the ability of the voters of the county to vote  
4 at the polls."

5 Keeping -- end quote -- keeping in mind  
6 that boundary standards set forth in the Indiana  
7 Code 3-11-1.54 and 5, in the same act are  
8 reiterated about the adjoining precincts and all  
9 the district requirements that had to be there.  
10 And it seems our interpretation of this, at  
11 least mine from our discussion, I guess I should  
12 only speak for myself, if there's a proposed  
13 plan that does -- is not accompanied by an  
14 established order, and they've got until  
15 August 1 of 2017 to file that. We are then  
16 given 30 days to accomplish what, from my  
17 experience on -- a couple of years that I've  
18 been on this commission, to have staff reviews  
19 for the compliance with the material and the  
20 statutory requirements that we -- that -- the  
21 division advised us on, and a submission over to  
22 the census data folks, the service agency, for  
23 their review and report. It gives us a 30-day  
24 window to do that. And that takes into  
25 consideration, from my perception of the

1 statute, a lot of work has been done by the  
2 committee, we're just dotting the Is and  
3 crossing the Ts, and see what we can find that  
4 the statutes have. Not having that, then it  
5 falls back on us to adopt an order that takes  
6 certain steps to do and to find certain new  
7 precincts and there's a timeline, and direct our  
8 counsel to do that. But it's a timeline that  
9 recognizes that the legislature seems to want  
10 the county committee to adopt an order by June  
11 the 1st, then they would have until August the  
12 1st to submit it. That's their internal work, I  
13 presume, and again, I've never done a precinct  
14 work at county level, but I've been here a year  
15 or two and I know it's a big job.

16 And then they draw their lines, and I think  
17 there are may be notices, and hearings and  
18 things that have to be had. And then they  
19 submit their proposed plan and got two months to  
20 do that. And I don't believe that the  
21 September 1st deadline, under the scenario we're  
22 in, applies to the fact situation that we have.  
23 And I say that, and we've spent some time  
24 thinking this through, how do we get this done  
25 in such a way that discharges our duties as a

1 legislation? I know at one point there was a  
2 quarrel between -- I don't know what number, but  
3 it was go to 500 or 600, the legislature spoke  
4 on that and that issue is closed in my mind.  
5 It's 600 for you to work with.

6 I believe there's authority from the 1,200  
7 recommendation that we recommended, and I  
8 applaud what the Republicans in Lake County --  
9 for giving us data on the savings and, you know,  
10 I have no reason to dispute your findings. And  
11 no one from the Democrat Party has chosen to  
12 step up here today and dispute that. But I  
13 think that we've got to undertake duties that  
14 the small committee -- small precinct committee  
15 was supposed to do in Lake County and didn't.  
16 And to that end, we've asked our staff, we  
17 talked at -- fairly significant length on this  
18 to come up with a procedure, hand that out to  
19 you.

20 That's yours.

21 And going through this it says, basically,  
22 it reiterates that the code and what the  
23 responsibilities were. But because we have  
24 undertaken a responsibility of that committee to  
25 follow all of these guidelines and have the



1 specific thing that we have to add, not impose  
2 unreasonable obstacles on the ability -- that we  
3 though, in our discussion, that the most fair  
4 way to do that, would be to submit, basically,  
5 in summary, to submit -- and I and my staff,  
6 because I interpret what we said and what they  
7 quantified here. We would submit this issue,  
8 along with both of these plans that have been  
9 submitted to the staffs, allow them to work on  
10 this, work on -- to the extent necessary, and  
11 census data, and we have for certain that we did  
12 all their compliance. And then something that  
13 has -- I don't think has been done in Lake  
14 County, that we would actually go to Lake County  
15 and have a public meeting and invite the  
16 citizens who are going to be affected by this to  
17 come in and talk to us. And we would do that  
18 sometime in November -- actually, no later  
19 than -- I think we were -- I asked and put  
20 together -- we didn't discuss actual dates, but  
21 I asked them to put together a schedule  
22 requirements -- publication requirements so that  
23 the voters in Lake County, north end, south end,  
24 central part, can come -- and they don't have to  
25 come to Indianapolis, we go up there. And, I

1 mean, this is fallen upon us by the legislature,  
2 and I think it's our duty to listen to the  
3 voters in Lake County.

4 And then after we do that, and we have the  
5 input, with the publication that we are  
6 suggesting, that we utilize that data and the  
7 input from that hearing, the cost savings, as I  
8 said, I have no reason to -- I guess, we'd have  
9 to review it again and ask staff to do that.  
10 But I'm -- I'm sure she presented reliable  
11 numbers here today based on the calculation.

12 And listen on the issue of the obstacles  
13 with the ability to vote, that we have the  
14 citizens up there have an opportunity to come in  
15 and talk to us. And then when we do that, we  
16 have a meeting and -- I think it's early  
17 December, as I recall. I believe that's what it  
18 came down to, or was it 15th? Oh, whatever it  
19 is, we would publish it. It would be effective.  
20 This does not take -- and this doesn't -- we  
21 don't think it affects anything and I asked  
22 those specific questions to our staff.

23 Is there anything -- assuming we did this,  
24 got it all done by September 1, would anything  
25 happen immediately after that, it could have

1 happened just as easily by December 1st?

2 MS. DUMEZICH: Sir?

3 VICE-CHAIRMAN LONG: You will get it in a  
4 minute.

5 And I -- and that's why they were not able  
6 to tell me, our staff, was not able to tell me  
7 anything that would affect this because it  
8 doesn't apply until February 1, 2018.

9 We ask you -- we think that this discharges  
10 our duty. I am not prepared to vote today on  
11 something that I'm really uncomfortable and  
12 history here -- it's been Lake County and I  
13 know -- up there, and I have dear friends that I  
14 consider on both side of the aisle there. That  
15 we, at one time, the obstacle, or the railroad  
16 that splits the precinct and people had trouble  
17 traveling some considerable distance years ago  
18 to get around and get across it and go 100 yards  
19 from the polling place to get to vote.

20 I would like to have folks that are  
21 affected by this, have an opportunity to weigh  
22 in. And they say it's no problem, then we've  
23 done our due diligence. But apart from that, we  
24 then as a system that get it done, we'll  
25 discharge our duties. I think the staff should

1 get considerable weight to the efforts of these  
2 folks and come here and make these presentations  
3 and making their decision. This is -- I can  
4 tell you, all sincerity this is just not  
5 something that I'm doing that I think is a leg  
6 up to anybody. I think that to discharge -- I  
7 can't vote on a reasonable obstacle issue  
8 because I don't think we have adequate  
9 information before us. That's all I have.  
10 Thank you.

11 MEMBER KLUTZ: For clarification, you're  
12 talking about the the process -- you're talking  
13 about, with respect to staff review, census  
14 review with respect to these two plans?

15 VICE-CHAIRMAN LONG: No with respect to the  
16 staff, will make recommendations, get -- and I  
17 wanted to use these plans --

18 MEMBER KLUTZ: Recommendation --

19 VICE-CHAIRMAN LONG: -- it may be the plan.  
20 It may be something different that they find. I  
21 just want to staff on both sides of the aisle to  
22 weigh in on it. And I believe that our staff  
23 are professional enough to take a couple of  
24 weeks to plan to do that.

25 MEMBER WILSON OVERHOLT: And if I may

1 clarify, I mean, it's really, I think, what we  
2 are contemplating is that it's essentially staff  
3 stepping in to the role that the small precinct  
4 committee should have performed and since that  
5 committee didn't do that work, to have our  
6 staff, from both sides, do that work. They've  
7 got the benefit of having these two plans. If  
8 they have to -- if they feel the need to start  
9 from ground zero, they can start from ground  
10 zero. And then the timelines were meant to be  
11 basically consistent with the amount of time  
12 that was being granted to the small precinct  
13 committee and the statute.

14 MEMBER KLUTZ: Why we put the procedures in  
15 place to have --

16 COURT REPORTER: I'm sorry. Could you  
17 speak up a little bit?

18 MEMBER KLUTZ: I'm questioning why we put  
19 these procedures in place, which I think we have  
20 in the past, and ask these people to do all this  
21 work and anybody could have done it, anybody  
22 could have reviewed these online. And now we're  
23 saying, "We appreciate it, but I don't trust  
24 it."

25 VICE-CHAIRMAN LONG: I didn't say I didn't

1 trust it. I didn't say that.

2 MEMBER KLUTZ: So we're just going to fact  
3 check these two plans? Is that what you want to  
4 do?

5 VICE-CHAIRMAN LONG: I think Suzannah said  
6 it clearest. We think the staff should step  
7 into the role and I think we should get -- the  
8 efforts these people have done, I've said it  
9 many times, I'll repeat it again, the democrats  
10 have dropped the ball on this. And I don't want  
11 these plans carved out, I want them looked at,  
12 I'm most uncomfortable with the -- with the  
13 obstacle ability of voters, and I have not heard  
14 enough evidence today -- no one has -- the  
15 answer to that question has been, "Well, the  
16 Democrats picked the polling places, so we can't  
17 answer that."

18 MEMBER KLUTZ: They took those factors into  
19 consideration when they created this plan. And  
20 there was no evidence that said this plan  
21 creates obstacles.

22 MEMBER WILSON OVERHOLT: But the plan --  
23 the thing is when you're talking about "the work  
24 that these people have done" yes, it's great  
25 that these folks did this work, but the statute

1 dictates who was supposed to do the work. It  
2 wasn't done by those people. And we're -- what  
3 we were tasked with was acting on a plan  
4 submitted by a small -- a small precinct  
5 committee. That plan does not exist.

6 MEMBER KLUTZ: We created procedures and  
7 asked people to put this together for our review  
8 today.

9 VICE-CHAIRMAN LONG: We didn't ask them to  
10 put it together. We created procedures that  
11 allowed people to submit plans to us. We  
12 actually --

13 MEMBER KLUTZ: Distinction --

14 VICE-CHAIRMAN LONG: -- recall a -- we  
15 wanted the small precinct committee, the two  
16 parties, to get together in Lake County and  
17 resolve this problem as they should, but they  
18 didn't.

19 CHAIRMAN BENNETT: Let me ask a question of  
20 the Election Division staff.

21 Is anyone on staff aware of any  
22 communications from anyone in Lake County who  
23 said that they couldn't be here today for any  
24 reason? That they couldn't prepare for any  
25 reason for today?

1 CO-DIRECTOR NUSSMEYER: Not from my  
2 perspective, Mr. Chairman.

3 CO-COUNSEL KOCHEVAR: No, not to my  
4 knowledge, Mr. Chairman.

5 CHAIRMAN BENNETT: So the opportunity for  
6 public comment was today, and duly noticed, and  
7 set for some time. I'm sensitive to the idea of  
8 hearing from the people of Lake County, but  
9 we've given that opportunity and they've elected  
10 not to take it. So I don't see that we need to  
11 send this commission up to Lake County if  
12 they're not interested in providing input on the  
13 plans.

14 MEMBER WILSON OVERHOLT: Well, if you're  
15 saying that it's reasonable for this commission  
16 to sit here and think that the voter in East  
17 Chicago, or Gary, or Hammond, who may be trying  
18 to figure out how they're going to get to their  
19 job, because they don't have meaningful  
20 transportation, is going to be able to get to  
21 Indianapolis to testify in front of this  
22 commission in the middle of a Wednesday  
23 afternoon, I think it's unreasonable for us to  
24 think that we're, you know, giving some  
25 meaningful opportunity for the average voter in



1 Lake County, who, from the areas that are most  
2 affected by this consolidation, to actually  
3 comment on this.

4 VICE-CHAIRMAN LONG: I think, also, there's  
5 been no communications from any publications  
6 that the average voter in Lake County had any  
7 idea of what's going on with how they're being  
8 affected. I have not heard a word of that.

9 CHAIRMAN BENNETT: I would hope that their  
10 party's leaders would keep them informed and  
11 maybe offer a ride or offer a computer terminals  
12 to send an email or telephone lines to make a  
13 call. There's a lot of communication options in  
14 today's modern society that I don't know if  
15 anyone has attempted in any way to let this  
16 commission know of any objections to the two  
17 plans that have been filed.

18 And I'm not going to go door to door and  
19 ask every voter's opinion on this. I think  
20 there's an obligation of voters and their party  
21 to make their positions known. Today was the  
22 day to do it, and the previous deadlines have  
23 expired. I think we're in a position to make a  
24 reasonable decision between the two plans  
25 presented.

1 VICE-CHAIRMAN LONG: I move this forward --  
2 I move that the option would be the  
3 consolidation order that I -- the proposed order  
4 that I submitted as the action of the committee  
5 today established is the next step in  
6 discharging the statutory duties.

7 CHAIRMAN BENNETT: You're not talking about  
8 the consolidation order, you're talking about  
9 the procedures --

10 VICE-CHAIRMAN LONG: Procedure order that I  
11 submitted here today.

12 CHAIRMAN BENNETT: This is not an order of  
13 consolidating --

14 VICE-CHAIRMAN LONG: No, it is not. It is  
15 a procedure to start the process that I think  
16 the legislature -- that we would have to do.  
17 They didn't do it. These folks sitting here --  
18 Lake County, the county did not do it. It then  
19 becomes incumbent on the commission to do it.  
20 And I am not prepared to adopt either plan one,  
21 as my order, I'm not convinced that I can  
22 discharge my responsibilities with the evidence  
23 that we're heard today.

24 CHAIRMAN BENNETT: We have a motion on the  
25 floor. Before I ask for a second, I would

1 suggest that because this was presented to  
2 myself and counterparts on the commission today  
3 for the first time at this hearing, that we be  
4 permitted a short recess and opportunity to just  
5 read --

6 VICE-CHAIRMAN LONG: I move we recess to  
7 allow that.

8 CHAIRMAN BENNETT: Is there a second to  
9 motion recess? I'll second.

10 (A short recess was taken off the record.)

11 CHAIRMAN BENNETT: The commission hearing  
12 is now back in session. And we appreciate the  
13 due diligence for an opportunity to review the  
14 materials that were submitted here today.  
15 Before we took a recess, I believe we had a  
16 motion made by Commissioner Long to adopt  
17 certain procedures, and that motion has not been  
18 seconded.

19 Is there a second to Commissioner Long's  
20 motion?

21 MEMBER WILSON OVERHOLT: Second.

22 CHAIRMAN BENNETT: We have a motion and a  
23 second. Is there any discussion on that motion?

24 I guess for my own part, I would like to  
25 say that I don't agree that the statute, which

1 contains the September 1 deadline, is not -- our  
2 situation here today.

3 I think that the legislation intended for  
4 this body to take over and legislate this issue  
5 and establish a deadline of September 1. And  
6 it's my belief that we have an obligation to  
7 comply with that deadline.

8 Any other comments with regard to the  
9 motion? Hearing none, all in favor of motion to  
10 adopt the new procedures say aye.

11 VICE-CHAIRMAN LONG: Aye.

12 MEMBER WILSON OVERHOLT: Aye.

13 CHAIRMAN BENNETT: All opposed say nay.

14 MEMBER KLUTZ: Nay.

15 CHAIRMAN BENNETT: Nay.

16 Motion is two-two, and thereby doesn't have  
17 a pass.

18 Are there any other motions?

19 MEMBER KLUTZ: Chairman, I'd like to make a  
20 motion that we accept and adopt plan one as  
21 submitted. I believe, when I review my notes  
22 from the testimony, it appears that the  
23 preparers took into account all reasonable  
24 efforts to keep the precinct at approximately  
25 1,200 active voters.

1           It appears they ensured the consolidation  
2   plan was savings for the county. It appears  
3   they took into account the consolidation plan  
4   didn't burden or create any obstacles for the  
5   voters in the consolidation plan. So I support  
6   plan A.

7           CHAIRMAN BENNETT: Plan one?

8           MEMBER KLUTZ: Plan one.

9           CHAIRMAN BENNETT: Is there a second for  
10   that motion?

11          I will second that motion.

12          Any further discussion?

13          Hearing none, all in favor of adoption of  
14   plan one say aye.

15          MEMBER KLUTZ: Aye.

16          CHAIRMAN BENNETT: Aye.

17          All opposed say nay.

18          VICE-CHAIRMAN LONG: Nay.

19          MEMBER WILSON OVERHOLT: Nay.

20          CHAIRMAN BENNETT: The vote is two-two, and  
21   the motion to adopt plan one does not carry.

22          Any other motions?

23          MEMBER KLUTZ: Mr. Chairman, while plan one  
24   was preferred, based on what I heard, the  
25   testimony I heard, I make a motion that

1 commission adopts plan two, similar to plan one,  
2 I believe that all reasonable efforts were taken  
3 to keep precincts at approximately 1,200 active  
4 voters. It appears that the consolidated plan  
5 realizes savings for the county. And it appears  
6 that the preparers of the plan took into  
7 consideration not to include or allow the plan  
8 to create any unreasonable obstacles on the  
9 active voters for the consolidated precincts.

10 CHAIRMAN BENNETT: Thank you. Is there a  
11 second to the motion?

12 I will second the motion. Any discussion?

13 Hearing none. All in favor of adoption of  
14 plan two say aye.

15 MEMBER KLUTZ: Aye.

16 CHAIRMAN BENNETT: Aye.

17 All opposed say nay.

18 VICE-CHAIRMAN LONG: Nay.

19 MEMBER WILSON OVERHOLT: Nay.

20 CHAIRMAN BENNETT: We have a two-two, due  
21 to split motion to adopt plan two, does not  
22 carry.

23 Any other motions?

24 VICE-CHAIRMAN LONG: I think to discharge  
25 our responsibility -- move to refer this to

1 division staff to put their heads together and  
2 better work out the predicament we're in and  
3 report back to us.

4 MEMBER WILSON OVERHOLT: I would second  
5 that motion.

6 CHAIRMAN BENNETT: We have a motion and  
7 second. I'll offer this for discussions, I  
8 believe that we have discharged our duties to  
9 the best of our ability and we have three  
10 deadline motions as a result of it. I think the  
11 staff has done the job -- a very good job, I  
12 think. A good job was done by the county  
13 republicans in providing us with the information  
14 we needed to make decisions today. I'm  
15 disappointed that there were no evidence or  
16 testimony on the democrat side, didn't have any  
17 records, but it is what it is. And I'm not  
18 inclined to request this staff to go any further  
19 at this point in time.

20 Any other comments or discussion?

21 Hearing none, all in favor --

22 MEMBER WILSON OVERHOLT: Actually, I'd like  
23 to add a comment.

24 I disagree. I don't think we have -- we  
25 need to do something. We have not discharged

1 our duty. The small precinct committee did not  
2 do its work. We need to pick up that work, you  
3 know, we just letting -- I mean, now it looks as  
4 if this commission is coming to a point that  
5 apparently the small precincts committee in Lake  
6 County came to, which in my mind is equally  
7 unacceptable. This is -- this is about making  
8 sure that voters are able to vote. They're able  
9 to vote in locations that allow them to  
10 reasonably cast their votes. And it feels to me  
11 like we were now abdicating our role by just  
12 saying, "Let's, you know, drop it because we  
13 have failed votes." I think we now need to come  
14 up with a solution.

15 VICE-CHAIRMAN LONG: For the record, I  
16 would like to add on to that, is that we have an  
17 obligation to adopt an order, the statute is  
18 mandatory, it's not made, "Shall adopt an  
19 order." And I think until we have exhausted  
20 every reasonable possibility, we have not  
21 discharged our duties, and that any action from  
22 here today, walk away from here without -- is  
23 directly not the proper thing, governmentally.  
24 But I think it's -- the plan mandates in the  
25 statute and directs us to do something that we



1 would adopt our own plan and we have not made an  
2 effort to adopt our own plan. We've only  
3 considered someone else's plan.

4 MEMBER KLUTZ: Let me ask this, then.  
5 Maybe for the record, may it be clear that you  
6 could tell us how long the Democrats want to  
7 submit a plan for our consideration? How much  
8 more time?

9 VICE-CHAIRMAN LONG: I'm not asking the  
10 Democrats to submit a plan. I'm asking, as I  
11 started in the beginning, to have our staff  
12 prepare a plan for us to adopt that accomplishes  
13 what our statutory -- are and credence and  
14 consideration of what had been submitted by  
15 others.

16 MEMBER KLUTZ: It's just contrary to our  
17 original proposal and we spent a lot of time  
18 preparing -- a lot of time asking people to put  
19 a lot of time and work into it for us -- if this  
20 was your position now, I don't know why it  
21 wasn't your position when we put the proposal  
22 together.

23 VICE-CHAIRMAN LONG: Actually, that  
24 proposal was generated by us to supplement the  
25 one that you all had put together. And I can't

1 see where we're not -- you keep saying you asked  
2 people to do things. I don't see a thing in  
3 here where we asked anybody to do anything. If  
4 you could point me to something in that June 23  
5 order that says, "We want somebody to do  
6 something." Maybe I'm just --

7 MEMBER KLUTZ: These people here on  
8 happenstance?

9 VICE-CHAIRMAN LONG: Where does it say --  
10 where does it say in that order -- why did we  
11 adopt an order if we're not going to follow it?  
12 Where are we not following the order? Just  
13 point it out to me.

14 MEMBER KLUTZ: What I'm saying is to  
15 conclude this matter, we asked people to send in  
16 plans and we created a policy and a proposal and  
17 a structure to do that. These people did this,  
18 and you wanted to hear their plan and we did.  
19 And now you're saying, "Now, I want to hear  
20 other plans. We want to create other plans. We  
21 want to hear from people who could be testifying  
22 now who are sitting in the crowd." Who didn't  
23 want to say a thing about the plans. Who had a  
24 chance to read them, if they have internet  
25 access, because they've been posted on there.

1 Who could have submitted letters, who could have  
2 called. Nothing.

3 CHAIRMAN BENNETT: I would also add that  
4 there was a deadline in our order for commission  
5 members to submit a plan. Commission members  
6 are free to submit a plan as soon as -- as late  
7 as today, and that was the plan.

8 VICE-CHAIRMAN LONG: I see that none of us  
9 have submitted plans.

10 CHAIRMAN BENNETT: Correct.

11 VICE-CHAIRMAN LONG: And I'm trying to do  
12 that with the staff, and you don't want me to do  
13 that, that's your prerogative. You can block  
14 that, like everything else has been blocked  
15 today. I'm not willing to give up. If you are,  
16 so be it.

17 CHAIRMAN BENNETT: We have a motion and a  
18 second.

19 All in favor of the motion to have the  
20 staff construct a plan say aye?

21 VICE-CHAIRMAN LONG: Aye.

22 MEMBER WILSON OVERHOLT: Aye.

23 CHAIRMAN BENNETT: All opposed say nay.

24 MEMBER KLUTZ: Nay.

25 CHAIRMAN BENNETT: Nay.

1 Motion is deadlock in the same --

2 MR. REED: Mr. Chairman, I don't mean to  
3 interrupt. Would this body consider a brief  
4 comment from myself as the attorney for the  
5 Republicans on the election board party?

6 VICE-CHAIRMAN LONG: I think the hearing is  
7 concluded.

8 CHAIRMAN BENNETT: Yeah, I think at this  
9 point the public hearing has been concluded. We  
10 have a motion to adjourn on the table. Is there  
11 a second?

12 MEMBER KLUTZ: A second.

13 CHAIRMAN BENNETT: All in favor say aye.

14 VICE-CHAIRMAN LONG: Aye.

15 MEMBER WILSON OVERHOLT: Aye.

16 MEMBER KLUTZ: Aye.

17 CHAIRMAN BENNETT: All opposed say nay.

18 Ayes have the motion. Thank you.

19

20

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25

1 STATE OF INDIANA )  
2 COUNTY OF MARION ) SS:

3 I, Elizabeth Summers Long, a Notary  
4 Public in and for the County of Marion, State of  
5 Indiana at large, do hereby certify that on the  
6 9th day of August, 2017, I took down in  
7 stenograph notes the foregoing proceedings, and  
8 that the foregoing transcript is a full, true  
9 and correct transcript made from my stenographic  
10 notes.

11 IN WITNESS WHEREOF, I have hereunto  
12 set my hand and affixed my notarial seal this  
13 22 day of August, 2017.

14  
15 Elizabeth Summers Long  
16

17 NOTARY PUBLIC

18  
19 My Commission Expires:

20 April 2, 2022

21  
22 County of Residence:

23 Marion

24

25