

State Election Commission  
Friday, July 6, 2018 – 3:00 p.m.  
Secretary of State Conference Room  
Minutes

Members Attending:

Gary Collias, Chair (By Teleconference)  
The Honorable Mac Warner, Secretary of State (By Teleconference)  
Taylor Downs (By Teleconference)  
Vince Cardi (By Teleconference)

Others Attending:

Donald Kersey, Director of Elections and Deputy Legal Counsel  
Chuck Flannery, Deputy Secretary of State and Chief of Staff  
Steve Connolly, Deputy Secretary of State and Chief Legal Counsel  
Missi Kinder, Campaign Finance Specialist  
Ben Swartz, ES&S  
Phil Kabler, Charleston Gazette

The State Election Commission met on Friday, July 6, 2018 at 3:00 p.m. in the Secretary of State Conference Room. Secretary of State Mac Warner called the meeting to order, and a quorum was established.

Mr. Downs made a motion to approve the minutes from the April 24, 2018 meeting with Mr. Collias seconding the motion. Motion passed unanimously.

Mr. Kersey spoke about ES&S's request for certification of their EVS 5.2.4.0. This system is still a non-modeming release, and was certified by the EAC on June 5, 2018. The 5.2.4.0 is an upgrade to their existing the EVS 5.2.3.0, which was certified in West Virginia earlier this year. The upgrades include new a hardware version, an antivirus update, a correction to the write-in candidate selection, and a new collapsible ballot bin option for the DS200. Mr. Swartz noted they have had no problems with certification in the 10 states where they have applied.

Mr. Cardi made a motion to approve ES&S's request for certification of the EVS 5.2.4.0 with Mr. Collias seconding the motion. Motion passed unanimously. Mr. Kersey will make arrangements to have the system reviewed and evaluated by the state computer experts.

Mr. Kersey informed the Commission that West Virginia recently received more than \$3,000,000 in federal funding to disburse to counties for voting system and election system security upgrades. This money is from the Loan and Grant Program, which was created under the Help America Vote Act (HAVA). In addition, there is more than \$2,000,000 available in the state's existing loan and grant fund. We now have the ability to grant out those funds that have been sitting idle for years. In all, approximately \$6,500,000 is available for counties to apply for grants or loans for security and system upgrades.

As established in Code of State Rules § 153-10-1, the State Election Commission makes the determination of issuing grants upon recommendation of the HAVA Grant Board, which consists of two County Clerks of opposing political parties, the State Director of Elections, a representative from a disability rights organization, and a representative of the Governor's Office. After the Grant Board is established, the application period may begin, and will last for 30 days. Then, within 10 days of the close of the application period, the HAVA Grant Board must meet to review the applications. They will then make recommendations to the SEC, who must meet within 10 days after that to make determinations on the grants and loan requests.

If a county applies for a loan, the SEC must enter into a loan agreement with that county within 45 days of receiving that loan application.

The counties will be given the resources to apply for these funds, and they may begin applying after the Cybersecurity Conference Secretary of State's office will be hosting for County Clerk's at the end of July. The request period should be open until mid-August.

ADA grants are also available through the Secretary of State's office by way of the normal ADA Grant application process.

With no further business, Mr. Downs made the motion to adjourn with Mr. Collias seconding the motion. Meeting adjourned at 3:17 p.m.

