

**REGULAR MEETING**  
**CLARK COUNTY BOARD OF COMMISSIONERS**

September 15<sup>th</sup> 2022

The Board of County Commissioners of Clark County, Indiana met in Regular Session on September 15<sup>th</sup>, 2022, at 5 p.m. in Meeting Chambers, Room 103, Clark County Government Center, in Jeffersonville, Indiana.

Present at the meeting were Commissioners – Bryan Glover, Connie Sellers and Jack Coffman, Commissioners Assistant Sabrina Corbin, Clark County Engineer Brian Dixon, and Auditor Danny Yost.

Pledge of Allegiance was led by Danny Yost and the prayer was led by Jack Coffman.

**Approval of the Minutes**

**Commissioner Glover** said first on the agenda was approval of the minutes for September 1<sup>st</sup>, 2022. Commissioner Coffman made a motion to approve the September 1<sup>st</sup>, 2022, Regular Meeting Minutes, as presented. Commissioner Sellers seconded. Motion approved 3-0.

**Auditor Danny Yost** presented the claims and payroll. Commissioner Coffman motioned to approve the claims and payroll, as presented by the Auditor. Commissioner Sellers seconded. Motion approved 3-0.

**Commissioner Glover** asked if there were any amendments to the agenda. There were none. Commissioner Sellers made a motion to approve the agenda, as presented. Commissioner Coffman seconded. Motion approved 3-0.

**I. Public Comment:**

Commissioner Glover welcomed all members of the public. Each person is limited to three minutes, and asked to provide their name and address.

Teresa Ballew, 472 Kensington Drive, Clarksville. Ms. Ballew said she will read from script, because if she goes off script, she gets really upset, and passionate about election integrity and vulnerability of the election machines (see Exhibit 1-A and 1-B for written comments and documents

submitted). First, she said, “I am requesting that the Transcriber for today’s meeting include my public comment verbatim”. Commissioner Glover stated the meeting is being recorded. Ms. Ballew then read her comment aloud.

Kelly Khuri, 4819 Salem Noble Road, Jeffersonville. Per Ms. Khuri’s comment, “I am requesting that the Transcriber for today’s meeting include my public comment verbatim”. Ms. Khuri said she was here to speak against the DS 200 (voting machine), which she understands is an upgrade from the M100. Ms. Khuri said she was at the public testing and saw how the M100 malfunctioned and failed. She also read the Commissioners August 4<sup>th</sup> (2022) Minutes, where it was stated, the equipment failed at the polls. A bidding process was mentioned for new voting machines. Susan Popp, County Clerk, said there was only one bidder (source) ES & S. Ms. Khuri continued with an overview of her written comment. Ms. Khuri said the Commissioners are her representative; her authority; and her power to speak on her behalf. She asked the Commissioners to speak on her behalf and vote “NO” for any upgrades; and vote to return to paper ballots; paper poll books; and hand count the ballots versus feeding them into a tabulator. The timer went off as three minutes had expired. Ms. Khuri said thank you and continued to talk. Commissioner Glover thanked her for her comments, and requested Ms. Garcia address the Commissioners.

Victoria Garcia, 2601 Meadowview Court, Jeffersonville. Ms. Garcia said you are probably saying in your mind, oh no, here are these people again, why do they appear at the most inconvenient times. Well, because we have concerns and want to be heard. Putting it plainly, we seem to not agree on the state of election integrity in our County. Ms. Garcia said we maintain that electronic devices/machines used in our elections are highly vulnerable to interference from entities that have no business handling our votes, and more specially our private information. We need to work hand in hand to make sure of the utmost transparency with the public’s limited knowledge for this highly technical process, suspicion will always be rife. We need to do this together, so only the truth comes out, whatever that may be. Please hear us on our desires. Thank you.

Christina Kelty, 901 Sharon Drive, Jeffersonville. Ms. Kelty said, “I am requesting that the Transcriber for today’s meeting include my public comment verbatim”, and to submit for the record, this report, “Vulnerability

& Security Assessment Report Election Systems & Software's Unity 3.4.1.0." (see Exhibit 2-A and 2-B for written comments and documents submitted). Ms. Kelty proceeded to read her comment aloud. The comment said in part, "If this body was serious about accuracy and preventative measures to protect their Constituents Privacy, the Vote of the People and the Security of the County, we would welcome a round table discussion."

Bobbi Bridgewater, 117 Wood Thrush Drive, Charlestown. Ms. Bridgewater said "I am requesting that the Transcriber for today's meeting include my public comment verbatim". She then read her comments aloud. A portion of her comments included, all levels of government, from federal to Clark County government has and continues to fail in their duty at every turn to protect the private info they have chosen to provide outside sources, which she doesn't consent to. Upon completion, Commissioner Glover asked if she wanted to leave a copy of her written comments. Ms. Bridgewater said she had to make a copy first (no copy of the comment was provided).

Jennifer Gatti, 661 Hampton Court, Sellersburg. Ms. Gatti, also said "I am requesting that the Transcriber for today's meeting include my public comment verbatim" (see Exhibit 3-A, 3-B, and 3-C for written comment and documents submitted). She then read her comment aloud. The conclusion of her comment was, "We have presented evidence, which is ongoing daily, that the systems are extremely vulnerable. As Commissioner Connie Sellers stated earlier this year, "EVERYTHING IS HACKABLE", indeed it is with that understanding comes your liability." The timer went off as three minutes had passed. Ms. Gatti quickly concluded her comments, which included 4 Simple Steps to Cure, which is in the code. She provided the following documents: 1) Russian Targeting of Election Infrastructure During the 2016 Election, May 8, 2018; 2) Statement of the Secretary of State, June 21, 2017; and 3) Testimony by J. Alex Halderman, June 21, 2017.

Commissioner Glover said next was Kathleen Campbell. Ms. Campbell said she passed. Commissioner Glover closed the public comment.

## II. New Business

### A. Bid Opening - Voting Machine Scanners was next on the agenda.

Commissioner Glover invited Susan Popp, County Clerk, to join in the Bid Opening process. Also, present were Election Board Members Mark Grube, and later Andrew Steele. They were also invited to participate in the process. Commissioner Glover opened the bid of Election Systems & Software (ES&S), Omaha, Nebraska, total purchase price of \$226,305, plus Annual License, Maintenance and Support Fee \$23,345 (Schedule A1, Page 5). Commissioner Glover asked Ms. Popp if she was satisfied with the bids that came back. Also, the Election Board introduced themselves. Mark Grube, Republican appointment to the Election Board. Susan Popp, County Clerk, said she appreciated all the comments, was 100% in favor of paper ballots, and is comfortable with how the elections are ran in Clark County. Clerk Popp said there have been recounts during her term, and this is her last term. There has never been a change in election results based upon a hand recount. The new system will have "Election" ware, versus "Unity" ware, which is different. Also, this is not a whole new system, just upgraded tabulators. Clerk Popp provided additional information on the system. Commissioner Glover asked Mr. Grube if he had anything to add. Mr. Grube did not. Commissioner Glover asked Mr. Steele if he had anything to offer. Mr. Steele apologized for being late, he was stuck in traffic. Andrew Steele, Democratic appointment to the Election Board. Mr. Steele said the M100 served the County well, as time has gone on, more and more problems were occurring, and the two mechanics agreed that the M100 needs to be replaced. The M200s satisfies his requirements as a voter. Mr. Steele provided a history of the voting machines. The upgrade is necessary and hopefully the machines will last 15-20 years. He has been involved with the election process for the last ten years, recognizes the need for an upgrade, and that functional equipment is imperative. Mr. Steele said he likes the ES&S bid, and was shocked it was not much higher. Clerk Popp said they work with the Election Board to have as many people as possible involved. It is important to be a transparent as possible. Commissioner Glover said just for clarification, there is a price of \$226,305 for the machines, services, shipping and things like that. Also, there is a cost of \$23,345 for annual license, maintenance and support. He asked if this was required or necessary. Clerk Popp said it was not needed. Commission Glover said the matter at hand was \$226,305 per the sales order. Clerk Popp said that was correct.

Commissioner Glover said just for clarification he has some questions, to make sure we are clear to those that are concerned. His questions for Clerk Popp were as follows:

Q1: Do we still use paper ballots?

A1: Paper only.

Q2: Do we ever use any type of electronic vote?

A2: We do not.

Q3: Do these paper ballots once they are run through/into the machine, they are retained in the machine? Commissioner Sellers not on-line.

A3: Yes, they remain in that machine, which is secured and transported to the Courthouse. Commissioner Glover said the ballots could be removed and compared to the machines tabulated count. Clerk Popp said that was correct. Commissioner Glover said the only thing the machine was hooked to was a power cord. Clark Popp responded correct.

Commissioner Glover said that before the Commission is the Sales Order Agreement with ES&S for the purchase of 45 poll place scanners and tabulators in the amount of \$226,305. Commissioner Sellers made a motion to approve the Sales Order Agreement with ES&S in the amount of \$226,305. Commissioner Coffman seconded. Motion approved 3-0.

- B. Street Closures – Bethlehem Autumn on the River** was next up on the agenda. The request and map were included in the meeting packets. Commissioner Glover asked Brian Dixon, County Engineer, if he had reviewed the request. Mr. Dixon said yes, he had talked with David Abbott, Co-Chair for the Festival. The request usually is just for the actual festival, Saturday and Sunday. However, this request is to close Main Street October 11<sup>th</sup> (Tuesday) through October 17<sup>th</sup> (Monday). This would allow for placement of a dumpster for pre and post festival cleanup. Third Street would be closed during festival hours on October 15<sup>th</sup> (Saturday) and October 16<sup>th</sup> (Sunday), 2022. Mr. Dixon said that Mr. Abbott had also spoken with Commissioner Coffman. Commissioner Coffman said Mr. Abbott requested a longer time frame, as once the dumpster is dropped off, it cannot be picked up until Monday or Tuesday. Mr. Dixon said if the street closure was approved, the County would drop off the barricades on Tuesday and pick them up the following Tuesday.

Commissioner Sellers made a motion to approve the street closures for the Bethlehem Autumn on the River festival, as presented. Commissioner Coffman seconded. Motion approved 3-0.

- C. Commissioner Glover said next was the Contract for Bridge 35 Repair. The Commission declared an emergency, the first of August, for the Bridge 35 repairs. Bridge 35 crosses Sinking Fork Creek. A contract was awarded to Kentuckiana Concrete Walls, LLC, and today we need to ratify the contract. Commissioner Coffman made a motion to ratify the Contract between the Clark County Commissioners and Kentuckiana Concrete Walls, LLC in the amount of \$145,000. Commissioner Sellers seconded. Motion approved 3-0.

**III. Old Business: None**

**IV. Reports - Officeholder/Department Heads Present at Meeting**

**A. Auditor: None**

**B. Attorney: None**

**C. Highway Department:**

Brian Dixon, County Engineer, presented the following:

A couple of meetings ago we approved the Request for Bids to purchase a tractor and mower for the highway department, bids were received August 18<sup>th</sup>, 2022, from Wright Implement in the amount of \$168,683.19, and referred to him for review. Mr. Dixon said today he needs a signature on the Purchase Order for John Deere Equipment, in the amount of \$168,683.19. Commissioner Glover said we can do that.

**D. Sheriff: The current jail population is 596.**

**E. Elected Officials: None**

**V. Other Business: None.**

## **VI. Adjournment**

Commissioner Sellers motioned to adjourn. Commissioner Coffman seconded.  
Motion approved 3-0.

To the extent, the Board held an executive session of any type under (IC-5-14-1.5-6) or otherwise, the Board hereby certified that no subject matter was discussed therein, except that posted in the notice for sessions or meeting (IC-5-14-1.5-6).

BOARD OF COMMISSIONERS OF  
CLARK COUNTY, INDIANA



BRYAN GLOVER, PRESIDENT



CONNIE SELLERS, VICE PRESIDENT



JACK COFFMAN, MEMBER

SIGNED THIS DAY September 29, 2022

ATTEST: Danny Yost

DANNY YOST, CLARK COUNTY AUDITOR