

Minutes of the Danville Election Commission Meeting of

November 8, 2023

1. Call to Order: The meeting was called to order by Chairperson Barbara Bailey at 1:00 p.m.
2. Attendance: Present were Chairperson Barbara Bailey, Secretary David Ryan, and Director Sandra Delhaye.
3. Agenda: On motion of David Ryan, seconded by Barbara Bailey, the agenda was approved.
4. Approval of Minutes: On motion of David Ryan, seconded by Barbara Bailey, the minutes of the October 11, 2023 meeting of the Danville Election Commission were approved.
5. Approval of Payables: On motion of David Ryan, seconded by Barbara Bailey, payables in the amount of \$2266.25 for voter registration cards were approved.
6. Voter Registration Numbers/June 2023: Sandra Delhaye reported 15,632 active voters (a decrease of 8) and 2,463 inactive voters (a decrease of 7), which she indicated would change significantly once the new voter registration cards were sent out and returned.
7. Audience Comments: None
8. Commissioner Comments: Barbara Bailey announced she had decided to retire and will not seek reappointment to the commission when her term expires at the end of November, 2023. Ms. Delhaye and Mr. Ryan each expressed their disappointment and noted that her leadership, her experience, and her knowledge of election law and procedures would be sorely missed by the Director, the Commissioners, the employees of the office, and the voters of the city of Danville.
9. Director Comments: Sandra Delhaye reported Karla Dukes had worked diligently for over a week preparing and organizing the voter registration cards, which Ms. Dukes timely mailed on November 7, 2023.

Ms. Delhaye next noted that, in response to a complaint received from the County

Clerk's office about the procedure used by the Danville Election Commission in providing walking lists to other public offices and candidates, Sandra contacted attorney Adam Lasaker of the Association of Election Commissions of Illinois. Ms. Delhaye explained to him the procedure used by the Election Commission for years (predating Barbara Dreher's service as director). According to the longstanding procedure, the requestor (be that an individual belonging to the general public, a candidate, a political party, or a government office) simply fills out a FOI request form* (provide by the Commission) and submits the form to the office; the walking list or records are then often provided to the requestor the same day or (depending on the complexity of the request) within the statutorily mandated time frame. The records are provided without charge for electronic copies, and for printed copies the records are provided without charge up to 50 pages. The use of the written request resolves any dispute which might arise at a later date in regard to what information was actually requested, so that any copying charges for additional records can be waived (in the event of Commission error) or assessed (in the event of requestor error).

According to Mr. Lasko, this procedure is the procedure used in Chicago and other cities with which he is familiar. He recommends the use of such procedure to all members of the AECOI. He stated Section 6-60 the Election Code makes it clear that: (a) the list of registered voters in a municipality under the jurisdiction of an Election Commission belongs to the Board of Election commissioners; (b) the Board has the sole statutory duty to provide copies of that list to the established political parties in its jurisdiction; and (c), the Board may charge a fee to reimburse for the actual cost of duplicating the list. (5/5-60). He further pointed out that this procedure requiring a FOI request form should apply to all requestors including other government offices and office holders since, under the Freedom of Information Act, such individuals and entities are included in the definition of "person".

Ms. Bailey and Mr. Ryan, after reviewing the FOI form which requires only a requestor's name, address, and phone number and a description of the requested documents, each expressed the opinion that the form was simple, short, and anything but burdensome. It was also pointed out that the form contained a warning that "...the use of these computer discs or lists for commercial solicitations or other business purposes is a class 4 felony", which the Commissioners felt was an important protection of voters' rights to privacy. Based on the foregoing, and based on Mr. Lasko's recommendation that the Danville Election Commission continue to employ the procedure currently in effect, the Commissioners both expressed an opinion that they saw no need to modify the current procedure.

10. Adjournment: On motion of David Ryan, seconded by Barbara Bailey, the meeting was adjourned at 2:08 p.m.

Danville Election Commission Secretary



David Ryan

*See attached