

3. The purpose of the Election Agreement is to authorize the County to purchase election hardware, software and related services for both the City and County. (Ex. A, p. 1). Specifically, the Election Agreement provides that the County would prepare a Request for Proposals (RFP) for an electronic voting system meeting the qualifications of Minn. Stat. § 206.57, to be used by all local government units in Dakota County, including the City. It further provides that the RFP would include vendor-supplied technical maintenance and upgrades of the election hardware and software. The Election Agreement provides that the County owns the election hardware and software purchased, and provides all necessary repairs, maintenance, and upgrades to the election hardware and software between election seasons. The County also obtains all licenses and rights necessary for the City to use the election hardware and software. The City is responsible for safe handling and storage of the election hardware and software and to pay 50% of the initial cost of the hardware and software, as well as an ongoing pro rata share of the annual maintenance.

4. In 2015, pursuant to the Election Agreement and following a competitive solicitation process, Dakota County purchased a voting system from Dominion Voting Systems. (See also Ex. K, at 2). In this system, voters complete paper ballots and feeds them into a tabulation machine. The voting machine scans the ballots to read the voter's choice, counts the votes, and calculates and compiles the results. On December 31, 2015, the County invoiced the City for its portion of the cost of the voting system in the amount of \$36,669.85. (Ex. A at 4-7) The City paid this invoice on approximately January 14, 2016. Since this initial purchase, the County has annually invoiced the City for its share of the voting system's software licensing and maintenance.

5. The City has continued to use the same voting machines since the 2016 election. The machines in use in the 2022 primary election are the same machines purchased in 2015. The County owns and manages the software and firmware licenses to operate the system, which includes the applicable upgrades, enhancements, and revisions. The maintenance and software updates do not require any significant action on the part of the City and are undertaken by the County and its vendor. There have been several such upgrades to the software since the system was purchased, but the machines themselves—and the voter experience in using them to cast a ballot—remain the same.

6. On May 4, 2022, the County emailed the City and other municipalities to inform them that the County Elections Department would be making arrangements to visit, conduct preventative maintenance on the machines, and install a certified software update and modems to the voting system. **Exhibit B** is a true and accurate copy of this email from Andy Lokken, Dakota County Elections Director, dated May 4, 2022. As Mr.

Lokken stated, the visit incorporated annual preventative maintenance, cleaning, acceptance and diagnostic testing, any necessary repairs. With respect to the software update, Mr. Lokken explained that “other than transmitting election results by modem, functionality will remain the same for election judges.” He noted that election staff may also notice a few differences such as an improved boot-up processes and improved ballot scanning speeds.

7. As a part of this upgrade, the County purchased cellular modems for the precinct ballot counters to be used in the 2022 elections. Prior to this, when the polls would close, election judges would physically remove memory cards with the results contained upon them and deliver them to me as City Clerk. (Each machine has two memory cards, one primary card and one backup card.) I would then take each of the memory cards and place it into a device connected to a secure laptop provided by the County and use this to securely upload the results to the County. The County would then transmit the results to the State. I would also hand deliver the memory cards to the County. The City also maintains the paper ballots for 22 months following the election as required by state statute.

8. The only change to this system for the 2022 election is the use of the wireless modem to report the results instead of the secure laptop. Now, when the polls close, elections staff will plug a wireless modem into each of the tabulation machines, the modem will connect to a server and transmit the results directly to the County, rather than necessitating removal of the memory card and use of a separate laptop. As a backup, the memory cards will still be removed and given to me, and I will deliver them to the County. The City will continue to maintain the paper ballots for 22 months following the election.

9. The software updates provided through the County and its vendor and the provision of the wireless modem for reporting election result has not resulted in any change whatsoever to the voter experience, the way in which the voter completes their ballot, or the way in which the voter places their ballot in the voting machine. The machines and the voting process remain identical.

Mr. Kieffer’s Participation

10. William Kieffer is a registered voter in the City of Rosemount and has been active in City the political process this election cycle, beginning in approximately April of 2022, when I returned from maternity leave. I do not recall encountering Mr. Kieffer prior to this time.

11. To my knowledge, and based upon my review of City records, Erik van Mechelen does not reside in the City or Rosemount and is not a registered voter in the City.

12. Mr. Kieffer initially contacted me as City Clerk with various election related questions on April 8, 2022. **Exhibit C** is a true and accurate copy of an email conversation between Mr. Kieffer and Rosemount Deputy City Clerk Jessie Paque that occurred between April 8, 2022, and April 12, 2022. In these communications, Mr. Kieffer complains about what he perceived as potential violations of state election law concerning absentee ballot boards, their composition, the appointment of election judges to the ballot board, and party balance. Around this time, Mr. Kieffer was registered to become an election judge..

13. On May 9, 2022, I reached out to persons who had expressed interest in serving as an election judge, including Mr. Kieffer and his spouse Kymi Kieffer. **Exhibit D** is a true and accurate copy of email correspondence between me and the Kieffers that occurred between May 9, 2022, and May 26, 2022.

14. Mr. Kieffer inquired about observing the election machine testing, serving on the absentee ballot board, and setting up a meeting with me to go over his questions about the upcoming elections. I responded regarding all topics, explaining that the Public Accuracy Test of the voting machines would be held 14 days prior to the election, that the required notice would be published at least two days prior to the test, and that it would be open to the public. I also offered to meet with the Kieffers at a mutually agreeable time, and we eventually agreed to meet on May 26th at 2:00pm. In advance of this meeting, the Kieffers sent a list of questions they wished to discuss.

15. We met on May 26, 2022 as planned and discussed the Kieffers' questions. I also followed up in email with written answers to the Kieffers' questions. **Exhibit E** is a true and accurate copy of email correspondence between me and the Kieffers that occurred between May 9, 2022, and May 27, 2022, including the attached document containing the questions from the Kieffers and my answers to them in bold font. Question number 6 asked about how polling location results are transmitted to the City. I explained that "Election Judges hand deliver them to city hall following [the] poll being closed. However, this year there is a new modem being supplied per tabulator which will transport results to [the] county – yet to learn more about this."

16. The City Council appointed election judges for the 2022 elections at the public Council meeting held on June 21, 2022. **Exhibit F** is a true and accurate copy of the executive summary, staff recommendation, and draft resolution regarding the

appointment of election judges for the 2022 elections. **Exhibit G** is a true and accurate copy of the signed Resolution 2022-71, a Resolution Appointing Election Judges for 2022 Elections, dated June 21, 2022. **Exhibit H** is a true and accurate copy of the executive summary, staff recommendation, and draft resolution regarding the establishment of an absentee ballot board for the 2022 elections. **Exhibit I** is a true and accurate copy of the signed Resolution 2022-72, a Resolution Establishing an Absentee Ballot Board, dated June 21, 2022.

17. On June 28, 2022, at approximately 2:00 p.m., Mr. Kieffer and seven other individuals were sworn and took the oath of an election judge and signed the Absentee Ballot Board Official Certification. **Exhibit J** is a true and accurate copy of the signed Absentee Ballot Board Official Certification Election Judge Oath and Equipment Certification, dated June 28, 2022.

18. Around this time, the County provided me a copy of a letter from Dakota County Attorney Kathryn M. Keena to Ms. Heidi Flodin, dated June 29, 2022, related to Ms. Flodin's election related complaints to the County. **Exhibit K** is a true and accurate copy of the letter I received, from Dakota County Attorney Keena to Ms. Flodin, dated June 29, 2022. This letter refers to correspondence from Ms. Flodin to the County dated June 22, 2022, in which Ms. Flodin contends that the software update to the Dominion Voting Systems Democracy Suite 5.5C is a "new electronic voting system" requiring municipalities to disseminate information to the public pursuant to Minn. Stat. § 206.58, subd. 1.

19. County Attorney Keena explains that the County has not implemented a new electronic voting system as defined in Minn. Stat. § 206.56, subd. 8. As she describes in the letter, the fact that the County has replaced two servers and that Dominion sought certification of software version 5.5C does not make it a "new" system. All of the other hardware belonging to the County (some 443 pieces of hardware) – including the equipment used by voters – remains the same.

20. On June 27, 2022, I contacted those persons who had been appointed election judges by the City to inquire as to their availability for service, the required training, and to notify them of the Public Accuracy Test scheduled to be held on July 26, 2022, at 12:30 p.m. Mr. Kieffer received this email and responded on July 4, 2022, stating that he would be available to attend the Public Accuracy Testing. **Exhibit L** is a true and accurate copy of email correspondence between me and Mr. Kieffer that occurred between June 27 to July 11, 2022.

21. **Exhibit M** is a true and accurate copy of email correspondence from Dakota County Elections Specialist Phillip Lundquist to me, dated July 14, 2022. Mr. Lundquist explained the status of the testing materials for the Public Accuracy Test and the polling place reference guides.

22. On July 14, 2022, City staff received an email from Ms. Heidi Flodin inquiring about which she characterized as the “new” electronic voting system, public notice, and demonstration. **Exhibit N** is a true and accurate copy of email correspondence between Ms. Flodin, myself, other City staff, and Dakota County Elections Director Andy Lokken that occurred between July 14 and July 15, 2022.

23. The City provided public notice of the July 26, 2022, Public Accuracy Test by posting the notice at City Hall and publishing a notice in the newspaper. **Exhibit O** is a true and accurate copy of notice posted at City Hall on July 19, 2022. **Exhibit P** is a true and accurate copy of notice published in the Dakota County Tribune on July 22, 2022.

24. The Public Accuracy Test was held at City Hall as planned on July 26, 2022, at 12:30 p.m. Both Mr. and Mrs. Kieffer attended the test. Mr. Kieffer participated in the test by sliding ballots into the machine and verifying the accuracy of the results against the “test deck.” **Exhibit Q** is a true and accurate copy of the certificate of Preliminary and Public Accuracy Tests, signed by Mr. Kieffer, dated July 26, 2022. In signing, Mr. Kieffer voluntarily certified that the test counts were errorless and that the results tape agreed with the predetermined results of the test deck. **Exhibit R** is a true and accurate copy of the results tape printed out by the machine, and the accompanying certification signed by Mr. Kieffer, dated July 26, 2022.

25. **Exhibit S** is a true and accurate copy of the modem instructions that were emailed to me by Dakota County Elections Specialist Phillip Lundquist on July 27, 2022. These are the instructions that were utilized in the election judge training provided to all City election judges and which were followed when the City conducted the Public Accuracy Testing.

26. **Exhibit T** is a true and accurate copy of sign in sheets from meetings of the Absentee Ballot Board, Election Judge Training, and the Public Accuracy Test signed by Mr. Kieffer, with multiple dates between June 28 and August 3, 2022.

27. **Exhibit U** is a true and accurate list of Mr. Kieffer’s completed training related to his appointment as an Election Judge, captured by me on August 4, 2022.

28. Early voting has already begun and absentee ballots have been received. **Exhibit V** is a true and accurate copy of the Absentee Ballot Count, as of August 4, 2022, at 12:49 p.m., captured by me at that time. As of the creation of this record, 65 absentee ballots have been returned to the City. Early voting which allows voters to deposit their ballot into the voting machine just as they would on Election Day began seven days before the primary, on August 2, 2022. Based on past records, I estimate that 20 or more people will vote via early voting each day on August 2-5, and that we will have a large number of residents come to vote early on Saturday, August 6, 2022, when the early voting will be open from 10 am to 3 pm. Early voting will also be available on Monday, August 8, 2022 from 8 am until 5 pm. Early voting in person utilizes the same Dominion voting machines that will be in use for the primaries on August 9 and on Election Day.

I declare under penalty of perjury that everything I have stated in this document is true and correct.

Signed this 5th day of August 2022, in Dakota County, Minnesota.

/s/ Erin Fasbender

Erin Fasbender

**STATE OF MINNESOTA
IN SUPREME COURT**

No. A22-1081

Bill Kieffer and Erik van Mechelen,

Petitioners,

EXHIBIT INDEX

vs.

The Governing Body of the Municipality
Rosemount, MN,

Respondents.

Respondents City of Rosemount submits the following as the Exhibit Index in the above-captioned matter.

EXHIBIT INDEX

Exhibit	Date	Document
A	2013.11.06	Cost Share Agreement...
B	2022.05.04	Upgrading Elections in 2022
C	2022.04.08+	RE_Ballot Board Process
D	2022.05.15 to 26	RE_Election Judge Details... Meeting on May 26 at 2pm
E	2022.05.15 to 27	RE_Election Judge Details... (1) and Email Attachment - response
F	2022.06.21	6.c. Appointment of Election Judges
G	2022.06.21	2022-71 Appointing Election Judges
H	2022.06.21	6.h. Establishing Absentee Ballot Board
I	2022.06.21	2022-72 Establishing an Absentee Ballot Board
J	2022.06.28	Oath of EJ
K	2022.06.29	EN-22-5 Letter to Heidi Flodin
L	2022.07.04	Re-Election Judge Details... Please Read
M	2022.07.14	Programming Updates

N	2022.07.14 to 15	RE_RE_A couple of questions
O	2022.07.19	PAT Notice
P	2022.07.22	PAT Notice - Published
Q	2022.07.26	Certificate of PAT
R	2022.07.26	Certification of PAT Results
S	2022.07.27	Modem Instructions and Modem Instructions Attachment
T	2022.08.03	Meeting Sign in Sheets
U	2022.08.03	Kieffer Election Judge Training Certificate
V	2022.08.04	Early Voting Count as of 8.4.22

Dated: August 5, 2022

KENNEDY & GRAVEN, CHARTERED

/s/ Michelle E. Weinberg
Michelle E. Weinberg (#0388771)
Joshua P. Weir (#0402328)
150 South Fifth Street, Suite 700
Minneapolis, MN 55402
mweinberg@kennedy-graven.com
jweir@kennedy-graven.com
(612) 337-9300

ATTORNEYS FOR RESPONDENTS

**COST SHARE AGREEMENT BETWEEN
CITY OF ROSEMOUNT AND COUNTY OF DAKOTA FOR
ELECTION HARDWARE, SOFTWARE AND RELATED SERVICES**

This Agreement is entered into by and between the City of Rosemount (City), 2875 145th Street West, Rosemount, MN 55068, and County of Dakota (County), 1590 Highway 55, Hastings, MN 55033, collectively referred to as the Parties.

WHEREAS, pursuant to Minn. Stat. § 471.59, two or more governmental units, by agreement through action of their governing bodies, may jointly exercise powers common to the governmental units; and

WHEREAS, under Minnesota law the parties are empowered to purchase, use and maintain election hardware, software and related services.

NOW, THEREFORE, in consideration of the premises and covenants contained herein and subject to the provisions of Minn. Stat. § 471.59, the Parties agree as follows:

- I. **Purpose**. The purpose of this Agreement is to authorize the County to purchase election hardware, software and related services for the Parties and to establish the obligations of the Parties with respect to their use and maintenance.
- II. **Term**. This Agreement shall be effective upon execution by both of the Parties and shall continue in effect until terminated as provided in Paragraph V.
- III. **Duties of the County**.
 - A. **Solicitation**. In conformance with the provisions of Minnesota law, the County will prepare a Request for Proposals (RFP) for an electronic voting system that meets the requirements of Minn. Stat. § 206.57, to be used by all local government units in Dakota County, including the Parties. The County will consult with all such local governmental units in preparation of the RFP. The solicitation will consist of a competitive process consistent with state law applicable to such solicitation.

The RFP will include vendor-supplied technical maintenance and regular maintenance and upgrades of the election hardware and software, wherever stored, for at least five years from the date of purchase, including assurances of sufficient parts, supplies and accessories, warranty service, and trade-in allowance for all electronic voting systems owned by the Parties.

- B. **Award of Contract**. The final decision on the vendor to whom the contract shall be awarded will be made by the Dakota County Board of Commissioners. The contract will be awarded to a vendor whose proposal meets all of the standards for voting systems required by Minnesota law. The County will defend and indemnify the City, its elected officials, employees and/or agents and hold them harmless from all claims and damages arising out of the solicitation process and the award of contract for the election hardware, software and related services.

KAT

- C. Repairs and Maintenance. The County will arrange for all necessary repairs, maintenance and upgrades to the election hardware and software between election seasons.
- D. Purchase and Delivery. The County will arrange for the purchase and delivery of sufficient election hardware and software packages to the City.
- E. Licenses. The County will obtain all licenses and other rights necessary for the City to use the election hardware and software for its intended use. The County will defend and indemnify the City, its elected officials, employees and/or agents and hold them harmless from all claims and damages arising out of any license, copyright or other intellectual property right.
- F. Insurance. The County will include the election hardware and software on its commercial property casualty insurance coverage.
- G. Ownership. The County will own the election hardware and software purchased pursuant to this Agreement, regardless of where the election hardware and software may be stored or used.
- H. Storage and Handling. The County will be primarily responsible for storing and handling the election hardware and software between City-held elections.

IV. Duties of the City.

- A. Existing Election Hardware and Software. The County will use all existing ballot tabulation equipment and ballot boxes as a trade-in for credit, if possible, in connection with the purchase of election hardware and software. To the extent the City has ballot tabulation equipment or ballot boxes in its possession, it will turn such equipment over to the County.
- B. Storage, Handling and Service. The City will provide safe storage and handling of the election hardware and software when such equipment is in the City's possession. The City will report any needed hardware and software maintenance, in writing, to the County. Any election hardware or software problems on election days may be reported to the County orally.
- C. Payment. Upon award of the contract, the County will first equally apply all of its Help America Vote Act (HAVA) funds on hand (estimated to be \$528,000) and trade-in credit received, if any, to each of the election hardware and software packages purchased. The City will pay the County fifty percent (50%) of the remaining cost for the election hardware and software packages purchased by the County for the City. Payment by the City to the County will be made in three equal annual installments, without interest, beginning the first day of the month immediately following delivery of the election hardware and software packages to the City. The City may prepay installments at any time without penalty.

The City will pay to the County its pro rata share of the annual maintenance costs for the election equipment. Pro rata share is determined by dividing the total number of election hardware and software packages purchased by the County by the number of packages purchased for the City. The City will pay the County within 45 days receipt of an invoice from the County.

D. Additional Election Hardware and Software. The County will purchase additional election hardware and software to meet the City's needs in connection with the addition of voting precincts to the City. The cost of such election hardware and software will be split equally between the City and the County. The City will pay the County in a lump sum within 45 days of receipt of an invoice from the County.

V. Termination. This Agreement shall remain in effect until the occurrence of any one of the following events:

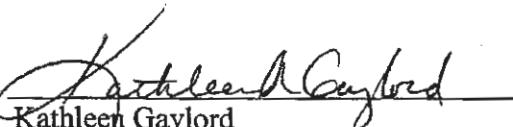
- A. Termination is necessitated by operation of law or as a result of a decision by a court of competent jurisdiction.
- B. The Agreement entered into pursuant to Paragraph III. B. above has expired or has otherwise been terminated.
- C. Parties mutually agree to terminate Agreement.

IN WITNESS WHEREOF, the City and the County have caused this Agreement to be executed on their behalf.

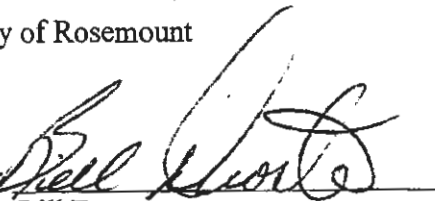
County of Dakota

City of Rosemount

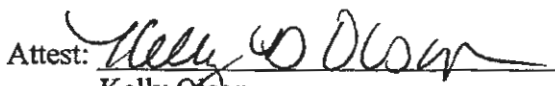
By:


Kathleen Gaylord
County Board Chair

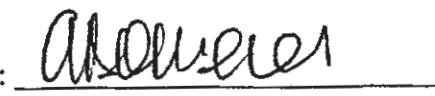
By:


Bill Droste
Mayor

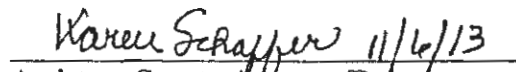
Attest:


Kelly Olson
Sr. Admin. Coordinator to the Board

By:


Amy Domeier
Clerk

Approved as to form:


Assistant County Attorney/Date 11/6/13

WAL

City of Rosemount 2875 145th ST. WEST • ROSEMOUNT, MN 55068-4997 • (651) 423-4411 FAX (651) 423-4424



040220 DAK CNTY PROP TAXATION/RECORDS



123197 01/14/2016

123197

DATE	I.D.	PO #	DESCRIPTION	----- G/L DISTRIBUTION -----	AMOUNT
12/31/2015	12312015RSMT-1	103258	MUNICIPAL SHARE-VOTING EQUIP	101-41410-01-580.00	11,200.00
12/31/2015	12312015RSMT-2	103258	MUNICIPAL SHARE-VOTING EQUIP	101-24458	25,469.85

ROSEMOUNT
MINNESOTA

CHECK TOTAL 36,669.85

Employee Signature <i>Chris [Signature]</i>	PURCHASE ORDER No. 103258 PO Date: 1/6/16
Department Head Signature	
Administrator Signature <i>Wright Johnson</i>	

TO: Dakota County
Property Taxation & Records

Invoice Number	Invoice Date	Qty	Detailed Description	Total Cost	Account Number
12312015RSMT-1	12/31/15		MUNICIPAL SHARE OF VOTING EQUIPMENT PURCHASE	★ \$11,200.00	101-41410-01-500.00 ↓
12312015RSMT-2	12/31/15			★ \$25,469.85	101-24458
				<u>36,669.85</u>	
★ 2015 Expense					REC'D JAN 07 2016

Do Not Write In This Area

<input type="checkbox"/> Includes Current General Rate Sales Tax	<input type="checkbox"/> Fixed Assets	<input type="checkbox"/> TIF Record	<input type="checkbox"/> Insurance Claim
<input type="checkbox"/> Use Tax Due	<input type="checkbox"/> Tax Refund	<input type="checkbox"/> Insurance Coverage	<input type="checkbox"/> New Vendor

Special Handling Requests:

Return Check to: Fasbender Decl, Exhibit A
Page 6 of 11

To: The City of Rosemount (Attn: Clarissa Hadler)

From: Andy Lokken, Dakota County Elections/Vitals Manager

Date: December 31, 2015

RE: Voting Equipment Invoice and payment options

Attached to this memorandum you will find an invoice for the municipal share of the voting equipment purchase and a copy of the cost sharing agreement between the county and your municipality.

The voting equipment purchase came to a total of \$2,018,250.00. Per the cost sharing agreement, the remaining Help America Vote Act Grant funds (\$551,455.78) were applied. This reduced the total to \$1,466,794.22. Dividing this total by two gives us the municipal and county share- \$733,397.11 each. Dividing the municipal share by the number of precincts in the county- 140- gives us the per precinct share: \$5,238.55.

Your invoice reflects this per precinct cost multiplied by the number of precincts in your municipality. You may pay it:

- ✓ All at once
- ✓ In three equal annual installments without interest
- ✓ You may prepay at any time without penalty

The voting system is under warranty through 2016. Beginning in 2017, we will invoice your municipality for the municipal share of the voting system's software licensing and maintenance contract annual payment. The county will pay 50% of this cost, and the remaining cost will be divided among the cities on a per precinct basis.

If you have any questions about this invoice, please contact me.

Andy

TO: DAKOTA COUNTY MUNICIPAL CLERKS
FROM: ANDY LOKKEN, DAKOTA COUNTY ELECTIONS
SUBJECT: LICENSE AND MAINTENANCE ANNUAL INVOICE
DATE: FEBRUARY 28, 2017

Greetings:

Attached please find an invoice for the annual licensing and maintenance fees for your municipality's share of the county voting system. The amount of your invoice was determined by following the 2015 cost sharing agreement- The municipality and county split the cost on a per precinct basis. This cost is a little higher than was estimated in 2015. See below:

total precincts
 $(\$172,625.00/140)/2 = \616.52 municipal responsibility per precinct.

This payment is due 45 days from receipt of this invoice.

If you have any questions, please let me know.

-Andy



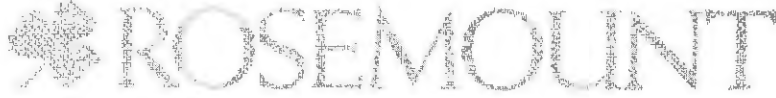
001927 DAKOTA COUNTY PROPERTY



127192

127192 03/16/2017

DATE	I.D.	PO #	DESCRIPTION	----- G/L DISTRIBUTION -----	AMOUNT
03/01/2017	03012017RSMT VOTING EQUIPMENT	106973	2017 LICENSE & MAINTENANCE	101-41410-01-409.01	4,315.64



MINNESOTA

CHECK TOTAL 4,315.64

Weir, Joshua P.

From: Lokken, Andy <Andy.Lokken@CO.DAKOTA.MN.US>
Sent: Wednesday, May 4, 2022 10:07 AM
To: TLawell@ci.apple-valley.mn.us; gregg.lindberg@burnsvillemn.gov; dmiller@cityofeagan.com; lgorski@farmingtonmn.gov; dwietecha@hastingsmn.gov; kwilson@ighmn.gov; jmiller@lakevillemn.gov; cjacobson@mendotaheightsmn.gov; Martin, Logan; jhanson@sspmn.org; nburkett@wspmn.gov; aorlofsky@lakevillemn.gov; bvanhoose@cityofeagan.com; Muller, Cindy; Fasbender, Erin; Kelly Murtaugh KMurtaugh@hastingsmn.gov; Smith, Lorri; Collins, Macheal; ntillander@wspmn.gov; Pamela Gackstetter; Rebecca Kiernan; Elections; Deanna Werner
Cc: Mitchell, Teresa; Novak, Tom; Martin, Vicki; Lundquist, Phillip; Becker, Linda; Fasbender, Penny
Subject: Upgrading elections in 2022

Greetings! I hope this finds you well. I expect that your office, like ours, is getting ready for the 2022 elections. There is already so much to talk about, so we are looking forward to meeting with city clerks on May 12th. In the meantime, below are some important things to be aware of:

Equipment and software upgrades and testing

The Elections Department is making arrangements with city clerks now to visit your city to conduct preventative maintenance and install a certified software upgrade and modems to the voting system during the week of May 16. The new software version will be applied to all tabulators, central counters, servers, and Results Transfer Manager RTM laptops. This process will incorporate the annual preventative maintenance and acceptance testing where the tabulators are cleaned, and diagnostic tests are performed. At the end of this process all functions of the machine will be tested thoroughly, and any issues identified will be repaired. Other than transmitting election results by modem, functionality will remain the same for election judges. Election staff will notice a few differences, for example the boot-up errors are gone, and the boot time and ballot scanning speeds are improved. This will allow a smoother preliminary testing process and voter experience on election day.

On the day of your visit, please allow access to the tabulators and if possible, a space to work in if your storeroom is short on space. When a conference room or chambers are used the process goes faster. The annual preventative maintenance process is an ideal time for new city clerks and staff to become acquainted with the ballot counters used in this county. We welcome you and your election staff to participate in the process.

Modems

To improve both the speed and security of election results sent from polling places after the polls close, the County has purchased cellular modems for its precinct ballot counters. The transmission functionality will be accessible only after the polls have closed and the results tapes have been printed and signed by the election judges. At that point, election judges will then transmit results directly to the County, rather than deliver the results to the city clerk who must then transmit them to the County. By getting the election results from the precinct directly, results will be released to the public more quickly. Instructions for modem use will be included in 2022 training and in the 2022 Polling Place Reference Guide.

Results Website

The County has also been working on a new public results webpage, debuting at the 2022 State Primary. The website will provide results for all precincts in Dakota County and uses a map view to quickly show reported

precincts. The work is taking place in partnership with our GIS and IT Departments. The new site will allow greater control to release precinct level results as they are complete, reducing public confusion.

Training

Dakota County takes training very seriously. The County purchased a learning management system for the Elections Department. The department does not share this system with any other agencies, so its function is 100% election centered. The learning system, called iTacit, can manage, track and host election training for everyone working elections in the county from myself to student trainee election judges. To manage the training, city clerks will be able to assign training to their teams, track individual completion, export reporting for payroll, and respond to questions posted in a social media like environment. New election clerks will require at least 5 hours of training prior to conducting elections this fall. To address that requirement, the County has created more than 30 hours of training classes available for clerks, staff and election judges covering almost every aspect of elections. And we have plans for much more in 2022. Our plan is that the iTacit system becomes a training resource that makes the process of administering training easier for everyone.

Survey

Like everything else in our world, elections have changed. The last midterm election (2018) feels like it was an eternity ago instead of only four years. This office has received many requests and suggestions for how to operate in the future from its election partners. In addition, we want to position ourselves to deliver the best service to Dakota County voters. To help determine how the County Elections Department can best partner with its large city customers in the future, we have developed a brief survey, available here:

https://dakotacounty.sjc1.qualtrics.com/jfe/form/SV_0xGLKNFqYF6NxVs

Please **respond by May 13** with one response per city. We will use this information to develop plans for 2024 and beyond. We are very much looking forward to this information.

Coming up:

- May 12 City Clerk Meeting and luncheon. **This is the pre-election meeting!** 12:00 p.m. to 3:30 p.m. at the Elections Department in Hastings (1590 Hwy 55, Hastings)
- May 13: City survey due! (See survey above)
- May 17-31: Early candidate filing period for offices with a possible primary.
- June 15 or 16: Absentee ballot board training for new clerks (come to one session) at the Elections Department in Hastings
- June 21: Tentative ballot delivery date
- June 24: Absentee ballots available for voters
- August 11: State Primary

Regards,

Andy

Andy Lokken
Elections Director



Elections Department

P 651-438-4314
W www.dakotacounty.us
A 1590 Highway 55, Hastings MN 55033
F 651-438-4391



Note: This email and its attachments may contain information protected by state or federal law or that may not otherwise be disclosed. If you received this in error, please notify the sender immediately and delete this email and its attachments from all devices.

Weir, Joshua P.

From: cityclerk
Sent: Tuesday, April 12, 2022 1:21 PM
To: kieffersgarden@charter.net
Cc: Fasbender, Erin
Subject: RE: Ballot board process

Categories: Need to respond

Hello Bill,

Erin Fasbender, the City Clerk, will reach out to you when she returns in mid-May with more ballot board details. I have no further information at this time.

Thank you,

Jessie Paque
Deputy City Clerk / Office Specialist
Public Works & Engineering Department
City of Rosemount, 2875 145th Street W, Rosemount, MN 55068
Ph. 651-322-2022 / <https://ci.rosemount.mn.us/>



From: kieffersgarden@charter.net <kieffersgarden@charter.net>
Sent: Monday, April 11, 2022 12:43 PM
To: cityclerk <cityclerk@ci.rosemount.mn.us>
Cc: Fasbender, Erin <Erin.Fasbender@ci.rosemount.mn.us>
Subject: RE: Ballot board process

Hi Jessie,

Thanks for your response.

The reason I sent this letter to you was because, as you remember, when I asked You about getting on the ballot board, you said that the city just used staff for the ballot board and that is the way it has been done since you had been working in your current position. Also, you said I should contact Andy Lokken for any details since you were not comfortable answering my questions. I have contacted Andy; and as you can see he says the city, themselves are in charge of electing their ballot board. I understand you may have had the wrong information with regard to the ballot board setup. No worries. Glad to see you follow the M.S. 203B.121 statute. My question now is, since you already verified me as registered as an election judge, how and when do I and others get on the absentee ballot board? We have several people who want to know if you could tell us the schedule information.

Sincerely
Bill Kieffer
612-845-6184

From: cityclerk <cityclerk@ci.rosemount.mn.us>
Sent: Monday, April 11, 2022 7:43 AM
To: Kymi Kieffer <kieffersgarden@charter.net>
Cc: Fasbender, Erin <Erin.Fasbender@ci.rosemount.mn.us>
Subject: RE: Ballot board process

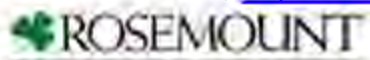
Hello Bill,

We appoint an absentee ballot board each election and this past 2020 election we used multiple election judges given the volume and intend to do so in future elections as absentee voting continues to gain popularity. The city follows M.S. 203B.121 by appointing election judges by party.

If you have further questions, you may set up a time to discuss with Erin Fasbender - City Clerk when she returns in May.

Thank you,

Jessie Paque
Deputy City Clerk / Office Specialist
Public Works & Engineering Department
City of Rosemount, 2875 145th Street W, Rosemount, MN 55068
Ph. 651-322-2022 / <https://ci.rosemount.mn.us/>



From: Kymi Kieffer <kieffersgarden@charter.net>
Sent: Friday, April 8, 2022 12:40 PM
To: cityclerk <cityclerk@ci.rosemount.mn.us>
Subject: Ballot board process

City Clerk,

Regards: Establishing Ballot Boards,

On or about March 2, 2022 at 2:15 PM, Dakota County Elections Director Andy Lokken sent a very concerning email regarding absentee ballot boards. In the email, Andy Lokken's intent to appoint absentee ballot board members from staff only, violates Minnesota State Law, of which it's mandatory to appoint a sufficient number of election judges to the ballot board under MN State Statute 203B.121 and as provided in sections 204B.19 to 204B.22. The following is Andy Lokken's March 2, 2022 email:

"Thanks for your email."

"This department does not appoint election judges, it employs staff to conduct absentee ballot boards. However, we process only a fraction of the absentee ballots cast in the county. The 11 large cities also have absentee ballot boards, and their processes will vary. If you wanted to apply for the county absentee board, we will be hiring these staff over the next couple of months. Watch the county's jobs page or sign up for email updates for them. These staff will also be employed to prepare materials and fulfill absentee ballot requests sent to the county. As I mentioned, the 11 cities will

all have their own process. I would be best to enquire directly with the cities you or your friends have interest in serving with. Some will appoint election judges for their boards, others will employ staff.”

“The same is true for the schedule of the absentee ballot boards – it varies by the city. However, if you are interested in seeing the process all you have to do is contact the city or county you want to visit, and they will generally coordinate their board meetings with you when possible. Note that single precinct cities and townships in Dakota County process their absentees through the county office.”

“Much of the training is done online now, so the training is flexible. In all cities, there will likely be an in-person component however. This will begin in about June or July, depending on the city you work with. The county conducts its training on the job during the workday. The county and cities here train election judges and staff much longer than the 3 hours required by law.”

“Ballot Board judges may serve as regular election judges on election day. However, many work on election day, processing absentee ballots in the office, including counting.”

“Please let me know if you have any follow up questions.”

“Regards,”

“Andy Lokken”

The main concerning points within the above email by Andy Lokken are, “this department does not appoint election judges,” and that the 11 large cities’ processes for appointing members to the absentee ballot board “will vary,” “have their own processes,” and “some will appoint election judges for their boards, others will employ staff.” Dakota County and the 11 large cities must follow the same process for appointing members to the ballot board per MN State Statute 203B.121, instead of a multitude of processes that are in violation of Minnesota State Law.

Minnesota State Statute 203B.121 BALLOT BOARDS, states:

“The governing body of each county, municipality, and school district with responsibility to accept and reject absentee ballots **must**, by ordinance or resolution, establish a ballot board. The board **must** consist of a sufficient number of election judges appointed as provided in sections 204B.19 to 204B.22. The board may include deputy county auditors or deputy city clerks who have received training in the processing and counting of absentee ballots.”

Under Minnesota State Statute 645.44 WORDS AND PHRASES DEFINED, the word **must** is defined as mandatory. Dakota County Elections Director Andy Lokken and the 11 large cities **must** appoint election judges to the ballot board and not just staff only. The appointing of election judges to the ballot board is mandatory and not discretionary.

And, on or about March 8, 2022 at approximately 9:15am, there was an impromptu discussion with Dakota County Elections Director Andy Lokken and in part included Mary Beth Schubert in the Dakota County election office. In attendance, were Andy Lokken, Mary Beth Schubert, and nine concerned citizens.

In the March 8, 2022 discussion, after being asked about signing up for the Dakota County ballot board, Andy Lokken stated, “This organization hires six-month temporary staff members to fill its absentee ballot board. Some cities hire election judges to do it; some use a mix of those. It’s whatever works for the organization.” Again, Andy Lokken’s intent to appoint absentee ballot board members from staff only, violates Minnesota State Law, of which it’s mandatory to appoint a sufficient number of election judges to the ballot board.

Including, but not limited to, Dakota County Elections Director Andy Lokken and the 11 large cities may be violating MN State Statute 204C.41 NEGLECT OF DUTY; OTHER OFFENSES BY ELECTION OFFICIALS; PENALTY for failure to perform election duties in accordance with MN State Statutes. Under MN State Statute 203B.121, Andy Lokken and the 11 large

cities must establish a ballot board that must consist of a sufficient number of election judges appointed as provided in sections 204B.19 to 204B.22, of which requires party balance. In addition, the board may include staff if needed.

I request that the current process for appointing members to the absentee ballot board is immediately ordered to cease and desist until it is ensured that the appointing of a sufficient number of election judges to the absentee ballot board is adhered to as provided in sections 204B.19 to 204B.22 instead of staff only.

Sincerely
Bill Kieffer
612-845-6184

Weir, Joshua P.

From: Kymi Kieffer <kieffersgarden@charter.net>
Sent: Thursday, May 26, 2022 7:34 AM
To: Fasbender, Erin
Cc: 'Linda Nara'
Subject: RE: Election Judge - August 9, 2022
Attachments: 22 05 25 Election Processes Election Judges and Polling locations.docx

Categories: Need to respond

Good morning Erin,

We came up with quite a few questions, so to give you a heads up I thought we should send you a list of some of them so you could preview them if you have time before our meeting. See attached.

Thanks again for your time. See you at 2 PM.

Bill Kieffer & Linda Nara

From: Fasbender, Erin [mailto:Erin.Fasbender@ci.rosemount.mn.us]
Sent: Monday, May 23, 2022 1:45 PM
To: kieffersgarden@charter.net
Subject: RE: Election Judge - August 9, 2022

No problem, reach out anytime & if I'm not available I will connect back.

Thanks!

From: kieffersgarden@charter.net <kieffersgarden@charter.net>
Sent: Friday, May 20, 2022 11:41 AM
To: Fasbender, Erin <Erin.Fasbender@ci.rosemount.mn.us>
Subject: RE: Election Judge - August 9, 2022

Hello Erin,

Thank you for your response. I apologize for my delayed response I missed your E-mail. If OK with you I will call next week to discuss my questions or to setup a meeting time we can arrange.

Sincerely,

Bill And Kymi Kieffer

From: Fasbender, Erin <Erin.Fasbender@ci.rosemount.mn.us>
Sent: Monday, May 16, 2022 4:10 PM

To: kieffersgarden@charter.net

Subject: RE: Election Judge - August 9, 2022

Thank you for your interest, I have your preferred time noted and a note that you'd like to be a part of the ballot board as well.

The machine testing, also known as the public accuracy test, will take place 14 days prior to the election per state statute. An exact day for this test has not yet been scheduled but will be published as required at least two days before the test and is open to the public.

I'm happy to setup a time to discuss any questions you have, please let me know a time that works best.

Thanks!

From: kieffersgarden@charter.net <kieffersgarden@charter.net>

Sent: Sunday, May 15, 2022 9:52 PM

To: Fasbender, Erin <Erin.Fasbender@ci.rosemount.mn.us>

Subject: RE: Election Judge - August 9, 2022

Hello Erin,

My wife and I are interested in the Half Day – 1:30 pm to close.

I have been trying to get information on how to get on the Ballot Board; and also interested in observing Election Machine testing. Jessie informed me you would contact me on your return to work in May. Others in Rosemount want to participate in the Ballot Board and Machine testing observation. Can we setup a meeting with you to work with your Rosemount Constituents to go over our questions on the upcoming elections?

Sincerely

Bill and Kymi Kieffer

Home phone 651-423-1818

From: Fasbender, Erin <Erin.Fasbender@ci.rosemount.mn.us>

Sent: Monday, May 9, 2022 3:38 PM

Subject: Election Judge - August 9, 2022

Good Afternoon,

Thank you for your interest in serving as an election judge for the upcoming Election.

Can you please confirm your availability for the primary election on August 9th:

- Half Day – 6 am to 1:30 p.m.
- Half Day – 1:30 pm to close
- Either Half Day
- Full Day – 6 am to close
- Not available for the primary election

Information regarding election judge training will be sent out via email in the near future. If you have any questions in the meantime, please don't hesitate to reach out.

Thank you!

Erin Fasbender
City Clerk, MCMC

City of Rosemount, 2875 145th Street W, Rosemount, MN 55068
Ph. 651-322-2003 / <http://www.ci.rosemount.mn.us>



Weir, Joshua P.

From: Fasbender, Erin
Sent: Friday, May 27, 2022 11:28 AM
To: kieffersgarden@charter.net
Subject: RE: Election Judge - August 9, 2022
Attachments: Questions from Resident.docx; 6.d. Designation of Official Newspaper.pdf

As discussed, attached are the questions with a response.

And I've also included an attachment showing our designation of the official city newspaper which is designated at the beginning of each year.

Hope that helps!

From: kieffersgarden@charter.net <kieffersgarden@charter.net>
Sent: Thursday, May 26, 2022 11:48 PM
To: Fasbender, Erin <Erin.Fasbender@ci.rosemount.mn.us>
Subject: RE: Election Judge - August 9, 2022

Hi Erin,

Thanks so much for your time today, we really appreciate it and it was very helpful to understand much of the election process. We were wondering if you could send us your copy of the questions with the answers you inserted.

Thanks again for your time.

Sincerely,
Bill, Kymi and Linda

From: Fasbender, Erin <Erin.Fasbender@ci.rosemount.mn.us>
Sent: Monday, May 23, 2022 1:45 PM
To: kieffersgarden@charter.net
Subject: RE: Election Judge - August 9, 2022

No problem, reach out anytime & if I'm not available I will connect back.

Thanks!

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To: Fasbender, Erin <Erin.Fasbender@ci.rosemount.mn.us>
Subject: RE: Election Judge - August 9, 2022

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Sincerely,

Bill And Kymi Kieffer

From: Fasbender, Erin <Erin.Fasbender@ci.rosemount.mn.us>

Sent: Monday, May 16, 2022 4:10 PM

To: kieffersgarden@charter.net

Subject: RE: Election Judge - August 9, 2022

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The machine testing, also known as the public accuracy test, will take place 14 days prior to the election per state statute. An exact day for this test has not yet been scheduled but will be published as required at least two days before the test and is open to the public.

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Subject: RE: Election Judge - August 9, 2022

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Sincerely

Bill and Kymi Kieffer

Home phone 651-423-1818

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Subject: Election Judge - August 9, 2022

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- Full Day – 6 am to close
- Not available for the primary election

Information regarding election judge training will be sent out via email in the near future. If you have any questions in the meantime, please don't hesitate to reach out.

Thank you!

Erin Fasbender
City Clerk, MCMC

City of Rosemount, 2875 145th Street W, Rosemount, MN 55068

Ph. 651-322-2003 / <http://www.ci.rosemount.mn.us>



Election Processes – Election Day and Absentee Ballot Boards

Election Day Election Judges

1. How many polling locations are there? **8**
2. How many Election Judges are needed to staff the polling locations? **A minimum of four election judges shall be appointed for each precinct in the state general election**
3. What is the deadline to apply to be an Election Judge?
 - a. For the August Primary? **The city council may pass a resolution authorizing additional election judges within 25 days before the election**
 - b. For the November General Election? **The city council may pass a resolution authorizing additional election judges within 25 days before the election**
4. When are the Election Judge assignments made?
 - a. For the August Primary? **Typically Mid-July with changes possibly made up until Election Day.**
 - b. For the November General Election? **Typically Mid-October with changes possibly made up until Election Day.**
5. Do you maintain party balance of Election Judges? **At least two election judges in each precinct must serve with a different major political party designation. The remaining election judges in a precinct can serve without an affiliation to a major political party. No more than half the judges in a precinct may belong to the same major political party**
 - a. Do you need more Republican Election Judges to establish party balance at every location? **At this time, I haven't reviewed party balance yet; if needed – I reach out to past judges.**
6. How are the polling location results transmitted to the City? **Election Judges hand deliver them to city hall following poll being closed. However, this year there is a new modem being supplied per tabulator which will transport results to county – yet to learn more about this.**
7. How are the City results transmitted to the County? **A secure personal laptop used for election purposes only.**
8. Are the polling location results posted? **We submit to county, then posted at state. We link these results to our city webpage.**

Absentee Ballots

1. How are Absentee Ballot Boards established? **By council approval via resolution**
 - a. By Ordinance?
 - b. By Annual Resolution?
2. How many Ballot Board (BB) Election Judges are needed? **Sufficient number but at least two.**
3. Are BB duties handled by Staff or chosen from the Election Judge applicants? **Consist of election judges trained in the handling and processing of absentee ballots and include appointed deputy city clerks who have received training on AB processing**
4. Is there a separate process to apply to be a Ballot Board Election Judge? **No, judges notify me if they are interested or I reach out to judges to see who would be interested.**
5. What days and hours are BB Judges needed to work? **Hours vary pending volume. Absentee voting begins 46 days prior to election – absentee ballot board. When a ballot is received a**

board has to meet within 5 days of ballot being received except when 14 days before election the board must meet within 3 days.

6. When are AB Ballots received? When do the BB Election Judges start processing the Ballots?
Ballots are received daily and up until Election checking multiple times a day. Ballots cannot be processed until after the close of business on the 7th day before the election.
7. On Election Day BB Judges are needed to process Ballots – how many are needed on Election Day? **At least two.**
8. How are Absentee Ballots requested? **By an absentee ballot application.**
9. Where can Absentee Ballots be returned to? **City Hall or County Offices**
10. Do you have Drop Boxes?
 - a. Where are they located? **In progress – applied for a state grant, will be following state guidelines.**
 - b. Are they accessible 24/7?
 - c. Are they under surveillance?
 - d. How often are they emptied?
 - e. Who retrieves the AB Ballots from the boxes – is it one or more people?
11. Are the Ballots Date Stamped with the date received? Is that done by Ballot Board (BB) Judge? How many BB Judges? **Yes, done by myself or deputy clerk.**
12. Are they kept in a specific, secured location until processed? **Yes.**
13. When are the envelopes accepted or rejected? Is that done only by BB Judges? Is there party balance in the BB Judges processing? **Yes, this is part of Ballot Board Duty. When done by election judges there is party balance.**
14. What system tracks the accepted and rejected Ballots? **Statewide Voter Registration System**
15. When are the Ballots separated from the envelope? **after the close of business on the 7th day before the election**
16. When are the Ballots entered into the Tabulator? **They are entered into an imagecast central system which holds ballots until submission on Election Day.**
17. How many BB Judges are present when Ballots are put into the Tabulator? Is there Party balance? **At least two; if the judges are clerks they are exempt from party requirement.**

City Council Regular Meeting: June 21, 2022

AGENDA ITEM: Appointment of Election Judges for 2022 Elections	AGENDA SECTION: Consent
PREPARED BY: Erin Fasbender, City Clerk	AGENDA NO. 6.c.
ATTACHMENTS: Resolution	APPROVED BY: LJM
RECOMMENDED ACTION: Motion to approve the attached Resolution appointing election judges and officials for the 2022 Elections	

BACKGROUND

Minn. Stat. 204B.21, Subd. 2, requires that all cities appoint election judges at least 25 days before the election. Staff has recruited approximately 75 Rosemount and/or Dakota County residents to serve as election judges for the 2022 primary and general elections.

The individuals listed in the resolution have indicated their willingness to serve at the upcoming election. In order to serve as a judge, the law requires regular judges to complete a minimum of two hours of training, head election judges to complete a minimum of three hours training, and election judges serving on the Absentee Ballot Board to complete training regarding the handling and processing of absentee ballots.

RECOMMENDATION

Staff recommends approval of the above-referenced motion.

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2022-XX

**RESOLUTION APPOINTING ELECTION JUDGES
FOR 2022 ELECTIONS**

WHEREAS, Minnesota Statute 204B.21 requires the governing body of a municipality to appoint election judges to serve in its precincts; and

WHEREAS, the Rosemount 2022 Election Judge appointments consists of individuals recommended by the City Clerk with the approval of the majority of the City Council.

NOW, THEREFORE BE IT RESOLVED, that the general public listed below to serve as election judges reside in in the State of Minnesota as required by Minnesota Election Laws and will be trained according to Minnesota State Statutes:

Rachel A Vickery	Marcia Holt	Tricia Paulson
Peter Aldahl	Reid Huey	Michael Pekarik
Dawn Anderson	Marie Ives	Shelby Penrod
Angeline Anderson	Eric Johnson	Mark Petersen
Clayton Andreasen	Cheryl Johnson	Misba Rehman
Melinda Andreasen	Gloria Jorgenson	Marianne Retrum
Janice Anthony	Kymi Kieffer	Carrie Richards
Angela Baumel	William Kieffer	Susan Roiger
Denise Bednar	Jason Killey	Heather Saleen
Marcia Behm	Anne Knapp	Charles Saleen
Chad Byersdorfer	Paula Kraut	Jane Schwartz
Matt Drinen	Doris Kroyer	Robert Schwartz
Diane Ehlers	Mary Kujawski	Tom Strukel
Jennifer Ellinwood	Lowell Larson	Sonya Sustacek
Michael Ford	Cheryl Lauby	Jamie Tway
Vickie Gehrman	Ellen Leach	Martha Udermann
Julia Geske-Peer	Brian Lehman	Lori Urkiel
Gregory Goettsch	Julie Lehman	Albert Leon Viall Jr
Margaret Gohman	Michelle Lejcher	Christine Walsh
Kelly Griffin	Greg Michelsen	Linda Watson
Patricia Gruenhagen	Susan Miller	Karen Webb
Mark Hanley	Linda Nara	Valerie Westby
Judy Harlow	Constance Neidt	Kenneth Wolf
Douglas A Hoffmann	Susanne Griak	Susan Scarrella

NOW THEREFORE BE IT FURTHER RESOLVED, that pursuant to Minn. Stat. 203B.21, additional judges may be appointed within 25 days of the election if it is determined additional election judges will be required.

ADOPTED this 21st day of June, 2022 by the City Council of the City of Rosemount.

William H. Droste, Mayor

ATTEST:

Erin Fasbender, City Clerk

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2022-71

**RESOLUTION APPOINTING ELECTION JUDGES
FOR 2022 ELECTIONS**

WHEREAS, Minnesota Statute 204B.21 requires the governing body of a municipality to appoint election judges to serve in its precincts; and

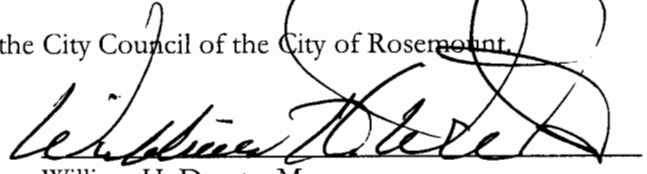
WHEREAS, the Rosemount 2022 Election Judge appointments consists of individuals recommended by the City Clerk with the approval of the majority of the City Council.

NOW, THEREFORE BE IT RESOLVED, that the general public listed below to serve as election judges reside in in the State of Minnesota as required by Minnesota Election Laws and will be trained according to Minnesota State Statutes:

Rachel A Vickery	Marcia Holt	Tricia Paulson
Peter Aldahl	Reid Huey	Michael Pekarik
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Janice Anthony	Kymi Kieffer	Carrie Richards
Angela Baumel	William Kieffer	Susan Roiger
Denise Bednar	Jason Killey	Heather Saleen
Marcia Behm	Anne Knapp	Charles Saleen
Chad Byersdorfer	Paula Kraut	Jane Schwartz
Matt Drinen	Doris Kroyer	Robert Schwartz
Diane Ehlers	Mary Kujawski	Tom Strukel
Jennifer Ellinwood	Lowell Larson	Sonya Sustacek
Michael Ford	Cheryl Lauby	Jamie Tway
Vickie Gehrman	Ellen Leach	Martha Udermann
Julia Geske-Peer	Brian Lehman	Lori Urkiel
Gregory Goetsch	Julie Lehman	Albert Leon Viall Jr
Margaret Gohman	Michelle Lejcher	Christine Walsh
Kelly Griffin	Greg Michelsen	Linda Watson
Patricia Gruenhagen	Susan Miller	Karen Webb
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NOW THEREFORE BE IT FURTHER RESOLVED, that pursuant to Minn. Stat. 203B.21, additional judges may be appointed within 25 days of the election if it is determined additional election judges will be required.

ADOPTED this 21st day of June, 2022 by the City Council of the City of Rosemount.



William H. Droste, Mayor

ATTEST:



Erin Fasbender, City Clerk

City Council Special Meeting: June 21, 2022

AGENDA ITEM: Establishing an Absentee Ballot Board	AGENDA SECTION: Consent
PREPARED BY: Erin Fasbender, City Clerk	AGENDA NO. 6.h.
ATTACHMENTS: Resolution	APPROVED BY: LJM
RECOMMENDED ACTION: Motion to approve the attached resolution establishing an Absentee Ballot Board in the City of Rosemount	

BACKGROUND

Pursuant to Minn. Stat. § 203B.121 Subd. 1, the governing body of each county, municipality, and school district with responsibility to accept and reject absentee ballots must, by ordinance or resolution, establish an Absentee Ballot Board.

Pursuant to Minn. Stat. § 204B.19 to 204B. 22, the Ballot Board membership must consist of a sufficient number of elections judges in equal number from each of the major political parties in Minnesota. Pursuant to Section 203B.121, Subd. 1, the board may include deputy city clerks who have received training in the processing and counting of absentee ballots. The number of ballot board members will be adjusted for ballot volume.

RECOMMENDATION

Staff recommends that the council establish an absentee ballot board effective June 24, 2022.

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2022 - XX

A RESOLUTION ESTABLISHING AN ABSENTEE BALLOT BOARD

WHEREAS, is required by Minnesota Statutes 203B.121, Subd. 1 to establish an Absentee Ballot Board effective June 24, 2022; and

WHEREAS, this board will bring uniformity in the processing of accepting or rejecting returned absentee ballots in Rosemount;

WHEREAS, the Absentee Ballot Board would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 or deputy city clerks trained in the processing and counting of absentee ballots;

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Rosemount hereby establishes an Absentee Ballot Board that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 or deputy city clerks to perform the task.

ADOPTED this 21st day of June, 2021.

William H. Droste, Mayor

ATTEST:

Erin Fasbender, City Clerk

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2022 - 72

A RESOLUTION ESTABLISHING AN ABSENTEE BALLOT BOARD

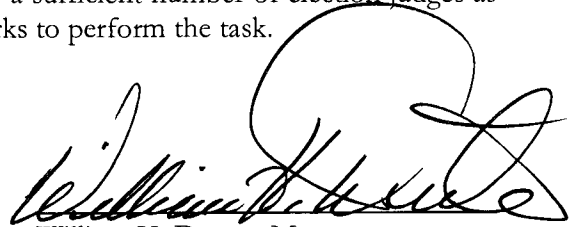
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WHEREAS, the Absentee Ballot Board would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 or deputy city clerks trained in the processing and counting of absentee ballots;

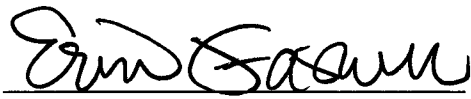
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ADOPTED this 21st day of June, 2021.



William H. Droste, Mayor

ATTEST:



Erin Fasbender, City Clerk

Absentee Ballot Board Official Certification Election Judge Oath and Equipment Certification

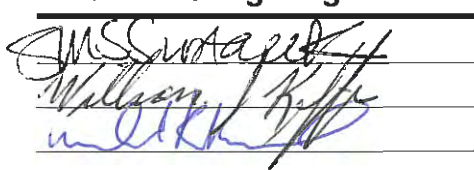
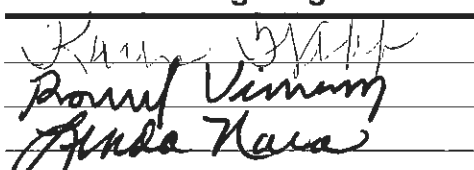
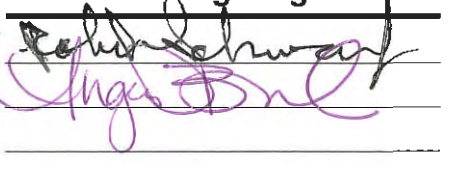
Municipality: <u>Rosemount</u>	Ward / Precinct: <u>A11</u>	Election Type: <u>Primary</u>	Date: <u>6-28-22</u>
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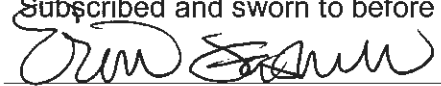
Election Judge Oath

Each election judge must sign the following oath before assuming the duties of the office. Attach this oath to the absentee ballot summary statement of the election returns.

If there is no individual present who is authorized to administer oaths, the election judges may administer the oath to each other.

"I solemnly swear (or affirm) that I will perform the duties of election judge according to law and the best of my ability and will diligently endeavor to prevent fraud, deceit and abuse in conducting this election. I will perform my duties in a fair and impartial manner and not attempt to create an advantage for my party or for any candidate." M.S. 204B.24

Election Judge Signatures	Election Judge Signatures	Election Judge Signatures
		

Subscribed and sworn to before me this	<u>2:00 p.m</u>	<u>June</u>	<u>28</u>	<u>2022</u>
	<small>Time</small>	<small>Month</small>	<small>Day</small>	<small>Year</small>
	<u>1-31-27</u>			
<small>Signature of Person Authorized to Administer Oath</small>	<small>Date Authority Expires</small>			
<u>Erin Fasbender</u>	<u>Dakota</u>			
<small>Printed Name of Person Authorized to Administer Oath</small>	<small>County of Residence</small>			

Equipment Certification

Section 1 – Elections Official Equipment Certification:

1. Equipment Certification: Ballot Counter Seals: CF #1: _____ CF #2: _____

Election Official Signatures

Section 2 – Opening Election Judge Equipment Verification:

1. Equipment Certification Ballot Counter Seals: CF #1: _____ CF #2: _____

2. Official ballot matches the sample ballot (check one) Yes No

3. Official ballot matches the accessible voting device (check one) Yes No

(Record any discrepancies on the Incident Log and contact your Election Official)

Opening Election Judge Signatures

Section 3 – Closing the Polls Equipment Verification:

1. Equipment Certification: Ballot Counter Seals: CF #1: _____ CF #2: _____

(If the Seal Numbers do not match, record a reason on the Incident Log and contact your Election Official)

Closing Election Judge Signatures

Fasbender Decl, Exhibit J
Page 1 of 1

OFFICE OF DAKOTA COUNTY ATTORNEY
KATHRYN M. KEENA
COUNTY ATTORNEY



Dakota County Judicial Center
1560 Highway 55
Hastings, MN 55033-2343
E-mail: attorney@co.dakota.mn.us

Telephone: 651-438-4438
Administrative Fax: 651-438-4499

June 29, 2022

Heidi Flodin
13844 Sunset Lake Drive
Burnsville, MN 55337-7707

VIA: EMAIL
hflodin@mail.com

RE: Dominion Software Certification
EN-2022-5

Dear Ms. Flodin:

I have had an opportunity to review your June 22, 2022, correspondence. While it would be a pleasure to meet with you and members of your team to discuss your concerns, because I am the person who would receive and initially review any election complaint you may file, it would not be appropriate for me to do so. By participating in such a meeting, I would make myself a potential witness on this issue which would create a conflict of interest for me in reviewing any subsequent complaint that may be filed.

Although I am unable to meet with you, I do wish to take this opportunity to provide my initial reaction to your stated concerns. As you recognize, the crux of the issue is whether Dakota County and the municipalities within the County are utilizing a new electronic voting system due to the County adding a new Dell server and upgrading its electronic voting system software to Dominion Voting Systems Democracy Suite 5.5C. As explained below, I am of the opinion that the addition of the server and a software upgrade does not convert the Dominion Voting System to a new electronic voting system as defined in Minnesota statute.

The term "electronic voting system" is defined in Minn. Stat. § 206.56, subd. 8 as follows:

'Electronic voting system' means a system in which the voter records votes by means of marking a ballot, so that votes may be counted by automatic tabulating equipment in the polling place where the ballot is cast or at a counting center.

An electronic voting system includes automatic tabulating equipment; nonelectronic ballot markers; electronic ballot markers, including electronic ballot display, audio ballot reader, and devices by which the voter will register the voter's voting intent; software used to program automatic tabulators and layout ballots; computer programs used to accumulate precinct results; ballots; secrecy folders' system documentation; and system testing results.

Heidi Flodin
June 29, 2022
Page 2

As the term is defined, I interpret a “new electronic voting system” to mean a completely new system comprised of all the above components which includes numerous pieces of hardware and associated software; and not just a software upgrade to an existing approved system. This is supported by Minnesota Rule 8220.0700, which requires any modification to hardware or software of a previously certified electronic voting system to be recertified. So the fact that Dominion sought certification of Dominion Voting Systems Democracy Suite 5.5C, does not mean it is a new system. In fact, the secretary of state’s Certification Report and Recommendation dated April 12, 2022 states “The D-Suite 5.5C is a modification from the previously certified Democracy Suite 4.14-E (D-Suite 4.14-E).” The use of the term “modification” demonstrates that Dominion Voting Systems Democracy Suite 5.5C is not a new system.

This interpretation is also supported by the County’s contract with Dominion Voting Systems, Inc. In 2015, following a competitive proposal process, Dakota County contracted with Dominion and implemented a new electronic voting system. (At that time, the County also hosted the public demonstration of the new electronic voting system for the municipalities under Minn. Stat. § 206.58, subd. 1.) In 2020, the contract was extended through July 31, 2025. The 2015 contract with Dominion required it to provide Dakota County with hardware, software licenses and implementation services. The contract included at least 443 pieces of hardware, such as 165 ballot tabulators, 170 ballot boxes, 90 memory cards, 14 central counting systems, 2 workstations, a server and a ballot counter.

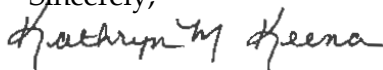
The software and firmware to operate the system are licensed to the County. The license includes any applicable upgrades, enhancements, revisions or customizations to the software. It also requires Dominion, in the event it certifies a software upgrade under the Minnesota Election Law, to provide the software upgrade to the County at no cost. As you have noted, Dominion received federal and state certification of Dominion Voting Systems Democracy Suite 5.5C.

Dakota County has updated the software for its electronic voting system pursuant to these provisions. As a result of the software upgrade, the County has replaced two servers utilized with the electronic voting system. All other hardware listed above, including equipment used by voters, remains the same. Based on that, it is my opinion that the County has not implemented a new electronic voting system as defined in Minn. Stat. §206.56, subd. 8.

Accordingly, because there is no new electronic voting system being utilized, the municipalities are not obligated to disseminate information to the public about a “new electronic voting system” under Minn. Stat. § 206.58, subd. 1.

As always, I appreciate you and the other members of our team for bringing your concerns forward. If you wish to file a formal complaint with my office and/or provide any additional information in support of your concerns, please do not hesitate to do so.

Sincerely,



Kathryn M. Keena
Dakota County Attorney

KMK/TRD/jr

Fasbender Decl, Exhibit K
Page 2 of 2

Weir, Joshua P.

From: Fasbender, Erin
Sent: Monday, July 11, 2022 8:26 AM
To: Kymi Kieffer
Subject: RE: Election Judge Details - August 9th - Please Read

Sounds good, Thank you!

From: Kymi Kieffer <kieffersgarden@charter.net>
Sent: Monday, July 4, 2022 7:01 PM
To: Fasbender, Erin <Erin.Fasbender@ci.rosemount.mn.us>
Subject: RE: Election Judge Details - August 9th - Please Read

Hello Erin,

I will be available for the Public Accuracy Testing on July 26th at 12:30PM

Thank you

Bill Kieffer

From: Fasbender, Erin [<mailto:Erin.Fasbender@ci.rosemount.mn.us>]
Sent: Monday, June 27, 2022 11:20 AM
Subject: Election Judge Details - August 9th - Please Read

Good Morning,

Thank you for applying to serve as an Election Judge in the City of Rosemount. You have been appointed by the City Council and scheduled to work in the August 9, 2022 Primary Election.

Online Election Judge Training:

Dakota County sent out emails early last week regarding [online election judge training](#) along with your username to sign on and a temporary password; if you have any issues logging on, please let me know. You will be compensated for your time (2 hours) in completing the training if you have requested compensation for your service as an election judge. If you do not have a computer, the [Dakota County Library in Rosemount](#) has several computers available for public use.

Attached is a cheat sheet to help navigate through the online training. **Please complete this training by July 22nd.**

Other details:

- Polling Location assignments will be emailed out mid-July; please keep an eye out for your assignment. **Please let me know asap if you are unable to assist with Elections on August 9th.**
- Public Accuracy Testing will take place on **July 26th at 12:30 p.m.** for those interested. I will need at least 6 judges to assist; please let me know if you are available by responding to this email.
- The following online form will need to be completed asap for you to be entered into our payroll system: <https://rs-forms.ci.rosemount.mn.us/Forms/electionjudge> . If you have any specific questions about the likelihood of paying taxes on these earnings, contact your independent tax advisor for information regarding your situation. **If you have chosen to volunteer your time, please respond informing me of this.**

- If you elected to be a head judge; a separate email will be sent out regarding specific head judge training end of July.
- **OPTIONAL:** For judges who have additional questions regarding the online training or would like to view the equipment in person please sign up to meet at City Hall on July 20th from 1-2:30 p.m. as staff will be on-hand to assist and answer questions. If you plan to attend this open training time, please RSVP here: <https://www.signupgenius.com/go/9040D4EA8AB22A3F58-inperson>. *Please note, this training is optional and you will not be compensated for your time.*

Please note; as absentee voting is currently underway at City Hall, I am not always at my desk. If you need to get in touch with me, email is the quickest method for me to get you a response!

Thank you,

Erin Fasbender
City Clerk, MCMC

City of Rosemount, 2875 145th Street W, Rosemount, MN 55068
Ph. 651-322-2003 / <http://www.ci.rosemount.mn.us>



Weir, Joshua P.

From: Lundquist, Phillip <Phillip.Lundquist@CO.DAKOTA.MN.US>
Sent: Thursday, July 14, 2022 6:38 PM
To: aorlofsky@lakevillemn.gov; bvanhoose@cityofeagan.com; Christine Lusian; Muller, Cindy; Deanna Werner (dwerner@southstpaul.org); Fasbender, Erin; Kelly Murtaugh KMurtaugh@hastingsmn.gov; Lynette Peterson (Lynette.Peterson@ci.northfield.mn.us); Collins, Macheal; ntillander@wspmn.gov; Pamela Gackstetter; Rebecca Kiernan
Subject: Programming Updates

Hello all,

I got an updated from the printer on the polling place reference guides and their delivery date is Monday the 25th. Electronic versions are out in Sharepoint and accessible for viewing and downloading by judges in iTacit.

The other major update is that testing materials will be delivered Monday morning. This includes the test deck, certification of testing form, step-by-step instructions that include information about the username and also how to rezero, and the Ballot and Equipment Certification Form. The Ballot and Equipment Certification form used to be in the precinct kits but because it is needed after prelim (for all but your three PAT machines) it will be with the testing stuff.

We'll get through this!
Phillip

Phillip Lundquist
Elections Specialist



Elections

= he/him
P 651-438-4305
W www.dakotacounty.us
A 1590 Highway 55, Hastings MN 55033
D 651-438-4936

Note: This email and its attachments may contain information protected by state or federal law or that may not otherwise be disclosed. If you received this in error, please notify the sender immediately and delete this email and its attachments from all devices.

Weir, Joshua P.

From: Lokken, Andy <Andy.Lokken@CO.DAKOTA.MN.US>
Sent: Friday, July 15, 2022 1:24 PM
To: Fasbender, Erin
Subject: RE: RE: A couple of questions...

Categories: Waiting on response, Take Action

Hi:

Ms. Flodin is emailing the city clerks in the county alleging a violation of M.S. 206.58. That section requires the demonstration of a new voting system for 60 days prior to an election. Rosemount and the county conducted that demo in 2015, when we bought the system. At least Crow Wing County has been contacted, so we suspect the other Dominion Voting counties will be contacted too.

What she is asking about is a requirement of a new voting system, not an updated or “modified” system as the approval language says. The city is in compliance with the voting system requirements. If you want to respond, you might have your attorney contact Tom Donely in the County Attorney’s Office- Thomas.Donely@CO.DAKOTA.MN.US. That office recently dealt with the same complaint on the county.

Hope this is helpful,

Andy

From: Fasbender, Erin <Erin.Fasbender@ci.rosemount.mn.us>
Sent: Friday, July 15, 2022 11:58 AM
To: Lokken, Andy <Andy.Lokken@CO.DAKOTA.MN.US>
Subject: FW: RE: A couple of questions...

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Hello,

Can you assist with a response for the email below as I’m unsure of the specific details that she’s noted below?

Thanks!

From: Heidi Flodin <hflodin@mail.com>
Sent: Friday, July 15, 2022 11:50 AM
To: Fasbender, Erin <Erin.Fasbender@ci.rosemount.mn.us>
Subject: Re: RE: A couple of questions...

Hello, Erin!

Thank you for responding so quickly. No, I am not asking about e-poll pads or e-poll books.

Dakota County was using Dominion Voting System software version 4.14E until May of this year. This voting system included Microsoft operating system and server software that was beyond end-of-life and no longer supported. The software had not received any security patches or updates since January of 2020, yet was used in all of the 2020 and 2021 elections and some 2022 township elections.

Perhaps in an effort to amend this lack of security and support, at the end of May the county with the assistance of the Office of the Secretary of State upgraded to a new Dominion Voting System version 5.5C. 5.5C is a newer, though not the newest, modification of Dominion's new Voting System 5.0. According to the Elections Assistance Commission (EAC) 5.0 was a completely new voting system software unrelated to version 4.14E. Therefore the change is an upgrade to something new rather than just an update of something in use, and it even included the need for newer, faster hardware in the form of a new server.

The Office of the Secretary of State is certifying that because 5.5C is a modification of 5.0, this change is just a modification. However, the county did not update from 5.0 to 5.5C, instead they upgraded from 4.14E directly to 5.5C. If 5.0 is a new voting system completely separate from 4.14E, than any modification of 5.0 is also a new voting system completely separate from 4.14E, and the Office of the Secretary of State is in error and not in agreement with the EAC.

Dakota County has a new electronic voting system. I was just wondering if you knew about it, and the statutory requirements for municipalities that go with it?

Respectfully,

Heidi Flodin

Sent: Friday, July 15, 2022 at 8:48 AM
From: "Fasbender, Erin" <Erin.Fasbender@ci.rosemount.mn.us>
To: "hflodin@mail.com" <hflodin@mail.com>
Subject: RE: A couple of questions...

Hi Heidi,

I'm the City Clerk for Rosemount and the main contact regarding elections. I'm unsure if I understand your question regarding the new electronic voting system; are you referencing pollpads?

At this time the Public Accuracy Test (as required by [state statute](#) prior to each election) is tentatively scheduled for July 26th at 12:30 p.m. here at City Hall. However, the posting requirement is at least 2 days prior to the test. The [Dakota County Tribune](#) is our official newspaper where all required legal documents and noticed will be published.

Let me know if you'd like to chat to further discuss any questions you have.

Thanks,

Erin Fasbender

City Clerk, MCMC

City of Rosemount, 2875 145th Street W, Rosemount, MN 55068



From: Heidi Flodin <hflodin@mail.com>
Sent: Thursday, July 14, 2022 10:35 PM
To: Martin, Logan <Logan.Martin@ci.rosemount.mn.us>; Foster, Emmy <emmy.foster@ci.rosemount.mn.us>
Subject: A couple of questions...

Hello, Mr. Martin and Ms. Foster:

As the primary is coming up, I am wondering if you know about the new electronic voting system? Could you please provide a link or PDF of the public notice for the new voting system? When and where was it published? When will the public demonstration of the new system take place?

With appreciation for your time in responding,

Heidi Flodin

Note: This email and its attachments may contain information protected by state or federal law or that may not otherwise be disclosed. If you received this in error, please notify the sender immediately and delete this email and its attachments from all devices.

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the public test of the Dominion Voting ImageCast Evolution vote tabulating and electronic ballot marking equipment to be used in the primary election will be conducted on Tuesday, July 26 at 12:30 p.m. in the Council Chambers at City Hall, 2875 145th Street West, Rosemount, 55068. The voting equipment will be used within the City of Rosemount. The test will be observed by at least two election judges, who are not of the same political party, and is open to representatives of the political parties, candidates, the press and the public.

The voting systems will be tested to ascertain that the system will correctly count the votes cast for all candidates and questions.

Persons interested in attending this public test should call the office of Erin Fasbender, City Clerk at 651-322-2003.

Dated this 19th day of July, 2022.

A handwritten signature in black ink, appearing to read "Erin Fasbender", written over a horizontal line.

Erin Fasbender
City of Rosemount
Dakota County, Minnesota



EAST CENTRAL MINNESOTA

Ad Proof

Not Actual Size

CITY OF ROSEMOUNT NOTICE OF PUBLIC ACCURACY TEST

Notice is hereby given that the public test of the Dominion Voting ImageCast Evolution vote tabulating and electronic ballot marking equipment to be used in the primary election will be conducted on Tuesday, July 26 at 12:30 p.m. in the Council Chambers at City Hall, 2875 145th Street West, Rosemount, 55068. The voting equipment will be used within the City of Rosemount. The test will be observed by at least two election judges, who are not of the same political party, and is open to representatives of the political parties, candidates, the press and the public.

The voting systems will be tested to ascertain that the system will correctly count the votes cast for all candidates and questions.

Persons interested in attending this public test should call the office of Erin Fasbender, City Clerk at 651-322-2003.

Dated this 22nd day of July, 2022,

/s/ Erin Fasbender, City Clerk
City of Rosemount
Dakota County, Minnesota

Published in the
Dakota County Tribune
July 22, 2022
1244686

-Public Notice Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully. If changes are needed, please contact us prior to deadline at Cambridge (763) 691-6000 or email at publicnotice@apgecm.com

Date: 07/19/22

Account #: 412620

Customer: CITY OF ROSEMOUNT

Address: 2875 145TH STREET W
ROSEMOUNT

Telephone: (651) 423-4411
Fax:

Publications:

Dakota County Tribune

Ad ID: 1244686

Copy Line: Public Accuracy Test

PO Number:

Start: 07/22/22

Stop: 07/22/2022

Total Cost: \$36.00

of Lines: 44

Total Depth: 4.889

of Inserts: 1

Ad Class: 125

Phone # (763) 691-6000

Email: publicnotice@apgecm.com

Rep No: SE710

Contract-Gross

Certificate of Preliminary and Public Accuracy Tests

County of Dakota, Minnesota

For: Rosemant P4

Preliminary Testing Certificate

I hereby certify that all precincts have been tested using the test desks prepared at my direction for the 2022 State Primary and that the results tapes agree with the predetermined results of the test decks.

I also certify that the zero tape was compared with the ballots for each precinct to ascertain that the appropriate ballots are in each precinct and that the offices and questions to be voted on and the candidates' names are in the order they appear on the ballots for each precinct.

After completion of the preliminary testing, the test results tapes, the duplicate copies of the precinct memory cards, test decks, and predetermined results of the test decks were secured in a sealed container.

[Signature]
Local Election Official

7/18/22
Date

Public Accuracy Test Certificate

This is to certify that after at least 48 hours public notice of the time and place of the test by publication in official newspaper and by posting a notice in the office of the local election office

conducting the test, the Public Accuracy Test was conducted on 7/26/22 (date)

at 12:30 (time) at City Hall 2875 14th St. W (location).

We hereby certify that the seal on the container and the preliminary test results tapes, duplicate copies of the precinct memory cards, test decks, and predetermined results were in the container when opened.

We hereby certify that errorless counts have been made using the test decks provided by the Elections Coordinator and that the results tapes agree with the predetermined results of the test decks.

After completion of the Public Accuracy Test, the Preliminary Testing results tapes, Public Accuracy Test results tapes, test decks, the duplicate copies of the precinct memory cards, and predetermined results of the test decks were secured in a sealed container.

Signatures of all individuals who attended the Public Accuracy Test:

Election Officials/Public:

[Signature]
[Signature]
[Signature]

City of Rosemount
Public Accuracy Certificate
July 26, 2022

We hereby certify that errorless counts have been made for the City of Rosemount, Precincts 1, 3 and 4, using the test decks provided by Dakota County and that the results tape agree with the predetermined results of the test decks.

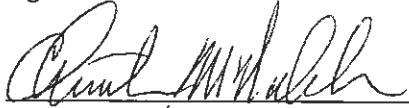


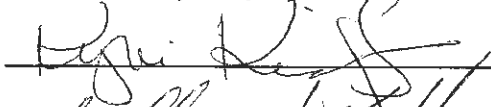
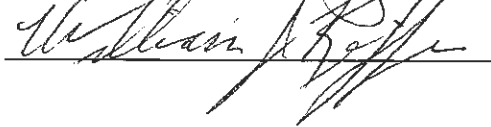
Enclosed herein are the results tapes of the Public Accuracy Test.

After the Public Accuracy Test the original memory cards for said precincts were sealed with the following numbers:

Precinct - 1 : ~~029664 + 029663~~ 029651 + 029650
Precinct - 4 : 029665 + 029666
Precinct - 3 : 029662 + 029661

After completion of the Public Accuracy Test, a transfer case containing the Preliminary Testing Certificate, results tapes, test decks, and predetermined results of the test decks was sealed with our signatures. The duplicate copies of the precinct memory cards were sealed with our signatures.

Signature of all individuals who attended the Public Accuracy Test:

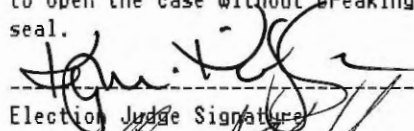
County Commissioner District 4 (1)
 Logan O'Grady : 1
 Bill Droste : 2
 Seema Maddali : 3
 Robert (Bob) Heidenreich : 4
 Total Votes : 10
 Number of Overvotes : 2
 Number of Undervotes : 15

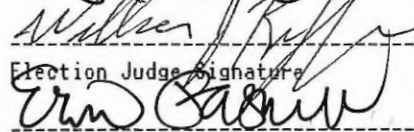
County Attorney (1)
 Matt Little : 1
 Kathy Keena : 2
 Jeffrey (Jeff) Sheridan : 3
 Elizabeth Lamin : 5
 Total Votes : 11
 Number of Overvotes : 4
 Number of Undervotes : 12

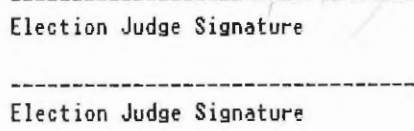
Unit Model: ICE (2.3)
 Unit Serial: AAFEBF00129
 Protective Counter: 7084
 Software Version: 5.5.6.5

Certification

We, the undersigned election judges, hereby certify that the above election was held in accordance with Minnesota Statutes; that the number of ballots entered on this tape correctly show the number of ballots in the transfer case; and that all ballots prepared and used in this polling place are securely sealed in a manner as to render it impossible to open the case without breaking the seal.


 Election Judge Signature


 Election Judge Signature


 Election Judge Signature

Poll closed.
 Tuesday Jul 26 14:30:19 2022

Weir, Joshua P.

From: Lundquist, Phillip <Phillip.Lundquist@CO.DAKOTA.MN.US>
Sent: Wednesday, July 27, 2022 11:15 AM
To: Fasbender, Erin
Subject: modem instructions
Attachments: Modem Transmission Instructions.docx

Categories: Need to file

Here you go! Thanks for being great this morning.
Phillip

Phillip Lundquist
Elections Specialist



Elections

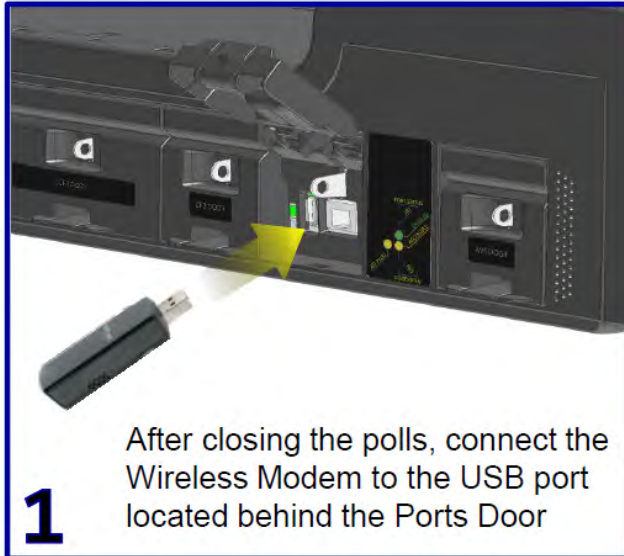
= he/him
P 651-438-4305
W www.dakotacounty.us
A 1590 Highway 55, Hastings MN 55033
D 651-438-4936

Note: This email and its attachments may contain information protected by state or federal law or that may not otherwise be disclosed. If you received this in error, please notify the sender immediately and delete this email and its attachments from all devices.

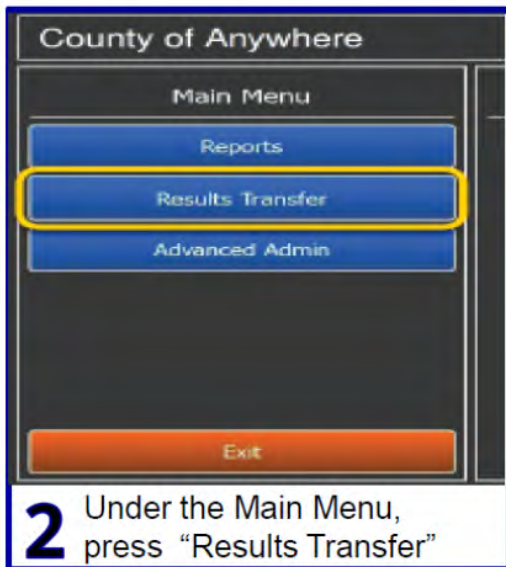
Modem Results Transfer

Close polls and wait for all results reports to print. If more results tapes are needed (those precincts with multiple school district splits), go to “Reports” to print more before progressing. Sign all results tapes and place in the appropriate envelopes.

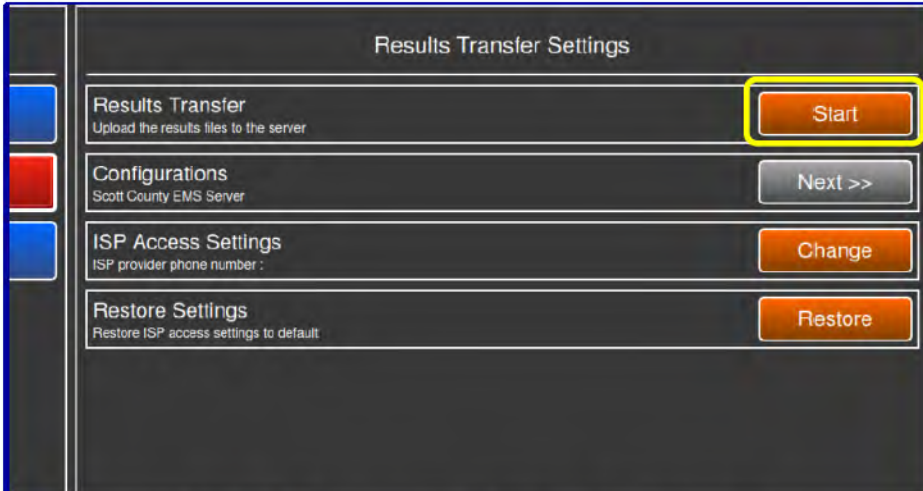
Remove the cord for the external monitor and plug in the modems to that same port.



From the menu screen select “Results Transfer.”



Press “Start” within the “Results Transfer” box.

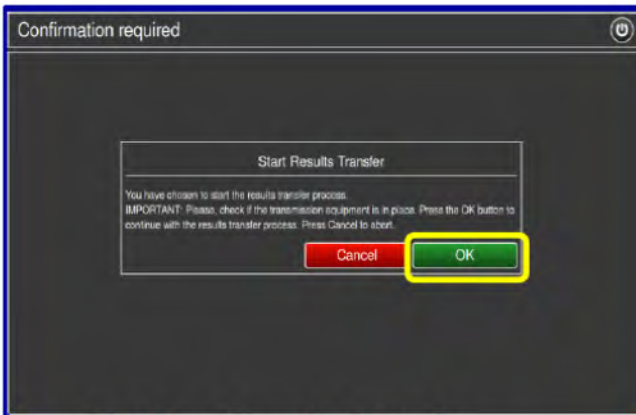


The screenshot shows a software interface titled "Results Transfer Settings". It contains four main sections, each with a button:

- Results Transfer**: "Upload the results files to the server" with a highlighted "Start" button.
- Configurations**: "Scott County EMS Server" with a "Next >>" button.
- ISP Access Settings**: "ISP provider phone number :" with a "Change" button.
- Restore Settings**: "Restore ISP access settings to default" with a "Restore" button.

3 Press “Start” to begin results transfer procedure.

Confirm selection.



The screenshot shows a "Confirmation required" dialog box with the following text:

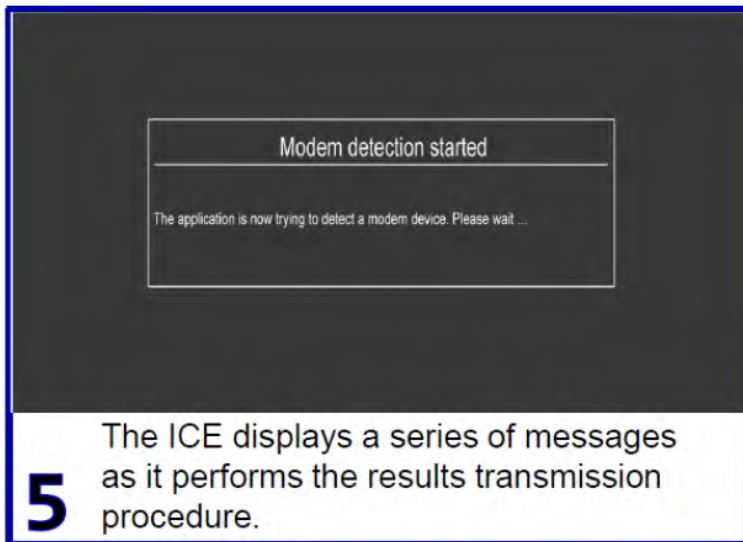
Start Results Transfer

You have chosen to start the results transfer process.
IMPORTANT: Please, check if the transmission equipment is in place. Press the OK button to continue with the results transfer process. Press Cancel to abort.

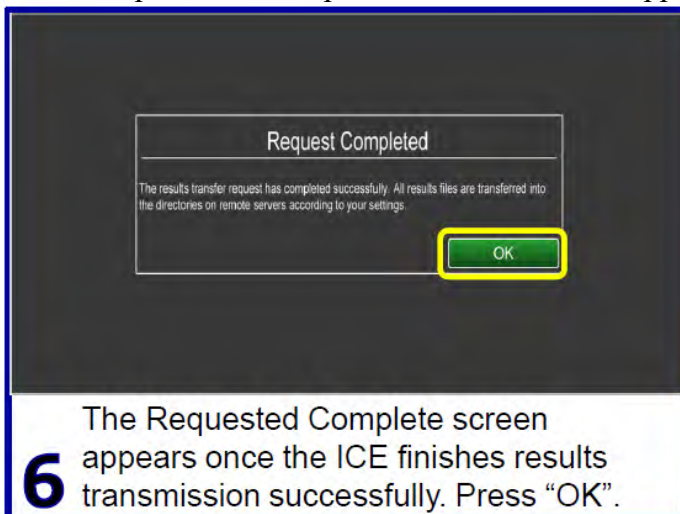
Buttons: Cancel (red), OK (green, highlighted with a yellow box).

4 The Start Results Transfer confirmation screen appears. Press “OK” to continue

The ICE will begin the process.



When the process is complete a notification will appear on the screen.



The ICE will print a transmission report. Attach this report to the Incident Log. Once it has printed and been attached to the Incident Log you may shut down the tabulator and continue the closing the polls process.

AB Board

Date	Election Judge Names		Start Time	End Time
6/28/2022	Bill Kieffer	Sonya Sustacek	2:00 pm	2:15 pm
6/30/2022	Karen Witt	Michael Pekarik	2:00	2:23
7/5/2022	Bill Kieffer	Karen Witt	2:00	2:40 pm
7/7/2022	Bill Kieffer	Karen Witt	2:00	2:15 pm
7/12/2022	Michael Pekarik	Ronald Viny	2:00	2:26
7/14/2022	Michael Pekarik	Karen Witt	2:00	2:15 p.m.
7/19/2022	Bill Kieffer	Ronald Viny	2:00	2:15 pm
7/21/2022	Karen Witt	Anna Nava	2:00	2:15
7/25/2022	Tahit Delwan	Shab Bnl	2:00	2:20
7/27/2022	Michael Pekarik	Tahit Delwan	2:00	2:35
7/29/2022	Sonya Sustacek	Bill Kieffer	2:00	2:30
8/1/2022	Karen Witt	Michael Pekarik	2:00	2:25
8/3/2022	Karen Witt	Bill Kieffer	2:00	2:30 p.m.
8/5/2022				
8/8/2022				
8/9/2022				

- Notice Board
- Messages 1
- My Activities 1
- My Team**
- Library
- Need Assistance
- Admin

powered by iTacit - Privacy Policy

Log Out

William John Kieffer
Election Judge, Rosemount (ROS)
[View profile](#)

ACTIONS

Assigned **Completed**

All Topics 2022 Organize by Programs

✓ July 17, 2022	2022-24 ePollbook Training	100%
✓ July 8, 2022	2022 Election Judge Training	86%
✓ July 8, 2022	iTacit - Employee Tour (English)	

No more results.



Absentee Ballot Count: Accepted and Rejected

08/04/2022
12:49 PM

County-Dakota, MCD-ROSEMOUNT, Election-08/09/2022 - STATE PRIMARY, AB Designated-All Municipalities, Application Type-Regular, Regular Application Delivery Method-Direct Balloting

Municipality	Ward	Precinct	Accepted			Rejected		
			PCT	FED	PRS	PCT	FED	PRS
Dakota								
145-Rosemount		4210-ROSEMOUNT P-1	16	0	0	0	0	0
		4220-ROSEMOUNT P-2	4	0	0	0	0	0
		4230-ROSEMOUNT P-3	11	0	0	0	0	0
		4240-ROSEMOUNT P-4	9	0	0	0	0	0
		4250-ROSEMOUNT P-5	6	0	0	0	0	0
		4270-ROSEMOUNT P-7	9	0	0	0	0	0
		4280-ROSEMOUNT P-8	10	0	0	0	0	0
		Municipality Total:	65	0	0	0	0	0
	Dakota County Total:		65	0	0	0	0	0