

The official canvass meeting of the Erie County Board of Elections was called to order by Chairman Thomas Ferrell on Monday, April 1st, 2024 at 9:30 a.m.

Roll Call:	(D) Thomas M. Ferrell, Chairman	Present
	(R) Lisa M. Crescimano, Member	Present
	(D) MaryAnn Groot, Member	Present
	(R) Nancy C. McKeen, Member	Present

Guests in attendance: Jason Hinnars from Erie County Prosecutor's Office

Adrienne James, Deputy Director, reviewed 17-year-old ballots. She stated that on Election Night, the poll workers are supposed to place 17-year-old ballots with the provisionals, but there were two that were placed in other bags that we found after Election Night. We intend to scan the two ballots today during the official canvass. However, one of them had to be remade by a bipartisan team because the voter voted on State Central Committee, which they are not permitted to do. The board members reviewed the remade ballot. Ms. Groot motioned to accept the remade ballot, with Ms. Crescimano seconding. All board members voted yes; motion carried.

Ms. James reviewed absentee ballots received after the election. She stated that 24 were postmarked by March 18th or earlier and received in the office by March 23rd. One absentee ballot had a deficiency, but the voter returned the 11-s supplemental form to correct the deficiency by March 23rd. In total, there are 25 absentee ballots received after the election that are eligible for counting. The board members reviewed the ballots. Ms. Groot motioned to count the 25 eligible absentee ballots, with Ms. Crescimano seconding. All board members voted yes; motion carried.

Ms. James stated that eight absentee ballots received after the election are not eligible for counting. Three are absentee ballots that had a postmark of March 18th or earlier, but they were received after the March 23rd deadline. One is a UOCAVA overseas ballot that was received after March 23rd. Four are absentee ballots with a postmark of March 19th or later. Mr. Ferrell asked about the UOCAVA ballot. Ms. James stated it was postmarked March 15th from Taiwan. Ms. Groot asked about an absentee ballot where you can't read the postmark. Ms. James stated that we scanned the barcode on the envelope, which indicated a date of March 20th. Ms. Groot motioned to not count the ballots, with Ms. Crescimano seconding. All board members voted yes; motion carried.

Eliza Link, Clerk, presented provisional ballots to the board. She stated we have a total of 56 provisionals this election: 13 during early voting, 6 on Election Day in the office, and 37 on Election Day at polling locations.

13 voted provisionally due to being registered to vote in another Ohio county. Ms. Link corresponded with the other counties to verify that the voters are registered there and did not vote there. All 13 are eligible for counting. Ms. Crescimano motioned to count the ballots, with Ms. Groot seconding. All board members voted yes; motion carried.

Two voted provisionally because they did not have valid photo ID on Election Day at their polling locations. Both voters came to the Board of Elections by the March 23rd deadline to present valid ID to the Board of Elections staff, so their ballots are eligible for counting. Ms. Crescimano motioned to count the ballots, with Ms. Groot seconding. All board members voted yes; motion carried.

Two voted provisionally because they were in provisional status. When they registered to vote, we sent them an acknowledgement notice which was returned to us as undeliverable. Because of this, we had to place them in provisional status and verify their address. Both are eligible for counting, per the Election Official Manual. Ms. Crescimano motioned to count the ballots, with Ms. Groot seconding. All board members voted yes; motion carried.

One voted provisionally because they had a name change and address change. Ms. Link verified that they did not try to vote at their old location or with their old name. The ballot is eligible for counting. Ms. Groot motioned to count the ballot, with Ms. Crescimano seconding. All board members voted yes; motion carried.

21 voted provisionally because of address changes within the county. They are all Erie County voters but did not update their address by the February 20th deadline. All are eligible for counting. Ms. Groot motioned to count the ballots, with Ms. McKeen seconding. All board members voted yes; motion carried.

One voted provisionally due to an address change, but when they completed the provisional ID envelope, they failed to sign, which makes the ballot not eligible for counting. There are five items on the provisional ID envelope that must be completed, and the voter's signature is one of them. However, we will update their information because they completed a voter registration form. Ms. Crescimano motioned to not count the ballot, with Ms. Groot seconding. All board members voted yes; motion carried.

10 voted provisionally because they did not have valid photo ID on Election Day, and they did not come to the Board of Elections by the March 23rd deadline to present valid photo ID. Therefore, their ballots are not eligible for counting. Ms. Groot motioned to not count the ballots, with Ms. Crescimano seconding. All board members voted yes; motion carried.

Five voted provisionally due to not being registered. Both Ms. Link and Ms. James confirmed this on the statewide portal. Because these voters were not registered in any Ohio county 30 days before the election, their ballots are not eligible for counting. They will become registered to vote after this election, though. Ms. Groot motioned to not count the ballots, with Ms. Crescimano seconding. All board members voted yes; motion carried.

One voted provisionally on Election Day in office. The person resides on Kelleys Island and is registered there. We verified with him that all his information was correct. He did not need to provisionally but stated he was not returning to the island to vote and wanted to vote here.

Ms. Crescimano asked the difference between this voter and an out-of-county provisional. Ms. Link replied that per the state, on Election Day you must go to your polling location to vote. On Election Day, our office is strictly for provisional voters. The voter stated his name and address was correct, so there was no need for him to vote provisionally.

Ms. Groot asked if the voter came here on Election Day. Ms. Link stated yes, at about 1:00 p.m. Ms. Groot asked if we checked if he went back to the island to vote. Ms. Link stated he did not. The board members said they didn't see a problem. Ms. Crescimano stated that to her, it was a transportation issue. Mr. Ferrell noted that the weather was bad on Election Day.

Alex Jones, Director, stated this would be a new precedent for us, but noted it was up to the board's discretion. Ms. Groot asked if we could have sent the voter downstairs to vote. Mr. Jones replied no because you need to vote the ballot for your precinct. Mr. Ferrell noted that Kelleys Island is a little different. Ms. Crescimano stated that to her, the precedent we're setting is because of an island. It's not for the whole county. Ms. Groot stated the wind was terrible on Election Day.

Mr. Ferrell asked, "What's your feelings?" Ms. Groot stated she feels we should count it. Ms. McKeen and Ms. Crescimano agreed. Ms. Crescimano stated if it had been a beautiful sunny day, she would not be voting this way. Ms. Groot motioned to count the ballot, with Ms. Crescimano seconding. All board members voted yes; motion carried. Ms. Link noted that in total, 40 provisionals were accepted and 16 were rejected.

Mr. Ferrell stated that someone asked him about removing deceased voters from the rolls, and asked Ms. Link about our process. Ms. Link replied that we receive two reports monthly- one from the state and one from the Department of Health, and then we remove those voters. However, we cannot remove voters now because we are on a registration hold. Ms. Link also noted that sometimes, family members bring in the death certificate.

Mr. Ferrell asked if we get something from our Health Department. Ms. Link stated it comes from the State Health Department. Mr. Ferrell wondered if we could ask Pete Schade to generate a list, so we don't have a lag time.

Ms. Groot motioned to recess, with Ms. Crescimano seconding. All board members voted yes; motion carried. Board recessed at 9:50 a.m. While in recess, board staff opened and scanned eligible 17-year-old, absentee, and provisional ballots.

At 10:15 a.m., the board reconvened. Ms. James stated that while opening envelopes, we found two ballots the board would need to review. The first is an absentee ballot which we believe is a true overvote. If the board agrees, then we will run that ballot through the high speed scanner with the overvote tabulator on so that it will not count the overvoted race. The board members reviewed the ballot. Ms. Groot motioned to accept the ballot as a true overvote, with Ms. Crescimano seconding. All board members voted yes; motion carried.

Mr. Jones stated the second ballot is a provisional ballot where the voter made a mistake but tried to cross it off. Board staff remade the ballot how they believe the voter intended. The board reviewed the remade ballot. Ms. Crescimano motioned to accept the remade ballot, with Ms. Groot seconding. Mr. Ferrell asked for a roll call vote.

Mr. Ferrell- yes
Ms. Crescimano- yes
Ms. Groot- yes
Ms. McKeen- yes.

The motion carried.

Ms. Crescimano motioned to return to recess, with Ms. Groot seconding. The board recessed at 10:18 a.m.

At 3:00 p.m., the board reconvened for the official certification and regular monthly meeting. Guests present were Jason Hinnars and Stephen Lippert. Ms. James stated that we added two more election day ballots, 25 more absentee ballots, and 40 provisional ballots. Total voter turnout is 22.2%. The number of ballots cast is 11,904.

Ms. Crescimano asked why the official results say 61 of 62 precincts reporting. Ms. James replied that is because in the precinct Perkins Township #5, everyone voted absentee. The board members, director, and deputy director signed the official certification of results form to submit to the Secretary of State's office. The board members also signed the certification forms for the two local liquor options.

For the post-election audit, Ms. James stated the earliest we can conduct it is six days after certification, and the latest we can conduct it is 21 days after certification, or April 22nd. After some discussion, the board decided to conduct the post-election audit on Wednesday, April 10th at 9:00 a.m. Ms. James stated we need to audit at least five percent of the ballots cast, which is 596. The board members randomly pulled memory sticks to choose which polling locations to audit. The first one chosen was Kelleys Island, where 60 ballots were cast. The second one chosen was Vermilion Townships #3, #4, and #5, where 375 ballots were cast. The third one chosen was Perkins Township #10, where 196 ballots were cast. In total, we will be auditing 631 ballots, which is above the five percent minimum.

Ms. Crescimano motioned to approve the minutes from the February 23rd regular meeting and the March 18th/19th pre-election meeting. Ms. Groot seconded the motion. All board members voted yes; motion carried.

Mr. Jones presented the March bills to the board. He stated that there are a couple of annual charges and we are upgrading our poll pads, which has been in the works for a year. Of the \$69,000 for the new poll pads, the state is reimbursing us \$50,000. Ms. Groot asked what the annual charges are. Mr. Jones replied Knowink for \$6,800 and Triad for \$18,000. The board members took a few minutes to review the bills.

Ms. Groot asked if the poll pad upgrades included new pads. Mr. Jones stated yes; it is brand new hardware. Ms. Groot noted that on Election Day in Vermilion Township, the workers couldn't find the plug ins for the poll pads, and asked if we ordered extras of those. Mr. Jones replied that it is his understanding that the new poll pads will not have that cord. It's just part of the assembly. With the new pads, the battery base is built in. Ms. Groot asked how it stays charged. Mr. Jones stated we would charge it before the election. Ms. Groot asked what the battery life is. Ms. James stated she was not sure of the exact number, but Mr. Jones stated it was never a problem with the old pads.

Ms. Crescimano motioned to pay the bills as submitted, with Ms. Groot seconding. All board members voted yes; motion carried.

For the Director's Report, Mr. Jones discussed possibly closing the office next Monday for the eclipse. He stated it would be up to the board, and that we are ahead of schedule with the work we need to do. Ms. Groot said the commissioners are not approving for that day to be off. Mr. Hinnners stated the commissioners have not, but other departments have. It is up to the elected officials. After some discussion, Ms. Crescimano motioned to close the office at noon on April 8th due to the eclipse. Ms. Groot seconded the motion. All board members voted yes; motion carried.

Under "New Business" was review of petitions submitted to the board. Mr. Jones noted that last month, a referendum petition was circulated, opposing a zoning resolution in Vermilion Township. The number of valid signatures they need is 15% of the votes cast for governor, which is 323. They only had 69 valid signatures, but we need a motion from the board. Ms. Crescimano moved to reject the petitions due to a lack of valid signatures. Ms. Groot seconded the motion. All board members voted yes; motion carried.

Ms. Groot asked if the circulators knew they had to obtain that many signatures. Mr. Jones stated yes. Ms. McKeen asked if they just didn't have enough good signatures. Mr. Jones replied that even if every signature on the petitions was perfect, they still would have been about 200 short. Ms. Groot asked if that was their only chance. Mr. Jones stated yes, because the petitions had to be filed within 30 days of the resolution.

The next item under "New Business" was to revise the director and deputy director's invoice approval limits. Mr. Jones noted there was a bit of a conundrum with the Auditor's Office and the new poll pads. Currently, he and Ms. James are only approved to okay an invoice of up to \$30,000. Obviously the board approves every invoice that comes through, but the Auditor's Office said that due to the state audit, they need someone who can check off. Since the board is the double check, they recommended giving the director and the deputy up to an unlimited amount.

Ms. Crescimano mentioned that the ADAMHS board had to do something similar. She also remarked that you must wait for the board to approve, which we do anyways. Ms. Groot asked what we want to increase the limit to. Mr. Jones replied something that when we replace big ticket items, we don't get caught in a situation like this. Ms. Groot asked what that number would be. Mr. Jones replied that the \$70,000 for new poll pads was the highest bill we've gotten in the last year.

Ms. Crescimano asked if we do get another big ticket item, wouldn't we know that before we get the bill? Mr. Jones said hypothetically, yes. Ms. Crescimano stated that the board could pass a resolution before we get the bill authorizing you to pay it when we get it, instead of giving carte blanche. Ms. Groot stated she agreed with that. Mr. Ferrell suggested talking with Hank in the Commissioner's Office.

For “Any other matters to come before the board,” Ms. Groot discussed her observations of polling locations on Election Day. She stated that voter turnout was low. One thing that stood out to her is that the VLMs did not know where the name of the write-in candidate was, and neither did the ballot judges. She thinks that if there is another write-in candidate, it should be included in the VLM and ballot judge training where to find the candidate’s name.

Ms. Groot noted that some poll workers had complaints about the new totems. Some felt it was too big for where they wanted to place it. Others did not like the way the materials had to be displayed. They felt the sample ballots should have been placed higher.

In Vermilion Township #3, #4, and #5, the signature judges were missing adapters for the poll pads, and they were not happy about that. She also noted it was very dark in there.

In some locations, the VLMs appeared to be sitting far away from the flow of voters. In other locations, the VLMs were sitting closer to the signature judge and ballot judge. Ms. Groot is not sure if this is determined by location but suggested some conversations on the way workers are positioned. Other workers wanted name tags to indicate what positions they are.

One worker Ms. Groot spoke to was a new clerk. The clerk said she enjoyed what she did and asked how she could get asked back to work. Another person Ms. Groot spoke to said she wondered why she was not brought back. She did not get asked to work the November election, nor the March election, and said she really misses it. Ms. Groot asked what is the criteria we use for not asking someone back to work. Ms. James replied that it depends on the situation. Ms. Groot stated the person worked as a VLM in Margareta, and that she advised her to call the office. Mr. Jones stated that if it’s who he’s thinking of, we did invite her to work this election, but she did not get back with us.

Ms. Groot asked if we could set up a time to meet on the policy book. Ms. Crescimano stated before we meet, she would like to know what sections Ms. Groot wants to talk about so she can be prepared. Ms. Groot replied that there is no policy book. Ms. Crescimano replied that we have an employee handbook. We’re supposed to discuss the sections of the handbook that should be revised to fit the Board of Elections. Ms. Groot said she would have that at the next meeting.

Mr. Ferrell asked Mr. Hinnners to contact the Sheriff to see if he could speak in executive session during the next meeting regarding security.

Ms. Crescimano stated one comment from a VLM is that the name tags we give workers do not last all day. She inquired about getting plastic ones with lanyards. Mr. Jones stated we could do that.

Ms. Groot asked about the request she made to see timesheets. Mr. Jones stated he had that for her. Her other request on party changes will have to wait since we just scanned ballots today, but we can generate a report from Triad.

Ms. Crescimano motioned to adjourn, with Ms. Groot seconding. All board members voted yes; motion carried. Board adjourned at 3:33 p.m.

Alexander W. Jones, Director

Attest:

Thomas M. Ferrell, Chairman