

The official canvass meeting of the Erie County Board of Elections was called to order by Chairman Ferrell at 9:00 a.m. on Wednesday, May 13, 2020.

<b>Roll Call:</b>	<b>(D) Thomas M. Ferrell, Chairman</b>	<b>Present</b>
	<b>(D) William J. Monaghan, Member</b>	<b>Present</b>
	<b>(R) Nicholas J. Smith, Member</b>	<b>Present</b>
	<b>(R) Jeffrey N. Krabill, Member</b>	<b>Present</b>

Guests in attendance: Gery Gross, Shomore Deniro, Amy Grubbe

Motion to go into executive session was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried. Board went into executive session at 9:01 a.m.

Motion to go into regular session was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried. Board returned to regular session at 9:37 a.m.

Motion to hire Libby Grant as Democratic Clerk was made by Mr. Monaghan, seconded by Mr. Ferrell. Motion carried.

<b>Roll Call:</b>	<b>Mr. Ferrell:</b>	<b>yes</b>
	<b>Mr. Monaghan:</b>	<b>yes</b>
	<b>Mr. Smith:</b>	<b>yes</b>
	<b>Mr. Krabill:</b>	<b>yes</b>

Ms. James stated that for the canvas, we would start with absentee ballots. The first group was 436 absentee ballots that were received in the mail after April 28. However, each envelope had a very clear postmark of April 27 or earlier, and was received within 10 days of the election. Also, the information on the ID envelopes was all filled out correctly. Therefore, these ballots are eligible to be counted. Motion to count these ballots was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.

Next, there were three more ballots that were received after April 28 but had a clear postmark of April 27 or earlier and were received within 10 days of the election. Two of them were 17-year-old ballots, and one was a UOCAVA ballot. Motion to count these ballots was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.

There were three ballots where the postmark was unclear. Shomore Deniro from the Secretary of State's Office came with her barcode scanner and determined that the postmarks were April 27 or earlier. Motion to count these ballots was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

Ms. James then moved on to absentee ballots that were not eligible to be counted. The first group consisted of 38 absentee ballots that were very clearly postmarked April 28 or later. Mr. Krabill asked if Ms. Deniro scanned these envelopes, too, and Ms. Salyers stated yes. The board took a few moments to look over these ballots. Motion not to count the ballots was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.

The next group consisted of 27 absentee ballots where the postmark was not clear. Ms. Deniro scanned them and determined that the postmark was April 28 or later. Motion not to count these ballots was made by Mr. Smith, seconded by Mr. Krabill. Motion carried.

There were two absentee ballots that were returned late in the dropbox. One of them was returned after April 28 at 7:30 p.m., so it was not eligible to be counted. The other one was returned before April 28 at 7:30 p.m.; however, the voter neglected to sign the ID envelope. The office sent the voter an 11-S to rectify their ID envelope, but the voter placed the 11-S in the dropbox after seven days after the election. Motion not to count these ballots was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

There were two absentee ballots for Erie County that were received by the Lorain County Board of Elections on April 28. Lorain County then mailed those ballots to Erie County. The office consulted with Matthew at the Secretary of State's Office, who advised them that the ballots were not eligible to be counted, because the ballots must be turned into the correct Board of Elections on time. Motion not to count these ballots was made by Mr. Monaghan, seconded by Mr. Krabill. Motion carried.

Ms. James then mentioned two ballots that were placed in the dropbox but were never even opened or voted. One was a regular ballot, and the other one was a provisional ballot. She informed the board members that they tried to contact those voters, but never got a response from them.

Next, there was one envelope with an unclear postmark that Ms. Deniro tried to read with her barcode scanner, but the scanner did not give a date. Even though the postmark was unclear, another stamp from the post office said "April 28." Motion not to count this ballot was made by Mr. Monaghan, seconded by Mr. Smith. Motion carried.

There were two more envelopes with unclear postmarks that Ms. Deniro tried to read, but there was no barcode to scan. The board reviewed these envelopes, and saw that one had a stamp that said "April 28" and one did not. Motion not to count the ballot that says April 28 but to count the one that does not have a date was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.

Once the board finished discussing absentee ballots, Ms. Link passed out a report detailing provisional ballots. She started with provisional voters who were not registered anywhere in the state of Ohio. There were six of these voters. Four of them were deleted from Erie County, but never registered anywhere else in the state of Ohio. Two of them were removed from Erie County because of the "purge," but the address that they indicated on their provisional ID envelope was different from their prior address. The board took a few minutes to review these ballots. Motion not to count these ballots was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried. Mr. Krabill asked if by filling out the provisional ID envelope, if that sufficed as a registration for the next election. Ms. Link informed him yes.

Ms. Link then informed the board that there were 13 provisional ballots that were returned late, meaning they had a postmark of April 28 or later. Motion not to count these ballots was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

The next category was provisional ballots that were not returned with a provisional ID envelope. There were eight of these. Motion not to count these ballots was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

There was one provisional ballot where the voter did not provide their date of birth on the identification envelope. All other information on the envelope was correct, though. Motion to count this ballot was made by Mr. Krabill, seconded by Mr. Monaghan. However, Mr. Gross, legal counsel, pointed out that according to the ORC, if the voter does not provide their date of birth on the provisional envelope, the ballot cannot be counted. Accidental transposition of digits for date of birth is fine, but leaving that section completely blank is not. The board took a few minutes to discuss this. Mr. Ferrell inquired as to what is required when someone comes to the Board of Elections to do early voting. Ms. James informed him that most people present either a driver's license or state ID card. Mr. Ferrell asked if early voters were required to provide their date of birth. Ms. James stated that early voters only write down their date of birth if they want to do a hand-carry, or if they do not have a valid form of ID and don't want to go home to get their valid form of ID. Mr. Ferrell wondered why, if a date of birth wasn't required for early voting, it should be required for a provisional voter. Mr. Gross read from the ORC, stating that certain information, including date of birth, "shall be included in the written affirmation in order for the ballot to be eligible." Ms. Link also pointed out that when a person registers to vote, they must provide their date of birth, and a provisional ID envelope does serve as a voter registration form. Mr. Krabill then rescinded his motion and moved not to count the ballot. Mr. Monaghan seconded. Motion carried.

There were two provisional ballots where the voters wrote their date of birth incorrectly, but all other information on the envelope was accurate. The voters were registered in two other Ohio counties. Mr. Smith inquired as to what was meant by “incorrect date of birth.” Ms. Link informed him that when she looked up these voters in the statewide query system, the date of birth given does not match what the voter wrote on the envelope. Mr. Krabill asked if we were permitted to accept these ballots since they were registered in two other counties. Ms. Link stated yes, we just have to confirm with the other counties that the person did not vote there, which she did. Motion to count these ballots was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

There was one provisional ballot where the voter was registered in Franklin County, and actually voted in Franklin County for the March 2020 Primary. Motion not to count this ballot was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.

There were four provisional ballots where the voters were registered in Erie County, but the identification that they provided, either the last four digits of their social security number or their driver’s license number, did not match what was in the system for them. Mr. Ferrell asked Ms. Link what the dates of birth were. Ms. Link stated 1948, 1945, 1953, and 1965. Mr. Ferrell pointed out that for older voters, messing up their social or driver’s license number is understandable. The board took a few minutes to discuss, while Mr. Gross did some research. Ms. Link also told the board that the signatures all match, and that for three of the four, the numbers were simply transposed. Motion to count these ballots was made by Mr. Monaghan, seconded by Mr. Smith. Motion carried.

There was one provisional ballot where the voter did not sign the provisional ID envelope, which is required. Motion not to count the ballot was made by Mr. Monaghan, seconded by Mr. Krabill. Motion carried.

There were 21 provisional ballots where the voters were not registered anywhere in the state of Ohio. Motion not to count these ballots was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried. Mr. Smith asked if those 21 voters would now be registered moving forward, and Ms. Link stated yes.

There were three provisional ballots where the voters did not provide a form of identification in the allotted time. Motion not to count these ballots was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

Ms. Link stated that the next category of provisional ballots was a little different. This election the office was permitted to mail provisional ballots for voters who incorrectly filled out their absentee ballot application, but still indicated what type of ballot they want. There were eleven voters who were mailed a provisional ballot based on the address they wrote on their absentee ballot application, but then, when they returned their ballot in the provisional ID envelope, they wrote a different address on the envelope. Therefore, they were given the wrong ballot. The board took a few minutes to discuss this. Mr. Ferrell pointed out that he took many messages from people asking for absentee ballot applications, and that sometimes, one person would be requesting on behalf of several voters, such as a mom for her kids. Mr. Ferrell suggested that might be where things got mixed up. Mr. Smith suggested that some people may have written their old address on the provisional ID envelope because they were confused. Mr. Krabill suggested that the board look at each of these 11 ballots one at a time.

The first ballot the voter simply wrote their old address on the provisional ID envelope. Motion to count this ballot was made by Mr. Krabill, seconded by Mr. Smith. Motion carried.

The next ballot the voter wrote down a Fremont address because they were planning to move to Fremont, but did not live in Fremont on March 17. Motion to count this ballot was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

The next ballot the voter wrote a Huron address on their application, but wrote a Perkins Township address on their provisional ID envelope. The board took a few minutes to discuss the situation. Mr. Monaghan made a motion to accept the ballot. Mr. Krabill expressed his concerns with that. He stated that in this election, a provisional voter voting in the wrong precinct would not change the outcome of the election, but in future elections it might. Mr. Ferrell seconded Mr. Monaghan's motion for the purpose of further discussion. Mr. Smith stated that it looked like the voter was trying to do a change of address, but based on the information the voter provided on the application, the board staff gave him the wrong ballot. Mr. Smith and Mr. Krabill voted against Mr. Monaghan's motion, while Mr. Monaghan and Mr. Ferrell voted for it. Because there was a tie, Mr. Ferrell then asked if there was a second motion regarding this ballot. Motion not to count the ballot was made by Mr. Smith, seconded by Mr. Krabill. Motion carried.

There were four ballots where the voter simply transposed numbers on the address form of their provisional ballot envelope, but still received the correct ballot. Motion to count these ballots was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

There were two more ballots in a similar situation, but the voter still voted the correct ballot. Motion to count these ballots was made by Mr. Monaghan, seconded by Mr. Smith. Motion carried.

At this point, there were only two provisional ballots remaining in this "special" category whereby the board wanted to review each ballot individually. However, Ms. Link wanted to look something up with those ballots, first. In the meantime, the board voted on some more provisional ballots.

There was one provisional ballot where the voter returned their provisional ID envelope, but there was no ballot inside. Motion not to count the ballot was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

There were 29 provisional ballots where the voters were registered to vote in another Ohio county, but did not vote in another Ohio county. Motion to count these ballots was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.

There were three provisional ballots that fell under the "APRI exception." Ms. Link stated that the voters were removed from Erie County as a result of the purge, but they voted provisionally in this election, and the address that they provided was the same address on file before they were removed. Motion to count these ballots was made by Mr. Krabill, seconded by Mr. Smith. Motion carried.

There were three provisional ballots where the voters did not need to vote provisionally. Two happened in office, while one happened at the Ohio Veterans Home. Ms. Link explained that it was likely an error made by part time staff. Motion to count these ballots was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

There were 38 provisional ballots where the voter filled out their absentee ballot applications incorrectly but still wrote down their ballot choice. For example, one person wrote their date of birth wrong on the application. However, everything else was good, and everything was filled out correctly on the provisional ID envelope. Mr. Krabill stated that if something was wrong on the application, office staff contacted them and asked them to fill out a new application. Ms. James confirmed that that was true, but that if the voter did not submit a corrected application by the deadline of April 25 at noon, then office staff sent them a provisional ballot as per the Secretary of State, so long as the voter included a ballot choice. Motion to count these ballots was made by Mr. Smith, seconded by Mr. Monaghan. The board took a few minutes to discuss. Motion carried.

There were 71 provisional ballots that were address changes. Motion to count these ballots was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

**There were five provisional ballots where the voter had to vote provisionally because they were in a provisional status in the voter registration system due to an undeliverable acknowledgement notice. Motion to count these ballots was made by Mr. Monaghan, seconded by Mr. Krabill. Motion carried.**

**There were three provisional ballots that voters cast on April 28 because they properly requested an absentee ballot by the deadline, but did not receive the ballot in the mail. Mr. Smith asked if the office confirmed that these voters did not cast a previous ballot in this election, and Ms. Link stated yes. Motion to count these ballots was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.**

**There were 14 provisional ballots that were name changes. Motion to count these ballots was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.**

**There were two provisional ballots that were both address and name changes. Motion to count these ballots was made by Mr. Monaghan, seconded by Mr. Krabill. Motion carried.**

**There were four provisional ballots where the voter kept changing their name. For example, they were registered in the voter registration system with one last name, put a hyphenated last name on their absentee ballot application, but then put the original last name on the provisional ID envelope. The board took a few minutes to review these ballots, but waited to make a motion.**

**The board then returned to the two provisional ballots that they wanted to review separately. Ms. Link explained that on one of them, the voter wrote a Castalia Village address on their absentee ballot application, so the board staff sent them a Castalia Village ballot. However, on the provisional ID envelope, the voter wrote down a Margaretta Township 3 address. Motion not to count this ballot was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.**

**For the second provisional ballot, the voter wrote on their provisional ID envelope that they live on 126 Wayne Street, which is an address not listed in the voter registration system. The voter also wrote a note saying that their old address is Putnam Street, and that they still own the Putnam Street house. The board took a few minutes to discuss. Motion to count the ballot was made by Mr. Monaghan, seconded by Mr. Krabill. Motion carried.**

**The board then returned to the four provisional ballots where the voters kept changing their names. Motion to count these ballots was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.**

**Motion to recess while absentee and provisional envelopes were sliced open and ballots ran through the high speed scanner was made by Mr. Smith, seconded by Mr. Krabill. Motion carried. Board recessed at 10:40 a.m.**

**Motion to reconvene was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried. Board reconvened at 12:17 p.m. for the purposes of voting on a couple of ballots. One ballot was a provisional ballot that was overlooked, which did not contain a provisional ID envelope. Motion not to count this ballot was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.**

**There was one provisional ID envelope where there were three ballots inside. For two of them, office staff was able to identify them as provisional ballots cast by a husband and wife. The third ballot was a regular ballot inside a regular absentee ID envelope cast by someone in the same household. Motion to count the regular absentee ballot was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.**

**For the husband and wife pair, they put both ballots in the wife's provisional ID envelope, and placed the husband's provisional ID envelope inside the wife's. Motion to count these two ballots was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.**

**Motion to return to recess was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried. Board recessed at 12:21 p.m.**

**Motion to reconvene was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried. Board reconvened at 12:45 p.m. for the purpose of voting on absentee ballot overvotes.**

**One absentee ballot did not read because of unclear marks for Luvada Wilson. Motion to remake this ballot with a vote for Luvada Wilson was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.**

**One absentee ballot did not read because the voter voted one way on a tax levy, but then tried to erase it and voted the opposite way. Motion to remake this ballot was made by Mr. Monaghan, seconded by Mr. Krabill. Motion carried.**

**One absentee ballot did not read because the voter put a hesitation mark on Pam Ferrell's name. Motion to remake this ballot without a vote for Pam Ferrell was made by Mr. Krabill, seconded by Mr. Monaghan. Mr. Ferrell abstained. Motion carried.**

**One absentee ballot did not read because there was a clear overvote for Democratic delegate at large. The voter voted for three instead of one. Motion to remake this ballot without a vote for Democratic delegate at large was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.**

**One absentee ballot did not read because there was a hesitation mark on the race for State Senator, Second District. Motion to remake this ballot with a vote for Reem Subei was made by Mr. Krabill, seconded by Mr. Smith. Motion carried.**

**One absentee ballot did not read because of an issue on the race for State Central Committee, Man. The voter voted for Bruce Saferin, but then crossed off Saferin's name and voted for Mark Wagoner. Motion to remake this ballot with a vote for Mark Wagoner was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.**

**Motion to return to recess was made by Mr. Krabill, seconded by Mr. Smith. Motion carried. Board recessed at 12:50 p.m.**

**Motion to reconvene was made by Mr. Monaghan, seconded by Mr. Smith. Motion carried. Board reconvened at 12:54 p.m. for the purpose of voting on one more absentee ballot overvote.**

**One absentee ballot did not read because there was a hesitation mark on Democratic Delegate at Large for Michael Bennett. However, the voter clearly colored in the oval next to Joe Biden's name. Motion to remake this ballot with a vote for Joe Biden was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.**

**Motion to return to recess was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried. Board recessed at 12:55 p.m.**

**Motion to reconvene was made by Mr. Smith, seconded by Mr. Krabill. Motion carried. Board reconvened at 1:26 p.m. for the purpose of voting on overvoted provisional ballots.**

**One provisional ballot did not read because the ballot was ripped. Motion to remake the ballot was made by Mr. Smith, seconded by Mr. Krabill. Motion carried.**

**One provisional ballot did not read because there was a hesitation mark on Bruce Saferin's name for State Central Committee, Man. Motion to remake the ballot with a vote for Mark Wagoner was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.**

**One provisional ballot did not read because the ballot was completely blank. The board took a few minutes to discuss this. Mr. Smith suggested that perhaps it was a protest vote. Motion to count the ballot in the grand total was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.**

**One provisional ballot did not read because the voter voted for the levy, then crossed that off and voted against the levy. Motion to remake this ballot with a vote against the levy was made by Mr. Smith, seconded by Mr. Monaghan. Motion approved.**

**Ms. Salyers then pointed out that for the ballot that was ripped, it was ripped in such a way that the precinct no longer shows. Therefore, it was unclear which precinct's ballot should be remade. The board then took a few minutes to look through provisional stubs to see if a stub could be matched to the ballot. Ms. James determined that the ballot was a Huron Township 3 ballot.**

**Motion to return to recess was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried. Board recessed at 1:33 p.m.**

**Motion to reconvene was made by Mr. Krabill, seconded by Mr. Smith. Motion carried. Board reconvened at 2:24 p.m.**

**Ms. James stated that 443 absentee ballots were counted. There were six additional absentee ballots that were counted that were completely blank. Those ballots were received before the election, and Heather Scott from ES&S showed Ms. Salyers and Ms. James how to run those through the high-speed scanner. Ms. James also stated that 187 provisional ballots were counted. Ms. Grubbe asked for clarification on the numbers, and stated that 71 absentee ballots were not counted, and 58 provisional ballots were not counted. The board members confirmed that that was correct. Ms. Salyers stated that Ms. Scott informed them that all the numbers for Erie County came out correctly. The board members congratulated the staff on a job well done. Ms. Salyers stated that they worked a lot of hours, and that the part time help was invaluable.**

**Motion to pay the bills was made by Mr. Smith. Mr. Krabill then stated that we needed to check to make sure we have the money available. Mr. Smith then amended his motion to pay the bills, and made it contingent on the funds being available. Mr. Krabill seconded. Motion carried.**

**Motion to adjourn was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried. Board adjourned at 2:30 p.m.**

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**Lori J. Salyers, Director**

**Attest:**

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**Thomas M. Ferrell, Chairman**