

The pre-election meeting of the Erie County Board of Elections was called to order by Chairman Ferrell at 4:07 p.m. on Monday, November 2<sup>nd</sup>, 2020.

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

Guests in attendance: Gery Gross and Amy Grubbe

Ms. James, Deputy Director, stated that we would start with overvotes. The first category were ballots that were not true overvotes, though. They had to be remade due to technical issues, such as timing marks off center, smudges, and tears in the ballots. Ms. Salyers, Director, and Ms. James had to remake those ballots because the DS450 would not read the originals. The board members passed the ballots around to look them over. Ms. Salyers explained that it was written in the blank parts what was wrong with them. Ms. Grubbe asked if the board members were just checking to make sure that the remade ballots were made identical to the originals, and Mr. Ferrell confirmed that that was correct.

While the board was passing remade ballots around, Mr. Gross asked if anybody had any questions regarding Mr. Ferrell's participation in this process. Mr. Smith asked what exactly does Mr. Ferrell have to abstain from voting on. Mr. Gross responded that his opinion would be that if there's an overvote or undervote on the treasurer's race, Mr. Ferrell would abstain from voting on that. He is not aware of a legal reason for Mr. Ferrell to abstain from voting on anything else. Mr. Krabill asked if it was okay for Mr. Ferrell to see how the vote is on his wife's race. Mr. Gross responded yes; he doesn't see how that can't happen. Mr. Gross also stated that the important thing is that Mr. Ferrell is not locked in a room with ballots and a pencil. We're all in here, and it's a bipartisan team.

The board spent over an hour looking at ballots that needed to be remade due to technical issues. While doing so, they discussed another category of remake ballots: the ones where people colored in the oval next to one name, but then colored the oval next to the write-in line and wrote that name on the write-in line. Together with Mr. Gross, they reviewed the Elections Officials Manual and talked about whether or not those votes could be counted. In all, there were 211 ballots that fell under the category of ballots that needed to be remade due to technical issues. Motion to accept these ballots as they were remade was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.

The next category of ballots to look at were ballots with hesitation marks and overvotes. Ms. Salyers explained that she and Ms. James remade the ballots how the voter intended to vote, but that for the ones that were questionable, they left those races blank for the board to interpret. There were 100 ballots in the "hesitation marks and overvotes" category. Mr. Ferrell stated that if any of the races in question had to do with his wife's race, he did not want to see those ballots. The board took turns passing the ballots around. There were two ballots that Ms. Salyers and Ms. James remade that the board disagreed with. Motion to remake the first ballot with no vote for Supreme Court justice, and remake the second ballot with no vote for President was made by Mr. Krabill, seconded by Mr. Smith. Motion carried. Motion to approve the remaining ballots as remade was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried. Next, Mr. Ferrell left the room while the remaining three board members looked at four ballots where the race in question was the treasurer's race. The three board members agreed that the way Ms. Salyers and Ms. James remade those ballots was correct. Motion to accept these ballots as they were remade was made by Mr. Monaghan, seconded by Mr. Smith. Motion carried. Mr. Ferrell then reentered the room to look at the last category of remade ballots.

The last category of remade ballots were ballots where people colored in the oval next to one name, and also colored in the oval next to the write-in line and wrote the candidate's name there. The board members agreed that if the two names were the same, then the voter's intent was clear. However, if a voter voted for one candidate, but then wrote in a different candidate's name on the write-in line, that was a true overvote. There were 34 ballots where the voter voted for one candidate, and then wrote in that same candidate's name on the write-in line. Motion to remake those ballots with a vote for that candidate was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.

There were two ballots, though, that were in question. On one, the voter colored in the oval next to Trump/Pence, and then just wrote in "Trump" on the write-in line. On the other, the voter colored in the oval next to Biden/Harris but wrote "Harris" on the write-in line. Mr. Smith thought that the voter's intent was clear on the Trump ballot, but that it was a true overvote on the Biden ballot. Mr. Gross agreed. Motion to remake the Trump ballot with a vote for Trump was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried. Motion to remake the Biden ballot with no vote for president was made by Mr. Smith, seconded by Mr. Krabill. Motion carried.

Mr. Ferrell then stated that we need a motion to go into executive session to discuss security. Ms. Grubbe stated that before the board goes into executive session, she wanted to pass out information about election observers from the Secretary of State office. Ms. Grubbe stated that she would be an observer tomorrow at the Board of Elections office, and that she would have free access. She stated that if there were any problems tomorrow, she would contact the Voter Protection Team. Mr. Gross asked if Ms. Grubbe had filed the proper paperwork to be an observer, and Ms. James informed him yes.

Motion to go into executive session was made by Mr. Monaghan, seconded by Mr. Krabill. Motion carried. Board went into executive session at 6:20 p.m.

Motion to go back into regular session was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

Motion to recess was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

On November 3, motion to reconvene was made by Mr. Monaghan, seconded by Mr. Krabill. Motion carried. Board reconvened at 8:05 p.m.

Ms. James stated that the board would need to look at some remade ballots. The first category consisted of ballots that were remade due to technical issues such as timing marks, smudges, and tears. There were 20 ballots in this category. Motion to approve these ballots as Ms. Salyers and Ms. James remade them was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.

The second category consisted of ballots that were remade due to hesitation marks or overvotes. Motion to approve these five ballots as Ms. Salyers and Ms. James remade them was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.

Finally, there was one ballot with a hesitation mark on the treasurer's race. Mr. Ferrell left the room and did not participate in this vote since it was the race involving his wife. Motion to approve the remade ballot with a vote for Caleb Stidham was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.

Motion to go back into recess was made by Mr. Smith, seconded by Mr. Krabill. Motion carried. Board went back into recess at 8:14 p.m.

Motion to reconvene was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried. Board reconvened at 9:15 p.m.

**There was one ballot that was remade due to the original being ripped. However, a vote for one of the Sandusky city charter amendments could not be cast, because that is where the ballot was ripped, and the board could not determine how the voter originally voted. Motion to approve the remade ballot was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried.**

**Motion to go back into recess was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried. Board went back into recess at 9:16 p.m.**

**Once all ballots were tabulated and results were uploaded to the Secretary of State, Mr. Ferrell stated that we are now back in session. Motion to adjourn was made by Mr. Monaghan, seconded by Mr. Krabill. Motion carried. Board adjourned at 9:50 p.m.**

**Lori J. Salyers, Director**

**Attest:**

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**Thomas M. Ferrell, Chairman**