

The official certification and regular monthly meeting of the Erie County Board of Elections was called to order by Board Member William Monaghan on Friday, November 19<sup>th</sup>, 2021 at 1:02 p.m.

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

Guests in attendance: Rachel Mullen from SOS Office

Adrienne James, Deputy Director, stated that before we certify the election, there are two provisional ballots the board needs to review. She stated that earlier this week, she was completing a survey for the SOS office regarding provisionals. They wanted a breakdown of the number of provisionals accepted and the number of provisionals rejected, and of the ones that were rejected, why. The board had rejected two provisional ballots due to there being no stub on them; however, there was no spot to indicate this on the survey. Ms. James emailed the SOS office to see how she should record these two rejected ballots. She then received a phone call from Jeff Hobday, legal counsel for the SOS, explaining that the stub being missing from a provisional ballot is not a valid reason to reject the provisional ballot. Ms. James stated that the stub being missing from an absentee ballot is a reason to reject an absentee; however, Mr. Hobday explained that provisional ballots are different. Ms. James printed out the explanatory email she received from Mr. Hobday and placed it in the board members' folders. She stated that Mr. Hobday recommended presenting this issue to the board and having them vote on it before we run the ballots through the high-speed scanner.

Motion to count the two provisional ballots was made by Mr. Krabill, seconded by Mr. Smith. Motion carried.

Next on the agenda was paying the bills. Lori Salyers, Director, stated that most of the bills were paying poll workers, polling locations, janitors, and Election Night workers. Motion to pay the bills was made by Mr. Krabill, seconded by Mr. Smith. Motion carried.

Ms. Salyers then gave a summary of Election Day. She stated that overall, the day went pretty smoothly. She also noted that, unlike last year, we did not shut down any phone systems due to an overabundance of calls. She did, however, note that there were two minor issues. The first issue was that we had to remove a poll worker from a polling location for behaving inappropriately. Ms. Salyers stated that she had been in contact with the sheriff, who informed her that the poll worker in question was arrested a few days ago for domestic violence.

Another issue took place at a Sandusky City polling location. Ms. Salyers stated she received a phone call from one of the clerks there, who explained a situation with a voter who overvoted their ballot. The scanner informed the voter that she could either cast her ballot as is, or have the ballot returned to her and then receive a new ballot. The voter took the overvoted ballot to the ballot judge table, but the ballot judge refused to give the voter a new ballot. Instead, the ballot judge told the voter to cross off the candidate she did not intend to vote for, and then feed the ballot through the scanner. The ballot judge also told the voter that board of elections staff would retrieve her ballot after the election and remake it the way the voter intended to vote. However, this is not correct.

Next on the agenda was a discussion of the problems at the Sandusky Cultural Center polling location. When we mailed the polling location questionnaires to the polling locations, the person who filled out the questionnaire for the Cultural Center was not the person in charge of facilitating Cultural Center reservations. Therefore, the Cultural Center was unaware they were going to be used until a few days before the election. Ms. James also noted that we were not permitted to be in the gallery because there was an art exhibit there.

Ms. James then stated that we received a phone call from the head poll worker at the Cultural Center 5:45 a.m. on election morning. The poll worker stated that the doors were locked and no one was coming to let them in the building. Eliza Link, clerk, added that the head poll worker had gone to the Cultural Center a few days before the election, and the folks there weren't even aware we were going to be using their facilities.

Ms. James stated it was definitely stressful for the poll workers. She stated that she placed a copy of the VLM event logs from the two VLMs who were working there in the board members' folders. She also stated that she placed a copy of an email from a voter who votes at the Cultural Center, complaining about the set-up there and how there was no room for social distancing.

Ms. Salyers stated that once the poll workers were let in the building, they couldn't find the equipment. It was locked in a closet, and they couldn't find a janitor to unlock it. Because of these issues, they opened the polls 15 minutes late. Ms. Link stated that the precinct support person for Sandusky City also complained about the set up at the Cultural Center.

Mr. Monaghan asked for the staff's suggestions. Ms. James stated that she and Ms. Salyers would like to try to move the location. She noted that the precincts at the Cultural Center used to be at Zion Lutheran Church, which was a popular location. The only reason we moved it last year was that Zion was hesitant about hosting us due to covid. Ms. James suggested that perhaps we could try to convince Zion to have us back, and if not, perhaps we could scout for a different location.

Mr. Krabill then gave his opinion. He stated that he was made aware of the issues at the Cultural Center at 5:45 a.m. on election morning. After Election Day, he called Dennis Muratori, the assistant superintendent at Sandusky City Schools, and explained to him the issues we had with the Cultural Center. Mr. Krabill then stated that to say the school district was embarrassed was a gross understatement.

Next, Mr. Krabill explained that the director of the Cultural Center is not the person we should be contacting if we want to use the Cultural Center facilities. Instead, we should be contacting Mr. Muratori's office. Mr. Krabill explained that communication goes from Mr. Muratori to the head of facilities to the custodians. Mr. Krabill stated that the director of the Cultural Center does not communicate with facilities and custodians, and said that would be like "Mars communicating with Venus." He also stated that the schools were very embarrassed, pled for our forgiveness, and would love to have us back.

Ms. Salyers added that another problem we had with the Cultural Center was that teachers and students were walking through the voting area and being loud. Mr. Krabill responded this is because we were in the lobby. Had we been in the main room of the Cultural Center, this would have solved the issues with space, social distancing, noise, and traffic.

Mr. Monaghan stated he thinks we should go back to the Cultural Center, but noted that the director of the Cultural Center is very concerned about the art there. He stated that someone needs to tell the director that on Election Day, the art needs to be moved. Ms. Salyers stated that the director told her the art was not to be moved.

Mr. Krabill stated that Mr. Muratori asked him if we could give him election dates for the next three years. Mr. Krabill then stated that he would give Mr. Muratori's email address to board staff so that they could start a conversation with him. Mr. Krabill recommended changing all of our contact information for the Cultural Center, and stated that he thinks the schools would love to have us back more broadly. He stated that the way the new schools are built, they can segregate the voters from staff and students.

Ms. James stated that, based on what Mr. Krabill has said, she would be willing to give the Cultural Center another chance. She also noted that it is inconvenient to keep sending polling location change postcards to the voters. Ms. Salyers added that when we do send postcards, the voters get confused.

Next on the agenda was a review of the procedure for the Kelleys Island Village police levy recount. Ms. James stated that we spoke with Jeff Hobday from SOS legal, who informed us that conducting the recount on Monday, November 29<sup>th</sup> at 9:00 a.m. was acceptable, because it is the tenth day from the official certification. Ms. James stated that we would send a certified letter to the village, informing them of the date, time, and place of the recount. She stated that on the 29<sup>th</sup>, we'll do the hand recount first, then scan the ballots on the high speed scanner.

Mr. Monaghan asked what the difference in votes was. Ms. Salyers stated that it was a difference of one. There were 119 votes for the levy, and 120 votes against the levy. Mr. Monaghan then asked how long it would take on the 29<sup>th</sup>. Staff stated they were not sure, because we would have to conduct the audit immediately after the recount. Ms. Link stated that we found out the recount cannot be part of the audit.

Board staff then picked thumb drives out of a box to randomly select which voting machines would be audited. Ms. James noted that in order to audit five percent of the vote, we would need to audit at least 775 ballots. The first thumb drive chosen was for Vermilion Township 1 and 2 at the Church of the Nazarene. There were 434 votes cast there. The second thumb drive chosen was for Huron Township 1 and 2 at the Huron Township Building. There were 731 votes cast there. This puts us over the five percent minimum.

Mr. Monaghan then asked if there were any other matters to come before the board. Ms. Salyers stated that the topaz signature pads that we implemented for early voting this year went over really well with both the voters and the part-timers. She also stated that the signature pads made the early voting process quicker.

Next, Ms. Salyers stated that, according to the directive from the SOS, from now on, we are not to release any information about the election results after the unofficial results are posted on Election Night. We cannot tell the newspaper anything until the election is certified. Mr. Monaghan stated that in the future, he thinks Ms. Salyers should be the point of contact for the newspaper. Ms. Salyers stated that there have been many rumors going around on Kelleys Island regarding the recount. She also noted that the local newspaper reported there would be recounts for Huron School Board and Bayview Village Council, but that is not true.

Motion to go into executive session to discuss compensation of poll workers and part-time employees was made by Mr. Krabill, seconded by Mr. Smith. Motion carried. Board went into executive session at 1:31 p.m. While the board was in executive session, board staff scanned and tabulated the remaining two provisional ballots.

Motion to exit recess and return to regular session was made by Mr. Krabill, seconded by Mr. Smith. Motion carried. Board returned to regular session at 1:53 p.m.

Mr. Monaghan asked what the final numbers were. Ms. James stated that in total, 15,506 ballots were cast this election, for a voter turn-out of 28.93%. The board members then took a few minutes to sign the paperwork to certify the election.

Ms. Salyers reminded the board members of the comp-time payout policy they passed last year. She ran some numbers and figured that the payout for her, Ms. James, and Ms. Link would be about \$26,000. She also reminded the board members that she was not paid out last year.

Mr. Smith stated that we would need to revisit this issue during the next meeting. Mr. Monaghan stated that he and Mr. Krabill would like to meet with Ms. Salyers and Ms. James regarding next year's budget. He also stated that, regarding the comp time and vacation time accrual form that Ms. Salyers provided, he would like to see it broken down by individual. Ms. Salyers replied that she was not sure that was public record. Mr. Monaghan stated we could discuss it in executive session at our next meeting. He also stated that we should go over that information in executive session once every quarter.

**Next, Ms. James asked if there needed to be a motion to certify the election. Motion to certify was made by Mr. Smith, seconded by Mr. Krabill. Motion carried.**

**Motion to adjourn the meeting was made by Mr. Smith, seconded by Mr. Krabill. Motion carried. Board adjourned at 2:06 p.m.**

**Lori J. Salyers, Director**

**Attest:**

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**Thomas M. Ferrell, Chairman**