

MINUTES

Erie County Council

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REGULAR MEETING MINUTES

Call to Order

Chairwoman Rennie called the Regular Meeting of the Erie County Board of Elections to order at 12:01pm.

Roll Call

Members Present: Chairwoman Rennie; Vice-Chairwoman Schauerman

Also Present: Douglas R. Smith; Thomas Talarico; Nicole Inan; James Czerpak;

Hearing of the Public

Jim Wertz - Erie 4-7, Chairman Democratic Party; Expressed that it was a relatively smooth Primary. The major issue that was of note is the reporting of numbers on Election night; with consideration that these are still fairly new machines. Many Judge of Elections stated that they were no longer required to post and print receipts; Mr. Wertz looking for some clarification of that issue. He additionally noted that the numbers reported did not include mail in ballot postings. These numbers are all very helpful in tracking voter turnout and returns. Additional, Mr. Wertz voiced concern over postage: In 2020 the County covered the cost of mail ballot returns; while the country is still in a state of COVID awareness (especially for the elderly and those in compromised situations), he request the reconsideration of including postage for the fall General Election. Postage is an undue burden to voters. Chairwoman Rennie will take this under consideration, and is appreciative of the feedback.

Approval of Minutes of Previous Meeting

April 6, 2021 - Regular Meeting

Mrs. Schauerman moved to amend the language in the minutes in regard to polling place locations to read: "Mrs. Schauerman motioned to accept the proposed Polling Location changes..." emphasizing that it was a vote on multiple locations. This was moved by Ellen Schauerman, seconded by Mary Rennie and carried in a 2 - 0 vote. Motion to move the minutes, as amended, by Ellen Schauerman, seconded by Mary Rennie and carried in a 2 - 0 vote.

Election Report

REPORT ON 2021 ERIE COUNTY PRIMARY ELECTION

The Erie County Election Department faced a new challenge in conduct of its first Municipal Primary Election with our Dominion Voting System, The sheer

number of candidates and ballot styles had a significant effect on costs, adjudication time and election complexity.

Major issues:

1. Paper ballots ran low on paper ballots in Washington, Springfield, Greene 1 & 2 and Waterford. We had ballots delivered in every area by 7pm but it did cause a slowdown in several of those areas as poll workers diverted voters to the ballot-marking device. We used the formula provided by the election code to set a number for printing: Average of three like elections plus 15%. (per Act 77)
2. Two precincts allowed voters to take ballots completed on the ballot-marking device home, rather than scan them into the ballot box. Nine Voters in 5/21 and 25 voters in Girard 3. We put out the word but only got about seven ballots returned and scanned. In the first case, it was veteran Judge in the second, a brand new Judge. The issue at its heart is training. - Voters thinking they still need a "receipt".
3. Missing General Return Form- Our roamers had deliver this critical form during the day. We are going to examine our election supply process to assure we include all important components in the future.
4. Long waits in some areas -Supervisor races brought out more voters than expected
5. One poll opened late on Election Day.

Positive Developments

1. Erie County's pre-canvassing team completed the process of opening over 14,500 ballots by early afternoon the day following Election Day.
2. Gohrs handled the printing, stuffing and mailing with few problems. Approximately ten voters in Corry received the wrong ballot in the mail; the zip code being very close to that of another district. That despite many ballot variations-- Democrat, Republican, and Non-Partisan in each precinct. There were six versions x 149 precincts making 894 difference ballots to process and print or twice the 448 ballot variations last fall.
3. We added a second ballot-marking device in 5 precincts and there were no problems on Election Day or during the count. We will likely add several more precincts to address lines and waiting.
4. Pick-up and delivery of scanners and ballot-marking devices went well; no major problems.
5. No one reported serious problems with polling place locations.
6. Tonia Fernandez, Jim Czerpak and Abby Williams overhauled and simplified the Judge of Elections guide. We received a lot of positive feedback on the changes.
7. Warehouse Manager Czerpak had successful outcomes with the training of Poll Workers and our Roaming Poll workers. Evidenced by few serious Polling place opening or closing issues.
8. Tonia and her team in VR did an excellent job of conducting the required (Act 77) January mailing of 47,000 notices about mail-in ballots; conducting the cleansing of our voter rolls, which reduced our registration numbers by 25,000; processing the applications of 16,000 mail-in/absentee voters; conducting in person training for 350 poll workers.

9. Supervisor Fernandez and her team completed the Risk Limiting Audit yesterday by hand counting 1313 ballots in Millcreek 20 (380), Washington Township (838) and Erie 1-1 (95). The RLA only asked for the Republican, Justice of Supreme Court Candidate totals in these districts, we recounted the entire ballot. This also met our legal requirement of a 2% recount of ballots cast (1200 ballots) for every election.

Planning Forward:

1. Upon reflection, I favor the printing of 80 to 85% of County Registration for every election and 110% for the Presidential General Election. It will mean thousands of unused ballots, but it is money well spent. Printing ballots on Election Day is a stress on the entire system, from our printer to our poll workers, roamers and staff.
2. Poll Worker training will continue to be a priority. We suffered about 25 last minute resignations (within 2 weeks of the election). We have had at least a 50% turnover since last year. Abby Williams, our Polling Place Workforce Coordinator has done a phenomenal job but turnover leads to problems with voters and polling place rules. We continue to build the group but we have had at least a 50% turnover since last year. COVID has played a large part in causing many to leave. As with many counties, our poll worker group skews older. The other factor is the change in technology and procedures. Many have decided it is too much to re-learn at this point in their journey
3. Costs continue to rise for election staffing and materials. The 8 ½ x 17-inch two-sided ballot was twice as expensive as the 8 1/2 X 11 ballot from last year. The paper Mill ran out of 8½ x17 paper, Gohrs had to buy 23x35 which yielded 4 per sheet instead of 8 like the previous elections) of the fall election and the quantity was less than half what was needed in the fall, so the cost increased per piece. The cost of envelopes, inserts, printing and handling was \$193,308 for 57,000 ballots last fall. Costs for 101,000 ballots this spring are \$147,515. I seriously under estimated the cost of printing and materials in this year's budget. We will need a supplemental appropriation to cover expenses for the fall election.
4. There will be a five year mailing conducted this summer for around 5,000 who have been inactive in two federal elections.

ADDENDUM A-Rising Election Costs

2018- VR-	\$164,734
Conduct of Elections-	\$556,892
Total:	\$721,626
2019- VR	\$172,742
Conduct	\$576,388
Total:	\$749,130*
2020 VR	\$253,428
Conduct	\$704,630
New voting machines	\$1,987,000
Addition Funding Needed	\$147,845

Total: \$3,092,903*

2021	VR	\$335,975
	Conduct	\$659,685
	Total:	\$995,660

* Expenses offset by \$444,229 (\$295,500 -state Grants; \$148,729 private tech grant)

Questions and Comments from the Board

Chairwoman Rennie inquired to the amount of time and resources that need to be dedicated to bringing in poll workers, recruiting, training, etc. - She stated the problem that is being had in maintaining this, is most likely going to be an ongoing problem. She offered that perhaps there may be additional staffing needed; as one person currently is dedicated to doing the bulk of this work. Mr. Smith agreed, that even with the addition of two new positions in Voter Registration, the work continues to grow. In addition, he noted that the warehouse workers are minimal as well - a long time employee (turned part-time) is no longer working, and while there is a good replacement for him that area too could use assistance. He suggested a possible hybrid possibility. He agreed with Chairwoman Rennie that the retention, training, and finding poll workers continues to be a challenge for us and other counties. He stated that looking at any resources for helping the effort would be absolutely used. There is not much, if any, down time available for workers.

In the chat it was noted the possibility of using a taxing stream from the federal government. Mr. Smith reported that he reached out to Jim Sparber because he was interested in potentially a piece of equipment that handles mail in ballots; he seemed skeptical. Mr. Smith plans on putting together a proposal; he feels that mail in balloting still has a significant relationship to the pandemic. Cindy Purvis (in chat) suggested the Civic Life Grant; Mr. Smith thanked her for the suggestion and will look into it.

Solicitor Talarico inquired to the pay of poll workers. Mr. Smith advised that Judge of Elections get \$155 and the others receive \$125. Attorney Talarico asked if Mr. Smith felt that there was any correlation to the wage and the service. Mr. Smith acknowledged that it was possible, and that there was some option this round for "premium pay" but long term the terms won't start until next year. Solicitor Talarico inquired to whether one training is enough for poll workers. Mr. Smith offered that poll workers have a three hour training and are welcome to attend additional trainings when held if they have any further need. They receive a \$20 stipend for the training session. Judges also receive a mileage stipend, as well as a stipend for bringing back the ballots. Mr. Smith added that there are also electronic resources for training for the Judges. Trainings happen for a week at a time, which makes it difficult to host additional trainings.

Solicitor Talarico suggested to the Election Board further training and preparation for poll workers for the election. He emphasized that this is a time when the entire democratic process is being challenged. He stated the Election Boards across the state of Pennsylvania are being challenged and Election Board needs tightened up. He voiced that the Election Board could use much more money. He furthered his statement by saying it isn't enough to have more money, but enough money to produce an efficient process.

Vice Chairwoman Schauerman voiced that she was Judge of Elections for nearly twenty years, and her experience is that most individuals are not in it for the money, they do it for the civic service it provides. She stated that the wages have actually gone up since she was a Judge. She spoke to knowing many of the poll workers and that they quit due to Covid related concerns. She felt the three hour classes were adequate and were supplemented by a notebook with all of the directions for solving just about any problem.

Chairwoman Rennie thanked Clerk Smith for his comprehensive report. She said his report was given in an understated way, which minimizes the stains and stresses and the real effort that went into the Election process.

Possible Board Action

Resolution 1, 2021 "Certification of Results from the 2021 Erie County Municipal Primary Election"

Mr. Smith stated that in the past, a formal Resolution was not completed for this action and it was just done under word; however he feels that it would be a better instrument for the Board.

Mr. Smith gave a Reading of Resolution 1, 2021 "Certification of Results from the 2021 Erie County Municipal Primary Election". He stated that the results before the Board today include all regular ballots cast on May 18, 2021, all legally accepted mail-in and absentee ballots, military ballots, and legally accepted provisional ballots.

This was moved by Ellen Schauerman, seconded by Mary Rennie and carried in a 2 - 0 vote.

Chairwoman Rennie asked for a motion to amend the agenda to add Resolution 2, 2021 "Urging the General Assembly and the Governor to Implement Election Changes before November" This was moved by Ellen Schauerman, seconded by Mary Rennie and carried in a 2 - 0 vote.

Chairwoman Rennie asked Mr. Smith to read the Resolution in its entirety:
RESOLUTION NUMBER 2, 2021
Urging the General Assembly and the Governor to Implement Election Changes before November

WHEREAS, beginning the Pre-canvass ballots in advance of an election, would allow verification of the barcode number and voter's information on the outer envelope with information in

the SURE registry of Voters; opening envelopes; flattening and scanning ballots; and

WHEREAS, the lack of an extended pre-canvass period delays the publication of results in both municipal and federal elections; and

WHEREAS pre-canvassing on Election Day makes it more difficult for counties to react timely to traditional problems at polling places; hurts our overall efforts due to the over-extension of staff and resources; and

WHEREAS, adjusting the deadline for mail-in voting application to 15 days before the Election, in-line with the Registration deadline will create more accurate poll books, allow timely mailing of ballots to voters; eliminate the dramatic increase in Provisional voting and reduce lines at the polls on Election Day.

RESOLVED, THE ERIE COUNTY BOARD OF ELECTIONS hereby urges the Pennsylvania General Assembly and Governor Wolf to approve two simple changes to the Election Code before summer recess so counties may implement them in time for the General Election:

1. Expanded period for pre-canvassing of ballots.
2. Change the mail-in ballot application deadline to 15 days before the Election.

This was moved by Ellen Schauerma, seconded by Mary Rennie.

Vice Chairwoman Schauerma agrees that there needs to be something in line to help on Election Day. She feels that this is a great idea.

Chairwoman Rennie stated in looking at the recommendations of the County Commissioners Association of Pennsylvania (CCAP), the effectiveness, efficiency, and sustainability of the elections and voting processes are at stake. She emphasized that elected officials need to step up. The Election Code itself is out of step with the changes that were enacted in 2018 across Pennsylvania. The recommendations made by CCAP are common sense and apply to the issues at hand as far as getting the job done. Our system of government rests on an effective, reliable, voting elections process. There is political posturing on both sides, this has to do with access and security. The effectiveness of the system itself is more important than either one of those. Political posturing is like an over inflated balloon, counterproductive and can be dangerous. There were very few counties that got their counts completed for this Primary with any time to spare; the third class counties were down to the wire. These changes need made so that the facilitation of this process can be eased. She reiterated that she urges elected officials to champion that cause and the common sense changes.

Chairwoman Rennie credited the staff and election officials. CCAP refers to it as the "dedicated public servants who are laser focused on the responsibility as stewards of our democracy, and who deserve our utmost respect and gratitude." She emphasized that that cannot be stated too strongly; she named the staff and offered her sincerest gratitude, stating the professionalism, care and integrity earns respect and admiration. She went on, that there are restaurants that can barely keep their doors open right now, but our people recruit, train, and manage

a small army of people every election day - which is no small task. This is done on a small budget and resources.

Attorney Talarico offered a legal opinion on the Resolution. He echoes the sentiments in respect to the Erie County Board of Elections and the Board of Elections throughout the state. He expressed concern in "patting ourselves on the back at the expense of suppressing any vote or eliminating what is the holiest part of the democratic process - namely the right to vote." While the thought behind the Resolution is to be more efficient process, which will elicit more confidence in the system. The system undercuts today's society, the significant movement away from acting in person toward voting from home and online, communicating online, and specifically mailing a vote in. In 2019 it was a bipartisan legislature which voted for the mail-in voting, in retrospect we've felt the effects of it; it has complicated the voting system, but has given people the right to vote - people who could not otherwise vote, were able to do so. Now there is a suggestion that if you want to vote, you have to vote fifteen days before everyone else does, and that undercuts the democracy. He understands the perspective of the Board, and thanked Chairwoman Rennie for the opportunity to speak.

Chairwoman Rennie commented that the intent is not to limit access, rather to grant access within reason. Mr. Smith confirmed that it is currently one week prior to the election. He feels that in any such proposal, making it two weeks, in line with the registration deadline, would extend the emergency period so that if voters found out at those seven days that they couldn't come to the polls, emergency ballots could be cast between the Tuesday deadline for application and the Friday before the election.

Carried in a 2 - 0 vote.

A further question in the chat was whether the deadline for returning ballots would be affected - Mr. Smith confirmed that this action would not change that deadline, and that voters could return ballots up through Election Day. Chairwoman Rennie pointed out that this is a Resolution urging action by the General Assembly, to support the law that they put into place in 20218 and to ensure that it can be responsibly and practically accomplished in accordance with the Pennsylvania Election Code.

Adjournment

Mr. Smith thanked the Board, all of the employees in the department, and Attorney Talarico for all of the help in getting to this place in the process.

Vice Chairwoman Schauerman moved to adjourn at 12:52 PM / Seconded by Chairwoman Rennie.