

MINUTES

Erie County Council

View More at
www.eriecountypa.gov



Board of Elections Minutes 12-10-24

Call to Order

Chairman Horton. called the meeting to order at 4:30 P.M.

Roll Call

Present: Andre Horton, Chair, Chris Drexel, Vice Chair, Charlie Bayle, Rock Copeland, Terry Scutella, Ellen Schauerman, and Jim Winarski (via Zoom)

Also present: Karen Chillcott, Megan Moore (via Zoom), and Tonia Fernandez.

Hearing of the Public

Freda Tepfer-Erie: Ms. Tepfer requested better education for all poll workers, specifically regarding poll watchers. She conveyed an instance at her poll of a watcher who profiled a voter because they required language assistance. She stated that even a person that needed language assistance could be an American Citizen and a qualified voter. She referenced issues with provisional ballot voting and stated that the Board should be heard at the state level about a better provisional ballot.

Election Report

Chair Horton asked Ms. Chillcott to share her Election Report.

Election and Voter Registration Summary of the 2024 Election Cycle

To wrap up our numbers for the 2024 General Election, we had a 75.7% voter turnout.

In Erie County, we have a total of 182,978 registered voters:

81,783 Democratic

73,036 Republican

99,662 voted in person

36,790 voted by mail

2,116 provisional ballots were tabulated

The results of the Election were posted on our website.

A recount was initially ordered by the state for the office of US Senate. Logic and Accuracy for the recount took place on Tuesday, November 19 at 9:00am. The recount was later cancelled.

We performed a risk-limiting audit, which is a 2% statistical sample analysis. The race for State Treasurer was selected by the Department of State for the

statewide audit. Our audit included Erie Ward 4 District 2 and Summit Township District 1. There were no variances.

Erie County does have a curing process in place for the mail ballots. 356 declaration envelopes were initially flagged. We reached out to voters and 171 of those people came into the office to cure their ballot. There remaining ballots were not counted as follows:

<i>Incorrect date</i>	<i>46</i>
<i>No date</i>	<i>37</i>
<i>No privacy envelope</i>	<i>11</i>
<i>No signature</i>	<i>16</i>
<i>No signature or date</i>	<i>38</i>
<i>Wrong signature</i>	<i>36</i>
<i>Empty envelope</i>	<i>1</i>

Provisional ballots not counted were:

<i>Not signed by voter</i>	<i>84</i>
<i>Not signed by poll worker</i>	<i>120</i>

Leading up to the Election

Starting back in January 2024, our staff noticed during a power outage that not all of the equipment in the fishbowl was supported by the county's backup power system. Once this issue was identified, we discussed it with the Operations Department who was able to have all of the central tabulation equipment placed onto the backup generator system prior to the Primary Election.

In March 2024, the electricity at the warehouse was upgraded to be able to more efficiently charge and power approximately 800 voting apparatuses including the ballot marking devices, scanners, and poll pads. All of the voting equipment has a battery backup, and those units are all charged at the warehouse.

In April, as the County was in the direct path of the total solar eclipse, the Board of Elections worked with the Department of State, the Governor's Office, and the Erie County Court of Common Pleas to extend the last day to register to vote by one day to April 9, 2024.

As 2024 was the Presidential Election, we had a short window to prepare for the Primary as it fell on April 23. As a point of reference, the 2025 Primary Election will be on May 20.

In May 2024, we were contacted by the FBI, the Department of Homeland Security, and CISA (Cybersecurity & Infrastructure Security Agency). At the beginning of June, these agencies performed a site assessment, at no cost to the county, in preparation of the Federal Election. Because of the assessment, modifications were made to improve the safety and security of our offices and storage areas.

We had a new customer service area installed in the Voter Registration Department with a new security door with badge access for employees only. We had three large windows installed in the hallway alongside the "fishbowl" in the Voter Registration Department. This change allowed for easy viewing of

pre-canvassing and canvassing of the ballots. We also set up a livestream video for authorized representatives to have the opportunity to observe the activities from Room 114A.

At the Election warehouse, we created a viewing room with a three large windows and a flat screen TV for a livestream view of the operations during Logic and Accuracy Testing. We also hired private security during testing to allow our staff to perform the testing safely and without being distracted by potential harassing or threatening behavior from the public. New inner and outer doors with upgraded security features were installed, as well as updated smoke and fire detectors.

Training

In August, two staff attended the Summer Conference. The Department of State offered training sessions throughout the year via Microsoft Teams in which we participated, and the Department of State was quickly accessible whenever staff needed additional assistance throughout the year. CISA and Homeland Security offered multiple trainings and sent out alerts and updates to keep our staff informed. Of course, this information was shared with other departments such as IT and Public Safety as needed. Our manufacturers such as KNOWiNK and Dominion also provided training for any hardware or software updates, as these were completed onsite and in person.

Almost a thousand poll workers and technicians worked at the polls and in the field again this year including approximately 53 students. Our staff provided training at the Bayfront Convention Center, in Room 114, and online classes as an additional option for our student workers. We also reached out to the County's Veteran Affairs Department and brought onboard a new per diem, from that outreach, who will be moving into more of a leadership role in the next election.

Outreach and media attention

Staff from the Voter Registration Department spoke at the Jefferson Educational Society, some high schools, and coordinated with the Erie County Prison

Speaking of outreach, the Erie County Board of Elections received a lot of media attention this year, and we were able to use this as a vehicle to educate the public on how to navigate some of the issues that arose during this election.

A brief history as to why Erie County is such an important bellwether county. Of the 3143 counties in the United States, only 206 counties went Obama, Obama, to Trump. And only 25 went Obama, Obama, Trump, and then back to Biden. Since 1992, Erie County has voted the same way as the state. With Pennsylvania having the most electoral votes of the swing states, 19, Erie County was very closely watched during the Presidential Elections.

I am sure you already know that, because you saw all of the major national networks here for the month leading up to the election, and not just national networks, we saw Japan, France, Reuters, BBC, Germany, Belgium, Australia, literally news outlets from all over the world. I have now been on

Tokyo TV with my voice dubbed and Japanese subtitles on the screen. I also utilized the sound room and podcast kit at Blasco Library for an interview on NPR's On Point talk show with Meghan Chakraborti.

Mail Vendor Issues

We prepared all year for the Election: made security improvements, developed safety plans, hired and trained additional staff, ran scenarios for things that could come up during the election, attended trainings... and what I've been told is that no matter how well prepared you are, something will always come up during an election ... there will always be a curve ball.

But what no one could even contemplate was that the mail vendor would fail to send out the mail ballots until days or even weeks after expected, and some had been sent to the wrong voters. Something so unfathomable, so unimaginable, but it happened. We reached out to the Department of State and I began having daily online meetings with the Department, and dozens of people from the United States Post Office, trying to determine where the ballots went and create a tracking system for them.

When we invited the Department of State to come to Erie County, and they came and assisted with gathering data for us such as bulk email addresses, specific data searches, which precincts had the most mail in ballot applications so we could prepare by sending them additional boxes of provisional ballots supplies. PEMA brought in computers, printers, and additional provisional ballot materials.

On October 30, the Democratic Party sued the Erie County Board of Elections because voters were still not receiving their mail ballots. The Republican Party became enjoined in the lawsuit. While may sound alarming to hear that the Board of Elections was sued during a federal election, by both parties it was a strategy that brought everyone together to find a fair outcome and solution for the problem created by the mail vendor. Both parties had to be involved because it wouldn't be proper for one party to receive a remedy acceptable to that party, but not to another party, especially during an election. Testimony was given for hours, and lots brainstorming was going on in the courtroom and in chambers. Ultimately, what was ordered by the Court and agreed upon by the parties was exactly what the Board of Elections was already doing. The parties did not sue the Board of Elections for money, and each party was ordered to pay their own legal expenses.

So many options were considered. Satellite offices, mobile offices from a van, or set up at other locations, secure and reliable internet service, would there be ballots for each of the 149 precincts be available, what if we ran out, could we print ballots on demand? Do we have enough qualified and experienced staff to maintain the office at the Courthouse and in the field? All of these things were considered, and it was agreed that the best way to move forward was to reinforce the current office with additional computers and printers, and extend the hours during the week and through the weekend. We sent emails, set up a Fed Ex Account, sent hundreds of ballots express or overnight mail, set up a dedicated phone line for disabled voters, set up a dedicated email address for out of state voters. And the staff... who had already been working 12 hour or more days, and were working seven days a week, kept

on working and everyone has said how pleasant and how helpful they were. They hadn't been seeing their families for weeks now but were still giving 100% every single day at this office.

Tonia led the team and maintained a positive work culture for her staff which was not an easy task given the demands throughout a Presidential election. This was an all hands on deck mission, even before we had the vendor issue.

The entire staff for County Council works around the clock almost exclusively for the Election Department this time of year. We had 20 per diems in the Voter Registrations Office, roamers and technicians at the warehouse, pre canvassers, poll workers, constables, you name it.

Earlier in the year we had already contracted with our manufacturers Dominion and KNOWiNK to be here on site, in a cubicle in the Elections office in case we needed any maintenance or technical support throughout the day. We have also always relied on one person from the IT Department to be here, in a cubicle in our office that day as well. Instead, without notice, the County Executive did not permit IT staff to stay in our office. Any IT needs had to be communicated through an email thread involving seventeen people and had to be approved by the County Executive. A number of tasks had to be ignored due to the inefficiency and inability to formulate the requests in a manner acceptable to the Executive. Even after Election Day when we were conducting Logic and Accuracy Testing, my request through the Track It System was denied and I had to ask for an Ethernet cable through the email thread.

Going forward we need a solution for our website, and we have options. We need IT support, in our office and at our service as we always have had in the past and was discussed even the day before the Election. These new barriers are unacceptable, especially within our own County where we should have the most support.

As I said, this Election was mission driven, all hands on deck to get the ballots to the people, to be able to have an interface on the website to communicate with the public, and to be able to email to large number of voters as once. We had the support of the Department of State, PEMA, our manufacturers, employees from other departments offering to work for us during the Election. Surely you can see that from the beginning of the year, working with the other county departments seamlessly, working with agents from the FBI and Homeland Security, working with the Department of State, USPS, Fed Ex (I had the personal cell phone numbers of these people from Washington DC, Virginia) Fed Ex held the plane two hours so we had the opportunity to get as many overnight ballots out as possible on the Saturday before the Election... everyone, literally everyone wanted to see this come together. We really came from behind with a huge challenge, and we met that challenge. This was a well run election.

(Comments and accolades from attorneys and other parties present during the Election were read and shared with the public.)

Board members shared their support and accolades regarding the Election.

Consideration of Acquiring a New Vendor to Print and Mail Ballots for the County of Erie Chairman Horton stated that due to the problems of the last election it would be necessary to hire a new vendor to print and mail election day ballots. Discussion was entertained about the process. Chairman Horton asked that a hard copy of the requirements be made for the Board and put in their mailboxes. Mr. Copeland questioned how the bid was put out, if it was sent to vendors or advertised. Ms. Chillcott stated it was public information and that they could send it out to vendors. He also asked if the Board would be able to look at the proposals. Chair Horton asked staff to be given time to do the work to ensure that the best decision possible was made. A motion to put out a bid for a new vendor was made by Mr. Copeland, seconded by Mr. Drexel, and carried 7-0.
Yea-7
Nay-0

Other

Questions and Comments from the Board No other questions or comments at this time.

Adjournment Chairman Horton adjourned the meeting on a motion by Mr. Copeland at 5:04pm.