

May 12, 2016

ERIE COUNTY BOARD OF ELECTIONS – Special Meeting

Chairman Breneman called to order the Special Meeting of the Erie County Board of Elections at 5:22 p.m. in the Erie County Council Caucus Room.

Mr. Smith then called the roll:

Members Present: Mr. Breneman
Mrs. Fatica
Dr. Foust
Mr. DiMattio
Mr. Horton
Mrs. Loll

Members Absent: Mr. Leone

Also Present: Douglas R. Smith, Clerk of Elections
Kimberly Alexander, Elections Supervisor

Hearing of the Public:

None.

Approval of Minutes:

Dr. Foust moved to approve the minutes from the March 28, 2016, Regular Meeting. This was seconded by Mrs. Fatica and carried in a unanimous roll call vote.

Update on the 2016 Primary Election:

Mr. Smith discussed the overview of the primary election. There were a couple of incidents going into the election that complicated their efforts, including the removal and reinstatement of U.S. Senate candidate Vodvarka on the Democratic side of the ballot, as well as the question of removing the constitutional judicial question ultimately upheld by the Supreme Court. Mr. Smith stated that these issues created some extra work for the department, to put it mildly. It held the office up initially in getting the absentee ballots and electronic ballots produced until the end of March. Once they were produced, 22 days later the office was told that they had to change them. It created a lot of work in a very truncated

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period. He stated that Ms. Alexander and her team, along with Mr. Czerpak, did very well in adjusting and doing the extra testing and ballot creation. It did set them back in some regards as far as getting the bags out the door until the 11th hour, and it also caused them to ask the judges to do an extra step on election day, and that was to put the flash card memories into the voting machines. Normally, they arrive at the polls already installed.

Mrs. Loll asked if there is someone in charge of the machines, why were they not ready to go. Mr. Smith explained that the cards had to be reprogrammed owing to the change in the ballot. There was a decision to either send them out the door as scheduled, beginning on Wednesday the week prior to the election, or change those dates and not getting them to the right place on time. They opted to send them out the door and ask the judges to do that extra step. There were a couple of sites where it became a problem but he was able to talk to those judges and get those situations straightened out. Mr. Smith stated it was a busy election morning. There were a couple of judges that didn't show up and a couple of locked buildings. He stated that two of the judges were sleeping, one of which couldn't be tracked down. The other one, though they woke her up, seemed not inclined to come in. These are the sort of things that the office runs into with 149 judges and 900 people in the field, along with 125 buildings. He said there were new judges this election cycle and they were able to get the buildings open. The judges are given paper ballots to hand out to the public, which are reserved for those who are not registered but insist that they are registered. Those paper ballots were used until the touch screens were up and running in those few polling sites. He felt that from a training standpoint, it is working well. He stated that the majority of judges are fantastic and do a good job. They are very responsible and work very hard. He stated that there were not a lot of complaints as a result of the couple of incidents and that was fortunate. In most cases, the staff adjusted very well and by noon, most problems were solved and it was just a matter of handling phone traffic wanting to know where their polling place was and their status. Mr. Smith commented that they encourage people to call prior to election day rather than try to get through the phones on the busiest day of the year.

Mr. Smith then explained an issue with the State where apparently people who had done different operations at PennDOT unwittingly changed their own registration. This happened across the state where people were showing up on Election Day and their registration was listed as non-partisan so they could not vote the ballot.

Mr. Smith stated that the judges who failed to show will not be returning. The one judge had the key to the building and that was an issue. He stated that the machines worked well. There was no issue with long wait times or long lines. He stated that Millcreek 23 is one of the larger ones and the office implemented some

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changes there based on the last election. This seemed to relieve the strain this go around.

Mrs. Loll asked how much each polling site gets paid and Mr. Smith clarified it was \$60, a pretty nominal fee. He further explained that schools do not get any money and the municipal buildings do not get paid.

Dr. Foust commented that on primary election day, the voter is handed a card "D" or "R", but it's color coded. He did not feel they should be color coded or that they should even have the "D" or "R", but any identification of you as a particular voter in a line is probably not a good idea. He suggested at the very least eliminate the color of the card, and may use "1" is a D and "2" is an R, but there shouldn't be any outright identification of what your voter registration is in the polling place. Mr. Smith stated that it is in response to State law. The law states that you are to declare the party of the voter. He said that the color code could be eliminated and Dr. Foust requested that it be as sanitary as possible. He felt the office should try to keep it as best under wraps as possible so as not to offend people who he thought would be. He felt it is not anyone's business.

Mrs. Fatica commented that she was in attendance on Election night. She said it was her first time seeing things in action and she was impressed with the assembly line and she was glad she could help in some way.

Mr. DiMattio suggested for the general election that to speed things up, workers at the end of the night can just take the sheets and declare the envelopes without opening it up and looking at the tapes by saying, for example, Erie 1-1, just cross it off, take the whole envelope and put it in the can, and move them down the line. This would probably eliminate a lot of time. When it's time for them to look at the write-ins, they can pull those envelopes and get the information they need one at a time.

Mr. Smith then advised Mrs. Loll that there are about 182,000 registered voters, and there are approximately 209,000 eligible voters in the county. He said there are about 18-19,000 who could be registered but are not.

Dr. Foust discussed the Governor's appearance on a show talking about making voting easier. Dr. Foust wanted to know if CCAP has taken a stance on any of those issues. He said he doesn't mind making voting easier, but he didn't think the primaries should be open. As a Republican, you are choosing your nominee, as a Democrat, he is helping choose his party's nominee. He does not want Independents or Republicans having anything to do with that. He is okay for same day voter registration and those types of changes, along with opening a window of seven days to two weeks to vote. He again asked if CCAP or the State legislators have started looking into this. Mr. Smith stated that CCAP currently

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supports “no-fault” absentee voting, which would allow the voter to vote early instead of having the “I’m on vacation” or “I’m sick and can’t make it” reason.

Mr. Horton echoed Dr. Foust’s sentiments and asked that the Board ask the State representatives or entertain a resolution requesting that regardless of what CCAP does, the Board is in support of same-day voting. Dr. Foust agreed that the Board should come up with suggestions to make voting easier and pass that along to the State representatives. He suggested that a resolution be prepared that could be adopted at the next Election Board meeting.

Mr. DiMattio commented that when he was at CCAP, he met with Secretary Cortes and they talked about the ease of voting and where the State was on all that. He commented that electronic balloting, same day registration were discussed and even in a perfect world, it would be at least five years away. It’s getting everyone to agree to it and then finding a procedure is why it would take so long. Even with voting machines, things are going to have change with them in the not too distant future. They did agree that things should not be proprietary and the issue is that there are too many people trying to make the decision instead of getting a few people to say this is how it’s going to be. They have heard about it on the State level, it’s just trying to get everyone to agree to it and get it implemented.

Certification of 2016 Primary Ballot:

Mr. Smith stated that all testing came in and it was all accurate. There are no questions on districts or any ballots.

Dr Foust made a motion to certify the 2016 Primary Election results. This was seconded by Mrs. Fatica and carried in a unanimous roll call vote.

There being no further business, the meeting adjourned at 5:52 p.m.

Deneé M. Breter, Council Secretary