

ST. JOSEPH COUNTY ELECTION BOARD

101 S. MAIN ST.
SOUTH BEND, IN 46601

CATHERINE FANELLO, CHAIRPERSON
MURRAY WINN, REPUBLICAN MEMBER
TERRI J. RETHLAKE, SECRETARY

TELEPHONE 574-235-9635
FAX 574-235-9838

February 15, 2018

St. Joseph County
Election Board Meeting
1:00 p.m.

It being the appointed date and time Chairman Catherine Fanello calls the St. Joseph County Election Board Meeting to order. Present are Murray Winn, Republican Member and Ex-Officio Clerk of the Circuit Court Terri J. Rethlake. Also Present are:

Keith McGinnis-RBM
Trevor Donarski
Frank Fotia
David Smith-Voting Machine Tech
Rick Moffett-Head Voting Machine Tech
Jeff Parrott
Jason Critchlow
Michael Feldman
Rita L Glenn-Chief Deputy Clerk
Arielle Brandy-Democratic Member Voter Reg.
Kimberly Riskovitch-Republican Member Voter Reg
Jamie Woods-St. Joseph County Attorney
Penny Stratton-Election Clerk

1. Call to order
2. The Chairman made a motion to approve the minutes of the last meeting. So, moved by Murray Winn, seconded by Terri Rethlake. Minutes stand approved.

Old Business

3. Central Count Resolution
Terri stated she didn't think Aladean De Rose voted and the vote had to be unanimous. Catherine suggested taking another vote. Motion for central count by Catherine. So, moved by Murray. Seconded by Terri. All in favor. Resolution signed by all members.

4. Annexation: Boundary Lakeville Update
Kim stated there was an error and she has made the correction. Boundary issues have been resolved.
5. RBM Contract
Terri sent a letter along with the addendum to the county commissioner to put on their next agenda. Frank stated the agenda is set for this Tuesday 2-20-18.
6. Randy Kelly Update
At the last meeting the board asked Terri to contact Attorney Jamie Woods about the fine that was owed by Randy Kelly. Attorney Woods stated he received the referral and went through the documents. He notified Randy Kelly if no action was taken by the next election board meeting he would request to take collection action in Small Claims Court. Catherine asked how much the fine was and Terri stated it was \$1000.00.
No further discussion.
7. Combined Precincts-Inspectors and Clerks
Terri asked Murray if they wanted to go with the list the same way. Murray stated he didn't get through all the changes. Roseland Town Hall is up 300 voters, Teamsters is up 840 voters, Lasalle School in Mishawaka is up 387 voters. These number put Teamsters up over 2300 voters and LaSalle at about 1800. He didn't get all the way through South Bend. The three mentioned were the ones with the largest changes and he thinks the increases should be able to be handled, especially since we are going to central count. Terri asked if the resolution needs to be prepared the same as it was two years ago for the General Election, Murray and Catherine agreed.
8. Braun Petition findings-VR and Complaint filed
Voter Registration findings
Catherine stated that this was on the agenda for the last meeting. Terri stated that VR was asked to go through the petitions and list everything they found that they had issues with, and bring the findings to this meeting. Arielle Brandy and Kim Riskovitch presented their findings. Kim stated they found people on the petition were not registered, at addresses they were no longer at or never were at, signatures that were similar to other signatures on the petitions, or didn't match the signature in VR system. Arielle stated that found there were four petition carriers whose petitions are in question: Blake Hobart from Missouri, Vincent Ott from Colorado, David Saddler and Terrance Despes Jr from Michigan. They highlighted the ones in question in each packet. Arielle also stated that other petitions were taking one to two days to process, the petitions in question took much longer to complete, and they had to communicate with Zach Riddle who was working on the Braun campaign getting the petitions to VR and picking them up. He was in continuous contact asking why it was taking so long. Zach stated that our VR raised red flags so he contacted other counties who stated they were having the same issues with the petition carriers. Kim stated the last packet didn't have any issues, they included it to show what a petition looked like that was done properly. They also gave a description to the markings: and asterisk-out of county, ADD-address issue, SIG-signature issue, NR-not registered. St Joseph only had 274 valid signatures for the Braun

campaign. Catherine asked how many were submitted, VR didn't have the number but will get it.

Complaint

Terri stated that yesterday 2-14-18 she received a phone call from Attorney Gwen Benevento from Holland & Hart, she asked about the agenda for today because she was representing Blitz Consulting who is the firm the petition carriers are from. Terri sent her an email with a copy the agenda, Jason Critchlow complaint, and VR findings. Attorney Benevento replied with a statement and affidavits. Terri explained that today wasn't a hearing but the election board would discuss if one needed to be set. Catherine stated the board had options to set a hearing and issue subpoenas for people to testify, or forward the findings to the prosecuting attorney. Catherine asked the board if they thought they should do an independent investigation or forward it to the prosecuting attorney? Jason Critchlow asked to say a few words as the complaint filer. He thanked Kim and Arielle for the diligent and hard work on the petitions. He agreed with everyone that petitions would have errors but he filed the complaint because of the frequencies of the errors and the seriousness of the errors. Since Jason has filed his complaint he has received a copy of a petition from Jackson county. This petition has a name on it as a signature that their county clerk and VR thought was an error, the address and birthdate were incorrect for this voter. The county clerk contacted the individual who stated they didn't sign that petition. The petition carrier from this petition also turned in twenty-nine petitions in our county. Jason asked to add the petition from Jackson county to his complaint. Catherine stated the election board needed to be consistent since this has happened in this county in the past. VR has gathered all the information they have except the actual signatures of the voters in question. Terri stated the signatures will be needed. Terri asked if they had contacted any of the voters, Kim and Arielle stated they hadn't because most are not registered. Kim stated they could reach out to some of the registered voters. Murray said he thinks if these are forgeries he doesn't feel the election board should handle an investigation because he doesn't think they would be able to contribute anything further. Catherine stated the election board could go further with a hearing but thinks it would just become a long and drawn out process, and they would probably come to the same conclusion. Terri said they could send the findings Indiana State Police too. Catherine asked Attorney Woods to prepare a packet of the findings to present to St. Joseph County Prosecuting Attorney and the Indiana State Police. Attorney Woods suggested including the Attorney General. Catherine asked Attorney Woods to prepare and submit the packet to the election board for approval, then forward them to St. Joseph County Prosecuting Attorney, Indiana State Police and Attorney General. Catherine motioned to have Attorney Woods prepare packet and to forward to the Prosecuting Attorney, State Police and Attorney General. So, moved by Murray. Seconded by Terri. So, ordered.

New Business

9. Rita Glenn stated she was contacted by USPS to have a meeting to make sure everything is set so the absentee ballots are received in a timely manner. Rita wanted to know if the

election board needed to be a part of this meeting. Catherine suggested to delegate it as an administrative duty with the county clerk.

10. Terri stated Senate Bill 327 might require us (if it is passed) to use IMB from the post office which is a tracking system. Terri is trying to get with Wendy Hudson who is the Elkhart County Clerk and Legislative Chair Person to find out what all must be done and how much work is involved. We would have to have a special envelope that meets with USPS approval, all zip codes we are using will have to be put in the system. This will allow the voter to track their ballot. Terri stated this was just to advise this might be an added expense.
11. Terri stated that all CFA-1's are due this Friday 2-16-18 by noon, so if anyone knows of someone who hasn't filed theirs please let them know.
12. Terri stated at the last meeting we established dates and times for absentee voting and setting Mishawaka as a satellite office. Murray motion to accept resolutions. So, moved by Catherine. Seconded by Terri. So, ordered. Terri will prepare a new resolution for combined precincts.
13. Murray asked if the M100s are going to be programmed to accept all the ballots for polling locations that have multiple precincts. Dave stated he knows the machines can be programmed to accept multiple precincts but doesn't know if the code has changed. Catherine said she thought that is what she read also. Keith said if the M100s were programmed this way the cards would be read and separated in precincts. Terri stated she would get clarification from the Indiana Election Division.

Public Comment

The next Election Board Meeting will be March 1, 2018 at 1:00 p.m.

The Chairman makes a motion to adjourn at 1:37 p.m.

Respectfully submitted,



Terri J. Rethlake, Secretary
St. Joseph County Election Board

tjr/pds