

ST. JOSEPH COUNTY ELECTION BOARD

101 S. MAIN ST.
SOUTH BEND, IN 46601

M. CATHERINE FANELLO, CHAIRPERSON
BEN HORVATH, REPUBLICAN MEMBER
RITA L. GLENN, SECRETARY

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March 11, 2022

St. Joseph County
Election Board Meeting
1:01 PM

1. Call to order

It being the appointed date and time, Chairman M. Catherine Fanello calls the St. Joseph County Election Board Meeting to order. Present are Ben Horvath, Republican Member and Ex-Officio Clerk of the Circuit Court, Rita L. Glenn, also present are:

Dave Smith-Machine Tech
Cindy Streich – Democratic Absentee Supervisor
Diana Hess - Democratic Party Chair
Gregg Hixenbaugh – Democratic Party Co-Chair
Debbie Ladyga-Block-Democratic Party (Zoom)
Zach Potts – Republican Party Chair
Susan Baxmeyer-Republican Party Vice-Chair
Pat Schafer – Citizen
Judy Bradford – League of Women Voters
Clint Zalas – Election Board Attorney
Muhammad Shabazz-Dem. Member Voter Reg.
Kim Riskovitch-Rep. Member Voter Reg.
Amanda Govaert Konrath – Democratic Member Voter Registration
Jennifer Bybee-Republican Member Voter Registration
Lana Cleary-Deputy Clerk
Penny Stratton-Election Clerk
Oliver Davis – Candidate
Stephanie Ball – Candidate, Ball4District4SB
Gerry Brown – North Liberty
Steven Low – Candidate for Commissioner
John Anella – Candidate
Lynn Coleman – Candidate, Coleman for Mayor
Randall J. Budreau – Candidate
Eli Wax – Candidate
Deborah Fleming – Candidate

Jennica Liberatore – Candidate
Lori Hamann – Candidate
Amy Rolfes – Citizen
Elizabeth McCombs – Candidate, Town of Roseland
Robin Ackerson – Candidate, Town of Roseland
Jason Critchlow – Candidate
Joe Canarecci – Candidate
Rudy Monterrosa, Jr. – Candidate
Henry Davis, Jr. – Candidate
James Garrett – Candidate, PHM (Zoom)
Cheryl Ashe – Candidate, (Zoom)
Mary Ellen Hegedus – Candidate (Zoom)
Jason Mazurkewicz – Candidate (Zoom)
Tim Swager – Candidate (Zoom)
Pam Claeys – Candidate (Zoom)
Hodge Patel – Candidate (Zoom)
Nick Abernathy – RBM (Zoom)
Desmont Upchurch – Candidate (Zoom)
Charlotte Wolfe – Candidate (Zoom)

2. Old Business

Delinquent CFA-4 hearing.

Public Hearing portion of hearing. Fines assessed if reports are late. Board does not have a discretion to not charge late fines. The report is due on calendar date. The fines start at noon that day. Plus, additional costs as needed. Board has the right by unanimous vote to reduce or waive the fine if the penalty would be unjust to the candidate. Parties have the right to present their case to the Election Board. All sworn in under oath to present their case.

Robyn Ackerson. She states her campaign was in 2019. She filed through early 2020. Closed the account out except for \$20. She states banks were closed due to Covid. Her campaign is done. She filed in 2021 with intention of closing of the account. She blames Covid for not being able to close the account. She filed 2022 but didn't know when the deadline to file the report, until she received a letter from the Election Board. Report filed on 01/28/22. She wishes to review the law on closing out the accounts. The Election Board needs more information on this case and will hold onto Robyn's report at this time. Elizabeth McCombs has same issue as Robyn Ackerson, so her case is on hold currently. John Anella. He ran for office in 2020. He filed in the beginning in 2021. He will be closing his committee. Report filed on 01/25/22. Fine: \$350.

Cheryl Ashe. Her defense is that she misunderstood the manual. She thought less than \$5000 for the compensation. She didn't spend or raise any money in 2021. She thought she didn't have to file and didn't realize she could close it. No exception for filing a report. Report filed on 01/24/22. Fine: \$300.00.

Stephanie Ball. Her campaign was in 2019/2020. She did not have any activity in 2021. She didn't realize that she had to file a report with no activity. Stephanie asks for leniency. Report filed on 03/10/22. Fine: \$1000.

Jordan Boudreau. He filed for County Commissioner in 2015. His account had zero cash on hand. He states he was called to active duty in the Middle East in 2020. He has since disbanded his committee and is requesting his fine be expunged. Report filed on 03/10/22. Fine: \$1000.

Joe Canarecci. He states he didn't raise funds and didn't realize he had to file a report. He is disbanding his committee. He pleads for mercy. Report filed on 01/28/22. Fine: \$500.00.

Lynn Coleman. He just forgot to file his report and didn't spend any money or take in any money in. He is asking for mercy. Report filed on 01/21/22. Fine: \$150.

****all the rest took a mass oath****

Jason Critchlow. He opened an exploratory committee. He states his household had Covid. He apologizes for his ignorance of the due date of the report. He is also taking responsibility for Hodge Patel's and Tim Swager's CFA-4 reports being late. All three reports were filed on 01/20/22. Fine: \$100 for Critchlow, Patel and Swager.

Henry Davis Jr. He does not have an excuse for filing. He states he was 18 minutes late.

Oliver Davis. The account was opened for commissioner's race. He is leaving account open until he can reimburse himself for \$1500.00, he leant his committee. He is asking for mercy. The report was filed on 02/14/22. Fine: \$1000.

Deb Fleming. Her main treasurer was not accessible to file her report. She states she didn't have anyone to fill out the report properly. Report filed on 01/20/22. Fine: \$100.

James Garrett. In January 2021 talked to Rita and stated he was not going to run for office again. He wanted to disband account from 2018. He didn't spend or take any money into the account. He donated to another political campaign. He didn't know that even though the account was at zero that he had to formally disband the committee. Report filed on 01/28/22. Fine: \$500.

Lori Hamann. Family had Covid. Her acting treasurer insisted the report did not have to be filed on time. Report filed on 01/19/22. Fine: \$50.00.

Jennica Liberatore. She states she knew when report was due. She chose to mail the report in and blames the USPS for the tardiness of the report. Report filed on 01/21/22. Fine: \$150.

Jason Mazurkiewicz. He forgot to file his report. Report filed on 01/26/22. Fine: \$400.00.

Elizabeth McCombs. Buried mother on New Year's Eve, aunt passed away, had Covid. Report filed on 02/01/22. Fine: \$750.00.

Rudy Monterrosa. He filed his CFA-1 on 7/13/2020. It was a principal committee. Currently, Mr. Monterrosa is running for German Township Board. He states this rule does not apply if the office is for school board. He states a candidate does not need to file a report if the contributions are for less than \$5000. The Board will need to research this issue.

Corey Noland. He does not have an excuse for being late filing report. Report filed on 01/27/22. Fine: \$450.00

Anthony Underly. No reason stated for late filing. Report filed on 01/21/22. Fine: \$150.00.

Desmond Upchurch. He stated he opened an exploratory committee and wasn't aware of when to file the report. He is asking for mercy. Report filed on 02/03/22. Fine: \$800.00.

Kate Volker. She states she doesn't have an excuse. She asks for mercy. Report filed on 01/18/22. Fine \$50.00.

Eli Wax. He does not have an excuse. Report filed on 01/19/22. Fine: \$50.00.

Charlotte Wolf. She states she never had contributions made to her committee. She couldn't serve, so she thought she didn't have to file a report. Report filed on 01/26/22. Fine: \$400.00.

Zach Potts. Republican Chair. He asks the Board to forgive these folks for their late filings. The Board states they need clarification regarding a candidate marking disbanded on their committee reports. Catherine pleads for the chairs of both parties to educate their candidates or elected officials on campaign finance. St. Joseph Democratic chair states reminders to all candidates regarding the due of their CFA-4s was sent at the beginning of January 2021.

Motion for a blanket waiver of fines for each candidate listed above. So moved by Ben Horvath, seconded by Rita Glenn.

Public hearing for delinquent CFA-4s concluded at 2:25 PM.

3. Defective reports. Four reports have been filed within the five-day time frame. Mr. Monterrosa filed his report yesterday, March 10, 2022. The Election Board is required to audit from time-to-time the finance reports. For the record, defective is something on its face value. For the record, the law isn't very clear of the definition of a defective report.

New Business

4. Steve Low Candidate Challenge. Susan Baxmeyer is presenting the challenge on behalf of Zach Potts. A challenge was filed by Zach Potts to this filing due to the candidate did not vote republican in the last primary. Mr. Low stated he didn't realize if he did or didn't vote as a republican in the last primary election. It was the new challenge date under lawsuit. Motion to uphold the challenge by Zach Potts. So moved by Ben Horvath, seconded by Rita Glenn. Mr. Low will not be on the ballot for this election.
5. Resolutions. Resolution establishing the dates and times of Absentee Voter Board for Primary, 2022. Party chairs comment on a Sunday open for absentee. Both parties agreed there wasn't a need for Absentee to be open on Sundays. Motion to adopt the resolution for absentee hours. So moved Ben Horvath, seconded by Rita Glenn.
Resolution establishing satellite offices for absentee voting for Primary and General Elections, 2022. Motion to adopt the satellite offices. So moved by Ben Horvath, seconded by Rita Glenn.
Resolution for elimination of ABS signature review for Travel Board and In-Person Absentee Ballots. So moved by Ben Horvath, seconded by Rita Glenn.
Resolution to count absentee ballots at any time after 6am on Election Day. In previous elections, Catherine and Murray were ballot counters on election night. The Election Board asks if the parties would like to appoint the ballot counters for the General Election, 2022 or leave it to the Board. Ben and Catherine will be the ballot counters (this includes reviewing the provisional ballots) for the Primary Election, 2022. The ballot counter issue is tabled until next week's meeting so that it can be modified. Motion to count ballots on Election Day starting at 6 am. So moved by Ben Horvath, seconded by Rita.

6. Number of workers (Absentee, Travel Board, Poll workers and Central Count) needed for the election. Catherine started to sketch out how many are needed for this election. Penny looked through minutes in 2020 and found 15 workers were slated to work the Vote Centers. After review during the last election, a few workers were eliminated from the sites that had less election equipment. This would depend on the number of freedom votes at each site. Poll clerks will have one republican and one democrat. 1 inspector, 2 judges, 2 sheriffs (at larger locations) 1 sheriff at smaller locations. Sheriff opposite of party of Inspector. Each Vote Center will need a minimum of 9 workers/ 12 workers for larger locations. Most Vote Centers will have 15 Freedom Votes at their site. This is the recommendation of the election board. Dave will have spreadsheet for both parties of layout of vote centers to determine workers needed.
7. Travel board is the responsibility of the Absentee office.
Cindy Streich. Absentee will still be a separate location from early voting. Absentee will have ten workers from each party, with two workers each going to Mishawaka. The parties to provide a list of workers from each party that will be Absentee workers.
8. Central Count. There will be twenty-five workers from each party. The Council chambers are not available the day after the Primary Election. Board will investigate the possibility of using the law library for second day. Both parties to send to the Board by April 18th the names for Central Count. This number should include at least six runners.
9. Training. Poll worker training. Lana to follow up with John Butler regarding the \$120 needed to have an online test for poll workers to take to qualify to work the polls. Absentee Workers. The Board will have their first training with Absentee supervisors next Friday. Poll Worker training will be discussed at next Friday's meeting.
10. Public Test. The Public Test will be set up for April 1, 2022, at nine a.m. The deadline for this test is April 4, 2022.
11. Ballot proofing is complete. Rita states it is essential parties review and send back any responses by the due date.

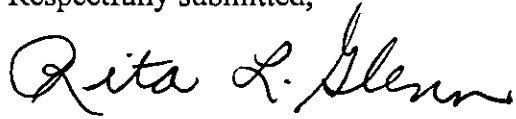
Public Comment

12. Judy Bradford. What was decided about defective report? They have five days from when the notice was received to file their amended report.
13. Muhammad wanted it on the record that people come on Sunday for absentee. To vote.
14. The Board signs the updated letter from Voters Registration that will be sent to the Vote Centers for this election.
15. Dave Smith requests clearance to recruit Vote Center Technicians for Election Day.

Next meeting March 18, 2022, 1 PM.

The Chairman makes a motion to adjourn at 3:56 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Rita L. Glenn". The signature is written in black ink and is positioned above the typed name.

Rita L. Glenn, Secretary
St. Joseph County Election Board

rlg/lrc