

Board of Registrars
Monday, November 15, 2021- 10:30 a.m.
1st Floor Conference Room – City Hall
-Minutes-

Present: City Clerk, Joanne Senos; Daniel Epstein; Judy Peterson; Lucy Sheehan

Meeting called to order at 10:38 a.m.

1. Accept certified Recount Petition for Office of Ward 2 Councilor

Summary of Discussion: The City Clerk, Joanne Senos presented the Recount Petition to the Board of Registrars and explained that the signatures on the Recount Petition had been certified as Ward 2 residents.

MOTION: On a motion by Lucy Sheehan, seconded by Judy Peterson, the Board of Registrars voted unanimously to accept the certified Recount Petition for the office of Ward 2 Councilor.

2. Discussion for setting a date, time and place for holding a recount of the votes cast at the City Election held on November 2, 2021 for the office of Ward 2 Councilor

Summary of Discussion: Ms. Sheehan asked if there was a timeline for a recount. The City Clerk stated there was not a timeline for a local election. She stated that the recount could be set at a time convenient for the Board of Registrars. She further stated that there was a timeline that needed to be followed to notify the candidates via certified mail and stated that the candidates also needed to be served notification by either a constable or policeman. Mr. Epstein inquired as to the minimum number of days allowed from the certified mail notice until the date of the recount. The City Clerk stated it was a minimum of three business days and then explained the logistics of setting up a recount including notifying General Counsel, finding poll workers and securing a police officer. It was determined that Wednesday, December 1, 2021, at 9:00 a.m. in the Kyrouz Auditorium would be the date, time and location of the recount.

MOTION: On a motion by Judy Peterson, seconded by Lucy Sheehan, the Board of Registrars voted unanimously to set the date, time and location of the Ward 2 Councilor recount for Wednesday, December 1, 2021, at 9:00 a.m. in the Kyrouz Auditorium.

3. Authorize City Clerk to send notice of Recount to candidates

Summary of Discussion: There was no discussion on this matter.

MOTION: On a motion by Lucy Sheehan, seconded by Judy Peterson, the Board of Registrars voted unanimously to authorize the City Clerk to send notice of Recount to the candidates.

4. Review Recount procedures

Summary of Discussion: The City Clerk stated the Recount guidelines were set by the Secretary of State's office and read the following information from the Recount packet:

In order to assure an orderly recount, the following ground rules will be in effect and enforced:

- **Election Materials:**
 - Only recount workers and the Board of Registrars may handle ballots or other election-related materials.
 - Candidates, their attorneys and observers may ask for a closer look, but may not touch the ballots or other election-related materials.

- **Observers:**
 - Observers may not bring food or drink into the recount area, and must silence their phones.
 - Observers may not take pictures within the recount area.
 - Observers must respect the work being performed by the tally clerks, and may not move around the room during the counting of ballots.
 - Only the candidates and their attorneys may move from table to table during the counting of the ballots.
 - Disorderly conduct and outbursts will not be tolerated. Anyone creating a disturbance will be warned once, then ejected and not allowed to return.
 - Observers may challenge a decision of the counters by stating the words "I protest," but otherwise must be silent to allow workers to count ballots without distraction; if an observer has a question or needs assistance, they may raise their hand and a runner or other designee of the Board of Registrars will arrange for the same to be addressed.

- **Board of Registrars:**
 - The Board will act on any challenges to ballots brought before it; however, counsel for the candidates are encouraged to review at the counting table any ballot to which an objection is raised to determine whether to bring the same to the Board of Registrars.
 - Only the candidate or their attorney may present arguments to the Board of Registrars regarding ballots to which objections are raised during the counting process; after the Board has had the opportunity to review each ballot at issue, all candidates (or their representatives) will be provided with the ability to present their position to the Board of Registrars, with the candidate who brought the objection presenting first.
 - The vote of the Board on any such challenge will be final, and unless such vote results in a tie, the ballot will be counted in accord with the Board's vote.
 - If a candidate challenges the decision of the Board of Registrars, the ballot will be counted according to the vote of the Board (unless the Board's vote is a tie, in which case it will be counted in accord with the recount worker's call), and then be marked by the Board of Registrars with the date, office being recounted, and vote of the Board, and then placed in an envelope to be segregated from other ballots.

- **Other Matters:**
 - The Board's jurisdiction is limited to the manner in which the votes are counted.
 - Objections to other matters will be unlikely to be addressed by the Board.
 - At the conclusion of the recount, such matters may be placed on the record for the purpose of preserving the same any future election.

The **City Clerk** recommended that there be five teams to each include two individuals to recount the ballots cast in Ward 2. She explained that each candidate could have their own general counsel and five observers and explained that the candidate needed to provide, in writing, the names of the observers. She explained that all allowed recount participants/observers would be distinguished with nametags.

Mr. Epstein asked for clarification if the observers could move around the room. The **City Clerk** explained that the observers could not move around the room, but an observer could be placed at each one of the five teams performing the recount and she confirmed that the candidates and attorneys could move around the room. She explained that each of the five teams would be reading and counting at the same time. She stated that if a ballot was challenged then that particular team would stop, while the other teams continued. She stated that in between each ward and precinct there would be a break and that Ward 2, Precinct 1 would be counted first. She added that the poll workers would not be allowed to speak to anyone or answer any questions concerning the recount until the recount was finished. She stated the

recount of Ward 2, Precinct 2 would begin after the break until the recount was completed and the results could be certified. She stated she would be notifying the Secretary of State's office on the date and time of the recount. The **City Clerk** stated that all this information would be contained in the notification letter sent to the candidates.

Attorney Edward Pasquina asked if all five teams would be sitting at one table or would be separate. The **City Clerk** stated there would be five individual tables.

Attorney Pasquina filed a notice of "Appearance of Counsel" for Tracy O'Neil. **Attorney Pasquina** also filed a "Motion To Recluse David Epstein from Recount Process".

MOTION: On a motion by Daniel Epstein, seconded by Judy Pederson, the Board of Registrars voted unanimously to adjourn at 11:00 a.m.

Submitted by: Sherry Karvelas, Clerk of Committees

Documents submitted at the meeting: None.