

ELECTION BOARD
November 18, 2024

Present at the meeting were:

Brenda Watson
William Lyons
R. Franklin Campbell
Bill Bunt
Sarah Geesaman
Shannon Hines

Present from the Public: Gabrielle Brandt, Jeff Garman, Kathy Garman, Dean Lusby, Jed Nessinger, Jerry Philpott, Dave Pundock, Faith Pundock, Megan Sellers, Wes Smith

The Election Board met on Monday, November 18, 2024 at 11:00 a.m. The meeting was conducted virtually via WebEx video/telephone conference and in person in the Commissioners' Conference Room. The meeting was recorded by the County and Jed Nessinger.

Public Comments: Megan Sellers asked why counting was not resumed after the bomb threat on election day. She said other counties paused the counting and then resumed and provided examples. Ms. Sellers said the court order said it was requested to stop counting and workers that day were assigned to do other work. Commissioner Watson explained the time line during the bomb threat and how the poll worker return flow had to be handled due to the threat. She said the safety of her staff is the number one priority and the Perry County Election Board is responsible for Perry County. Ms. Sellers said when her husband was voting, he heard poll workers talking about machine issues at other polling locations. She asked if there were any issues. Ms. Geesaman stated there was an issue earlier in the day with a machine not turning on but it was addressed. Ms. Sellers asked who was with the ballots during the bomb threat and if it was under surveillance. Commissioner Watson said it was locked in the building under surveillance. Ms. Sellers asked how long the footage is kept and Commissioner Watson said that information is security related and would not be answered.

Jed Nessinger stated that people had contacted him about issues with polling location scanners as ballots were not going through. He said voters were given a second ballot and it still did not go through and then a second machine was used in Carroll Township. Mr. Nessinger said it was reported that Judge Mumma was petitioned by Solicitor Bunt and asked what the case number was. He said he also wanted a copy of the petition. Solicitor Bunt said he did not know the case number and to submit a right to know for the petition. Mr. Nessinger asked who overruled the petition and said the election day ballots needed to be counted. Solicitor Bunt said the court order was not overruled by anyone. He said ballot counting continued the following day per the court order. Jed Nessinger said his understanding was that counting continued on election night. Solicitor Bunt said election day ballots from the districts were still processed on election night and the mail-in/absentee/provision/military/overseas ballots were done on the following day.

Meeting Business: Commissioner Campbell made a motion to approve the minutes from the November 4, 2024 meeting. Commissioner Lyons seconded the motion. All agreed. Motion carried.

Commissioner Watson stated that an Election Board meeting would be held on December 2nd as a follow up to the recount at 11:00 a.m. She also said that a meeting would be held on March 24, 2025 at 11:00 a.m.

Sarah Geesaman, Election Director, said the risk limited audit had been submitted and she is preparing for the recount.

Commissioner Watson stated that the recount would begin on November 20, 2024 at 9:00 a.m. with mail in, absentee, provisional, military, and overseas ballots. She further said that on November 21, 2024 the recount would resume at 9:00 a.m. with the polling location ballots and if needed the process would continue on Friday, November 22nd. She commented that the recount would be held in the Freedom Building.

Jed Nessinger asked if the recount was open to the public. Commissioner Watson stated it was not.

Commissioner Campbell asked for clarification on who can attend the recount.

Solicitor Bunt said the Commonwealth directive states each candidate may be present in person, or by attorney, and each political party may send up to two representatives to be present at the recount. He said it is not open to the public at large.

Public Comment: Jerry Philpott asked if his paperwork would be appropriate for observing the recount and Solicitor Bunt confirmed that if it was the same paperwork he provided previously it would be.

Megan Sellers thanked the poll watchers for their time on election night and it was appreciated. She said she would never want anyone put in harms way. Ms. Sellers stated the County had received \$156,762 from the Election Integrity grant program and said the grant requirements state that County should begin precanvas on election day at 7:00 a.m. and continue without interruption. She further said canvassing should begin at 8:00 p.m. on election day and continue until all ballots are canvased. Ms. Sellers asked if Perry County will have to return the funds or is the money protected due to the court order. Solicitor Bunt stated that there has been no discussion with the Department of State on this issue. Ms. Sellers asked what the name of the form being used for chain of custody this year used for picking up ballots from the post office or drop box. Commissioner Watson said there is a sign in sheet. Ms. Sellers asked what the name of the form is. Commissioner Watson stated it is a sign in form and does not have a name.

Faith Pundock said she read that new machines may be used for the recount and asked if this was the case. Solicitor Bunt stated that ballots will be counted on different machines than what they were previously counted on.

Jerry Philpott asked if the county has more than one machine and Solicitor Bunt said yes.

Jed Nessinger asked if they are the same make and model and Solicitor Bunt explained there is a big and small scanner that would be used for the recount.

Jeff Garman asks what became of the bomb threat, if anyone had been arrested, and if a bomb was found. Commissioner Watson said it is under investigation, but no information had been provided yet but no bomb was found. Mr. Garman said he didn't want to armchair quarterback

the bomb threat situation and understands that you do what you can during an emergency situation

Kathy Garman asked where the ballots for the recount were being stored. Commissioner Watson said in the Voter Registration building. She asked if anyone was watching them or were they under surveillance. Commissioner Watson said she would not discuss security, but did comment that they are secure.

Commissioner Campbell made a motion to adjourn the meeting. Commissioner Lyons seconded the motion. The meeting adjourned at 11:19 a.m.