

A meeting of the Board of Election Commissioners of St. Louis County was held at its office located at 12 Sunnen Drive, Maplewood, Missouri, Tuesday, May 10, 2016.

Present at the meeting were:

Richard H. Kellett	Chairman
John Maupin	Secretary
John King	Commissioner
Trudi McCollum Foushee	Commissioner
Angela Gabel	Attorney
Eric Fey	Director
Gary B. Fuhr	Director
Christian Tolbert	Deputy Director
Julie Leicht	Deputy Director

Chairman Kellett called the meeting to order and a roll call was taken. A quorum was present.

Two individuals signed up to speak at the Public Forum. Chairman Kellett called for Mr. Frank Hardy to speak. Mr. Frank Hardy, a candidate for Alderman in Sunset Hills Ward 1, spoke of ballot shortages in his ward and repeated his request for a special election to be held.

Chairman Kellett then invited Carol Morrison to speak. Ms. Morrison, also from Sunset Hills, asked that a special election be held in Ward 1 and maybe in Ward 3 also in August.

There being no one else who had signed up to speak, Chairman Kellett made a motion to close that segment of the meeting and Secretary Maupin seconded the motion. A vote was taken and the Public Forum was closed.

Chairman Kellett asked if everyone had read the minutes from the April 19th meeting. Secretary Maupin said he wished to add something to the Closed Minutes of April 19. Chairman Kellett made a motion that the minutes of the open meeting be accepted and Commissioner Foushee seconded. A vote was taken and those minutes were approved.

Chairman Kellett called for Director Fuhr's report. Director Fuhr said he had submitted his retirement to the Board in the April meeting at which time the Board did not accept it, and he had been asked to reconsider. He reconsidered and stated he is retiring, and his last day will be May 20.

Chairman Kellett then called for Director Fey's report. Director Fey informed the Board of the Robinwood West Community Improvement District election to be held June 14. This election will be conducted by mail pursuant to state statutes.

As has been reported in the media, there are five statewide petitions, portions of which will be submitted to us for signature verification. This will be labor intensive and will require overtime.

Two petitions have been submitted to the Court for recounts, one for the Mayoral race in Pine Lawn and one for the Aldermanic race in Bellefontaine Neighbors Ward 1.

This is the last week for the General Assembly. An omnibus election bill just came out of conference. Part of this bill would require local ethics reports to be filed directly with the Missouri Ethics Commission as opposed to filing with our office. Another part of this bill would allow challengers to remain in the polling place until it is closed. A procedure for accepting electronic signatures goes back to the House of Representatives. The General Assembly has until 6:00 pm Friday to consider the bills before them.

Chairman Kellett made a motion to accept the Directors' reports, and Secretary Maupin seconded the motion. A vote was taken and the motion was approved.

Under Old Business the reports submitted on the four races possibly affected by ballot shortages were discussed. Director Fey summarized the findings. The report on Town and Country Ward 2 found that no voters were turned away and the voting was not impacted by a shortage of ballots. The recommendation was that the certified results should stand.

The report on Overland Ward 3 showed that copies were made of the ballots that ran short and the outcome was not affected. The recommendation was that the certified results should stand.

The report on the Mayoral race in Berkeley showed that voters were turned away by the election workers and a candidate electioneering outside a polling place. The difference in votes for the highest and second highest candidates was 13 and more than 13 voters were turned away. The recommendation was that a special election be held.

The report on Sunset Hills Ward 1 recommended that the certified results should stand. The Board asked that the report be read in its entirety.

Commissioner Foushee then made a motion to petition the Court for a special election for the Berkeley Mayoral race and the Aldermanic race in Sunset Hills Ward 1 and Secretary Maupin seconded the motion. A vote was taken and the motion was approved.

There being nothing else to discuss under Old Business, Chairman Kellett made a motion to close that portion of the meeting and Secretary Maupin seconded the motion. A vote was taken and the motion was approved.

Under New Business Director Fey updated the Board on the bids received for electronic poll books and election management software. Deputy Director Leicht chaired this project and the Deputy Directors, Training Supervisor and IT Supervisors evaluated each submission along with the Director of Procurement and Chief IO Officer for the County. It was recommended that we accept the bid from KnowInk, a local company which also serves our neighboring counties, for electronic poll books and Konnech, company out of Detroit, Michigan which also serves the City of St. Louis and St. Charles County for election management software.

In 2014 the Board approved the purchase of electronic poll books, and budgeted from the General Fund, but the County Council voted it down. Now the monies will come from our Election Services Fund. Chairman Kellett made a motion to accept the recommendations and Commissioner King seconded. A vote was taken and the motion was unanimously approved.

Secretary Maupin read the following statement to the Board.

Last month after our meeting, I was explaining to some reporters that we knew exactly what had been done incorrectly in the April election and that we were determined to make sure the error did not occur again. A reporter then asked me what I say to reassure voters who had lost faith in our system that their votes would actually be counted. I frankly didn't have a good answer. Although I had confidence in the process, my confidence was not adequate to overcome the skepticism of those who had just witnessed an inexcusable debacle.

I have been involved in elections for many years, and I have the advantage as an election commissioner of witnessing the nuts and bolts of the election process. As a result, I know that elections are run fairly and openly. The internal investigation of the ballot shortages in April gives me even more confidence in the system. Our senior employees were able to analyze each close election in St. Louis County where there were ballot shortages and cite, chapter and verse, the precise timeline of events, the impact of the shortages, the actions taken by the on site election judges, and the probable impact on each race. As a result, I expect that this board will take action to ask for a new vote in the one jurisdiction where a different result might have been possible.

But my personal knowledge and beliefs are not adequate for others who question whether their most fundamental right as citizens really exists and is protected by us. It is our obligation and duty to do whatever we can to guarantee a system in which each voter knows their vote will count. Since that error-plagued April election, there have been a lot a very good ideas brought forth by the ensuing critique. I would like to thank Secretary of State Kander for his review of the election that confirmed the problem was caused by one simple mistake. I would like to thank the special legislative committee that, despite the unseemly and embarrassingly insulting tone of their hearing, came up with some solid suggestions of ways to improve the process. I also want to thank Paul DeGregorio who graciously shared some of his ideas based on his experiences as a former director of elections and as an internationally recognized expert in the field.

With this as the backdrop, I am proposing some changes and reforms that I will ask my fellow commissioners to consider and adopt at next month's meeting.

1. I propose that henceforth all decisions as to the number and types of ballots to be printed and distributed to the various polling places be double and triple checked, with the final calculations to be certified by the signatures of both election directors.
2. I propose that every polling place be equipped with at least one electronic voting device, regardless of the nature of the election.
3. I propose that the commission ask the legislature move the date for the presidential primary at least two weeks earlier than it was held this year. St. Louis County's municipal elections are, by far, the most complicated elections in the state. While this is certainly no excuse for the mistake that was made, more time between these elections will allow for better planning and preparation and further ensure the April elections go smoothly.
4. Lastly, I propose that the commission institute a hiring procedure going forward that will mirror a civil service merit system. Currently all employees are subject to patronage hiring. While I am certain the overwhelming majority of the employees are highly qualified and dedicated to doing the best job possible, to the average citizen/voter the very idea that the employees obtained those positions because they knew somebody shakes their confidence in the integrity of the system. Ultimately, I believe we will require the help of the Legislature to make this a permanent change, but we as a commission can administratively insist that the two directors implement this change.

And we as commissioners must resolve to back the directors whenever they must deny an employment request when the person referred does not meet the minimum employment standards.

Finally, I want to thank Gary Fuhr for his service as the Republican director of elections for the past three and one-half years. His decision to retire this month is strictly his own. I want everyone to understand that it was completely unrelated to the April election problems. He had no role whatsoever in the mistake that was made. I have appreciated his help and wish him the best in his retirement.

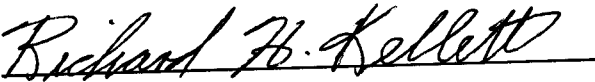
There being nothing further to discuss under New Business, Chairman Kellett made a motion to close that portion of the meeting and Secretary Maupin seconded. A vote was taken and the motion was approved.

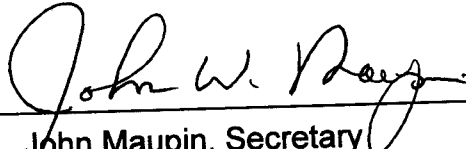
For the Financial portion of the meeting, Director Fuhr referred the Board to the reports in their packet and said that we were doing well, although there is concern about overtime pay, which will increase due to petitions received from the Secretary of State's Office.

Chairman Kellett made a motion to accept the financial reports and Secretary Maupin seconded the motion. A vote was taken and the motion was approved.

Secretary Maupin moved that the meeting be closed pursuant to RSMo Section 610.021(1), (2), (3) to discuss legal actions, attorney/client privileged communications and personnel matters. A roll call vote was taken and the votes were as follows: Chairman Kellett, aye; Secretary Maupin, aye; Commissioner King, aye; and Commissioner Foushee, aye. The meeting was then closed.

Upon resumption of the open meeting, Secretary Maupin moved that the Board adjourn. Commissioner Foushee seconded the motion. A roll call was taken and the votes were as follows: Chairman Kellett, aye; Secretary Maupin, aye; Commissioner Foushee, aye; Commissioner King, aye. The meeting was then adjourned.


Richard H. Kellett, Chairman


John Maupin, Secretary