

## September 1, 2021 PRE PRIMARY MEETING OF THE DELAWARE COUNTY ELECTION BOARD

**PRESENT:** Gerald Lawrence  
Ashley Lunkenheimer  
Manley Parks, Solicitor

Also Present: Jim Allen, Director of Elections  
Laureen Hagan, Bureau of Elections  
Crystal Winterbottom, Voter Registration Office  
Jim Savage, Voting Machine Warehouse  
Lisa Jackson, Campaign Finance Supervisor  
Christina Iacono, Poll Worker Coordinator

Mr. Lawrence called the meeting to order

Pledge of Allegiance

Consideration of Agenda. Mr. Allen announced receiving a one-line resignation was received at 4pm on Friday of James Byrne. He then announced that Mr. Lawrence and Ms. Lunkenheimer were the 2 board members. It was then stated that the County Solicitor had contacted the Republican party to submit 3 names for County Council for consideration to replace Mr. Byrne according to the charter.

Approval of Minutes from the June 7, 2021 Board Meeting. Ms. Lunkenheimer moved to approve the June 7, 2021 board minutes and Mr. Lawrence seconded the motion. Motion to approve the June 7, 2021 board minutes approved 2-0.

Director of Elections Report

Ballot Printing Contract. Mr. Allen informed the board on the bid for ballot printing for Delaware County and that County Council would be considering the bid from Election IQ which was the seconded lowest bid that is being recommended. Mr. Allen then announced that for the first time since Delaware County began using the newer Hart Intercivic balloting system this election will involve two ballot sheets for every voter. Mr. Allen went on to explain the reason for the two ballots as per the PA constitution the judicial retention questions must be on a separate ballot and this impacts all voters regardless of method of voting. Mr. Allen stated to facilitate the voters at the polls in getting both ballots they will come with ballot A and ballot B collated in packs of 50 sets of ballots. Mr. Allen informed those in attendance that as a result of what occurred at the primary the number of ballots ordered were doubled of what the law requires which is 4x since it is a 2-ballot election. He also stated that with the tightened and clarified specifications with detailed schedules and delivery plans there were 5 bids and 3 of the bids were less than what was spent for ballot printing at the 2021 Municipal Primary. Ms. Lunkenheimer asked for clarification on the perforation which was used in the primary and Mr. Allen answered there will be no perforation or tabs they will come collated. Mr. Allen then informed the board that the company of the bid recommended has experience with 2 ballot elections, is located closer and has not had the bad experience in another PA county as another bidder had. Mr. Lawrence thanked Mr. Allen for his hard work to obtain the best printer for the best price and that this is still a learning experience.

Ms. Lunkenheimer moved to approve the acceptance of the bid from Election IQ in the amount of \$125,854.80 and Mr. Lawrence seconded the motion. Motion approved 2-0.

Ballot formatting/ design changes under Constitution and newer laws. Mr. Allen again stated that there is going to be a 2-sheet ballot for every voter per the PA Constitution as well as a newer law that impacts how to list candidates who cross-file and won both the Democratic and Republican primaries for the same office. Mr. Allen stated that they listed with the lever number first and then after the name will either be DEM, REP, or DEM/REP. Mr. Allen also explained that on paper ballots those who cross-filed or won both primaries will only be listed one which helps prevent over and under votes. It was also mentioned that it is being worked on to

have the candidate list with lever numbers out on the website. It was then stated that the Majority vote is listed first then the 2<sup>nd</sup> highest votes received (Example DEM/REP). Mr. Allen stated that signage was being developed to instruct voters at the polls to be sure to feed each sheet one at a time which will be in the polling place. There are also instructions for those voting by mail. Mr. Allen stated that he and Mr. Parks had given both parties sample ballots and were going to reach out to the Delaware County Bar Association regarding the judicial retention questions.

Postage for ballot return envelopes. Mr. Allen asked for the board to recommend that Delaware County again pay for the return postage on Vote by Mail return envelopes as was done for the past 2 elections. Following some discussion both board members indicated they were in favor of having return postage provided and Mr. Allen stated that postage would be paid if they used the post office not if they used a drop box. Ms. Lunkenheimer moved to adopt the proposal by Mr. Allen to recommend to County Council for payment of return postage for return envelopes and Mr. Lawrence seconded the motion. Motion passed 2-0.

Pre-Election mailing. Mr. Allen asked for the board's authorization to seek bids for a pre-election mailer that would remind voters of their options to vote in person or to vote by mail. After explaining that it would go to active registered voters who have not already applied to vote by mail it would go out to the household. It was further explained that it would have a link for those who wish to vote by mail as well as remind them of their polling place. Ms. Lunkenheimer suggested we may want to incorporate information on the 2 ballots. Mr. Allen agreed that could be included. Ms. Lunkenheimer moved to recommend to County Council the boards support of this initiative and to give Mr. Allen discretion to design this mailing consistent with the recommendation given and Mr. Lawrence seconded the motion. Motion passed 2-0.

Voter Service Centers. Mr. Allen stated that there are plans to open a voter service center in Chester City and Upper Darby again for this election with the 3<sup>rd</sup> location being the Media office. Mr. Allen stated that the Upper Darby location would be in a different building than what was used prior and the new location would be on the ground floor with better access than before with having to use the elevator. Mr. Allen stated that the plan was for the voter service centers would be open between October 19 to November 1 at Upper Darby and Chester City. Mr. Lawrence asked if ballots would be able to be printed in the Upper Darby and Chester City location like the Media location and Mr. Allen answered yes there would be SURE access and a touch writer. Ms. Lunkenheimer moved to adopt the recommendation made by Mr. Allen related to the Voter Service Centers and Mr. Lawrence seconded the motion. Motion passed 2-0.

Acquisition of more voting booths. Mr. Allen spoke to Delaware Counties need to follow the national norm of more voting booths and fewer scanners for a more consistent and productive flow at the polling locations. He went on to describe the voting quad that are in the polling locations now and recommended the purchase of "duo" booths to provide 2 more stations for each of the 428 precincts. The cost of \$90,000.00 was discussed and Mr. Allen stated that Mr. Lazarus the Executive Director for the county would use funding from the America Rescue Plan Act (ARP) so that it would not come out of county funding. There was further discussion which included precinct reductions that would not be attempted prior to the November 2022 election. Mr. Lawrence reiterated that the discussion around precinct reduction has been around for a while. Ms. Lunkenheimer moved to adopt the recommendation made by Mr. Allen related to the acquisition for more voting booths and Mr. Lawrence seconded the motion. Motion passed 2-0.

Re-organization Plan. Mr. Allen stated that when he was approached and took the position he was to review the systems and structure. He went on to state that after review 2 of the 3 offices would largely stay in tack those being Voter Registration and Voting Machine Warehouse however the Bureau of Elections has had tremendously more tasks and work than one office should and there needed to be some break out from Bureau of Elections. These included the Campaign Finance being a separate division as well as Poll worker training and recruitment. He went on to discuss that having the Bureau of Elections handle vote by mail ballots, provisional ballot processing as well as a number of other actions and payroll is incongruent and that preparing payroll for poll workers is massive. The discussion then went to the Voting Machine expanding to include

continuity of operations (contingency plans). Mr. Allen stated that Mr. Savage has been exemplary at responding and anticipating problems. Mr. Allen then discussed correcting the listing of staff member who is currently Purchasing/Printing but has worked since last fall in the Bureau of Election. Then discussed was the creating of dedicated Deputy Director and Project Administrator. The need for such positions was then discussed and what would be expected of these positions. Mr. Allen stated that it would not necessarily be new jobs however more of a career ladder. Mr. Allen stated that he believes we have the foundation for the one of the best election teams country and believes we need to retain and support staff with not only these measures but also education and certification courses to be able to rise through the ranks. There were further discussions on how elections have changed tremendously and are by far more sophisticated and complicated equipment. Mr. Allen gave 2 examples of the evolution of bi-partisan talks to mandate electronic poll books and the coming into use the Intelligent Mail Barcode on vote by mail ballot envelopes for tracking. These two subjects were then discussed. Mr. Allen was seeking a recommendation form the board to work with County Council to dovetail any changes needed to the county code and for the 2022 budget. Mr. Allen also mentioned that in addition to working with County Council it will also involve the personnel department and even the executive Director. Ms. Lunkenheimer moved to adopt the recommendation of Mr. Allen as related to the reorganization plan and Mr. Lawrence seconded the motion. Motion passed 2-0.

Public Comment: There was a gentleman who made a public comment it however was inaudible. Carol Miller of Springfield asked that once the reorganization takes place if specific phone numbers for specific questions could be posted rather than call the general number with all the prompts. It was stated that once filled the numbers for those who oversee those division will have phone numbers on the website as they have been. Mr. Allen stated that the goal for the Media location is to have workers crossed trained in each aspect that should be able to assist anyone generally.

Poll Worker Pay. Mr. Allen suggested that the poll worker pay be adjusted. After explaining that the base pay would remain the same for the board position (JOE-\$150.00, Inspector/ Clerk/ Machine Operator \$140.00) for a full day and half of that base pay if worked a half day. Also remaining the same is the Pickup/ Return pay of \$20.00 each. The change is to the training pay scale to go from current training pay a flat \$130.00 to the following:

In-Person Training, passes test and serves full day = \$130.00

In-Person Training, passes test and serves half day = \$65.00

On-Line Training, passes test and serves full day = \$100.00

On-Line Training passes test and serves half day = \$50.00.

This will keep training pay more in line with amount of service pay versus currently if you serve a half day and currently paid twice service pay in training. Ms. Lunkenheimer moved to approve to adopt the recommendation made by Mr. Allen regarding poll worker pay and Mr. Lawrence seconded the motion. Motion passed 2-0.

Poll Workers on Ballot. Mr. Allen stated that the state law states no candidate may serve as a poll worker with the clear exception of those running for Judge of Election or Inspector. Mr. Lawrence explained that we will follow the law and that if you are already the elected or court appointed Judge of Election or Inspector and are running for reelection there is no problem with you serving in your current capacity. The position in question was about emergency appointing a person running for that position when a vacancy occurs and there is a contested race the board will not emergency appoint one over the other it was reiterated of that for any of the board members not just Judge of Election. It was suggested that those who want to serve should get court appointed. Ms. Lunkenheimer stated this policy is one that was set during the prior administration but should still be followed.

Chairwoman Coleen Guiney asked how often this type of circumstance happen and Mr. Lawrence answered rarely. Ms. Guiney stated there was never a fight to fill vacancies in the time she has done this task. It was determined that no action was needed as clear definition was given.

Other updates. Mr. Allen informed the board that Ms. Hagan, Ms. Winterbottom and himself attended the state conference and there was informed that the next generation of the state SURE system now will not be rolled out until 2023. Mr. Allen stated that he would like to build up the in-house information technology to try to

possibly provide a timelier information on ballots received etc. Mr. Lawrence explained the long period of delay for the state system to inform the voter if their ballot was received so they may go and complete a provisional not realizing their ballot was received but that there be a possible internal system to notify voters more quickly.

Campaign Finance Waiver Requests. Ms. Jackson stated that there were several waiver requests to review and that the majority were either didn't understand that they needed to file or running for the 1<sup>st</sup> time and don't understand requirements. Ms. Jackson stated the instructions were on the petition and website but that the office was trying to be more transparent and getting the information to them and be more forthcoming with the information to them. It was concluded that this would be revisited later in the meeting once a list of the candidates or committees requesting waivers was retrieved.

Polling Place Changes. Mr. Savage started out with informing the board prior to beginning the polling place changes that he confirmed complications for 2-page ballots and that the flag must appear for each page. It was stated that this should be incorporated in the training as this option cannot be disabled as that is how it was certified. Mr. Allen also stated that this option needs to be that way in case someone doesn't want to vote the 2<sup>nd</sup> ballot the machine needs to register each ballot. Mr. Savage then moved on to the polling place changes some that are bi-partisan no objection and 2 petitions. Mr. Lawrence wanted the Bi-Partisan ones first. Mr. Savage did remove from the agenda Upper Darby 7-1 & 7-6 for a problem with accessibility, but it was being worked on with 2 council members and hoped to be on the next meeting. The bi-partisan no objection changes were as follows:

Darby Twp. 3-1 from Darby Township School to the Goodwill Fire Company

Darby Twp. 3-2 from Darby Township School to the Evangelical Assembly of God

Darby Twp. 4 from Darby Township School to the Darby twp. Old municipal building

Darby Twp. 5-1 from Darby Township School to the Briarcliff Fire Company

Darby Twp. 5-2 from Darby Township School to the Briarcliff Fire Company

These would be returning to their historical pre pandemic locations and Mr. Savage thanked both Mr. Merlino and Mr. Womack for their work to come to this agreement.

Radnor Twp. 1-1 from Wayne Presbyterian Church to the Wayne Center

Radnor Twp. 2-3 from Wayne Presbyterian Church to the Radnor High School

Ms. Lunkenheimer moved to approve the bi partisan polling place changes as presented and Mr. Lawrence seconded the motion. Motion passed 2-0.

Mr. Savage presented the 2 polling place changes which were as followed:

Petitioner Josephine Laird is Marcus Hook 1 from Cokesbury United Methodist Church Hall to the Community Center. Ms. Lunkenheimer moved to approve the Marcus Hook 1 polling place change and Mr. Lawrence seconded the motion. Motion passed 2-0.

Mr. Savage presented Radnor Twp. 5-1 from St. Aloysius Academy to the Judith Creed Horizon for Achieving Independence Facility. Ms. Lunkenheimer moved to approve the petition polling place changes as presented and Mr. Lawrence seconded the motion. Motion passed 2-0.

Campaign Finance revisited. Ms. Jackson stated that there were 30 waiver requests. She went on to state most of the request plead that they were unaware of their requirement to file and a few were late filing fees. The following are those stating that they were unaware of filing requirements: Liana Rhoadcloud, Friends of David Kelso, Vernell Peter Koyi, Carlette Brooks, Vivian Ford, Renita Austin, Alicia Simmons, Sharon Council Harris, Joan Broadfield, Tracey Shavers, Sandra Holcomb, Frances DiCicco, Jacqueline Magowi Jackson, Laurie Davenport, Joshua Twersky, Kenneth Hemphill, Stephanie Carmichael, Howie Taylor, Philip Stoops, Deborah Bruner, Lucille Pratt, Marie Richards, Kumal Uddin Bhutto, Kenneth Washington, Hannah for Haverford. The following are for the following various reasons: Committee to elect Alicia Mancini Duerr (missed deadline), Hafiz Tunis (confusion of filing due to the Bureau of Election transition now knows), Tracy

Turner (Late fees), Nicole Beatty (Late fees), Kaheem Green(Late fees). Mr. Lawrence asked if all were 1<sup>st</sup> time offenses and received a yes by Ms. Jackson. Ms. Lunkenheimer asked if this is a prior practice and Mr. Lawrence answered that it was. Ms. Lunkenheimer moved to accept the waiver requests as presented and Mr. Lawrence seconded that motion. Motion passed 2-0.

Solicitor's Report. A) New open meetings requirement. Mr. Parks stated that the new law passed on August 29<sup>th</sup>. The other part of this new law was that the posting of the agenda 24 hours prior and that they must be available in person, online and at the meeting as well as if it is an action item on the agenda. B) Post deadline request by candidate to withdraw. Mr. Parks indicated that there was a candidate that had requested to withdraw from the ballot after the deadline. Mr. Parks also stated that the deadline to withdraw is in the code and that he does not believe the board has the authority to grant under the code the withdraw. After much discussion on this section of the law Mr. Parks suggested that they could file a case with the Court of Common Pleas, and we would then follow the court order. Mr. Lawrence agreed with Mr. Parks suggestion. No action needed.

Next meeting date. There was much discussion on future dates and Mr. Allen stated that he will cross check for room availability, and we should pick the rest of the meeting dated through certification. Mr. Allen also suggested that certification take place on November 18<sup>th</sup>.

Mr. Savage stated that the last day to make polling place changes is October 13<sup>th</sup>.

There being no further business meeting adjourned.