

**BERKS COUNTY BOARD OF ELECTIONS
MEETING MINUTES
January 4, 2024 – 11:00 A.M.**

Christian Y. Leinbach, Commissioner
Michael S. Rivera, Commissioner
Dante Santoni, Jr., Commissioner
Anne Norton, Director of Election Services – not present
Christine M. Sadler, County Solicitor
Cody L. Kauffman, First Assistant County Solicitor – not present

CALL TO ORDER: 11:00 A.M.

BOARD OF ELECTIONS REORGANIZATION:

1. Call to order by temporary Chair County Solicitor Christine Sadler

Temporary Chair Sadler called the meeting to order at 11:00 A.M. and the public comment statement was read.

2. Temporary Chair to accept nominations for Chair of the Board of Elections

On the nomination of Commissioner Leinbach, seconded by Commissioner Rivera, the Board approved Commissioner Rivera to serve as Chair of the Board of Elections.

3. Chair to accept nominations for Vice Chair of the Board of Elections

On the nomination of Commissioner Rivera, seconded by Commissioner Leinbach, the Board approved Commissioner Leinbach to serve as Vice Chair of the Board of Elections.

4. Pursuant to Third Class County Code, recognize County Solicitor Christine Sadler as Solicitor for the Board of Elections

On the motion of Commissioner Santoni, seconded by Commissioner Leinbach, the Board appointed Christine Sadler as the Solicitor for the Board of Elections.

5. Chair to accept nominations for Assistant County Solicitor for the Board of Elections

On the motion of Commissioner Leinbach, seconded by Commissioner Santoni, the board appointed Cody Kauffman as the Assistant Solicitor for the Board of Elections.

6. Chair to accept nominations for Chief Clerk for the Board of Elections

On the motion of Commissioner Santoni, seconded by Commissioner Leinbach, the board appointed Anne Norton as Chief Clerk for the Board of Elections.

7. Chair to accept nominations for Deputy Chief Clerk for the Board of Elections

On the motion of Commissioner Leinbach, seconded by Commissioner Santoni, the Board appointed Stephanie Weaver as Deputy Chief Clerk for the Board of Elections.

PUBLIC COMMENT ON AGENDA ITEMS

None.

APPROVAL OF THE MINUTES

The Board approved the minutes for the December 7, 2023, Election Board meeting as presented.

Agenda Items

1. Voting System Malfunction Report Approval

Assistant Director, Stephanie Weaver explained that the report is part of a new directive issued by the Department of State in September to allow for uniform reporting of voting system malfunctions. The state directed counties to report any voting system malfunction that indicated a voting system component was not operating per system specifications that delayed a voter from casting a vote or delayed the tabulation of results. Counties were instructed to not include any isolated jams or human error.

Weaver said the elections staff created a form that was sent to each precinct for the Judge of Elections to report any machine irregularities. The staff then reviewed those reports, along with service tickets from the technicians, to determine what should be included in the report to the state. The incidents that met the state's criteria were then grouped into four categories, based on the type of issue and/or solution.

Weaver noted that while the reported malfunctions caused momentary delays, none of the reported issues created major disruptions to voters' ability to cast votes or the tabulation of votes. In most cases, there were other machines available for voters to utilize until a technician could arrive to remedy the situation.

Commissioner Leinbach said he believes the report is a very positive step to do throughout the state because it requires all counties to fill out the same report based on the same rules and then make that information public.

On the motion of Commissioner Leinbach, seconded by Commissioner Santoni, the Board authorized the submission of the Voting System Malfunction Report for the 2023 Municipal Election to the Department of State.

2. Ballot Drop Box at South Campus

Commissioner Leinbach explained that the Election Board discussed adding a ballot drop box at the South Campus in 2022, but at the time the facility was not fully operational. He said the facility is now prepared to support a ballot drop box, with the necessary security measures. Commissioner Leinbach said he believes this is

important to improve accessibility for the increase in turnout expected this year due to the presidential election.

Leinbach said he would also be open to considering additional drop box locations in the future, noting that he has 100% confidence in the reliability and the security of the drop box system that the County of Berks has created.

Commissioner Santoni said he also supports creating additional drop box locations in the County to provide as much access as possible for people who want to vote. He said he would also support exploring the addition of more drop boxes in the future.

Commissioner Leinbach also encouraged the legislature and state leaders to work together on election reform, specifically regarding creating uniform rules for drop boxes. Commissioner Santoni agreed and, as a past state legislator, said he would do everything he could to push for standard rules to be established.

On the motion of Commissioner Leinbach, seconded by Commissioner Santoni, the Board approved to a Ballot Drop Box at the South Campus location.

Election Director's Report

Assistant Director Stephanie Weaver noted that the Elections office is continuing to work on unpacking and organizing precinct supplies to start preparing and ordering for the next election. The staff is also working on packing up and archiving the past election records. The next big project will be sending out more than 60,000 annual notices to permanent voters for mail-in and absentee ballot requests.

Ms. Weaver said three members of the Elections staff spent a day in December at a local high school giving presentations to government classes. The outreach helped spark some interest in the student poll worker program, which will be helpful during the next election year.

Finally, Ms. Weaver said that Regina Zdradzinski would be retiring later in January after a 40-year career with the County of Berks.

General Comments from the Board regarding current election-related issues

Commissioner Leinbach reiterated his desire for the state legislature to address various election issues, stating that it is problematic that there has been no serious reform since 2020. He first discussed the recent decision to halt the new software system project that was to replace the SURE system. He said the current system has had ongoing problems. He also said there needs to be clear rules regarding the signature and date on the outer envelope of mail-in and absentee ballots, instead of changing each election based on the latest court ruling. He said he also believes there should be a process for verifying signatures on the outer envelopes, similar to what is done at polling locations. He said the legislature also should address the deadline to apply for a mail-in or absentee ballot, which is currently 7 days before the election. He said that deadline makes it difficult to get a ballot to a voter in time for them to vote and return it by Election Day. He said the County Commissioners Association of Pennsylvania continues to ask for the deadline to be moved to 14 days before the election. Finally, he said the legislature should consider allowing pre-canvassing the days

prior to Election Day, which would allow elections staff to begin to open mail-in and absentee ballots before 7 a.m. on Election Day.

Commissioner Rivera said the decision to halt the project to replace the SURE system was because the vendor for the project was not meeting the deadlines and goals in place, so the state decided to terminate that contract and is now working to hire another vendor for the project. He said that vote by mail-in reform is part of CCAP's priorities for 2024, which will be further discussed at a press conference on January 23.

Commissioner Santoni said that as a new Commissioner he wanted to commend the Election Services office for the great work they do, noting it is tough to run elections and to keep them safe and fair. He said he agreed with Commissioner Leinbach that changes need to be made at the legislative level. He believes there are a lot of common-sense changes that can be made regarding the signature and date questions and canvassing rules. He said he believes these changes are possible if county leaders work together with a unified voice and provide their legislators with the information they need to enact change.

Finally, Commissioner Rivera thanked the 2023 Election Board, which consisted of former Commissioner Lucine Sihelnik, Judge James Gavin and Judge Jill Gehman Koestel. He noted that Commissioner Leinbach and himself could not serve since they were running for office.

Public Comment

Jeffrey Wolfe, of Brecknock Township, said he believes that the pre-canvassing of mail-in and absentee ballots should not start until after results are returned from polling locations, suggesting it only begin at midnight on Election Day. He said this would allow elections to further determine if there was any ballot fraud with the mail-in ballots. He agreed that there are simple fixes that the legislature could propose to make the election process better. He said he also appreciates the Board's position to have secure drop boxes in secure buildings with the sheriff department manning the box and video camera surveillance.

Adjournment: On the motion of Commissioner Santoni, seconded by Commissioner Leinbach, the meeting was adjourned at 11:37 a.m.