

**BERKS COUNTY BOARD OF ELECTIONS  
REGULAR MEETING MINUTES  
October 6, 2022 – 11:00 A.M.**

**Kevin S. Barnhardt, Chair**  
**Michael S. Rivera, Vice-Chair**  
**Christian Y. Leinbach, Commissioner**  
**Christine M. Sadler, County Solicitor**  
**Cody L. Kauffman, First Assistant County Solicitor**

**CALL TO ORDER- 11:00 A.M.**

**APPROVAL OF MINUTES**

The Board approved the minutes for the September 29, 2022 Election Board meeting as presented.

**PUBLIC COMMENT ON AGENDA ITEMS**

1. Debbie Noel of Robeson Township – Ms. Noel commented on agenda item #4, asking the Board about the third drop box that was going to be available for the upcoming election. Ms. Noel also requested that the Board clarify this information publicly to prevent any misconceptions.
2. Dwight Wegman of Lower Heidelberg Township – Mr. Wegman referred to agenda items #4 and #5. On agenda item #4, he commented that there is no ambiguity on how to complete and return a mail-in ballot. Voter should follow instructions carefully and no parties should be involved in ballot curing.
3. Zelda Yoder of Reading – Ms. Yoder stated that the will of the voter is important in determining whether a returned ballot should be counted. She went on to say that there are varying levels of literacy throughout the county and every effort should be made to ensure that the maximum number of people exercise their right to cast a ballot. Furthermore, the Berks County Democratic Committee is willing to assist the Election Services office and contact voters who may need to cure their ballot.
4. Don Boguski of Centre Township – Mr. Boguski expressed that there is no reason for ballot curing. He believes that voters should contact their legislators and bring up issues with current voting regulations.
5. Jeff Wolfe of Brecknock Township – Mr. Wolfe voiced concerns surrounding voter fraud for the upcoming election. He urged the Commissioners to take an active role in spreading the word on “bad actors”, he specifically cited poll workers and poll watchers as potential “bad actors”.

## **AGENDA ITEMS**

### **1. Temporary Polling Location for Reading 19-1**

On the motion of Commissioner Rivera, seconded by Commissioner Leinbach, the Board approved the temporary polling location change for Reading 19-1 as follows:

**From:** Glenside Elementary School  
500 Lackawanna Street  
Reading, PA 19601

**To:** Christ Lutheran Church  
1301 Luzerne Street  
Reading, PA 19601

### **2. Local Option Provision of the Pennsylvania Liquor Control Code**

On the motion of Commissioner Leinbach, seconded by Commissioner Rivera, the Board authorized the execution of the survey of Local Option Referenda for the November 8, 2022 General Election pursuant to the local option provision of the PA Liquor Control Code (Act 21 of 1951 P.L. 90.)

### **3. Approval of Payment for Rovers and Election Day Personnel**

This agenda item was removed and will be on the agenda next Thursday.

### **4. Approval of Dropbox Locations and Dropbox Schedule for the November 2022 General Election**

On the motion of Commissioner Leinbach and seconded by Commissioner Rivera, the Board approved the ballot drop boxes at the Agricultural Center and Services Center, however the Board will rescind the drop box at South Campus for the 2022 General Election, and will be revisited once there is an active Election Services presence at South Campus.

### **5. Ballot Curing Litigation and Considerations**

First Assistant County Solicitor Cody Kauffman provided an update surrounding current ballot curing litigation in the Commonwealth Court and Pennsylvania Supreme Court. Currently, the Berks County Election Services office does not actively seek voters to cure ballots but do work with voters if they reach out.

Commissioner Barnhardt acknowledged that a letter from the Berks County Democratic Committee offering assistance with ballot curing was received.

Commissioner Leinbach believes allowing parties to be involved in ballot curing is not a good idea. The law is still not clear on curing ballots.

Commissioner Rivera agrees with Commissioner Leinbach, and believes the current practice by the Election office should continue.

Commissioner Barnhardt disagrees, and firmly believes that if a voter is allowed to spoil their ballot card at the polls, a mail-in or absentee voter should be allowed the same courtesy.

Commissioner Barnhardt motioned to allow temporary employees to assist with reaching out to voters who may need their ballot cured, given that enough employees are obtained from local temp agencies. The motioned died due to a lack of second.

An online comment from Jill Green of Wyomissing, was read pertaining to this agenda item. Ms. Green urged the Board to adopt a fair policy to provide equitable access for ballot curing for voters.

### **GENERAL COMMENTS FROM THE BOARD OF ELECTIONS REGARDING CURRENT ELECTION-RELATED ISSUES**

Commissioner Leinbach provided an update on talks with the County IS department regarding adding video surveillance for the Services Center drop box, as well as the Ag Center drop box.

Justin Loose, Chief Information Officer, was present and stated they are working with facilities to see if this is feasible for the upcoming election. If so, this item will be on a future Election Board agenda.

### **CITIZEN COMMENT**

Zelda Yoder of Reading – Spoke about poll worker training, stating it did not cover poll worker behavior.

Commissioner Barnhardt vouched for the poll worker training, and stated he has attended training on several occasions and this topic is covered early on in the training.

Commissioner Leinbach also weighed in, stating that the poll worker training is very thorough.

### **ADJOURNMENT** – 11:43 A.M.