

LUZERNE COUNTY BOARD OF ELECTIONS AND REGISTRATIONS

AGENDA

VIDEO/TELECONFERENCE VIA ZOOM - June 16, 2021 at 6:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ADDITIONS TO/DELETIONS FROM AGENDA

APPROVAL OF AGENDA

PUBLIC COMMENT ON AGENDA ITEMS

This is an opportunity for members of the public to address the Board on matters listed on the Agenda. (limited to 4 minutes & one comment time per person) Please refer to the Board of Elections and Registration Online page of County's Website at <https://www.luzernecounty.org/1082/Board-of-Elections-and-Registration> for more information on how to participate in Public Comment via technology.

APPROVAL OF MEETING MINUTES (From: May 12, 2021 Election & Adjudication Minutes From May 18, 2021 to June 3, 2021, Meeting, May 24, 2021 Meeting, June 4, 2021 Special Meeting, & June 7, 2021 Special Meeting)

AGENDA ITEMS - SOLICITOR

AGENDA ITEMS - BUREAU OF ELECTION

1. Primary Election Drop Box Use Review: Dropbox ballot totals

AGENDA ITEMS - BOARD OF ELECTIONS & REGISTRATION

1. Certification of Rest of May 2021 Primary Election (All)
2. State Ethics Committee Response to Inquiry by Chairperson Williams Regarding Concerns Voiced by Public of Possible Conflict of Interest with Volunteer Work With Fair Districts PA While Being a Member of the Board of Elections (DW)
3. Board of Elections & Registration FaceBook Page (AS)
4. Updated Website Overview of Board of Elections & Registration (DW)- (see attached proposed update p. 28)
5. Directives to Bureau of Elections (DW) (See proposed directives attached - p. 29)
6. Addition of July Board of Election Meeting? (DW)
7. Return to In-Person Meetings (DW)

PUBLIC COMMENT ON NON-AGENDA ITEMS

This is an opportunity for members of the public to address the Board on matters not listed on the Agenda but which must be within the subject matter jurisdiction of the Board. Please refer to the Board of Elections and Registration Online page of County's Website at <https://www.luzernecounty.org/1082/Board-of-Elections-and-Registration> for more information on how to participate in Public Comment via technology.

MOTION TO ADJOURN

ADJOURNMENT

**LUZERNE COUNTY BOARD OF ELECTIONS
AND REGISTRATION MEETING MINUTES
May 12, 2021**

CALL TO ORDER 5:01 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

Kathy Roth present, Richard Nardone present, Audrey Serniak present, Missy Thomas absent, Denise Williams present

EXECUTIVE SESSION

Romilda Crocamo reported the Board went into executive session from 5:05 PM until 5:28 PM to discuss potential litigation resulting from county council's resolution; there were no deliberations.

APPROVAL OF AGENDA

Additions to the agenda: discuss/vote on meeting date to certify the election and discuss/vote on returning to in person meetings

Motion to change/accept the agenda Audrey Serniak 2nd Rick Nardone, motion carries

PUBLIC COMMENT (4 minutes)

David Bond, Trucksville (Kingston Twp)-his financial filing wasn't received on time and he has been fined \$20. Bob Morgan advised the deadline was close of business Friday. Romilda Crocamo will check to see if it can be waived.

MINUTES

Motion to accept minutes April 28, 2021 by Kathy Roth 2nd Rick Nardone, motion carries

SOLICITOR'S REPORT

Romilda Crocamo and Mike Butera reported working with the Department of State to complete Judicial Watch's request to purge of the voters registration lists within 90 days. The list is regularly purged on an individual basis if people do not vote in two consecutive federal elections, for death, etc. This will happen after the primary; notice will be sent to last known address and people can reregister. Last wholesale purge was around 2012.

The Office of Law is working with the Bureau on the primary and Board members can assist.

BUREAU OF ELECTIONS REPORT

Motion to change the drop box location from Pittston City Hall to Pittston Library (to avoid the appearance of influence) made by Kathy Roth 2nd Audrey Serniak, motion carries

Motion to accept the Proclamation made by Rick Nardone 2nd Kathy Roth, motion carries

Bob Morgan reported that preparation for the primary is ongoing and the machines are ready and are being delivered to the polls. There was a glitch with a small number return envelopes made by the vendor; some are going to Mercer County. Mercer County has been contacted and any ballots received there will be date stamped and overnighted to Luzerne County at the vendor's cost. Voters can use the Luzerne County drop boxes or come to the Bureau for a new return envelope. The first batch was about 19,000 ballots and the glitch occurred in one of the subsequent smaller batches. There are about 22,600-22,800 total mail-in ballots going out.

BOARD OF ELECTIONS REPORT

PUBLIC COMMENTS ON AGENDA ITEMS AT THE START AND ADDITIONAL PUBLIC COMMENTS AT THE END OF MEETINGS CONCERNING BOARD MATTERS (4 minutes)

Rick Nardone says that makes sense; Denise Williams said it allows a public interface and an opportunity to bring up matters that weren't foreseen.

Motion to accept by Kathy Roth 2nd Rick Nardone, Roll call: Rick Nardone yes, Kathy Roth yes, Audrey Serniak yes, Denise Williams yes; unanimous, motions carries

OVERVIEW OF THE BOARD ON THE WEBSITE

Romilda Crocarno said the current overview was written by a previous director (Marisa Crispell) when the new website was constructed. The Board can draft its own overview, have it reviewed by the Office of Law, and have it posted.

POLICY FOR WRITE-IN VOTES

Audrey Serniak explained that in the 2020 primary, the Board started by counting most of the write-ins but because of time constraints began to 'scatter' non-viable candidates. In the 2020 general, the Board 'scattered' non-viable candidates from start to finish. Mike Butera verified Audrey Serniak's account; feels we need to count where there are no candidates and can 'scatter' non-viable where there are candidates on the ballot. Denise Williams said it's scatter where you must and write-in where you can, there's a time crunch. Audrey Serniak said there needs to be at least 3 Board members present and that other support people need to be considered.

CURING MAIL-IN BALLOTS

Opportunity for curing mail-in ballots. Approximately 120 voters were given the chance to cure their 'naked' ballots in the November 2020 election per state guidance received the night before.

There are other ballots received that may or may not be able to be cured: no outer envelope, outer envelope not signed and/or dated, damaged in the mail,. There are not a great number of these. Bob Morgan was able to 'reconstruct' enough of one damaged ballot to send the voter a new ballot. Paula Radick stated that on election day at 7 AM, ballots with problems were set aside for later adjudication.

Audrey Serniak said the process for curing 'naked' ballots in November 2020 as for the Board members to compile a lists of the names, addresses and serial numbers, and then exchange and proof- read each other's lists. The Office of Law gave the lists to the Bureau to update the SURE system and the party representatives to contact the voters. The process was halted when it was deemed there was not enough time for a voter to be notified and get into line at the poll. The process isn't equitable because only 'naked' ballot voters who live in municipalities named at the beginning of the alphabet had an opportunity to cure.

Richard Nardone's main concern was the best use of the Bureau's time and resources. Denise Williams said under the law the Bureau can assist voters to cure and that she was concerned with the best interest of the voters. Pointed out that people are assisted throughout the entire process and therefore can be assisted with curing.

Bob Morgan advised that there aren't enough resources to cure some types of ballots. Paula Radick and Romilda Crocamo mentioned security issues in curing the ballots.

Kathy Roth said that since the process was not equal for everyone, we should not cure these ballots.

Audrey Serniak said she was torn because the curing process was inequitable but she would like to allow as many people as possible to vote. While not suggesting that the primary election isn't important, and since the ballots are already being prepared for canvassing, perhaps a process for curing some of the ballots in other categories can be developed for the 2021 general election.

Motion: The Board of Elections will offer an opportunity for citizens to cure their mail in ballots on Election Day to the extent possible as determined by a majority of the Board present.

Motion made by Denise Williams 2nd Audrey Serniak; Roll call Kathy Roth no, Audrey Serniak yes, Rick Nardone yes, Denise Williams yes; 3 yes, 1 no, motion carries.

SCHEDULE FOR BOARD MEMBERS

Three members need to be present 7 AM-8PM on Election Day, more if possible. In addition at least 3 members need to be present to count write-ins and adjudicate ballots in the

days following. Rick Nardone will keep track of the schedule.

DISCUSSION OF IN PERSON MEETINGS

Audrey Serniak said she has no problem with in-person meetings but really wants a hybrid option. Hybrid was determined to be Board members and anyone else present at a meeting location with a call-in option available for the public. More information is needed.

MEETING TO CERTIFY-To-be-determined; deadline to certify is June 7, 2021
PUBLIC COMMENT (4 minutes)

Claudia Glennan, Salem Twp-The local campaign finance reports are not posted yet. Bob Morgan advised that part of the project will be done after the primary. Claudia Glennan offered to assist if allowed.

NEXT MEETING

A Special meeting will be scheduled to discuss/vote on certifying the election.

Next regular meeting will be June 16, 2021 at 5 PM

MOTION TO ADJOURN

Motion to adjourn Rick Nardone 2nd Kathy Roth, motion carries

ADJOURNED 7:32 PM

BOARD OF ELECTION AND REGISTRATION NOTES

FROM THE PRIMARY ELECTION

AND ADJUDICATION

MAY 18 – JUNE 3, 2021

PRIMARY ELECTION MAY 18, 2021

Called to order pre-canvassing 8:06 AM, Denise Williams, Kathy Roth and Audrey Serniak present.

Instructions to the workers given by Mauro Di Mauro.

Judge Hughes swore in the workers at 8:30 AM.

Rick Nardone arrived. Curing of the 'naked' ballots began around 9:30 AM. It was decided to have lists available for the parties at 11 AM, 3 PM and 6 PM. Republican, Democratic, Libertarian and Green party representatives were contacted. Kathy Roth left.

Lunch break at 12:00 PM. Returned at 1:00 PM. Denise Williams, Rick Nardone and Audrey Serniak present.

Pre-canvassing continued; curing process for 'naked' ballots continued. The Board was advised of the court action taking place regarding the mislabeling of Republican ballots by vote casting machines. The issue was resolved with people being allowed to vote by machine, use an emergency or a provisional ballot.

The mail-in ballots were all processed by 4:30 PM except for the ballots in the Penn Place drop box. County workers were dismissed. Final pick up for that box was scheduled for poll closing at 8 PM.

Denise Williams and Rick Nardone left; Audrey Serniak repaired to the Bureau until approximately 5:30 PM.

All Board members were present at the Bureau by 7:15 PM. Canvassing began at 8 PM with Kathy Roth, Rick Nardone, Missy Thomas and Audrey Serniak observing the final processing of mail-in ballots from the Penn Place drop box. Denise Williams remained at the Bureau.

At about 8:30 PM the Board went down stairs to observe the return of some of the polling materials and all but Audrey Serniak departed. Audrey Serniak remained at the Bureau and the public viewing room until approximately 11:40 PM. She was advised at that time that the remaining precinct materials had been returned and the final results for the night were being reported.

BOARD OF ELECTION AND REGISTRATION NOTES

ADJUDICATION

MAY 21 – JUNE 3, 2021

MAY 21, 2021

Training began at 1:06 PM Denise Williams, Kathy Roth, Rick Nardone and Audrey Serniak present

Board decided to open training up to the public; Training was on the system used to count write-ins and on adjudicating other situations; training done by Dominion and Mauro Di Mauro.

Adjudication began at 1:44 PM

The Board decided to accept ballots with markings on the privacy envelope.

There were 29 ballots that did not go through the scanner (torn? white-out? crumpled?) and had to be transposed by the non-partisan transposing team (one called out votes and one marked the ballot) The Board decided they did not have to review each ballot and they could go directly to the team

There were about 42 ballots that the people opening on election day put aside for the Board to examine; with most the privacy envelope wasn't sealed; some were opened and resealed by the voter, notes enclosed. All were accepted by the Board; they were opened, mixed and scanned by the Bureau.

About 10 envelopes had other issues-no signatures on outer envelopes, mangled envelopes, non-standard envelopes. Depending on the situation they were rejected, accepted and a couple were transposed.

Ballots from polling places- Emergency or provisional ballots voted because of the machine header error, Board determined that it was ok to scan these ballots.

Military ballots were all transposed.

One judge of elections did not scan a group of ballots because of the bad header; there were emergency ballots with the affirmation; Board decided to scan these

Provisional ballots (300+) 3:05 PM

Ballot label error, requested mail-in but did not vote it, third party/independent-not in poll book. Verified that 3 members need to review the provisional ballots individually

Kathy Roth left 4:30 PM

Two non-affiliated voters voted Republican ballots; voided; one referred to detectives

Board review completed 5:05 PM; scanning completed 5:10PM

MAY 24, 2021

9:08 AM Denise Williams, Kathy Roth, Audrey Serniak present.
Rick Nardone in at 9:40 AM; Kathy Roth left 11:15 AM.

Names like Mickey Mouse, N/A and phrases were rejected-other. If there was an over vote in a race, the race was rejected not the entire ballot.

12:15-1:15 PM Lunch. Denise Williams, Rick Nardone, Audrey Serniak present.

Adjudications continued. Stopped at 3:30 PM.

Began with approximately 13,125 ballots; ended with 12,725 ballots

MAY 25, 2021

9:00 AM Denise Williams, Kathy Roth, Audrey Serniak present.

Using 3 screens with one Board member at each screen with Bureau assisting.
Bureau employees will be sworn-in. (Judge Hughes swore in employees.)

During summer the Board will make plans for feedback from poll workers: surveys, focus groups. This will be a future agenda item.

Scattering names in statewide races where people are not confirmed candidates. The Board needs a report to begin scattering names in the smaller races.

Council Chair Tim McGlynn stopped by to observe and to offer the Board any assistance without overstepping because Council is separate.

Lunch 12:10 – 1:10 PM Denise Williams, Rick Nardone, Audrey Serniak present.

Adjudication continues.

4:36 PM Adjudication stops for the day. Started with 12,725, ended with 11,548 (215/hour)

MAY 26, 2021

9:00 AM Denise Williams, Rick Nardone, Audrey Serniak present. Kathy Roth joined at 9:45 PM.

Working with current procedure it is impossible to complete adjudication in time to meet the certification deadline.

Discussed with Romilda Crocamo and Mauro DiMauro (phone) obtaining more machine stations and the county workers needed to do the clerical work on them. Requesting Dominion send more equipment so that additional stations can be set-up. David Pedri and Dave Parsnik will get the Board the resources needed- 8 stations, 16 workers (training 5/27/2021).

One station not working; on other station two input screens sharing one tech worker.

12:00-1:00 PM Lunch Denise Williams, Rick Nardone, Audrey Serniak present.

4:36 PM

Adjudication stops for the day. Public still present.

Two motions discussed to further expedite the process:

Going forward, in races where candidates appear on the ballot, the Board will scatter names when the total number of write in votes in that race will not impact the outcome of that race.

Motion made by Rick Nardone 2nd Audrey Serniak Unanimous, motion carries.

Going forward, in races where no candidates appear on the ballot, the Board will scatter names when the total number of write in votes in that race does not equal or exceed the number required to be on the ballot in that race.

Motion made by Rick Nardone 2nd Audrey Serniak Unanimous, motion carries.

Started with 11,548 ballots, ended with 10,537 (204/hour)

5:00 PM Day's work ends.

MAY 27, 2021

9:00 AM Denise Williams, Rick Nardone, Audrey Serniak present.

Audrey Serniak read the two motion passed on May 26, 2021 (see above).

Report reviewed to determine which names in the different races could be scattered and the inputting to expedite that process was begun. Denise Williams, assisted by other Board members, trained county workers (all workers have been sworn in by Judge Hughes). Additional equipment which the county had was set up so that 2 people could work on the ballot and share a tech person who would enter any names needed.

12:00-1:00 PM Lunch Denise Williams, Rick Nardone, Audrey Serniak present.

Work continued and stopped at 4:14 PM

4:15-4:24 PM Executive Session to discuss inquiry, possible litigation.

Started with 10,537 ballots, ended with 8779 (320/hour)

MAY 28, 2021

9:00 AM Denise Williams, Rick Nardone, Audrey Serniak present.

Since Dominion shipment has been delayed, discussed continuing on Saturday at 8:00 AM. Discussed tentative certification meeting for 5PM on Friday, June 4, 2021, possibly as a hybrid.

Adjudication continued.

Writing in and choosing the same candidate in a race, reject the write in vote. If there is an over vote, negate the race but not the entire ballot.

12:00 -1:00 PM Lunch Denise Williams, Kathy Roth, Audrey Serniak present.

The pace is fast enough not to work on Saturday. Will resume at 8:00 AM on Tuesday, June 1, 2021 and go until 6:00 PM. The certification meeting still must be held by Zoom.

4:20 PM Worked stopped for the day.

Started with 8779 ballots, ended with 6421 (390/hour)

JUNE 1, 2021

8: AM Denise Williams, Kathy Roth, and Audrey Serniak present

Adjudication continues

11:45 AM Kathy Roth left; anything requiring a Board decision will be quarantined.

12:30- 12:55 PM Lunch; Denise Williams and Audrey Serniak present

3:25 PM

Wilkes Barre Twp Ward 2; issue with Democrat and Republican ballots in township council, judge of elections and inspector of elections races; system indicates there are write in votes but there are no write in names; quarantined with label "BMD" issue

Started adjudicating mail in ballots

6 PM Stopped for the day Started with 6421 ballots, ended with 2211 (390/hour)

JUNE 2, 2021

8:15 AM Denise Williams, Kathy Roth and Audrey Serniak present

Adjudication continues

9:20-9:35 AM – Executive Meeting to discuss compliance. Discussed need to change certification meeting to June 4, 2021 9:00 AM to comply with state's change of certification deadline for the special election State Senate 22 to June 4, 2021 12:00 PM.

12:00 PM Kathy Roth left; anything requiring Board decision quarantined

12:30-1:10 PM Lunch Denise Williams, Rick Nardone and Audrey Serniak present

Adjudicated errors and previously quarantined ballot except for Wilkes Barre Twp

Started with 2211 ballots, ended with 107 in quarantine from Wilkes Barre Twp #2

3:40 PM 152 machine ballots from Wilkes Barre Twp Ward 2 need to be hand counted

4:00 PM

Ballots retrieved.

A spreadsheet was created to verify the number of ballots between the regular ballots and the ones the scanner judged needing write in adjudication

The procedure was agreed to by the DA's office and the parties.

There were two team counting: Dave Parsnik tallied while AJ Evanoski and Denise Williams read aloud the ballots and Rick Nardone tallied while Bob Morgan and Audrey Serniak read aloud the ballots; Mauro DiMauro entered the tallies observed by Audrey Serniak

9:00 PM

Hand count concluded: 7 people X 5 hours = 35 staff hours

Adjudication complete.

JUNE 3, 2021

10:00 AM Rick Nardone and Audrey Serniak attended the 2% state mandated audit.

Obtained reports; scanned the ballots; obtained that report and compared results from both reports.

Bob Morgan picked two batches of mail in ballots that contained more than 50 ballots apiece and 4 wards, one of which took part in the special election for district 22 senator; balance of rural/and more populated areas.

Batch 6 and batch 83; Pittston Twp #1 (special senate election), Dallas #1, Harveys Lake Borough, and Butler Twp #5 (two ballot bags and 2 tape) (approximately 1650 total ballots)

The Office of Law said that it is advisable to do a recount of Swoyersville #1 as part of the 2% audit because all the resources and a Board quorum were present today. Mike Butera arranged with petitioner to add this count to the audit.

3:10-4:00 PM

Went to courtroom to continue the audit with the hand count of Swoyersville #1 Borough Council race, both Democratic and Republican ballots were counted. Mark Anthony Nemichak was concerned that some his the write-ins may not have cumulated. Denise Williams pointed out that a vote for 'Andrew Christiam' was incorrectly talli8ed with 'Adam Christian'. With this correction there was no change in the vote.

Two teams: Rick Nardone Bob Morgan Audrey Serniak and Denise Williams Eryn Harvey AJ Evanoski; candidate was satisfied with result.

Rick Nardone compared the reports. Denise Williams joined and agreed with Rick Nardone and Audrey Serniak that more than 2% of the statutory requirement was complete.

Ballots/hour are approximate

Started with 13,125

End of Day /hour

5/24 12,725 80

5/25 11,548 215

5/26 10,533 202

5/27 8779 320

5/28 6421 390

6/1 2211 450

6/2 1078 410

**LUZERNE COUNTY BOARD OF ELECTIONS
AND REGISTRATIONS SPECIAL MEETING
MINUTES May 24, 2021**

CALL TO ORDER 6:00 PM

PLEDGE OF ALLIGENCE

ROLL CALL

Richard Nardone here, Kathy Roth, here, , Audrey Serniak here, Missy Thomas here,
Denise Williams here

APPROVAL OF AGENDA

Motion to adopt Missy Thomas 2nd Kathy Roth, unanimous, motion carries

PUBLIC COMMENTS (4 minutes)

Denise Williams- Thanked everyone for coming. Order of business: first public comment on the mislabeled header; then statements from Dominion, the Bureau and Management. There will be a Q&A session with questions from the Board and then submitted questions, There will be a final public comment session that can apply to additional issues.

Walter Griffith, Kingston Twp-This meeting is an important forum and counting the write in ballots a major task. Saw the Democratic header on the machine; voted the Republican candidates; printed out Republican; took pictures at all stages; scanned his ballot. Regarding the Republican/Democratic header error, at whose direction was the header done? A forensic audit should be done at Dominion's expense. Were the machines tested after they were programmed? Romilda Crocama advised machines can't be opened after they are locked.

Ronald Knapp, Nanticoke-Ballot counting an epic work load; there's a 50 vote difference for one of the nominees. We need a forensic audit. The header problem disenfranchised people. It was a blatant mistake.

Linda Houck, Dallas-Meeting is the proper response to provide information to voters.

Sheila Saidman, Kingston-Were the machines tested after they were put in the polling locations?
Can the Board check them?

Justin Beherns, Wright Twp, Republican County Chairman-Saw the Dem header when voted, like Mr. Griffith, This comes down to a bigger issue of of Republican disenfranchisement and a lack of trust in the election process. How do we regain trust? A lot of people effected by this error.

Kendra Radle, Exeter-Vital. Header Dem, machine printed out the Republican ballot. What happens if no one shows up to the public L&A testing?

Jeff Josaway(?), Lehman Twp-Republican machine but didn't check his ballot; there were 3 broken printers,. Pre-testing needed. Dominion is covering; middle of national controversy.

Jim Bognet, Hazle Twp-7:25 AM machines not working, voters turned away, Democratic header all hurt the process. Did the Bureau check the machines? Is it Dominion's fault? Training needed. Republicans feel the election is rigged. Bob Morgan should resign or be terminated.

Evelyn Conahan, Hanover Twp- Wanted to know what the bar code on the ballot was and how the ballot should be placed in the scanner.

Bob Fisher, Salem Twp-Republican machine, Democratic header with Republican candidates, ballot printed out correctly. How do you place ballot in the scanner; can scanners be manipulated? Dominion has no integrity across the country. Go to a paper ballot.

Matthew Barr, Fairview Twp-Same experience; where was error made? Audit? Go back to paper.

Stephen Urban, Wilkes Barre-Ward 9, echoes regarding the header. Travesty. Wants and over/under report. Republican voted a Democratic ballot; Republicans disenfranchised; who is custodian of machines? Will be all over the Board and the Office of Law. All management should resign.

Dino Manotti, Wilkes Barre-Ward 2-Republican header; get rid of Dominion because errors keep building up.

Barr Herring, Duryea-(Chat) wants to see Dominion contract.

DOMINION STATEMENT

Nicole Nillette-The certified 2019 election from Luzerne County was subjected to many audits; there is a paper trail. This was a data entry error on the touch screen and only on the ballot marking devices; the paper printed out correctly. Human error; regrets the error; there was minimal impact to the election and none to the tallies. Going forward there will be attention to detail in the proofing process, procedures and communications with Luzerne County. No one wants these typographical errors to occur.

Dan Hastings-Regarding reimbursement, our error and will address the money.

BUREAU OF ELECTIONS

Bob Morgan, Director-Scope was determined to be the header. The 186 Judges of Election and media were informed with instructions of what to do. There was no impact to the vote. We can dispense with the cover page. We have the proper ballots with a paper trail. We held numerous training sessions. It doesn't matter how the ballots are positioned to be scanned, they will be read by the machine. This was our largest ballot in 4 years with a lot of moving parts. Do our highest quality work desire not to have this happen again.

COUNTY MANAGEMENT

David Parsnik-Has a partnership with Dominion; used same process as before. We give them the ballots and they program. Human error. There were 17,000 mail in ballots, 36,000 machine ballots, 500 provisional. We can do audits; will check with Dominion to do additional proofing. The Bureau worked hard and completed the project ; but, will learn from this and move forward.

BOARD OF ELECTION QUESTIONS

Rick Nardone to Dominion-Has this specific type of data entry error occurred before? Yes. Are these tracked? Yes, glean information and use it to improve operating procedures.. Are certain errors more frequent and do you categorize errors? Programming, human, machine errors? There is an after actions report that is in partnership with customers.

For Dave Parsnik-How far ahead are things reviewed? A week to a week and a half. L&A testing 2 weeks before election. Printers jamming, tablets not working; problems were addressed. How many people involved? Just Dave Parsnik and Dominion; Dave Parsnik is familiar with the warehouse and works with the vendors. Bureau has other tasks. Pieces of equipment? 710 tablets, 220+ scanners that have to be programmed and ready to go. Look at a sampling and the machines are transported. Could be failure between warehouse and polling place.

For Bob Morgan-Rick voted in Slocum Twp; the poll workers were great but didn't have the right explanations. How quickly was the correct information transmitted? At 7:30 AM they were diagnosing the problem. Then calling the judges of elections and advising provisional or emergency ballots or by machine; suggested posting a sign; the information was posted to the county website and given to the media.

To Eryn Harvey-to questions Eryn responded there are 5 poll workers per 186 polling places for just under 1000 workers. Bob Morgan-there were 34 training sessions over 3 weeks; 1 ½ hours for poll books and 2 ½ for machines and judges of elections. There are 6 full time employees in the Bureau. On election day there are 1006 plus 30 for mail in votes.

To Dave Parsnik and Nicole Nillette- characterize working relationship-good.

Missy Thomas-to Dominion (Nicole, Dominion)-Voters have lost confidence in Dominion. Feels for the people who donate time to the election. We need to look at the resources we need.

Nicole for Dominion appreciate that in every election there is a 100% paper trail and that it doesn't get more transparent than that. Dominion has been a target of a disinformation campaign; Dominion doesn't lie; she and her family have been targeted.

Kathy Roth-Are there any online connections? No, never online; errors not corrected on site.

Rick Nardone Worried about the impact to the community that an audit can't overcome. Can an outside audit be funded by Dominion? Denise (Williams) is captain of the Titanic.

Missy Thomas feels all credibility lost and we will not get volunteers we need for future elections.

Audrey Serniak-All the voters and the workers are being effected. Workers take ownership of the election and there is a lot of competence in the county. People see only the tip of the iceberg.

Bob Morgan-This was the largest election with 186 polling places, 576 separate ballots, 1932 races. The error appeared county wide and he and Nicole agreed that coding error and human error were the same thing.

Denise Williams-for Nicole (Dominion)-Does Dominion do the Logic and Accuracy test on their own or is Luzerne part of it? Dominion says it's a partnership. Dave Parsnik says that the county is limited because Dominion programs and tests each machine; the county relies on Dominion. Does the county do a test run? Dave Parsnik-No. There is an advertised test for the public that was done on 5/12/2021; no one came. Vote on a machine programmed for the election is printed and scanned; for the current election the mock election was not run because no one from the public was there. Dave Parsnik was not aware of the Republican header problem until election day. Denise feels it is not completely Dominion's fault and could have been caught at our end. Rick Nardone-Board needs to have a discussion regarding audit, contributing factors and, for November election, our limited resources. Listen to contributing factors, analyze and come up with recommendations and solutions in a cooperative manner for the November election.

PUBLIC'S QUESTIONS

Previously submitted and read by Denise Williams

Why not stop to fix the problem? Dominion-Voters were given options to vote

Do Dominion machines use Smartmaker? No, that's a competitor; Dominion uses Dominion.

Any connection to George Soros? Dominion majority owned; doesn't know the minority owners

Did Mr. Morgan test the ballots? Bob Morgan did not review or test the ballots. Dave Parsnik advised he has added to his check list.

To Dominion-In Fayette County there was a bar code problem. Dominion-won't discuss other customers. See Dominion's website dominionvoting.com for that information. Human error caused Luzerne's error.

Dominion- Going forward, a lot can be done differently; committed to improving the process. Dave Parsnik-no one is as hard on himself as he is; will assign an IT person to work with Dominion.

Denise Williams-How does Dominion expect to regain the trust of Republican voters? Humbled by data entry errors; we will address the header issue and reply to other questions in writing.

PUBLIC COMMENTS (4 minutes)

Ronald Knapp-Thanked the Board; address training; there was an interface issue with the poll books; judge of elections refused to seek assistance from IT; delayed opening of poll; had workers taking the ballots from the printer and scanning them in.; took his liberty away. For training there should be dry run with DNC and RNC observers. The write in process is overwhelming.

All concerns and complaints are being addressed and looked into; solicitors are doing this.

Walter Griffith-Apologizing for abrasive remarks, blame is on the county. Lots of excuses. Test the machines. Primary is a disaster. Dominion is condescending and disenfranchised Republicans. Go to paper ballots. Do something different. Dominion is taking a hands off approach. Dave Parsnik and Bob Morgan should resign; Dave Pedri already resigned. No excuse regarding public test error should have been caught by paid county employees.

Claudia Glennan, Salem Twp-Thanked the Board; survived the flogging tonight; Board doing the right thing. No one was disenfranchised; there were ways to vote. Sure that if situation was reversed there would have been just as much comments. Avoid conspiracy theories.

Rick Jones, Swoyersville-We need to vet the process and find the exact cause. Need better training. Better ways to communicate information to the poll workers. Polls not opened on time. He was left off the published proclamation. Bob Morgan took responsibility, there is no recourse for this error. Experience did not go smoothly.

Sean Donahue-Dave Parsnik assured us that write ins will be counted but we are scattering. We need a referendum question to go to paper ballots. Wants to know the interest of the person that did the clerical error. Was it done on purpose?

Steve Urban-Who proofed the ballots on our part? It's a haphazard process with too much outsourcing as county can provide resources. There should be better training. Poll workers will not return. We need a housecleaning; it's good that Pedri left. Wants and under/over report.

Throw out the election and start over with paper. Bought a bad system; went against the Board on this. Chaotic.

Charlie Jones, Swoyersville Ward 2-What does the Bureau do? Issues at the polls. Support not there. Phone calls went to voice mail, hung up, not picked up. No training to roving IT person; was handed a manual. Instructions not adequate. Other polling place was helpful. Constable not on the ballot. Bob Morgan not taking responsibility.

Leo, Jenkins Twp-Agrees with everyone; this was embarrassing. Poll workers were great. Voters are angry. If the Board can't handle they should step down should step down.

Justin Behrens-Many Republicans didn't vote because of frustration and anger. Calling on the Board for decisions because we have the power. Had been called previously about the L&A test and wasn't this time. Thanked the poll workers; they did an amazing job.. Dominion treated us badly.

Linda Houk-Understands the anger but anger directed at the Board is misplaced. Thanked the Board for stepping up. A goal of Home Rule is to do the best we can do. Are we doing the best we can do? The Inquiry Committee has not disbanded. Some of the improvements have been implemented and some haven't. They are reconvening and ask the Board be partners.

Bob Bognet-Dominion and the Bureau are paid; ditch Dominion; paper trail is not the issue, bad header was the question. Bob Morgan did not do a screen test and is not qualified; he worked for Matt Cartwright and this creates an impression of a conflict of interest. we need a fresh start.

Sheila Saidman-reiterated what Linda Houk said regarding Inquiry Committee. Mail ins did not seem to be a problem; doesn't see why Bob Morgan previously working for Matt Cartwright is a problem and is a terrible allegation; agreed that a lot of people left without voting because of header; this was a significant issue.

Jason Carr, Saylorsburg-Voted in Monroe County; signed in at poll book and obtained a paper ballot, filled it out and fed it into the tabulator-seamless. Voters should through out the corruption.

Brian Shiner, Kingston-Consolidation of what we have already heard. An audit will confirm the results but will not show how many walked away or didn't go; learn and move on.

Denise Williams thanked everyone for coming and participating. Speaking for herself, she is cooperating with the Bureau and the Election Inquiry Committee to improve all aspects of the elections and encourages the other Board members to do the same.

Audrey Serniak-Come out and watch us process the write ins.

NEXT MEETING

Continuing to process ballots; there will be a certification meeting; next regular meeting June 16, 2021

Thanked all for participating; gave information to view adjudicating.

MOTION TO ADJOURN

Motion to adjourn Kathy Roth 2nd Rick Nardone unanimous

ADJOURNED 8:37 PM

**LUZERNE COUNTY BOARD OF ELECTIONS
AND REGISTRATION SPECIAL MEETING
MINUTES JUNE 4, 2021**

CALL TO ORDER 9:00 AM

EXECUTIVE SESSIONS

May 27, 2021 4:15- 4:24 PM-Discussion of DA investigation and compliance.

June 2, 2021 8:57-9:15 AM – Discussed DA investigation and compliance

Denise Williams explained the change in meeting was to comply with the State's change in deadline for certification of the State Senate District 22 race.

PLEDGE OF ALLEGIANCE

ROLL CALL

Richard Nardone here, Kathy Roth here, Audrey Serniak here, Missy Thomas absent,
Denise Williams here

APPROVAL OF AGENDA

Motion to amend the agenda to certify only the special election for state senate district 22
Rick Nardone 2nd Kathy Roth unanimous, motion carries

PUBLIC COMMENTS (4 minutes)

Ronald Knapp, Nanticoke- re: Special Election Senate District 22, wants to verify remainder of election and specifically his race is not part of this meeting. Mike Butera verified only Special Election will be certified at this meeting.

Arlene Lange, Hanover Twp-went to the polls with her mother; there was a gap in the scammer count between her vote (53 or 54) and her mother's immediately after her (57). Why the gap? Office of Law advised her to send an email with concerns.

AGENDA ITEM-SPECIAL ELECTION

Motion to certify Special Election Senate District 22 Rick Nardone 2nd Audrey Serniak
Audrey Serniak yes, Rick Nardone yes, Kathy Roth yes, Denise Williams yes
Motion carries, special election certified

PUBLIC COMMENTS (4 minutes)

Ronald Knapp, Nanticoke-reference 'under God' from the pledge and read an inspirational piece. Wants to see justice from the debacle that transpired, to find out what happened. Asks that certification be delayed a month, to check with the DA on his progress and then leave it to God. Demand a dry run for the general election.

Stephen Urban, Wilkes Barre-looked at results and wants additional reports, how many scattered votes per ward and the over/under report. Wants these reports published.

Matt Krone, Freeland Borough-unofficial results show scattered ballots. Will we find out the actual names? As a registered Republican he doesn't feel disenfranchised; election not perfect but issue over dramatized.

Sean Donahue, Larksville-Is the complaint system in place? People want to know who the write ins were. He wants a policy meeting so that if he doesn't agree he can go to county council for an ordinance. Why aren't the results posted a week ahead of time?

Brian Dwyer, Larksville-"I'm literally sitting here twitching" because people were disenfranchised. Had problem voting because registered non partisan. Doesn't know how election can be certified. Frustrated that we can't get a simple process right.

Hilary Palencar, Larksville-also 'twitching'. She's 64 years old with a health issue and had to return to the polls because she was not sure, after media reports and other info received that her vote may not have been counted. Very upset that she had to return to the polls. She also had trouble logging onto this meeting. (Brian Dwyer said he also had trouble logging on.)

Arlene Lange-Questioned whether all of the votes were counted and sent this to the Office of Law. Romilda Crocama advised there is no evidence that votes cast were not counted.

Claudia Glennan-Had no problem signing on to the meeting. Not impugning what anyone else said. Is aware of the hours the Board is putting in and thanks us.

NEXT MEETING

Discussion regarding the timing of the next meeting on the certification of the election. A suggestion was made that this meeting be continued on Monday. After a point-of-order by Stephen Urban, who pointed out that the agenda had been amended, it was decided to adjourn this meeting and hold a Special Meeting on June 7, 2021 at 4:30 PM (court adjourns at that time).

MOTION TO ADJOURN

Kathy Roth 2nd Audrey Serniak unanimous

ADJOURNED 9:44 AM

**LUZERNE COUNTY BOARD OF ELECTIONS
AND REGISTRATIONS SPECIAL MEETING
MINUTES JUNE 7 2021**

CALL TO ORDER 4:31 PM

PLEDGE OF ALLIGENCE

ROLL CALL

Missy Thomas here, Richard Nardone, here, Kathy Roth here, Audrey Serniak here, Denise Williams here

APPROVAL OF AGENDA

Motion to amend the agenda to certify the statewide races (Justice of the Supreme Court, Judge of the Superior Court, Judge of the Commonwealth Court and Judge of Common Pleas Court 11th District) and 4 statewide questions and postpone the county races due to revisions in some county races (NW Area School District Dem-tie, Borough Kingston Council Dem, West Wyoming Council Dem), allowing for review and legal filings. Races to be certified June 14,2021.

Motion Denise Williams 2nd Rick Nardone unanimous, motions carries.

PUBLIC COMMENTS (4 minutes)

Walter Griffith-Cite law that allows for piecemeal certification. Doesn't believe that election results can be certified while DA is investigating. Romilda Crocamo-She spoke to State Attorney John Hartzell regarding bifurcation of election June 14, 2021 is time for filing any challenges; Department of State supports and is a procedure used in other counties.

Bob Caruso-13,000+ voters took advantage of write ins in the many blank races; board scattered (4654 votes) if not enough write ins to win; this is shameful on the Board's part; they took an oath to uphold the democratic process;votes are secret, sacred and deserve to be counted; scattered should be used for jokes not living people; Board has good people but inexperienced;

this is a problem since the beginning of the Charter. Denise Williams-every vote was counted; just because they were scattered doesn't mean they weren't counted.

Sean Donahue-did Dominion machine show his name? Wants to know why his name didn't appear; he wrote his name in for all offices; not the Board's place to not record his name; he is legally able to vote for himself; (advised by Chair that comment should be on agenda item) don't certify the election.

AGENDA ITEM

Motion to certify Justice of the Supreme Court, Judge of the Superior Court, Judge of the Commonwealth Court and Judge of Common Pleas Court 11th District Luzerne and four ballot questions Audrey Serniak 2nd Rick Nardone

Roll call- Rick Nardone yes, Kathy Roth yes, Audrey Serniak yes, Missy Thomas abstain, Denise Williams yes 4 yes 1 abstain, motion carries

PUBLIC COMMENTS (4 minutes)

Ronald Knapp-a courtesy count was done for one candidate; he wants a recount because he is just 57 votes short of a county council nomination; proportionally he believes he was under counted; people want him in office; if courtesy recount is done for one it should be available to all.

Mike Butera responded-not a courtesy recount; there was a petition to recount in progress and he (Mr. Butera) arranged to have the recount be part of the 2% audit currently being conducted; the political parties, DA, public, candidates were all informed; there had been comments made at the polling place that called into question the vote; count was shown to be correct.

Ronald Knapp-feels this is a gray area, petition deadline had passed; Mike Butera-deadline had not passed; Ronald Knapp-we're taking a hammer and chisel to our democracy; needs to be equal and fair; feels he can make up the 57 votes; Mike Butera-everyone treated equally; integrity of count shows no changes; Romelda Crocamo-there is time for a challenge

Adam Christian, Swoyersville Council-Term 'courtesy count' came from Bob Morgan, he received one more 'scattered' vote, did not get a copy of the petition, did not receive a continuance, did not agree to be there; was not there for the count; feels not treated fairly; wants everyone treated fairly

Bob Morgan-did refer to a 'courtesy count' but it was part of the audit; Romilda Crocamo-saw petition, advised Mr. Butera and he took over; will provide it if (Mr. Christian) wants it Mike Butera-asked if rather than file would doing it as part of the audit satisfy them?

Sean Donahue-Mr. D says he as far as he knows he was to only one to write in his name for for some offices. (Romilda Crocamo advised the Board not to respond due to pending litigation.)

What determines scattered? Why are some votes counted and others not? Clarify the criteria. Feels he is being forced to file a lawsuit; has a constitutional right to vote for himself for Supreme Court Justice. Says if this is clarified it will prevent a lawsuit and opens up other avenues like Council for a change of procedure.

Diane Noss, Shickshinny-Some write in with the correct spelling and some don't; can a candidate go to court to claim votes? Mike Butera-Candidates can advise Bureau of write in campaigns prior to the election and list different spellings/variations of name. After, they can petition the court to cumlulate and the court decides. Diane Noss-prior elections they could go in to the Bureau after the election and advise them to cumulate various names.

Walter Griffith-the petition to recount the vote was not filed; Title 25 says how to do a recount and this process should be followed; wants clarification of the filing deadline; Title 3265 outlines how a recount is to be done; Mike Butera is selectively using the law. How should people proceed?

Diane Noss-Where can she find the list of names and number of signatures needed.

Romilda Crocamo-petition was brought to the Bureau who advised her to go to the courthouse; went to the Office of Law. Deadline to file is five days, Wednesday.

Bob Morgan-He did not receive the petition.

Walter Griffith-Law should be followed; no exceptions made.

Adam Christian-left the recount at 2:25 PM; was forced to be there.

Rick Nardone-He was there during the whole thing. Participated in the audit; needed to audit about 1120 ballots did about 1750; there was a potential petition; this didn't take away from anything, satisfied a candidate and extended the audit; practical and logical; believes it didn't violate the election law regarding recounts; maybe the Board needs a 3rd party election attorney; we did not favor one over the other in any case and needs to see validation of the claim we did

MOTION TO ADJOURN

Rick Nardone 2nd Audrey Serniak unanimous motion carries

NEXT MEETING June 14 2021 6 PM for local races

ADJOURNED 5:31 PM

Overview of Board of Elections & Registration

The Luzerne County Board of Elections and Registration shall have and exercise all powers and duties stated in Section 8.04 of the Luzerne County Home Rule Charter and, shall provide general supervision over all elections conducted by the County in accordance with the Pennsylvania State Bureau of Commissions, Elections and Legislation.

In accordance with Section 8.04 of the Home Rule Charter for Luzerne County, the Board of Elections and Registration is comprised of five registered voters. Four of the members are appointed by resolution of County Council and the fifth member is appointed by an affirmative vote of those four members. At the time of their appointment, each member of the Board of Elections and Registration appointed by County Council, shall have been a member of the same political party continuously for at least five years and shall remain a member of that party during his/her term of office.

If any member of the Board of Elections and Registration files a petition for nomination or election or becomes a candidate for any elective public office, his/her position shall become vacant, and the vacancy shall be filled by County Council within 60 days after the declaration of the vacancy.

Any three members of the Board of Elections and Registration shall constitute a quorum and shall have the power to perform the functions of the Board of Elections and Registration.

The Board of Elections and Registration adopt and publish a meeting schedule, prior to every calendar year. You can find the meeting schedule above.

Board of Elections & Registration Directives to Bureau of Elections

1. Written **Outline of Process for Handling Complaints or Issues at State or Local Level & Report of Follow Up to Complaints or Issues from the May 2021 Primary**. Submit both to Board of Elections & Registration by July 9, 2021
2. **Posting of May 2021 Primary Campaign Finance Reports** to county website in a “user-friendly” manner. Complete by July 16, 2021.
3. Written plan/process created and completed for May 2021 Primary **Pollworker Feedback**. All feedback received will be shared with the Board of Elections & Registration. Complete by July 30, 2021
4. Creation of plan - going forward - to post **Campaign Finance Reports** on the website after each of the pre-election and post-election mandated dates for campaign finance reporting. Submit plan to Board of Elections & Registration by August 13, 2021.
5. Plan and Implementation of an **Election Day Poll Worker/Bureau Staff Direct Communication Means**. Submit plan to Board of Elections & Registration by August 30, 2021
6. Evaluation/Review of current **poll worker training program** with focus on attendance and understanding of directions and ways to improve both. Submit findings and proposed changes for improvement by August 30, 2021
7. Written **outline of basic procedures and practices for “Election Operations of the Bureau”** (Pre-Election Day Procedures, Election Day Procedures, Adjudication Procedures, and Post-Election Day Procedures). Submit by September 30, 2021
8. Documentation of/**outline of job descriptions** for each position in the Bureau of Elections. This should be specific and itemized to the fullest extent possible. Overlap with duties and responsibilities between positions should be noted in job description. Submit by October 15, 2021

9. Research for, and **upgrade of the Bureau of Elections Website** to a more “user-friendly” platform with well-formatted content that is easy to scan. Complete by October 30, 2021