

LUZERNE COUNTY BOARD OF ELECTIONS AND REGISTRATION

AGENDA

August 11, 2021 at 5:00 P.M.

Council Meeting Room

Luzerne County Courthouse

200 N. River Street Wilkes-Barre, PA 18701

And

Video/Teleconference via ZOOM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ADDITIONS TO/DELETIONS FROM AGENDA

ADOPTION 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 JULY 14, 2021 (See Attached pp. 3-5)

AGENDA ITEMS - SOLICITOR

1. Status/Update of DA Investigation of May 2021 Primary Election

2. November Ballot - DA Length of Term Determination (2 or 4 Years) - Status of Luzerne County Office of Law's Recommendation Based on County Council's Attorney Report

AGENDA ITEMS - BUREAU OF ELECTION

1. Voting Machine Equipment Repair
2. ElectionIQ Contract
3. Poll Worker Feedback Sessions (P. 8-10)
4. Ballot Drop Boxes- Information on Styles/Budget Feasibility/Proposed Ballot Pick-Up Plan-Chain of Custody Plan
5. Directives Update (p. 6)

AGENDA ITEMS - BOARD OF ELECTIONS & REGISTRATION

1. Ratification of Votes Taken at the June 16, 2021 and July 14, 2021 Board of Elections & Registration Meetings (See p. 7) (DW)
2. Facebook Page (AS)
3. Consideration of Mandatory Poll Worker Training (RN)
4. Board of Elections & Registration August 25, 2021 Meeting (DW)
5. Ballot Drop Boxes - Discussion/Vote on Use, Procedures for Use and Locations if Utilized (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 JULY 14, 2021

CALL TO ORDER 5:01 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

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

APPROVAL OF AGENDA

Motion Rick Nardone, 2nd Audrey Serniak, unanimous

PUBLIC COMMENTS (4 minutes)

Walter Griffith-wanted to know if the dates for completing tasks set out for the Bureau were mandated; people have been trying to get the financial reports up for a long time and this is very important; regarding Election IQ we should have a contract to use and it should be put up to bid first

Claudia Glennan, Salem Twp-will defer her comments on drop boxes; she is for them

MINUTES

Motion to approve minutes from June 16, 2021 Rick Nardone 2nd Kathy Roth, unanimous

SOLICITOR'S REPORT

First-Office of Law was to review addition to website Board overview; Vito DeLuca said OK to post

Motion to post Denise Williams 2nd Audrey Serniak, unanimous

Second-the Board will have to vote on the length of the DA's term; it will need to be on the ballot for November; need a decision by September 13, 2021

There is a difference of opinion as to whether the new law requires a new 4 year term or a completion of the current term; Vito DeLuca advised holding off until the attorney County Council hires has given their opinion; after further discussion, Rick Nardone suggested there was no need for a decision today and the Board agreed.

Third-Status on complaints from the primary-Mike Butera reported that he spoke with the DA's office and they are not yet releasing that information due to the ongoing investigation; he will follow up

BUREAU OF ELECTIONS REPORT

Bob Morgan advised the Board regarding the directives:

First, the complaint procedure had been formalized;

Second, the financial reports were posted June 12, 2021 with a better format and going forward filings would be made available as quickly as possible.

Third, the Bureau had arranged focus groups, 36 people had volunteered, mostly Judges of Elections, new and experienced.

The Bureau was working on the other directives, including training and communications.

Board members requested regular updates on complaints be made in a timely manner. Vito DeLuca advised that written complaints are public record; anyone can request to see them and the Board is within their authority to see them.

Bob Morgan advised that only financial reports for the local races filed with the Bureau would be posted; state wide races are available on the state website; there is link to that information.

Bob Morgan and Eryn Harvey felt that although an email or mail survey can be done, the focus groups would result in a better response.

Rick Nardone advised that he had backed-off using a third party vendor for the website as he thinks the county IT department can handle any changes.

Denise Williams thanked Bob Morgan and Eryn Harvey for all the work they are putting into accomplishing the directives.

BOARD OF ELECTIONS REPORT

Audrey Serniak advised that the Board's Face Book page has been shut down.

Drop box results (roughly)-Hazleton 190 Nanticoke 350 Pittston 700 Penn Place 2000
Total 3200 ballots

Discussion that drop boxes are a good alternative to deliver the ballots but if we do them they should be done right; we need better, more secure boxes and the money to buy them;

geographically located-N, S, E, W and central locations (Pittston, Back Mountain, Mountain Top, Penn Place?) Must adhere to state guidelines with video surveillance in municipal buildings if possible. Mail in voting is here to stay; drop boxes could promote voting.

Bob Morgan will look into bigger, heavier boxes. About 20% of the mail in ballots came in by drop boxes.

PUBLIC COMMENTS (4 minutes)

No further public comments

NEXT MEETING

August 11, 2021 at 5 PM. It will be in person with a hybrid set up located in the Council Chamber at the County Courthouse.

MOTION TO ADJOURN

Kathy Roth 2nd Rick Nardone, unanimous

ADJOURNED 6:30 PM

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 **Poll worker 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

Ratification of Votes Taken at Last Two Board of Elections and
Registration Meetings

June 16, 2021:

Approval of Meeting Agenda (Approved Unanimously)

Adoption of Meeting Minutes from May 12, 2021, May 18-June 2, 2021, May 24, 2021, June 4, 2021, and June 7, 2021 (Approved Unanimously)

Certification of Rest of the May 2021 Primary Election (Local Races)

Roll Call Vote: K. Roth (Y), A. Serniak (Y), M. Thomas (Abstention), R. Nardone (Y), D. Williams (Y) (Passed - 4 Yes, 1 Abstention, 0 No)

Voted to Delete Board of Elections & Registration Facebook Page (Approved Unanimously)

Voted to Adopt the Bureau of Election Directives as presented by the Board of Elections and Registration

Roll Call Vote: A. Serniak (Y), M. Thomas (Y), R. Nardone (Y), K. Roth (Y), D. Williams (Y) (Passed Unanimously)

July 14, 2021:

Approval of Meeting Agenda (Approved Unanimously)

Approval of Meeting Minutes from June 16, 2021 Meeting (Approved Unanimously)

Judge of Elections Focus Group Meetings July 20, 21 and 22

We held six focus group sessions with Judges of Elections on July 20, 21 and 22. To prepare we developed nine specific questions that we hoped would spur discussions and we were very pleased with the way the sessions developed.

Below are the nine questions and a sampling of the answers we received:

1. In two sentences describe your experience (good or bad) during the 2021 May primary

Aside from the ballot mislabeling issue Judges indicated they were frustrated by issues with poll book passwords, the lack of ability to have Independents sign the poll book.

They would also like the rovers (tech assistants) to be assigned to specific geographic areas and avoid having them travel outside of the geographic space to maintain time efficiencies.

2. Did you personally attend a training session?

Every Judge that attended this meeting attended a training session during the Primary. As an observer, I felt Judges became more engaged in the process if they attended the training session. They also seemed to be more adept at problem solving.

3. How can they be different and how to improve them?

Judges suggested that having more BMD's and tabulators in the training sessions to allow for more "hands on" experience. They also suggested a dual curriculum one for new Judges (1-5 years experience) and a senior Judges training (5 years or more). New Judge training would be more "hands on" machine training and senior Judges might not need this level of intensity unless a process has changed.

Also review training materials to ensure they are current and up to date and align with current required procedures.

4. Do you feel there is enough communication between our office and the field on election day?

The answer was a mixed no. We suggested the possible use of a text based communication system that would allow communication between the Bureau and the field. This proposal was well received and we are working with IT at this time to discuss options.

5. If we added an interactive texting service for judges on election day with features that would require a one letter response “Y” or “N” at 4 times during the day, would that work or be an additional hardship?

Judges endorsed the idea as long as it included an opportunity for them to communicate with the Bureau in the event of an issue in their polling place. We are exploring implementation options with IT now.

6. Would it be preferable to go back to paper logs rather than electronic poll books?

The majority of Judges felt the poll book provided major advantages to the voter experiences, especially the “look up” features that allowed poll workers to help voters locate the correct polling place. They rejected the idea of returning to paper poll rosters.

7. Do you feel comfortable in your understanding when we should use a provisional ballot?

The majority of Judges felt very comfortable with the understanding of the use of the provisional ballot but wanted to ensure that it was still covered in future training sessions. They also felt we could supplement the written training materials with more examples of provisional ballot use.

8. Do any of our processes seem inefficient to you? How can we fix those?

As indicated above the inefficiencies identified related to the potential confusion between printed training materials and the verbal training during

training sessions. They indicated some inefficiencies that could be eliminated by making certain all material and script were current to actual procedure.

9. Any other comments for change/improvement?