

MINUTES

MEETING OF THE ALLEGHENY COUNTY BOARD OF ELECTIONS

WEDNESDAY, MAY 19, 2020, 3:00 P.M., PUBLIC MEETING-VIRTUAL MEETING VIA MICROSOFT
TEAMS, PITTSBURGH, PENNSYLVANIA.

BOARD MEMBERS: HONORABLE RICH FITZGERALD, CHAIR-present
HONORABLE BETHANY HALLAM, MEMBER-present
HONORABLE SAM DEMARCO, MEMBER-present

IN ATTENDANCE: ANDY SZEFI-COUNTY SOLICITOR
JERRY TYSKIEWICZ – DIRECTOR, DEPT. OF ADMINISTRATIVE
SERVICES
DAVID VOYE – MANAGER, DIVISION OF ELECTIONS
ALLAN J. OPSITNICK - ASST. COUNTY SOLICITOR, LAW DEPT.
CHET HARHUT-DEPUTY MANAGER, DIVISION OF ELECTIONS

I. CALL TO ORDER – The meeting of the Allegheny County Board of Elections commenced at 3:00 PM. Meeting called to order by Chair Fitzgerald.

II. PUBLIC COMMENT

Public comment was by emails, all of which are attached. Public comment emails submitted by the following:

- a. Brett Scruton, Common Cause Pennsylvania;
- b. Ron Bandes;
- c. Tim Stevens, Chairman & CEO, B-PEP;
- d. Garrett Wassermann;
- e. Marilyn Detweiler;
- f. William Towne;
- g. Ivan Russell;
- h. Juliet Zavon;
- i. Karen Toft;
- j. Debra R. Fyock;
- k. Naomi Weisberg Siegel;
- l. Robert Howard;
- m. Claire Schuchman;
- n. Olivia Bennet, Allegheny County Council Member, District 13;
- o. William Alexander;
- p. Mark Rickard;
- q. Jackie Ewaalt.

Additionally, the following public comment emails, attached, were received after the 3:00 PM deadline for comment:

- a. Annette R. Shimer;

- b. Miracle Jones;
- c. Brandi S. Fisher.

III. **PRESIDENTIAL PRIMARY PREPARATIONS**

Mr. Voye addressed questions about multiple ballots being received, attributing that error to the Pennsylvania SURE System, further indicating that regardless of multiple ballots, only one mail-in ballot per voter is counted as they are identified with a barcode.

Mr. Voye addressed comments that mail-in ballots have not been received and indicated that, should that be the case, a voter can vote in-person on Election Day.

Next, Mr. Voye discussed ballot custody, polling place consolidation, posting at prior polling places, local board member training regarding COVID-19 and that all elected poll workers were contacted to work on Election Day.

Mr. Tyskiewicz thanked the elections staff and related departments for their work indicating that 225,000 applications had been received and that 148,000 ballots had been mailed. Elections Division has been working two and sometimes three shifts to process mailed (includes absentee) ballot applications and ballots. Chairman Fitzgerald indicated that the mail ballot volume indicates a 20% turnout alone and Mr. Voye indicated that in the 2012 primary overall turnout was 22%. Chairman Fitzgerald asked Mr. Voye to describe the polling place consolidation. Mr. Voye indicated that 147 buildings were being used with a total number of polling places of approximately 415. Mr. Tyskiewicz indicated that there were 1,100-1,200 poll workers already in the fold and Elections was still recruiting.

Member Hallam raised the following questions:

- a. Regarding the Votes PA website, when would that site be updated?
- b. Member Hallam indicates that she has been contacted by previous poll workers that they have not yet been contacted or have been turned away. In response, Mr. Tyskiewicz indicated that there were approximately 1,600 poll workers trained prior to the pandemic lockdown;
- c. Member Hallam asked how the Elections Division chose poll workers. Mr. Voye indicated they followed the list from the previous election;
- d. Member Hallam asked if we were using the “new voting machines”. Mr. Voye indicated that the precinct scanners were not going to be used on June 2nd but the ballot marking devices, also referred to as the ADA devices, would be used with at least one at each polling place. Mr. Voye further indicated that lead persons and rovers will assist in setting up the ballot marking devices;
- e. Member Hallam requested confirmation that votes would not be tabulated at the polls and, therefore, requested a description of the chain of custody. Mr. Voye confirmed that votes would not be tabulated at polling locations but that ballots would be placed in locked ballot boxes. No local election board member would have keys to those ballot boxes. The lead person who takes the box from the polling place would sign a chain of custody form bringing the ballot box to the County elections warehouse for central scanning. Only at that location was there a key to open the ballot box;
- f. Member Hallam questioned whether or not regional centers would be used. Mr. Voye indicated that regionals would not be used and that everything was going to the central tabulating location;

g. Member Hallam inquired as to safeguards under the circumstances. Mr. Voye indicated that each local board would complete a general return sheet that would reconcile ballots voted vs. ballots unused;

h. Member Hallam inquired as to when poll workers to be used on June 2nd would be notified. Mr. Voye indicated that those individuals would be notified by the end of the week;

i. Member Hallam commented on the mailed ballot timeline using her household as an example. Mr. Voye indicated they received 42 mail trays that very day;

j. Member Hallam asked how many voters had voted "over the counter". Mr. Voye indicated he could not tell but over the counter voting so far had been light;

k. Member Hallam inquired about ballots not received yet and the emails indicating a ballots of verified, processed, and mailed. Mr. Voye explained those terms indicating that these terms were generated by the SURE System and his staff was working continuously, day and night, to process.

l. Member Hallam inquired as to a backlog of ballots not yet mailed indicating that 80,000 had not yet been mailed. Mr. Voye indicated that to resolve this backlog, Elections was hiring a private mailing company;

m. Member Hallam asked whether or not watcher certificates were still being issued. Mr. Voye confirmed that, further indicating that two watcher certificates per candidate per polling place were issued. As this was a primary, no watcher certificates for parties would be issued;

n. Member Hallam inquired regarding social distancing enforcement. Mr. Voye indicated that there would be written guidelines to local election boards as well as posting of those guidelines. Mr. Tyskiewicz confirmed that there would be signage and the use of state-issued marking tape;

o. Member Hallam inquired as to when results would be posted. Mr. Voye indicated that he was not sure but the state indicated pre-canvass would begin on Election Day at 7:00 AM;

p. Member Hallam indicated what if a mailed ballot was returned not in the secrecy envelope. Mr. Voye indicated that ballot would not be counted. NOTE: Pursuant to a directive from the PA Department of State, those ballots were counted;

q. Member Hallam inquired about mailed ballots that were resealed or taped shut. Mr. Voye indicated that those ballots would count;

r. Member Hallam inquired as to the difference between using a building for a polling place and multiple polling places in a single building. Mr. Voye explained using Penn Hills as an example;

s. Member Hallam inquired about using Uber, Lyft, or Port Authority to help people get to their polling places. Mr. Tyskiewicz indicated that the County website has those locations.

Member DeMarco made the following comments:

a. Indicating his opposition to poll consolidation as poll consolidation was based on poll worker unavailability. Member DeMarco said he had received many communications from poll workers saying that they were not contacted and that further that the polling location count is confusing;

b. In addition, Member DeMarco expressed concerns of a lack of minority party representation at polls, as he has been inundated with complaints that previous republican poll workers were not contacted, using Bradford Woods as an example. Chair Fitzgerald requested an explanation from Elections. Mr. Voye replied, as to Bradford Woods, that Elections called previous poll workers and asked if they would serve, regardless of party affiliation. Mr. Voye

indicated that no county employees were working inside a polling place. Chair Fitzgerald indicated that all of the prior polling places were not needed;

c. Member DeMarco indicated that, despite Department of State approval, Elections has not provided minority party representation figures and Member DeMarco indicated that he expects that that matter would be cleared up;

d. Member DeMarco asked whether or not the Republican county committee members on the ballot, would be affected by the centralized tabulation. Mr. Voye indicated that the central tabulation scanning places all results at a precinct level, that is 1,323 polling places throughout the County, and that all Republican county committee votes would be counted for the appropriate precinct;

e. Member DeMarco asked about the ballot application process and that there was at least one deceased on the ballot from three or four years ago and asked how Elections is notified of a voter's death. Mr. Voye explained that PA Department of Health death records are transmitted to Elections and decedents are deleted but that when names of similar, Elections errs on the side of caution and allows that name to remain. Mr. Voye also indicated that there were death removal forms at each polling place that a family member could fill in;

f. Member DeMarco indicated both that we have problems with voter registration roll maintenance and clean up and commended Elections for functioning during a "perfect storm". Chair Fitzgerald indicated that he expected Elections and other County agencies to make every best effort.

Member Hallam asked whether the precinct scanners would be used in November. Chair Fitzgerald said it was too soon to predict that use.

Member Hallam inquired as to the ballot counting process and how do mailed voters with the secrecy envelope know that their ballot is counted. Mr. Voye indicated that the voter will not know that their individual ballot was scanned and counted as that information is not available. Solicitor Opsitnick further indicated that there was no ballot curing process after Election Day.

Member DeMarco asked how unused ballots were accounted for and both Mr. Voye and Mr. Tyskiewicz explained the reconciliation process as reflected on the general return sheet.

IV. NEW BUSINESS

Solicitor Szefi explained the resolution of the Public Interest Legal Foundation (PILF) federal lawsuit against Allegheny County and that an agreement was reached between the County and PILF to permit the suit to be withdrawn without effect on Allegheny County. Said suit was withdrawn on May 18th.

Mr. Fitzgerald moved that all local election board workers would receive hazard pay in the amount of \$200 for each person, seconded by both Member Hallam and Member DeMarco (simultaneously) and passed 3-0.

V. ADJOURNMENT –Motion for adjournment by Member DeMarco. Seconded by Member Hallam. Passed 3-0. Meeting adjourned.