

LANCASTER COUNTY ELECTION BOARD MEETING
WEDNESDAY, FEBRUARY 9, 2022

The Board of Elections met today for an Election Board Meeting.

Present at today's meeting:

Ray D'Agostino, Chairman
Joshua G. Parsons, Vice-Chairman
John B. Trescot
BOARD OF ELECTIONS

Also present:

Christa Miller, Chief Clerk/Registrar
BOARD OF ELECTIONS

Paula Koda, Lancaster Township Resident

Hilda Sierra-Marrero, Lancaster City Resident

Commissioner D'Agostino called the meeting to order at 10:08 a.m.

Commissioner D'Agostino announced the approval of the November 17, 2021, Election Board meeting minutes.

ELECTION BOARD RESOLUTION NO. 1 OF 2022

On motion of Commissioner Parsons, seconded by Commissioner Trescot;

BE IT RESOLVED BY THE ELECTION BOARD OF LANCASTER COUNTY, PENNSYLVANIA, That Ray D'Agostino be nominated as Chairman of the Lancaster County Board of Elections.

Motion passed unanimously.

ELECTION BOARD RESOLUTION NO. 2 OF 2022

On motion of Commissioner D'Agostino, seconded by Commissioner Trescot;

BE IT RESOLVED BY THE ELECTION BOARD OF LANCASTER COUNTY, PENNSYLVANIA, That Joshua G. Parsons be nominated as Vice Chairman of the Lancaster County Board of Elections.

Motion passed unanimously.

Update on the 2022 Primary Election

Christa Miller, Chief Clerk/Registrar, Board of Elections

Ms. Miller welcomed Commissioner Trescot to the Board of Elections. She stated their total voters at the moment is 345,284, and their total mail-in ballots is 236 applications so far; however, they just sent out 72,069 of the permanent letters out to residents who were on the permanent list, so that number will go up.

Ms. Miller said that there are a few court cases concerning elections. One of them is concerning Act 77. Currently, the Commonwealth Court ruled to strike down Act 77 regarding the mail ballots. With an appeal by the State, there was an automatic stay put on that, so the Voter Registration office will continue as normal, going forward, which is why their permanent letters were sent out on Monday per state law. Oral arguments for this case begin on March 8, 2022. Ms. Miller stated they are making plans should the Pennsylvania Supreme Court uphold the Commonwealth Court decision, so they are looking at how they will deal with the people that have already applied. If those then must change, they will be sending out letters to those residents and what their options are, going forward. The Voter Registration office will make that decision after they hear at the oral argument and the decisions that come from the Pennsylvania Supreme Court.

In concerns to redistricting, the House and Senate maps were approved on Friday; however, there is now a 30-day challenge period. The congressional maps will be decided by the Pennsylvania Supreme Court. There is also a proposed updated election calendar that goes along with those maps. The oral argument for this case begins February 18, 2022; however, petitions begin on February 15, 2022. Those oral arguments and the proposed election calendar come after petitions already start, so currently, petitions are set to begin on February 15, 2022, and end on March 8, 2022, with challenges by the March 15, 2022. The new proposed calendar would have to begin on March 1, 2022, and close on March 15, 2022, with challenges by March 22, 2022. To be prepared for this, the Voter Registration office will send a letter giving a recommendation for those that are petitioning, as they have all the party committee people that are up for election in the spring, should the election change.

Ms. Miller stated they are looking at trying to have mail-in ballots delivered to the mailboxes the week of April 18, 2022. That means,

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the ballots must be done by April 1, 2022, so they can begin to create all the ballot files that have to go to NPC. With the new proposed calendar, if there is a court challenge brought by March 22, 2022, there is a chance they do not meet that April 1, 2022, deadline.

The Voter Registration office has a new SURE system. The Election Management part will be going live on March 15, 2022, and the Election Night returns part will be going live on March 31, 2022.

Commissioner D'Agostino added that he, as Chair of the Board of Elections, had a meeting with Ms. Miller and Mr. Clements, IT CIO, to begin the process of looking at how the SURE system is going to be implemented because it is going to be a completely internet-based system, so they need to make sure that they are taking all precautions with respect to that.

Commissioner Parsons thanked Ms. Miller and her staff for trying to do everything they can to prepare for the different possibilities. Commissioner Parsons stated it is unconscionable that we are in this position again from the state, where we do not have districts; we do not have settled election law, and we do not have anything that we need to run this election. This election cycle starts in six days, Tuesday, February 15, 2022, when candidates are supposed to be going out and collecting signatures on petitions to get on the ballot; however, they do not know what districts they are running in, or maybe they have an idea, but it is not finalized. Commissioner Parsons stated elections should have clear, simple, black and white rules that everybody understands. This was Commissioner Parsons' problem since 2019 with Act 77 - it did not have clear, simple, black and white rules. There have also been continuous changes to it by the Department of State sending out illegal instructions by the courts, and that continues to this day, which is unbelievably frustrating and unacceptable for counties. We have 67 counties who run elections in Pennsylvania and none of them have the rules right now. These counties will receive the frustration and the anger about the fact that every election cycle that we go through, going back to 2020, is chaotic.

Commissioner Trescot agrees that there is confusion in elections, and it would be beneficial if the legislature, the senate, the governor, and the parties that are in charge of the legislature, the senate and the governor's office would, actually, work together on simplifying the election process, like passing a single line law that would allow to do the three days of pre-canvassing. Commissioner Trescot said that having worked as a Judge of Elections, the one simple change of the law would change a lot of the workload that the Voter Registration office is going to have, come the night of the election.

Commissioner D'Agostino stated in a democracy, the currency of democracy is elections, and the fact that we are in this position today and over the last two years, is what has led to a majority of Pennsylvanians having concerns about elections. He stated it is a disservice to the staff who must conduct the elections; it is a disservice to the people who are putting themselves out to run for office, and most of all, a disservice to the citizens. The decision-makers do not seem to understand because they do not have to operate an election. Commissioner D'Agostino said his plea to all those who are in the decision-making process, which is now the legislature and the courts, is to make decisions as soon as possible for the sake of integrity of our election system.

Commissioner Parsons brought up an issue with drop boxes that were established in some counties. His concern is the fact that, at the beginning, when Act 77 was passed, people did not understand and, virtually, no one knew that you could not give your ballot to someone else to bring in. That is ballot harvesting, which is illegal. The Commissioners have been trying to get that message out so that no one would get in trouble because they do not know the law. The reason ballot harvesting is illegal is, you are not supposed to give your ballot to anyone, because you do not know what happens to that ballot after that, so it reduces the security. Commissioner Parsons stated we had one box downstairs by the sheriff's, under video surveillance, and it was there only when the sheriff deputies were present. It was to provide convenience for people who wanted to drop it off, so they did not have to walk all the way through the lobby to the Voter Registration office. Commissioner Parsons said that in the last election, the governor himself admitted on the radio to ballot harvesting with his wife. It seems hard to believe he does not know that is illegal, given he signed the law. Commissioner Parsons does not want to see people bring someone else's ballot in because the governor admitted to doing so. That is making him consider removing the box and having people bring the ballots all the way to the Voter Registration office, if they do not want to mail them.

Commissioner Trescot added that he has used absentee ballots for a long time, both being overseas and for convenience. He stated the main problem is the law like Act 77 that could be refined, so that family members could take family member's ballots in. We do not want to have that kind of prosecution against absentee ballots, as compared to someone voting for their dead family member, which is something that should be prosecuted strongly, because it is active fraud. Commissioner Trescot also added that when we try to limit the number of locations that you can drop off a ballot at, it is not very convenient to people outside Lancaster city when the one ballot box in the county is sitting here. He hopes that when they are evaluating how they make drop boxes available, they are also evaluating what is convenient for the citizens in the county.

The Commissioners addressed questions raised by members of the public.

On motion of Commissioner Parsons, seconded by Commissioner Trescot, the meeting adjourned at 10:36 a.m.

Motion passed unanimously.

Respectfully submitted,



Lydia Kovalchuk, Executive Assistant
Commissioners' Office