

**BERKS COUNTY BOARD OF ELECTIONS  
SPECIAL MEETING MINUTES  
May 13, 2024 – 11:00 A.M.**

**Michael S. Rivera, Chair**  
**Christian Y. Leinbach, Vice Chair**  
**Dante Santoni, Jr., Commissioner**  
**Anne Norton, Chief Clerk**  
**Christine M. Sadler, County Solicitor – not present**  
**Cody L. Kauffman, First Assistant County Solicitor**

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

**PUBLIC COMMENT ON AGENDA ITEMS**

None.

**APPROVAL OF THE MINUTES**

The Board approved the minutes for the May 2, 2024, Election Board meeting as presented.

**Agenda Items**

**1. Write-in Vote Cumulation**

Cody Kauffman, First Assistant County Solicitor, told the Election Board two petitions to cumulate write-in votes were filed. He gave a brief overview of how write-in votes are counted and can be cumulated. He explained that write-in candidates automatically get credit for any write-in votes that match exactly their as-registered name as it appears on their voter registration records. A write-in candidate must file a petition to cumulate any perceived variations of their name to have those votes counted. He said the Election Board must review the petitions and make determinations based on voter intent. He said that if a vote is only for the candidate's last name, generally cumulation is permissible if no one else with the same last name is running for that office.

On the motion of Commissioner Leinbach, seconded by Commissioner Santoni, the Board accepted the petition to cumulate write-in votes for James Daniel Oswald, as presented, except for the following:

- a. David Oswald
- b. Dick Oswald

On the motion of Commissioner Santoni, seconded by Commissioner Leinbach, the Board accepted the petition to cumulate write-in votes for Susan G. Larkin as presented.

**2. Final Certification**

On the motion of Commissioner Santoni, seconded by Commissioner Leinbach, the Board certified the official results of the votes cast for the 2024 General Primary held on April 23, 2024. Ms. Norton noted that the certified results would be submitted to the Department of State and will include the write-in votes and winners that the Board approved in Item 1.

### **Election Director's Report**

Ms. Norton noted that Berks was not selected to participate in the statewide risk-limiting audit. She said the staff conducted the mandatory 2% audit on May 8, with participants and observers from both the Democrat and Republican parties. The audit consisted of four precincts: Three were audited with a DS450 scanner and the fourth was counted by hand by a member of the elections staff and the party participants. There were no discrepancies found during the audit and the results will be submitted to the Department of State.

### **General Comments from the Board regarding current election-related issues**

Commissioner Rivera thanked the elections staff for all their hard work, especially with organizing and conducting the 2% audit.

### **Public Comment**

Jeffrey Wolfe, Brecknock Township, spoke about a claim made in Georgia related to the 2020 election. He said he believes there is a problem with transparency and confidence in elections, and listed examples of his own concerns, including not being able to view scanners up-close or the secure room for ballots and that he felt some of his requests for documents were being "stonewalled." He said he did hear reports that the 2% audit was conducted orderly and professionally.

Commissioner Santoni said he understands many people are concerned about having a free and fair election, but said he can assure the voters of Berks County their votes are counted and democracy is important here.

Commissioner Leinbach said he supports as much transparency with the election process as is legally possible, but told Mr. Wolfe that some things are off limits due to security concerns. He said it is just as important to protect the integrity of the election process.

Mr. Kauffman noted that Mr. Wolfe filed numerous requests, including one that the County responded to with roughly 150 pages of records. He noted that one of the requests is for records that are in archives and will require a lot of work to retrieve. He said he personally responded to Mr. Wolfe regarding that request, noting that, since it was made in close proximity to the primary election, would be fulfilled when the staff had the appropriate time.

**ADJOURNMENT** 11:19 a.m.

Respectfully Submitted,



Anne Norton, Election Board Chief Clerk