

**BERKS COUNTY BOARD OF ELECTIONS
REGULAR MEETING MINUTES
November 3, 2022 – 11:00 A.M.**

Kevin S. Barnhardt, Chair
Michael S. Rivera, Vice-Chair
Christian Y. Leinbach, Commissioner
Christine M. Sadler, County Solicitor
Cody L. Kauffman, First Assistant County Solicitor

CALL TO ORDER- 11:00 A.M.

APPROVAL OF MINUTES

The Board approved the minutes for the October 27, 2022 Election Board meeting as presented.

PUBLIC COMMENT ON AGENDA ITEMS

Adrian Jadic of Wyomissing Borough – Mr. Jadic spoke on agenda items #3 & #4, and questioned how voters will be notified and allowed to cure undated and misdated ballots.

Zelda Yoder of Reading – Ms. Yoder spoke on agenda item #2, political signage, specifically on how these signs can be removed and who is authorized to do so.

Debbie Noel of Robeson Township – Ms. Noel cited agenda items #3 & #4, and requested the Board reconsider contacting voters whose ballot needs curing.

Rick Crump of Spring Township – Mr. Crump spoke on the visibility of messaging to voters, specifically regarding agenda items #3 & #4.

Tom Herman of Robeson Township – Mr. Herman urged the Board to investigate the signage and refer to the DA as a hate crime. Mr. Herman stated there is no place for hate in Berks County.

AGENDA ITEMS

1. Approve Poll Worker Appointment

On the motion of Commissioner Rivera, seconded by Commissioner Leinbach, the Board approved the appointment of poll workers for the November 8, 2022 General Election.

2. Political Election Signage Issue

First Assistant County Solicitor Cody Kauffman explained that the signage is in violation of Section 1638 of Campaign Finance Law, such violations are punished by

a fine of \$1000.00 and/or misdemeanor charges. The removal of such signage is up to the municipality. Is it the will of the Board to refer to the District Attorney?

Commissioner Leinbach motioned to refer to the District Attorney immediately for investigation and possible prosecution. Commissioner Rivera seconded this motion.

3. Ballot Curing Discussion for USPS mail-in/absentee voters

Following discussion of ballot curing procedures, Commissioner Leinbach motioned to notify voters of reversal of credit for undated or misdated ballots, seconded by Commissioner Rivera.

4. Undated and Incorrectly Dated Ballots

On the motion of Commissioner Leinbach, seconded by Commissioner Rivera, the Board agreed to follow the Pennsylvania Supreme Court's directive and not count undated and misdated ballots, but to keep them segregated into 3 groups – counted, not dated, and misdated.

Upon further discussion, Commissioner Leinbach motioned for Election Services to provide two options to voters, either come into the office and cure their undated or misdated ballot or go to the polls and vote by provisional ballot. Commissioner Rivera seconded this motion.

GENERAL COMMENTS FROM THE BOARD OF ELECTIONS REGARDING CURRENT ELECTION-RELATED ISSUES

Commissioner Barnhardt provided an update on how the post office Postmaster will deliver ballots to the Election Services office on election day.

Commissioner Leinbach touched upon the unverified ballot issue, stating it is based solely on how the voter's ballot application is verified. Legally, these ballots cannot be counted unless the voter provides proof of identification within 6 days after the election.

CITIZEN COMMENT

Jeff Wolfe of Brecknock Township – Mr. Wolfe urged poll workers to report any suspicious activity on election day.

Mitchell Pfeiffer of Robeson Township – Spoke against Electronic poll books, believes it was a frivolous expenditure and too complicated to use.

Debbie Noel of Robeson Township – It is good that the SURE system will send a notification to voters who have undated or misdated ballots, but it is unfair to those with no internet.

Adrian Jadic of Wyomissing Borough – Noted that there is no set standard for "dated" ballots.

Silvia Gutierrez of the Election Services office explained the option for searching hyphenated names in the Electronic Poll Book, including searching by voter's first name and date of birth or by voter ID number.

ADJOURNMENT – 11:19 A.M.