

**PRE-ELECTION MEETING OF THE
DELAWARE COUNTY BOARD OF ELECTIONS
April 30, 2024**

Present:

Ashley Lunkenheimer, Chair, Board of Elections
John P. McBlain, Member, Board of Elections
Scott Alberts, Member, Board of Elections
Jim Allen, Director of Elections
J. Manly Parks, Solicitor
Jackie Dunn, Voting Machine Warehouse
Crystal Winterbottom, Voter Registration
Public Comment:

Meeting called to order.

Pledge of Allegiance

Consideration of Agenda. Mr. Allen listed the items on the agenda.

There was no public comment.

Director of Elections Report: Mr. Allen spoke on various successes at the election:

- Turnout was low across the state, with a few rural counties having slightly higher turnouts. Delaware County turnout was about 23%;
- Expansion of the electronic poll books or “Poll Pads” from 40% of the precincts last fall to 100% of the precincts this spring in Delaware County was successful;
- Programming of the Poll Pads was completed by Voter Registration staff and training of poll workers was completed by the Poll Worker Coordinator and the team from the Bureau of Elections in Media;
- Smooth pick-up and drop-off operations at the Government Center;
- Earlier reporting of results, with more than 90% of all mail/absentee and precinct results reported by 11 pm; and remainder precincts and final mail/absentee ballots reported at or before 1:30 a.m. Wednesday night;
- Fewer issues with voters returning naked ballots (without secrecy envelopes), thanks to an improved design of the secrecy envelope by the Department of State.

Mr. Allen said various county departments and workers contributed to the success of the election, including Park Police, Facilities, Public Relations, the County Administration, Emergency Services, the Sheriff’s Department, the IT Department. The IT Department helped create a backup communications system for the Union Power Plant, processing election results and programming and testing of the Poll Pads. Mr. Allen also saluted Neumann University, which provided a huge showing of students ready to help with processing of envelopes at the Union Power Plant.

The Board conducted a hearing involving objections to the rulings by the Voter Registration division on whether to full-count, partial-count or not count provisional ballots. All objections were presented by Shelly Chauncey on behalf of the Delaware County Democratic Party. All cases involved provisional ballots that were submitted in affidavit envelopes that were not signed by the Judge of Election and not signed by the Minority Inspector. Shelly Chauncey presented testimony of two Judges of Election and referenced emails from others.

At Ms. Chauncey's request, Radnor 5-2 Judge of Election Bruce Bikin described the processes he follows and offered no details related to the specific envelopes for provisional voter Daniel Hopkins or provisional voter David G. Levin, or interactions with either voter.

At Ms. Chauncey's request, Upper Darby 4-7 Judge of Election Colleen Kennedy described the processes she follows to print provisional ballots, but no details related to the specific envelope for provisional voter Brendan Stewart or interactions with the voter.

Ms. Chauncey also read emails from other poll workers where provisional voters' envelopes were not signed by the Judge of Elections or Minority Inspector.

Board member McBlain made a motion to deny all of the challenges. The motion was not seconded. Board member Alberts made a motion to approve all of the challenges. The motion was not seconded. Chair Lunkenheimer made a motion to accept and count the six provisional ballots received from:

- Aston 1 (one provisional ballot)
- Upper Darby 1-5 (one provisional ballot)
- Upper Darby 4-7 (one provisional ballot)
- Radnor 5-2 (two provisional ballots)
- Ridley Township 6-1 (one provisional ballot).

Motion was seconded by Board member Alberts.

Mr. McBlain stated that he would consider approving the objections if a JOE and/or a voter had testified to specific details and memories of the voters. Because that did not occur, he stated that the voter signatures were required under state law. Chair Lunkenheimer said she believed that staff had verified that the voters in these cases did not vote by mail, were qualified to vote and were not committing any sort of fraud. Board member Alberts said that the newer requirement to print the provisional ballot on the Touch Writer made it implausible for the ballot to be printed without the Judge of Election participating. Alberts noted that Voter Registration otherwise determined the voters in these instances were qualified to vote and signed the envelopes twice. Solicitor Manly Parks cited a 1980 case PA Supreme Court case related to the election of District Attorney of Washington County, where the court ruled that the voter should not be faulted for minor non-compliance by the poll workers. Mr. McBlain countered that the Board had not received specific testimony or documentation from the JOEs or the voters in these cases. Board members Lunkenheimer and Alberts voted for the motion; Board member McBlain voted against.

The Board next considered objections on two provisional ballots from Chester City 9-3 on motion of Alberts and second by Lunkenheimer. Board member Alberts said the voters' signed

provisional envelopes were signed by the voter and were returned in an envelope in a tote by the Judge of Election on Election Night. Mr. Alberts said that the voters did everything and that the lack of signatures by the Judge of Election and Minority Inspector represented Election Board errors, not the voter errors. Board members Lunkenheimer and Alberts voted to accept the challenges and overturn the staff recommendations, and Board member McBlain voted against.

Mr. Allen discussed the lack of close contests at this time, meaning a recount did not appear likely. There was discussion of the deadline to file petitions to cumulate write-in votes.

The next meeting will be on May 7, 2024 to consider certification of the April 23, 2024 Primary.

Meeting was adjourned.