

LAWRENCE COUNTY ELECTION BOARD MEETING
PUBLIC MEETING
MINUTES OF, Thursday, April 11, 2024

The Lawrence County Election Board Meeting was opened with the Pledge of Allegiance to the Flag.

The Lawrence County Election Board Meeting of Thursday, April 11, 2024, was called to order by **Commissioner Dan Vogler**, at 9:32 am at the Lawrence County Commissioners Meeting Room. Administrative Assistant, Kristine Venasco called the roll. Those in attendance were **Commissioner Dan Kennedy, Commissioner Chris Sainato, Tim Germani, Susan Kite, Jason Medure, Judy Martwinski, Lynne Ryan, Patricia Christy, Richard Book, Jim Constant, Carrie Hahn, and Debbie Wachter**. It was stated for the record that the meeting is being taped. Those wishing to speak shall be given five minutes. Those speaking are to state for the record their names, addresses and the nature of their business.

GENERAL PUBLIC COMMENTS

None

APPROVAL OF MINUTES

1. The minutes of February 23, 2024. Moved by Mr. Kennedy, seconded by Mr. Sainato to approve said minutes. Motion carried 3-0.

ELECTION DIRECTOR'S REPORT

April 8, 2024, was the last day to register to vote. Mr. Germani stated that he will certify the voter statistics this week. There are 59,923 total registered voters, 28,142 registered Republicans, and 20,866 registered Democrats. So far, there are 1,065 returned mail-in ballots. There has been a total of 10 polling location changes, which will affect 789 voters. Mr. Vogler asked if all the appropriate notices had been sent. Mr. Germani said yes.

NEW BUSINESS

RESOLUTION R-2024-10

COUNTY BOARD OF ELECTIONS

WHEREAS, on March 27, 2024, the United States Court of Appeals for the Third Circuit, provided a precedential decision in case number 23-3166; and

WHEREAS, said decision concluded the Materiality Provision of the Civil Rights Act of 1964 (applied to state elections through the Voting Rights Act of 1965) does not compel the counting of undated/misdated ballots that violate Pennsylvania’s outer-envelope date requirement; and

WHEREAS, to avoid confusion, the Election Board desires to set the date range in compliance with prior court decisions as follows: March 4, 2024, to Election Day, April 23, 2024.

NOW THEREFORE, BE IT RESOLVED all mail in / absentee ballots dated on the outer envelope between March 4, 2024, through April 23, 2024, shall be considered in compliance. All other aspects of absentee ballot compliance must still be adhered, including no markings on the secrecy envelope, and signing the outer envelope.

APPROVED this date _____, 2024.

Vote: Yeas _____ Nays _____

CERTIFIED this date _____, 2024.

Motion made by Mr. Sainato, seconded by Mr. Kennedy to approve said resolution. Motion carried 3-0. Solicitor Medure commented that the resolution is not a legal requirement, rather it is to provide clarification to the voters.

RESOLUTION R-2024-11

COUNTY BOARD OF ELECTIONS

WHEREAS, in the Township of Union, District 2, the polling place was located at the Union Twp. Fire Department, 304 S. Scotland Ln., New Castle, PA 16101;

WHEREAS, the Union Twp. Fire Department is under construction and cannot be used as a polling place;

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF ELECTIONS, that:

1. The polling place for the Second District, Union Township shall be moved from the Union Twp. Fire Department to the Union Township Municipal Building, located at 1910 Municipal Dr., New Castle, PA 16101.

2. **NOTICE** of this change has been duly completed per Election Code Statute 25 PS 2726.

APPROVED this date _____, 2024

Vote: Yeas _____ Nays _____

CERTIFIED this date _____, 2024

Motion made by Mr. Kennedy, seconded by Mr. Sainato to approve said resolution. Motion carried 3-0.

PUBLIC COMMENT

Carrie Hahn- Asked the question if there is a mail-in without a date, what is the last date that it would be accepted? Solicitor Medure answered that it would be Election Day. Mr. Vogler commented that a mail-in ballot can be delivered to the Election Office on Election Day until 8:00 PM. Ms. Hahn asked the question if the mail-in ballot is dated April 23rd but arrives after that date, what happens? Mr. Germani answered that it would not be accepted. He explained that even if a ballot comes in late, it is still time stamped and set aside.

Lynne Ryan - Stated that for this election she agreed with the date range, but should it be looked at differently moving forward? Solicitor Medure and Mr. Germani responded that the date was set because of the UMOVA voters.

Carrie Hahn - Asked if the rest of the board members were aware that she and several others met with Mr. Vogler last week. Mr. Vogler stated that he did inform the other members that they had met. Mr. Germani stated that he started to investigate some of the matters.

Mr. Vogler announced that the next Election Board meeting will be on Monday, April 22, 2024 @ 1:00 PM and will be recessed to a call of the chair, which will allow the ability to reconvene if necessary. The courthouse will be open on election day, April 23, 2024; however, the board of Commissioners will not meet that day.

ADJOURNMENT

Motion made by Mr. Sainato, seconded by Mr. Kennedy to adjourn the Lawrence County board of Elections meeting dated Thursday, April 11, 2024. Motion carried 3-0.