

Fayette County Election Board Meeting

Thursday, July 27th

Fayette County Election Bureau's Training Room

2 West Main Street, Suite 111, Uniontown, PA 15401, at 2:07 pm.

Silent Prayer or Moment of Reflection

Pledge of Allegiance

Roll Call

In attendance, Election Board Members:

Mark Rowan, serving as Chair

John Kopas, III

Robert Lesnick, (attending via Zoom)

Also present:

Sheryl Heid, Solicitor, Fayette County

Jack Purcell, Solicitor, Fayette County

Marybeth Kuznik, Director of Elections

Jessica Zele, Deputy Director of Elections

Fahtimah Batts, Election Bureau Clerk

Meeting was called to order by Mark Rowan at 2:07 pm

Public Comment of Agenda Item:

Michelle Mowrey stated her concern regarding potential illegal ballots being found during the audit and what would happen to all the other candidate races.

Mark Rowan responded that her comments will be taken into consideration. The only issue is the Republican contest for County Commissioner, and all the allegations were regarding bleed through.

Cecilia Driscoll stated questions about voter rolls, felons voting, change of address, and Right to Know requests, and a hand recount.

Geno Gallo commented that Jon Marietta is willing to subsidize the recount of the 6 precincts as an audit to the system, that at any point the board could acquiesce to the hand recount.

Election Board member Robert Lesnick commented on the record that there was a hearing in which anyone who had a question to present evidence of any impropriety in this election and no one came forward. All elections are partisan, but the election count is not, should not be and has not been. And for someone to say well I think there should be a recount I think there are improprieties, without any evidence, and I don't mean not persuasive evidence, no one has given one iota of evidence that there's something improper and I think it's sad that they cast dispersions on any member of the Election Board, or candidate, or Ms. Kuznik, is inappropriate. And I think that that should be clear on the record. Today

if someone has some evidence, let's put it in writing, let's submit it to the Court of Common Pleas, and we can't just say, well why don't we just go ahead and recount. Well why don't we just recount in every election when anyone says I'd like there to be a recount. Obviously, we don't do that, and we're not going to start this time, unless there is a *prima facia* case where there was an impropriety. So there hasn't been, and we're not, if someone asks why haven't we done a recount, Well that's why, we've followed all of the procedures, and just because someone says I'd like you to do it over again, give us some evidence, make a *prima facia* case and if we happen to entertain anybody's comments in particular, we want to see evidence.

Melanie Patterson, Judge of Election in Fayette City Borough spoke regarding allegations that the county stopped counting the votes due to a technical issue, Mail-In ballot list was not provided in the information packet, and the E-Poll pads.

Sheryl Heid responded that there were not any issues with counting votes and the list of Mail-in ballots will be provided at the polling place for the next election.

Gena White commented on the E-Poll pads and the Mail-In ballots list not being available, and on the chances of someone voting twice.

Melanie Patterson commented that when races are so close, a hand recount should be automatic.

Mark Rowan responded that there is an election code, it is a law that says what we what will do, and reminded everyone that Pennsylvania is an old state and some of those old laws have held on, and the appropriate place to lodge concerns about requirements for recounts is with your legislature.

Approval of the Minutes from the June 16, 2023, meeting

Motion made by John Kopas to approve, seconded by Robert Lesnick

Motion passed unanimously.

Consider Signing of County and Local Election Results for May 16, 2023, Primary Election.

This is for all races except for the Fayette County Republican Commissioner's race.

The results report listed all of the races. Language will be inserted on the report itself that the above-mentioned race will be excluded and crossed out. The language inserted is thus: "This final certification does not include, and excludes, the Republican race for County Commissioner." This was also initialed by the entire board physically present.

Motion made by Robert Lesnick to sign the final certification with the additional language added.

Seconded by John Kopas

Motion passed unanimously.

John Kopas and Mark Rowan initialed and signed the final certification.

Public comment

Paul Humbert questioned if an error is found with the Republican County Commissioner's race, can other races be challenged.

Sheryl Heid replied that it would need to be taken up with the court as the court has this current issue, but that time has lapsed for challenges, but if they could bring up some other legal issue it wouldn't be here.

There was no other new business.

A motion was made by John Kopas and seconded by Robert Leskin to go to Executive Session.

Motion passed unanimously.

Executive Session began 2:47PM

Executive Session concluded at 4:07PM

John Kopas let the public know the comments were appreciated and did not fall on deaf ears.

Mark Rowan entertained a motion to adjourn the meeting.

Robert Lesnick made a motion to adjourn.

Seconded by John Kopas

Motion passed unanimously.

Meeting adjourned at 4:11PM