

FAYETTE COUNTY ELECTION BUREAU MINUTES

February 22, 2024

A meeting of the Fayette County Election Board was held on Thursday, February 22, 2024 at 1:00PM at the Fayette County Commissioner's Meeting Room, Fayette County Courthouse. 61 East Main Street, Uniontown, PA 15401

SILENT PRAYER or MOMENT of REFLECTION

PLEDGE OF ALLEGIANCE

ROLL CALL

In attendance, Board Members

Dave Lohr, Election Board Member

Scott Dunn, Election Board Member

Vincent Vicites, Election Board Member, via Zoom

Also present were:

Sheryl Heid, Fayette County Solicitor

Jack Purcell, Fayette County Solicitor

Mary Over, Chief of Staff for Commissioner Vicites

Marybeth Kuznik, Director of Elections

Jessica Zele, Deputy Director of Elections

Nicole Glaze, Technology Manager of Election Bureau

Kaylie Glaze, Fayette County Community Relations Coordinator

A member of the public.

1:02PM meeting called to order by Sheryl Heid, acting as Chair

Public Comment on an Agenda item was temporarily postponed until the consideration of Dunbar Borough polling place.

Reorganization: The Election of Officers

Nomination for Board Chair

Vince Vicites made the motion to nominate Scott Dunn

Motion seconded by Scott Dunn

Motion passed unanimously.

Sheryl Heid passed the meeting to newly elected Chair, Scott Dunn.

Recommendations from the 2023 Interim Election Board

Members of the 2023 Interim Election Board, Mark Rowan, Robert Lesnick, Jr. and John Kopas, III previously asked the Election Bureau to present the following recommendations to the permanent Election Board:

Investigation of statements made under oath:

The Interim Board reported regarding the 2023 primary recount petitions that three petitioners signing apparently made false statements under penalty of perjury that they voted in the 2023 Republican primary. Upon investigation it was learned that one voted in Democratic Primary, one did not vote at all, and the third person was registered Democratic and did not vote. It is that Interim Board's recommendation that these voters be referred to the District Attorney and/or Attorney General for investigation of possible perjury or false statements under oath.

Dave Lohr made the motion to refer the three petitioners in question to the District Attorney who may possibly refer further to the Attorney General.

Motion Seconded by Scott Dunn

Motion passed unanimously.

Voting Machine Potential Tampering:

The 2023 Interim Election Board recommended follow-up on the matter of the Washington Township scanner that apparently had been tampered with during General Election in November of 2023. The Judge of Elections notified the Election Bureau that the voting machine assigned to Washington Township had its security seal peeled away from a port door during the election and this appears to have been deliberately done by a voter or voters. Photographs taken by the Judge were shown to the board.

Marybeth Kuznik, Director of Elections reported that for precautional measures to prevent the county voting system from potential contamination the compact flash memory card from that unit was not utilized to obtain the number of votes cast for that precinct on election night. All ballots for Washington Township were run through the official ballot scanner in the Election Bureau upon their return from the precinct. The ballots were collected in the ballot box and were unaffected but were scanned in the Election Bureau so that the votes could be counted appropriately without using the compact flash card from the affected unit.

The affected scanning unit has remained sealed in its traveling case since election night and the entire unit is locked in the Elections Bureau vault where it is still secured.

Election Equipment is considered critical infrastructure according to Federal Law and tampering with it is a serious matter. Jonathan Marks, Deputy Secretary of the Commonwealth of Pennsylvania has been

notified, and Dominion Voting Machines was consulted. Both Dominion and the Department of State inform us that the machine is now decertified. Mr. Marks said he is quite sure that the unit would need to go to a federal lab to be examined, wiped, and possibly recertified. He is also looking into what members of law enforcement need to be informed, and what law enforcement or forensic personnel must be present when the case is unsealed.

The permanent Election Board will be notified once the Election Bureau obtains these answers.

Voting Machine Demonstration:

The 2023 Interim Election Board also recommended that the Election Bureau hold a public demonstration of the voting machines, where voters would have the opportunity to mark ballots using the Sharpie markers to prove that any “bleed through” does not affect vote counting. In consultation with Fayette County Community Relations Coordinator Kaylie Glaze, an Election Expo has been planned for March 12, 2024 that will feature the opportunity for the public to practice voting and test using the pens.

Minutes:

Minutes of the November 15, 2022, September 25, 2023, and November 16, 2023, meetings:

Motion Made by Dave Lohr to approve the meeting minutes from November 15, 2022.

Motion seconded by Scott Dunn

Motion passed unanimously.

The interim Election Board of 2023 submitted for approval the Minutes of September 25, 2023, and November 16, 2023. Former Interim Election Board members Robert Lesnick and John Kopas sent emails recommending passage and Mark Rowan signed copies recommending passage of the minutes as presented to the Board.

Motion made by Dave Lohr to admit to the public record the Interim Board meeting minutes of September 25, 2023.

Motion seconded by Scott Dunn

Motion passed unanimously.

Motion made by Dave Lohr to admit to the public record the Interim Board meeting minutes of November 16, 2023.

Motion seconded by Scott Dunn

Motion passed unanimously.

Consider polling place location in Dunbar Borough

The current polling location in Dunbar Borough is supposed to be in the Volunteer Fire Department Social Hall. During recent elections the fire department switched it to the fire equipment garage. The Election Bureau received a request to move the polling place elsewhere.

1:25 PM Public Comment on an agenda item:

Marilyn Lowry, councilperson to Dunbar Borough, presented to the board two letters written by voters who had fallen on the way into/out of the equipment garage on election day.

Various locations were discussed including the borough-owned library, which has a meeting room sufficient for voting purposes. Director Kuznik has established the availability of the library and conducted an ADA survey of the proposed location. If the polling place is changed signs will be posted and new voter registration cards will be sent to all affected voters.

Motion to change the Dunbar Borough polling location from the Volunteer Fire Department Social Hall to the Dunbar Borough Library meeting room made by Dave Lohr.

Motion seconded by Vince Vicites

Motion passed unanimously.

A brief discussion regarding lighting and traffic control at polling locations was held.

Report on 2024 Primary Election Preparations

A discussion was held concerning a lack of poll workers, the training of Fayette County employees to be poll workers should need arise, and consolidating smaller, proximate township polling locations as boroughs must have a polling location within them. The Director was requested to compile a list of voter numbers in each polling location to assist in determining if consolidation is feasible, and the assignment of appropriate voting equipment.

Election Expo:

To improve transparency in the election process and assist with the recruitment of poll workers, the Election Bureau is working with Kaylie Glaze on presentations in the form of short videos and an Expo. Filming started on February 12, 2024, with a public expo to occur on March 12, 2024, 2-4 and 5-7 in the first-floor meeting room at the Gallatin Bank Building. The first video regarding poll worker recruitment has been recorded, with current/former poll workers to be interviewed.

Mock voting stations, ADA voting machines, voter registrations, poll pads, a short tour of the Election Bureau department, and other ideas are all being debated.

Rick from Fayette TV will film during the Bureau's Logic and Accuracy testing the week of March 25th, as well as on Election Day to capture footage for the Life of a Mail-In Ballot. The videos will be placed on Fayette TV and YouTube sites. Future filming of poll worker training is in the works.

Election Preparation:

Voter application/registration processing statistics were presented, along with a request for the seasonal departmental overtime. Ballot preparation is underway with the tentative ballot mailing beginning March 22, 2024.

Election Night Reporting:

The timely reporting of election night results was addressed. Election night results reporting on the Fayette County webpage was discussed with suggestions on improving the process and the look of the election results as they come in. There is company that provides this service to other larger counties, a discussion of the costs of this service, and that it also has a media distribution list attached to the program. The Board requested an informational presentation about this service, and also the possibility of practicing election results in a mock election. Director Kuznik will also discuss with the Dominion company an additional terminal to assist in the recording of the cast votes from each precinct.

2:29 PM Motion to adjourn made by Scott Dunn

Motion seconded by Dave Lohr

Motion passed unanimously.

Meeting adjourned.