

March 22, 2016

ERIE COUNTY BOARD OF ELECTIONS – Special Meeting

Chairman Breneman called to order the Special Meeting of the Erie County Board of Elections at 5:04 p.m. in the Erie County Council Caucus Room.

Mr. Smith then called the roll:

Members Present: Mr. Breneman
Mr. DiMattio
Mrs. Fatica
Dr. Foust
Mr. Horton
Mrs. Loll

Members Absent: Mr. Leone

Also Present: Douglas R. Smith, Clerk of Elections
Kimberly Alexander, Elections Supervisor

Hearing of the Public:

None.

Approval of Minutes:

Mr. Horton moved to approve the minutes from the February 4, 2016, Reorganization Meeting. This was seconded by Dr. Foust and carried in a unanimous roll call vote.

Change in Polling Place for Erie 6-17:

Mr. Smith stated that the Erie Fire Department had contacted him and asked him to look for a new location due to lack of parking and other issues at the No. 8 firehouse. Given the expected heavy turnout for the primary, he agreed and began to look for a new site. Blessed Sacrament has agreed to be used as the new polling site for Erie 6-17. There is plenty of parking and he felt that overall, it would be an improvement for the voters. Mr. Smith further commented that cards will go out to the public regarding the site change immediately upon approval by the Board. Dr. Foust then moved to approve the change in polling place for Erie 6-17 to Blessed Sacrament RCP, 1626 West 26th Street, Erie, PA. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

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Update on the 2016 Primary Ballot:

Ms. Alexander reported that the absentee ballots have yet to go out due to objections filed with the Department of State. Republican Presidential Candidate Ted Cruz remains on the ballot, but there is an appeal to the Supreme Court and they are awaiting the decision. They are still awaiting a decision by the Court regarding Democratic US Senator candidate Joseph Vodvarka.

Regarding the questions on the ballot, Ms. Alexander stated that the question regarding the change of retirement age for justices of the Supreme Court, etc., may remain, may be reworded, or may be removed, and they are awaiting notification on that as well.

She further stated that Carson, Bush, and Rubio's suspended their campaigns, but have not withdrawn from the ballot, so their names will remain on the ballot unless they are removed by the Court. The Department of State had asked for a drop dead date for sending out the absentee ballots from the counties. Ms. Alexander discussed this with Mr. Smith and clarified that the drop dead date will be Monday, March 28, 2016, to send the absentee ballots, but they may need to resend them if any of the previous listed changes occur after the mailing.

Dr. Foust asked if CCAP has ever worked with the State regarding the date the challenges and decisions need to be made in an effort to ease the burden on counties so they can get the ballot out on time. He didn't recall this being discussed as a Council member but he felt it is something that should seriously be considered. Mr. Smith stated it has been an ongoing issue and what is frustrating is that there is something in the Election Code that indicates that all decisions have to be made eight weeks before the election, but it's the judiciary that seems to not follow the law in this particular area. This puts a strain on departments across the state and voters start to get a little edgy when they are not seeing their absentee ballots and it's close to a month out. Mr. Smith stated that a follow up in that area would be advisable. Ms. Alexander stated that the majority of counties across the state are going with this week or next week as drop dead dates to mail absentees.

Mr. Horton commented that this creates a unique situation if the Board adopted that policy without adjudication from the Court in light of the Ms. Cox situation. He felt there is a lot of merit to what Dr. Foust stated and having CCAP look into this issue.

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Mr. Smith stated that if the Board has any concerns about going forward on March 28, 2016, he is open to any alternative suggestions. Mr. Horton stated that if the other counties in the State are moving forward in that way, Erie County should as well. Ms. Alexander stated that the State asked for counties to hold off as long as possible. She further commented that the office is getting calls from absentee voters asking where their ballot is and they are explaining the hold up. Mr. Smith stated there are between 600 and 700 applications.

Chairman Breneman reviewed the letter to be sent to Mrs. Cox regarding reimbursement of legal fees and asked if the Board was okay with it, it would be sent out. There were no comments.

There being no further business, the meeting adjourned at 5:13 p.m.

Deneé M. Breter, Council Secretary