

ELECTION BOARD
September 23, 2024

Present at the meeting were:

Brenda Watson
William Lyons
R. Franklin Campbell
Bill Bunt
Sarah Geesaman
Shannon Hines

Present from the Public: Gabrielle Brandt, Andrew Burke, Robbyn Metz, Jed Nessinger, Jerry Philpott, Dave Pundock, Faith Pundock, Larry Reisinger, Jake Sternberger, Randy Waggoner, Ashley Weaver

The Election Board met on Monday, September 23, 2024 at 11:00 a.m. The meeting was conducted virtually via WebEx video/telephone conference and in person in the Commissioners' Conference Room. The meeting was recorded by the County and Jed Nessinger.

Public Comments: Faith Pundock asked what accountability there is between citizenship and what Governor Shapiro said about being automatically registered when you get a drivers license. She said an individual is automatically registered when they get a drivers license. Sarah Geesaman, Election Director, said this process goes through the Department State's HAVA check.

Dave Pundock asked what happens if the check fails. Solicitor Bunt said this is not a County procedure and said to contact the Department of State.

Meeting Business: Commissioner Campbell made a motion to approve the minutes from the September 9, 2024 meeting. Commissioner Lyons seconded the motion. All agreed. Motion carried.

Sarah Geesaman, Election Director, stated that on September 20th she contacted the printer to get the ballot test desk printed and was awaiting its arrival. She said once they are received, they will be tested in the scanners and if there are not issues, all the ballots will then be printed.

Ms. Geesaman said all UMOVA ballots received to date have gone out and noted that most go out electronically.

Sarah Geesaman said that to date 3,171 mail-in and absentee ballot applications have been received.

The Election Board discussed a deadline for the forum questions. Ms. Geesaman said the deadline to submit questions for the Election Education Forum was by close of business September 25th.

Sarah Geesaman commented that her office is receiving a lot of telephone calls and noted that many of the calls are a result of the confusion regarding early voting in other states. She stated that voters are calling asking where their mail-in/absentee ballots are and she said the staff has to

explain that ballots have not been received yet. Ms. Geesaman explained the process of voting in her office once ballots have been received by the County.

Ms. Geesaman stated that she anticipated ballots being received the first week of October if the test deck process goes well.

Sarah Geesaman said that the Election Education Forum was scheduled for September 26, 2024 from 1:00 p.m. to 3:00 p.m. in the Commissioners' Conference Room.

Solicitor Bunt stated that at the last Election Board Meeting he had reported that the Commonwealth Court had ruled that dating was not required on the outer ballot envelopes. He further said that the Pennsylvania Supreme Court, which came after the Commonwealth Court lawsuit, ruled that since the prior lawsuit only involved Allegheny County and Philadelphia County, the Commonwealth Court did not have jurisdiction. He stated that over the weekend several lawsuits were filed asking the Pennsylvania Supreme Court to exercise king's bench and hear the case anew. Solicitor Bunt provided information he had received from CCAP during the Commissioners' meeting and said that if election day was today, he believed the law in Pennsylvania was that if a ballot envelope is not dated, it will not count. He further said the Commonwealth Court ruled on counting provisional ballot cast due to a naked ballot submission. Solicitor Bunt said this ruling was appealed to the Pennsylvania Supreme Court and they announced they will take up that appeal and consider if counties must count provisional ballots for voters that fail to submit their ballots in a secrecy envelope. He said they may rule on counting provisional ballots for voters who ballots get rejected for other reasons. Solicitor Bunt said this is a very fluid issue and commented that he will continue to provide updates as they are received.

Commissioner Watson noted that Department of State updates occurred right up until election day.

Public Comments: Dave Pundock asked what Perry County's position will be if the lawsuit involves the other counties on the ballot dating issue. He said that you cannot challenge a voter who provides an address this is a vacant home, but questioned how you challenge an address that is not valid. Solicitor Bunt stated he will not provide legal address and said Mr. Pundock would need to research this issue on his own.

Ashley Weaver stated that she follows Jed Nessinger's blog and YouTube channel and said she was confused at the last meeting when credentials were brought up. She reminded everyone of Pennsylvania Constitution Article 1, Section 7, Maximum's Law, and Black's Law 5th Edition. She further said she submitted eight questions for the education forum over the weekend.

Gabrielle Brandt commented on the public comment about being part of the appeal, since we're not sure if it applies to Allegheny and Philadelphia counties only. She asked if Perry County intends to have a discussion on whether they will accept correct or incorrect ballot dates. Solicitor Bunt said the County will follow whatever the State Supreme Court says.

Commissioner Campbell made a motion to adjourn the meeting. Commissioner Lyons seconded the motion. The meeting adjourned at 11:17 a.m.