



STATE OF DELAWARE  
BOARD OF ELECTIONS

OFFICE OF THE STATE ELECTION COMMISSIONER  
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**Minutes of October 12, 2015 State Board of Elections Meeting--DRAFT**

**Members Present:**

Mr. Chambers, [R]-Wilmington  
Mr. Pasquale, [D]-New Castle County  
Mr. Smith [D]-Wilmington  
Mr. Sterling, [R]-New Castle County, At-Large  
Mrs. Tatman, [R]-Sussex County  
Dr. Warfield, [R]-Kent County  
Mrs. Williams-Mayo [D]-New Castle County, At-Large

**Staff Present:**

Mr. Albence, Director, New Castle County Office  
Mr. Curtin, Deputy Attorney General  
Mr. McDowell, Director, Sussex County Office  
Mr. Sholl, Deputy Director, New Castle County Office  
Ms. Turner, Deputy Director, Sussex County Office  
Ms. Woolfolk, Esq; Deputy Attorney General  
Ms. Young, Director, Kent County Office

1. Mr. Pasquale called the meeting to order at 4:05p.m.
2. Mr. Chambers moved, and Mrs. Tatman seconded the motion to approve the minutes of the September 14, 2015 meeting. Motion passed unanimously.
3. Christopher Curtin, Deputy Attorney General, Common Interest Community Ombudsman, presented to the Board background on the Department of Justice's work with these communities, initiated as a result of recently enacted legislation. Mr. Curtin also detailed how the Department may be engaged provide support for elections in these communities, per the provisions of the aforementioned legislation.
4. Mr. Albence presented an update on the status of the Department's budget for the current fiscal year to date. The Daily Validity Report is included in this report
5. Mr. Albence provided a recap of Department activities for the month of October.

6. Mr. Albence circulated materials regarding voter registration removals for members to review, and provided additional information on voter registration transactions by type, including new registrations and removals by type.
7. Mr. Albence provided an update on the upcoming elections scheduled throughout the State.
8. Mr. Albence provided a recap of the website statistics of the Department, including visits to the State Election Commissioner and county office websites, provided via the Google Analytics program.
9. Mr. Albence provided a recap regarding the Department's ERIC program, including historical statistics over the life of the program's implementation to date.

10. OLD BUSINESS:

- Mr. Albence provided an update on the development of a document summarizing Board of Elections member responsibilities and duties. This document is almost complete and will be presented at the next Board meeting.

11. NEW BUSINESS:

- Ms. Woolfolk provided a recap of the recent Court of Chancery ruling granting the Department of Justice's motion to dismiss charges lodged against the former Board of Elections for New Castle County regarding its certification of the results of the February 24, 2015, Red Clay Consolidated School District Referendum. She also provided an update on the ruling denying the Red Clay Consolidated School District's motion to dismiss the complaint filed by the plaintiffs, and further action that may be taken to resolve this matter.
  - Ms. Woolfolk advised the Board that the ruling reinforced the existing view of the court that the Board's authority extends only to certification of the accuracy of the results of the vote, and does not extend to additional circumstances regarding the election.
  - Mr. Sterling raised a question as to the feasibility of drafting, in concert with the Department of Justice (DoJ), a list of permitted and prohibited actions pertaining to school elections. Mr. Woolfolk stated her willingness to assist.

- Mr. Albence discussed the Department's plan for the certification of School Elections. The plan entails the Office State Election Commissioner convening a public meeting to present unofficial results to any member of the public who might attend. The meeting will be held in the county in which the school election was held. If results are found to be in order, the State Election Commissioner will declare the results certified.
    - Mr. Smith stated his wish for more time to review this proposal. With this in mind, Mr. Pasquale requested that the item be tabled and reconsidered at the Board's November meeting.
  - Mr. Albence provided a recap of the recent visit to the Department by representatives of the federal Government Accountability Office. The purpose of the visit was to conduct research regarding various election practices in the State, and was not punitive or investigative in nature.
12. Mr. Sterling moved and Dr. Warfield seconded a motion to approve the removals as presented. Motion passed unanimously.
13. Mrs. Tatman moved and Mrs. Tatman seconded the motion to adjourn the meeting. Motion passed unanimously.

Respectfully submitted,

James A. Sterling, III  
Secretary

**NEXT MEETING:** MONDAY, NOVEMBER 9, 2015 AT 4 p.m.

**LOCATION:** OFFICE OF THE STATE ELECTION COMMISSIONER, 905 S. Governors Ave STE 170, Dover DE 19904