



**STATE OF DELAWARE
BOARD OF ELECTIONS
OFFICE OF THE STATE ELECTION COMMISSIONER
905 S. Governors Avenue, Suite 170
Dover, DE 19904
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<https://ivote.de.gov>**

Minutes of June 8, 2020 State Board of Elections Meeting, conducted entirely via telephone participation pursuant to "THE DECLARATION OF A STATE OF EMERGENCY FOR THE STATE OF DELAWARE DUE TO A PUBLIC HEALTH THREAT" issued by Governor John C. Carney on March 12, 2020.

PUBLIC SESSION
(there was no Executive Session)

**Members Present via
Teleconference:**

Mr. Pasquale, [D]-New Castle County, President
Mr. Sterling, [R]-New Castle County, At Large
Ms. Hopkins-Pugh, [D]-Sussex County
Ms. Philpotts, [D]-Wilmington
Mrs. Sandstrom, [D]-Kent County
Mr. Schneikert, [R]-Wilmington
Ms. Sikora, [R]-Sussex County
Mrs. Williams-Mayo, [D]-New Castle County, At Large
Dr. Warfield-Walker, [R]-Kent County
Mrs. Whittington, [R]-New Castle County

**Staff Present via
Teleconference:**

Mr. Albence, State Election Commissioner
Ms. Dixon, County Director, New Castle County Office
Mr. Sholl, Deputy County Director, New Castle County Office
Mrs. Young, County Director, Kent County Office
Mr. Artigliere, Deputy County Director, Kent County Office
Mr. McDowell, County Director, Sussex County Office
Mrs. Turner, Deputy County Director, Sussex County Office
Mr. Broujos, Deputy Attorney General, Department of Justice

**Public Present via
Teleconference:**

Evelyn Brady
Nelly Jordan
Al Frech
Cathy Marketto
Tom Jordan
Jane Brady
Richard Forsten

1. Mr. Pasquale called the meeting to order at 4:07 p.m.
2. Ms. Sikora wants to amend the 5/11/20 minutes to reflect her statement of 'Ballot applications were mailed to all names on the voter registration rolls.' Ms. Hopkins-Pugh made a motion (Mrs. Sandstrom seconded) to approve the meeting minutes with the amendment from the Board's May 11, 2020 meeting. Motion passed unanimously.
3. Commissioner Albence provided an update on the current financial status of the Department per its appropriation in the FY2020 State Budget. Expenditures are on track in accordance to the budget as generally expected. Commissioner Albence also provided details about funds being carried over to the next fiscal year due to the move of the Presidential Primary.
4. Commissioner Albence provided an update on the current statewide voter registration total. The total number of registered voters in the State as of June 1, 2020, was 721,308. Although online services are available, the increases in voter registration totals that might be expected during an election year are most likely due to limited access to DMV facilities during the COVID-19 pandemic.
5. Commissioner Albence provided a summary of upcoming elections that were impacted by the Governor's fifteenth modification to the State of Emergency declaration on May 7, 2020:
 - The Presidential Primary Election is scheduled for July 7, 2020 (previously June 2, 2020 and April 28, 2020). Due to the rescheduling of the Presidential Primary, the voter registration deadline is moved to June 13, 2020. Additional details on the Presidential Primary appear below under item nine.
 - The party change deadline for the September 15, 2020, State Primary remains unchanged from May 29, 2020.
 - The School Board Election is now scheduled for July 21, 2020 (previously June 16, 2020 and May 12, 2020). As part of the Governor's emergency order modification relating to school elections, current school board members' terms have been extended through July 31, 2020. School board members elected on July 21, 2020, will serve an abbreviated term commencing August 1, 2020, and concluding June 30, 2021.
 - Christina School District's Referendum will be held on June 9, 2020. A limited number of polling places will be open for this election.
 - Municipalities may move forward with conducting elections after May 15, 2020, under the provisions that appropriate social distancing requirements are observed in any polling places. Municipalities are strongly encouraged to promote absentee voting, and to consider offering extended hours for in-person voting.
6. Commissioner Albence provided an update on the progress on voter registration data conversion from the Elections legacy mainframe system to the current system. This process is now complete and outstanding issues have been resolved. Commissioner Albence

reported that an additional security feature on the iVote portal has been added. Existing voters will now need to provide their Delaware Driver's License number or their Delaware Identification Card number to order to access their registration information. There are a small number of voters that will not be able to retrieve their information because they did not register with their ID numbers, and they may be offered assistance by Elections staff.

7. Commissioner Albence provided an update on the Department's and Superior Court's significant progress in updating/revising procedures for the Board of Canvass process, the certification process for General/Special Elections. Commissioner Albence will be meeting with their staff this week to discuss the updates and the user-friendly reporting.
8. Commissioner Albence provided a summary of upgrades that are underway for unofficial election night results reporting. The Department is working closely with DTI to modernize the user-interface to enhance its performance, appearance, and usability.
9. Commissioner Albence discussed details of plans for the upcoming Presidential Primary. Commissioner Albence clarified the Voter Registration deadlines as there has been some confusion between the Presidential Primary deadlines and the State Primary deadlines. Per the provisions of the Governor's order under the current State of Emergency, the Department mailed out absentee ballot applications to eligible voters (registered Democrats and Republicans) who had not yet requested an absentee ballot. Additional temporary staff has been hired to help in all the offices to assist the existing staff. Everyone is working long hours, including weekends, to handle the increase in absentee requests, which is labor-intensive. A limited number of polling places will be open on Election Day. The State's new voting equipment will permit a voter to vote at any polling place in their county. With the higher volume of absentee ballots, the Department has purchased high-speed inbound absentee ballot check-in and sorting equipment that will automate this process and will allow processing large volumes of ballots quickly and efficiently. The machine set up is underway. The Department continues to acquire personal protective equipment (PPE) for poll workers and cleaning/disinfecting supplies for voting equipment, as well as supplies necessary to maintain appropriate social distancing needed in polling places. Election officer training is also being re-engineered with regards to the number of training classes and development of supplemental training videos. With a partnership between the Department and the Division of Public Health, COVID-19 testing is being offered to the election officers. Due to the HIPAA Privacy Rule, only the poll worker will be notified of their results.
10. Commissioner Albence reported on municipal elections and school board elections. He stated that municipals are starting to reschedule their elections, impacting mostly Sussex County and New Castle County. The department provides training for the municipal's Board and on the voting machines. The municipal is responsible for administering the election. The town's solicitor and the municipal's town charter determine the election details. Statewide School Board elections will be scheduled for July 21, 2020. There is an increased interest for voters which has increased the amount of absentee activity. The Christina School District has a referendum scheduled for June 9, 2020.
11. Commissioner Albence provided additional details on federal CARES Act and HAVA funds that were awarded to the Department. Both types of funding require a 20% funding match from the State. Congress may potentially amend and remove the State match requirement for the CARES Act funding. The HAVA funding focus is on security with federal elections. Security enhancements to elections offices and warehouses, undertaken utilizing HAVA funding, is scheduled to be completed in the next month. Work entails hardening of physical

security in all election facilities, the installation of security cameras, and adding access badge-controlled doors. Physical upgrades utilizing the CARES Act include the construction of a barrier (aka a “sneeze guard”) in the Kent County and Sussex County offices. Installation of similar barriers are also being explored for both New Castle County (standalone units) and the State Election Commissioner’s office, appropriate to the format of these offices.

12. Commissioner Albence stated that there has been no other action on the HB 175 (No-Excuse Absentee) legislation. HB 175 eliminates the reasons for requesting an absentee ballot on the application. The bill effective date has been amended from January 1, 2022, to take effect in 2020 (when signed into law).

13. Commissioner Albence provided a summary of the new platform the Department is piloting for secure electronic delivery, marking and return of absentee ballots for the Presidential Primary hosted by Democracy Live. Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters, and sick and disabled voters use this system to securely receive, mark, and return their ballots electronically. A paper ballot is produced by the process, which is the ballot that is scanned for tabulation. The system is not an online voting system. No votes are cast or tabulated online.

14. Commissioner Albence reported on the additional absentee equipment consisting of the ‘Ballot on Demand’ printers and the ballot scanners. The ‘Ballot on Demand’ printers have been delivered and installed. There will be additional scanners delivered later this month. This equipment will be able to process the increased number of absentees faster and more efficiently. The software is much more advanced than with previous companies. Commissioner Albence also gave an update on the Outbound Ballot Tracking. The Department is making progress by coordinating the format needed to work with the new inbound ballot sorting equipment.

15. Ms. Hopkins-Pugh made a motion (Mr. Sterling seconded) to approve the removals as presented. The motion passed by majority of the members voting in favor of the motion. Ms. Sikora voted against the motion.

16. NEW BUSINESS:

- Mr. Sterling asked about the poll centers for the upcoming school referendum. Commissioner Albence referred to The Department of Elections for New Castle County’s website for the correct information.
- Ms. Sikora expressed concern over the use of email for ballot delivery.

17. PUBLIC COMMENT:

- Ms. Jane Brady asked for an update about her letter addressed to Commissioner Albence. Commissioner Albence replied that a reply would be sent shortly.
- Ms. Nelly Jordan and Ms. Evelyn Brady expressed their concerns that they did not receive their absentee applications. Director McDowell assured them that he would research the issue.

- Mr. Al Frech had several comments and posed several questions as follows:
 - Mr. Frech wanted clarification over Ms. Sikora's request to amend the May 11, 2020 Board minutes. Ms. Sikora explained the voter removal process and how the Board needed to follow the law regarding the process of the removal of names.
 - Mr. Frech asked about where the Department receives information about possible deceased voters. Commissioner Albence explained the different sources that we use to be able to remove deceased voters, primarily from the State's Division of Vital Statistics.
 - Mr. Frech brought to the Board the question of how many absentee ballots can one individual hand carry into the county offices. Commissioner Albence stated that there is no law restricting the quantity of ballots that a person can return, only the ballots need to be returned by the time of the close of the polls to the county office that issued the ballot.
 - Mr. Frech questioned when the deadline after which the Department would no longer issue absentee ballots. Mr. Frech also questioned why additional days were given to the department by Governor Carney to process the absentees. Commissioner Albence replied that the last day ballots would be mailed would be four days prior to the election (per Delaware Code), and that additional time for ballot preparation was provided and needed to process the large quantity of ballots returned. Commissioner Albence also responded that the tabulation of absentee ballots would not take place until the close of polls on Election night.
 - Mr. Frech also questioned why there would be limited polling places for the Presidential Primary. Commissioner Albence replies that, per the provisions of the 15th modification of Governor Carney's COVID-19 state of emergency, the Department was only required to have 6 poll centers for each county. Each county will offer more than the minimum requirement. Voter will be permitted to vote at any polling place in their county of residence. Electronic pollbooks at each polling place will ensure that if a voter has voted at a polling place, this will be tracked across all pollbooks.
 - Mr. Frech wanted an explanation over the difference of numbers for email absentee requests to the amount of email ballots sent. Commissioner Albence gave details about the use of iVote online and about our electronic ballot delivery system.
- Ms. Nelly Jordan inquired if any provisions or decisions have been made about the September Primary due to COVID-19. Ms. Whittington inquired

as well if there would normal operating procedures for the fall. Commissioner Albence reported that no decisions had been made yet for the 2020 State Primary or the 2020 General Election.

- Ms. Evelyn Brady and Mr. Al Frech both were happy to be able to participate in the call today.

18. There was a discussion about the July board meeting concerning gatherings and social restrictions. Ms. Whittington suggested that telephone conferencing should remain. Mr. Schneikert made a motion (Mrs. Williams-Mayo seconded) that July's board meeting would be held via telephone conferencing. The motion passed unanimously.
19. Mr. Schneikert made a motion (Ms. Hopkins-Pugh seconded) that the Board adjourn the meeting. Motion passed unanimously, and the meeting was adjourned at 5:19 p.m.

Respectfully submitted,

James A. Sterling, III
Board Member and Board Secretary

NEXT MEETING: MONDAY, JULY 13, 2020

LOCATION: TELECONFERENCE ONLY - OFFICE OF THE STATE ELECTION
COMMISSIONER, 905 S. GOVERNORS AVE; DOVER, DE 19904