



**STATE OF DELAWARE
BOARD OF ELECTIONS
OFFICE OF THE STATE ELECTION COMMISSIONER
905 S. Governors Avenue, Suite 170
Dover, DE 19904
TELEPHONE: (302) 739-4277
<https://ivote.de.gov>**

Minutes of November 16, 2020 State Board of Elections Meeting

NOTE: Due to the ongoing COVID-19-related State of Emergency issued by Governor John C. Carney on March 12, 2020, the Board conducted this meeting in its entirety via telephone conference call, pursuant to 29 Del. C. § 10006A(e).

PUBLIC SESSION
(No Executive Session was held)

**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
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
Mr. Artigliere, Deputy County Director, Kent County Office
Ms. Dixon, County Director, New Castle County Office
Mr. McDowell, County Director, Sussex County Office
Mrs. Turner, Deputy County Director, Sussex County Office
Mrs. Young, County Director, Kent County Office

Mr. Broujos, Deputy Attorney General, Department of Justice

**Public Present via
Teleconference:**

Al Frech
Jordan Howell
Peter Kopf
Senator Bryant L. Richardson
Bill Weller

1. Mr. Pasquale called the meeting to order at 4:04 p.m.
2. A moment of silence was observed in memory of former State Election Commissioner, Elaine Manlove.
3. Ms. Hopkins-Pugh made a motion (Mrs. Sandstrom seconded) to approve the meeting minutes from the Board's October 12, 2020 meeting. Motion passed unanimously.

4. Mrs. Sandstrom applauded Commissioner Albence and the Department's staff for a well-run election.
5. Commissioner Albence provided an update on the current financial status of the Department per its appropriation in the FY2021 State Budget. Additional updates on the Department's utilization of the Coronavirus Aid, Relief, and Economic Security (CARES) Act and Help America Vote Act (HAVA) funding were also provided. The Department's expenditures to date are as expected in accordance to the Budget.
6. Commissioner Albence provided an update on the current statewide voter registration totals. The total number of registered voters in the State as of November 1, 2020 was 739,557. The spike in the number of registered voters on October 10th may be attributed to the voter registration deadline for the November 3rd General Election, which was on that date (October 10th).
7. Commissioner Albence provided a recap on the General Election held on November 3, 2020, and the Department's post-election activities:
 - The General Election results are now completely certified. Although the process for the Board of Canvass to complete their tasks took longer than expected due to updated procedures related to new voting equipment and the significant increase in the volume of absentee ballots (as well as the introduction of vote by mail ballots), the process went well with no reported issues. Commissioner Albence provided a detailed explanation of the processes involved with the Board of Canvass in detail, and clarified that the Board of Canvass is convened by the Superior Courts in each county, and that the State Board of Elections does not have a role, per Delaware law, in the canvassing and certifying election results.
 - The General Election saw a record turnout of more than 509,000 voters participating, with significant numbers of voters voting via absentee or vote by mail ballots. Commissioner Albence commended the local and regional staff of the United States Postal Service (USPS) for their dedication in handling the high volume of Election Mail. The Department worked closely with USPS and made various arrangements to facilitate processing the high volume of mail ballots effectively. High voter turnout at polling places led to lines at many polling places, even during non-peak periods.
 - Commissioner Albence reported that the Department was pleased with the enhanced Election Night Reporting (ENR) system, and thanked the Department's IT team, as well as project partners at the State's Department of Technology and Information (DTI) for their work on this project.
8. Commissioner Albence provided a summary on changes to be expected for the 2022 election, including the redistricting process that will be undertaken after results of the 2020 Census are received, and the introduction of early voting. Early voting statutes are codified in Delaware Code, Title 15, Chapter 54.
9. Commissioner Albence provided an update on the Department's budget planning. The initial application for the 2022 budget has been submitted, and a hearing is to take place this week on November 19th. The Office of Management and Budget (OMB) is aware of the

Department's narrow margin for budget cuts as it seeks to reduce expenditures. Future budget considerations will need to plan for the continuation of vote by mail, if enacted by the General Assembly. Commissioner Albence applauded the State's Facilities Management team for their efforts in working with the Department in determining upcoming space and facilities needs.

10. Commissioner Albence provided an update on the Department's current status regarding its staffing:
 - The vacancy in the Campaign Finance Manager position remains, and the vacancy is being reposted, seeking new applicants.
 - Community Relations Officer, Millianie Bueno, has resigned her position and is departing at the end of November. This vacancy will be posted.
 - Deputy County Director for New Castle County, Howard Sholl, is retiring at the end of December. The search process adopted by the Board for vacancies in these positions will be undertaken.
 - Kent County Office has two vacancies (IT and an Admin Specialist II). The Department will post the vacancy in the IT position soon.
11. Commissioner Albence provided an update on the Department's security enhancements that are underway including the Department's collaboration with DTI on single-point access for the public to elections-related information, and Sussex county office's installation of additional security cameras to further enhance coverage at that office. These costs of these enhancements will be covered by existing Help America Vote Act (HAVA) funds.
12. Commissioner Albence provided a summary on the Executive Order issued by Governor Carney which authorizes the Department in utilizing the Delaware National Guard's (DNG) expertise in cybersecurity. The DNG provides an independent analysis of the Department's cybersecurity practices and safeguards, in addition to those currently in place in partnership with DTI.
13. Commissioner Albence provided a recap on the operation of the vote by mail equipment in the General Election. The equipment worked very well at high volume despite the Department's rapid learning curve regarding use of the equipment. Commissioner Albence also commented on the capabilities of the recently acquired new voting equipment, specifically the tools used to scan and tabulate absentee and vote by mail ballots. This equipment provided enhanced tools to assist in reviewing unclear marks on the absentee and vote by mail ballots, and to adjudicate them appropriately. These tools permitted the Department to conduct these processes with a greatly increased volume of absentee and vote by mail ballots as compared to prior election cycles.
14. Commissioner Albence provided an update on the vote by mail process, which is temporary, and will be automatically repealed via sunset on January 12, 2021. New legislation would need to be enacted if vote by mail is to be made permanent.
15. Commissioner Albence provided a summary of future planning for the 2022 election cycle. The Department has scheduled a follow-up meeting with Election Systems & Software (ES&S) to discuss the performance of voting equipment and any planned updates or improvements to equipment.

16. Commissioner Albence provided a recap of the Department's website statistics, including visits to the State Election Commissioner and county office websites, provided via the Google Analytics program. The October 10th voter registration deadline for the General Election brought a surge of website activity in the voter portal (iVote). No interruptions were experienced with iVote during its peak usage on October 9th. Commissioner Albence praised DTI for its resources in providing ongoing support for all Elections-related systems, in partnership with the Department's IT team.
17. Commissioner Albence provided a summary of Voter Registration transactions through October 31, 2020, by type and source. Mr. Sterling requested if the Department could provide any statistics on applications rejected for any reason.
18. Commissioner Albence reviewed the current status of Campaign Finance violations regarding fines received by non-filers and tardy reports.
19. Commissioner Albence provided a recap on election day support provided by Delaware Emergency Management Agency (DEMA) including security and operation. DEMMA has also been providing general support for the Department through the whole election season.
20. Mr. Sterling motioned (Ms. Hopkins-Pugh seconded) to approve the removals as presented. The motion passed, with Ms. Sikora voting against the motion.
21. OLD BUSINESS: None
22. NEW BUSINESS:
 - Mrs. Whittington paid tribute to former Commissioner Manlove and her family. She recollected a conversation regarding Mrs. Manlove's request for her to remain with the Board of Elections through the 2020 election cycle to ensure the Board could continue to meet. Mrs. Whittington expressed her sadness at the recent sudden passing of Mr. and Mrs. Manlove.
23. PUBLIC COMMENT:
 - Mr. Howell thanked the Department for its effort with the election. He is pleased with the new voting machines especially with the feature permitting a voter to preview printed ballot selections before casting a vote. Mr. Howell inquired about Campaign Finance violations relating to payments received, and Commissioner Albence shared this information as provided in the Board report.
 - Senator Richardson shared that he has been reassigned to the Senate's Elections, Government, and Community Affairs committee, and that he will be calling in to the Department's Board meetings.
 - Mr. Kopf disclosed that he was a former county director for the New Castle County in the early 1990s. He recalled his voting experience in the November 3rd election and commended the Department in an excellent job for a well-run election. Additionally, Mr. Kopf provided his input for the Department to improve upon its dealings with the public. In his remark, he was unable to get a full resolution on clarification for his former constituent, Dave Brady, regarding Mr. Brady receiving four unsolicited mail ballots.

- Al Frech inquired if a limit on the quantity of ballots delivered to the county office by any individual was in place, and if there was any tracking of the number of ballots that are dropped off by an individual. Commissioner Albence responded that there is no restriction on ballot drop off by an individual, per Delaware Code, and that there is no tracking of the number of ballots dropped off by any individual. Mrs. Whittington provided a recap on her positive experience with a rehabilitation center that delivered ballots to the Department on behalf of its members, including her 93-year-old mother's voted ballot.

24. Ms. Hopkins-Pugh made a motion (Mr. Schneikert seconded) that the Board adjourn the meeting. Motion was passed unanimously, and the meeting was adjourned 5:08 p.m.

Respectfully submitted,

James A. Sterling, III
Board Member and Board Secretary

NEXT MEETING: THERE WILL NOT BE A DECEMBER MEETING. THE NEXT MEETING WILL BE MONDAY, JANUARY 11, 2021 at 4:00 PM (Note: the January meeting was subsequently rescheduled to January 19, 2021)

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