

LANCASTER COUNTY ELECTION BOARD MEETING
WEDNESDAY, APRIL 21, 2021

The Board of Elections met today for an Election Board Meeting.

Present at today's meeting:

Ray D'Agostino, Chairman
Joshua G. Parsons, Vice-Chairman
Craig E. Lehman
BOARD OF ELECTIONS

Tammy Moyer
DEPUTY CHIEF CLERK

Christina Hausner, Esquire
COUNTY SOLICITOR

Also present:

Christa Miller, Chief Clerk/Registrar
BOARD OF ELECTIONS

Mel Newcomer, Esquire
SOLICITOR TO THE BOARD OF ELECTIONS

Commissioner D'Agostino called the meeting to order at 9:39 a.m.

Commissioner D'Agostino announced the approval of the April 7, 2021 Election Board minutes, and to postpone approval of the April 14, 2021 Election Board minutes.

Public Hearing re. Proposed Polling Place Changes

Commissioner D'Agostino opened the Public Hearing at 9:39 a.m.

Ms. Miller presented the two proposed polling place changes that were posted after the April 14, 2021 Election Board meeting. In the East Hempfield Township, Spring District, Community Fellowship Church will be moving to Vietnamese Alliance Church for this election due to construction, going back in November. As well as, in the East Hempfield Township, Indian Spring District, the Four Seasons Golf Complex Banquet Room will be moving to the Hempfield Area Recreation Commission, also due to construction, hoping to go back in November.

Commissioner Lehman repeated what he said at the April 14, 2021 Election Board meeting for the purposes of the hearing, saying that his expectation is that these two temporary relocations will revert to their prior location for the November election.

Commissioner D'Agostino closed the public hearing at 9:41 a.m.

ELECTION BOARD RESOLUTION NO. 5 OF 2021

On motion of Commissioner Parsons, seconded by Commissioner Lehman;

WHEREAS, A public hearing was held on Wednesday, April 21, 2021 following the Commissioners' Meeting which starts at 9:15 a.m. for the designation of polling places for East Hempfield Township – Spring District is moving temporarily from Community Fellowship Church to Hempfield Area Recreation Commission due to spring construction at the church; East Hempfield Township – Indian Springs District is moving from the Four Seasons Golf Complex to Vietnamese Alliance Church following the announcement of new management and impending construction in the complex.

WHEREAS, Proper notices of said hearing were posted by the Chief Clerk.

NOW, THEREFORE, BE IT RESOLVED BY THE LANCASTER COUNTY BOARD OF ELECTIONS, That the Board hereby designates the following polling places effective with the 2021 Municipal Primary.

FROM

TO

East Hempfield Township – Spring District

Community Fellowship Church
200 Bethel Drive
Lancaster, PA 17601

Vietnamese Alliance Church
3435 Nolt Road
Landisville, PA 17538

East Hempfield Township – Indian Springs District

Four Seasons Golf Complex
949 Church Street
Landisville, PA 17538

Hempfield Area Recreation Commission
950 Church Street
Landisville, PA 17538

Motion passed unanimously.

– Continued –

**Lancaster County Election Board Meeting
Wednesday, April 21, 2021**

Commissioner D'Agostino stated that there was an item of old business from the previous meeting regarding the Pennsylvania Supreme Court's decision on allowing ballots to come in after 8:00 p.m. on Election Day; before 5:00 p.m. on Friday, and whether or not that was a decision only for the 2020 General Election, or for all elections going forward.

Solicitor Newcomer said the petition that came from the Secretary of State was for an emergency request for the 2020 General Election. In the analysis that the Court made in its opinion, the Secretary of State emphasized that the statutory deadline would remain unchanged for future elections. The actual basis for the Court's action was its exercise of emergency powers, not modifying the statute itself.

Commissioner Lehman said that after the April 14, 2021 meeting, he contacted the Department of State to get their perspective on it, and they were in agreement. Commissioner Lehman encouraged the PA Department of State to get that information out to the public sooner rather than later, because he thinks the perception is, for some folks, that this will be the standard going forward.

Commissioner Lehman also stated there was an article in the newspaper confirming what he has been saying since last year, that the after 8:00 p.m.; before 5:00 p.m. ballots were legally cast ballots, and they should be counted. The article said that the PA Department of State was looking into the matter on how to address these ballots.

Commissioner Parsons stated the ballots were counted and they were segregated, and that was all sent to the Department of State. It is not a matter of us not counting the ballots; it is a matter of how the Department of State wanted them sent. The issue is what the Department of State does based on what the Court decisions were at the time.

Commissioner Lehman said the ballots were counted, but they were not included in the certified totals, which means those votes did not count. He believes that the PA Department of State should revise the certified totals based on the fact that these were and are legally cast ballots, not whether they were submitted to the PA Department of State in a separate category.

Commissioner D'Agostino said it is not a law; it was an emergency decision by the Pennsylvania Supreme Court for the 2020 General Election and disagrees with that decision. But as has been pointed out, it is now up to the Department of State on how these votes are counted.

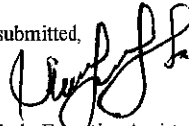
Commissioner Lehman said it was the law on Election Day, which was established by the Pennsylvania Supreme Court.

Commissioner Parsons said the results were forwarded as the Department of State required them.

On motion of Commissioner Parsons, seconded by Commissioner Lehman, the meeting adjourned at 9:50 a.m.

Motion passed unanimously.

Respectfully submitted,



Lydia Kovalchuk, Executive Assistant
Commissioners' Office