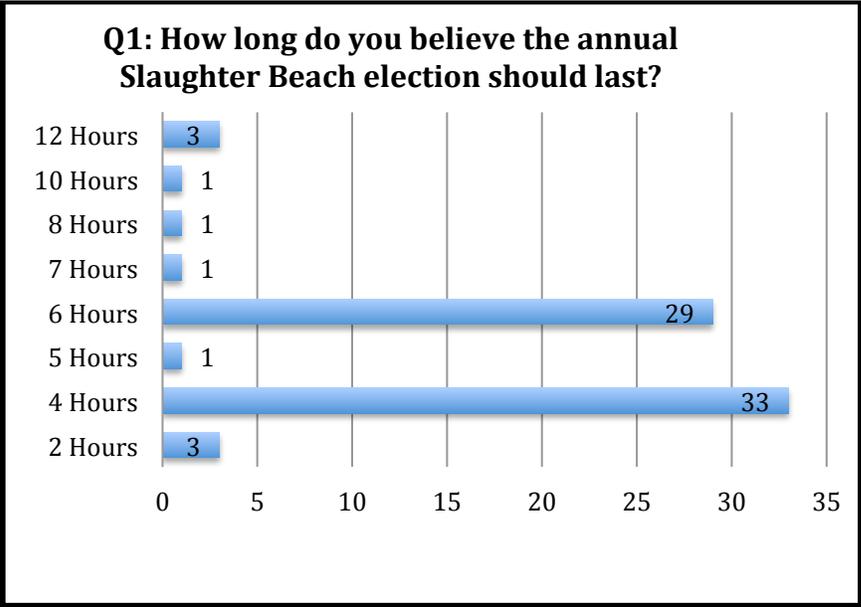
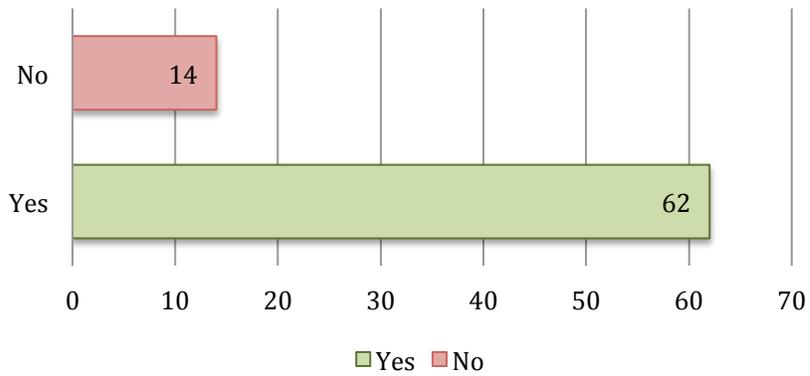


Election Revision Report
Monday, September 13, 2014

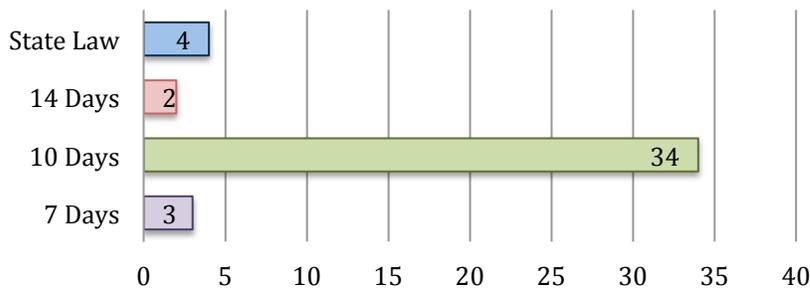
- I. A public meeting was held on September 8th from 6:00 – 6:30 for the purpose of gathering information from Slaughter Beach residents on which aspects of the existing election laws need to be reviewed for possible revisions. Residents were encouraged to attend and provide input on areas to be considered as part of the revision process. There was limited attendance at this meeting with only two members of the general public attending in addition to three members of the Town Council.
- II. Minutes of this meeting have been made available to the council in advance of this meeting.
- III. A survey was deployed to elicit additional information from residents unable to attend the public meeting. The survey was deployed using the Slaughter Beach listserv. Although I am uncertain how many individuals are on that list, or who is on the listserv, there were 77 responses as of 10/10/14.
- IV. Results of the survey are indicated on the tables below:



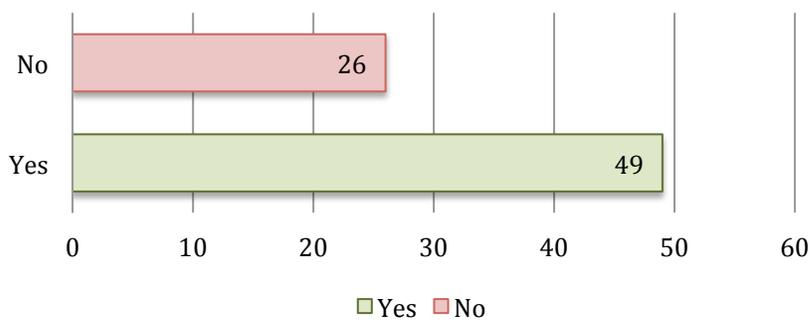
Q2: Do you believe absentee balloting should be permitted for Slaughter Beach elections?



Q3: If Yes to absentee balloting, how many days prior to the election should we stop sending absentee ballots in regular mail?



Q4: Do you believe Slaughter Beach should require voter registration prior to the annual election?



You will note that not every response totals 77. Not everyone answered every question.

- V. This survey was intended to build on recommendations from the Board of Elections in their letter to Bill Krause dated July 21, 2014. These recommendations included the following:
- a. The appointment of Election Officers who are not the same individuals as the Town's Board of Elections.
 - b. Identify a "better way" to identify qualified voters.
 - c. Extend voting hours and/or offer absentee voting.
 - d. Review the residency requirement.
- VI. Recommendations based on survey results and response to recommendations of the State BOE
- a. **BOE R1** – A minimum of three poll workers should be identified to run the election process. These individuals would be responsible for the actual running of the election, signing in voters, directing them to the election booths, and overseeing the election booths. They would serve under the supervision of the Board of Elections. BOE's role is identified in the Town Charter as being the "sole and final judges on the conduct of the election and the legality of the votes offered". They should be present to resolve any questions or concern that arise on the day of the election, and to count votes at the conclusion of the election process.

A legal opinion should be sought to determine whether or not the Council should do this through the adoption of an ordinance, if it needs to be done through an amendment to the Town Charter, or if it is an action that requires neither of the above. If result is through Ordinance, this recommendation can be completed in time to implement prior to the July 2015 election process begins.

NEXT STEPS: Meet with Town's attorney to discuss actions needed to put poll workers in place; depending on outcome, develop language for ordinance or procedure. ***TIMEFRAME: November 10, 2014 completion if no Charter change is needed.***

- b. **BOE R2** – Research should be completed to determine how other beach communities in this area handle the identification of eligible voters.

The Charter clearly identifies the qualification for voters as being anyone who meets the following qualifications:

- i. US citizen
- ii. 18 years of age or older
- iii. Resident of the beach for a period of not less than 4 consecutive months and has been either a freeholder or has been domiciled in the town. The charter goes further to

specifically identify the definitions of “freeholder” and “domiciled.

There are a couple of different ways that this process can occur: keep the status quo or put a voter registration process in place. The charter permits the creation of such a process through an ordinance so it could be completed prior to the next election process, which will begin in April, 2015.

If a voter registration process is recommended, in addition to researching how such a process should be completed, the Town’s attorney should be consulted to ensure that any and all legal requirements are met in its implementation.

Since the town has access to tax rolls, which identify “freeholders” as defined by the Charter as well as defines “domiciled”, it is my recommendation that the town continue to use this process, but create a written procedure for obtaining the list, with a timeline that ensures its accuracy. The procedure must also put in place a communication plan that should be distributed throughout the town in a timely manner, to notify all homeowners, as well as those “domiciled” as per the charter, that they will be required to provide proof of residence/ownership if their names do not appear on the tax list provided by Sussex County.

NEXT STEPS: If maintaining current process of obtaining Sussex County tax lists, research types of lists available to ensure that we are obtaining complete and accurate listing of all available homeowners. Research and develop procedure for ensuring appropriate communication to eligible voters/residents of Slaughter Beach of who will need to provide proof of voter eligibility when they vote.

TIMELINE: December 8, 2014.

- c. **BOE R3** – Increasing the hours of the election can be completed by a simple vote of the Council. As shown on the survey results, the majority of the responders indicated that the hours should be between 4 and 6 hours. Once a decision is made, it must be incorporated into a communication plan to ensure that eligible voters know when they will be able to vote.

NEXT STEPS: Council vote. **TIMELINE: Up to the Council.**

The issue of absentee balloting is one that will require additional research on the part of the Town’s attorney. While a majority of the survey responders indicated a desire for the Town to implement such a process, based on limited research, the procedures for developing

such a system are legislatively mandated under Title 15 of the Delaware Code.

NEXT STEPS: Prior to making a decision regarding implementation of a system for absentee ballots, I would encourage the members of the Council to confer with its attorney. **TIMELINE: Up to the Council.**

- d. **BOE R4** – The residency requirement in question (4 months) is specifically state in the Town Charter. Therefore, any adjustment to it would require a change in the Charter. This is an action that will require the support of the Town’s attorney. It is my recommendation that this action take place as soon as possible. Since charter changes must occur at the State legislative level, I am uncertain if this can occur prior to the 2015 elections.

VII. Miscellaneous feedback from survey responders:

The final question on the survey asked responders “What other changes would you like to see take place as part of the Slaughter Beach Election Reform process?”. While most comments related to the recommendations above, one area for further research would be reviewing who “eligible voters” are. There is some concern among our population about property owners and renters from a single property being allowed to vote. It may be a good idea to research how other municipalities handle the owner vs. renter policies. I do not recommend any action on this take place prior to the next election as it warrants substantial research.

Respectfully submitted,

Rebecca Craft, Ed. D.
October 13, 2014