Minutes of the Board of Elections Meeting

Monday, April 13, 2015

1. **Call Meeting to Order**

   Vice Mayor Amy Parker called the April 13, 2015 Board of Elections Meeting to order at 6:01 PM in the upstairs meeting room of the Slaughter Beach Memorial Volunteer Fire Company. Council members present were Vice Mayor Amy Parker, Treasurer Jackson Gingrich, Secretary Glenn Stieffenhofer, and Councilperson Kathleen Lock. Mayor Bill Krause was absent. Board of Elections candidates in attendance was Ken Lewis and Mary Lyde Esposito. Jane Hargrove Brown was not in attendance. Community members in attendance are shown on the attached sign-in sheet.

2. **Opening Comments**

   All volunteers are welcome and more are needed.

3. **Voter Registration**

   At the March 20, 2015 special meeting, Council voted to staff the Town Office every Saturday in June from 10 am to 12 noon for individuals to verify their voting eligibility and to be put on a supplemental list if qualified.

4. **BOE Procedures for Absentee Ballots**

   Mary Lyde Esposito has prepared the first draft of the affidavit but realized several updates are already needed. She said that some affidavits will need to be notarized and some will not. Ken Lewis said he read the code multiple times and feels that language in different sections of the code are contradictory regarding which affidavits need to be notarized. Amy Parker suggested that Dee from South Bethany might be able to give some clarity.

   Kathleen Lock asked for the specific section so we can review the language. Mary Lyde said 75.71 defines who is eligible to vote by absentee ballot. 75.72 (3) d is where it tells you who needs to get the affidavit notarized. We will need to refer to our lawyer to clarify this. Amy Parker reiterated that the lawyer and the Election Board will want to see all notices prior to them being published. Mary Lyde said that she would like to have the affidavit on available on the website which would not be the sole source, but an additional source.

   Regarding the envelopes - South Bethany uses three envelopes but according to Mary Lyde and Ken Lewis, by law, only one is required.

   Ken Lewis referred to 75.74 subsection 4, which says we have to print an oath on the absentee ballot. He asked why it would also need to be notarized if the voter is affirming their oath. Mary Lyde said they are for two different things. The affidavit is saying why you aren't present to vote and the ballot is affirming that you are eligible to vote and that no one gave you any money to vote.

Mary Lyde cited Delaware Code that says if you don't have ID or another way to prove who you are you are eligible to vote you can sign an affidavit. This provisional ballot isn't counted unless there is a problem with the election. Kathleen Lock said that we asked Barrett about provisional ballots previously and he said that Delaware does not address them. Follow up with the attorney will be needed.

There was a lengthy discussion regarding proof of identity and address. Kathy McSpadden cited 75.64, which defines the requirements.

Last year, the tax list was requested from Sussex County too early, and the request was not for an "election run". We have to ask for the "election run" of the tax list.

Amy Parker said we are doing a lot of work this year, but future years will be much easier with the groundwork already done. Mary Lyde said the toughest thing to figure out is how people will get their absentee ballots. Can we task the Town Clerk to check the mail twice a day – once in the morning on way to work and once in the evening on the way home from work? This process needs to be consistent and needs good documentation. The lawyer said an email is an acceptable way to request a ballot as well.

Amy asked about a public meeting on the day of elections to count the absentee ballots. The process Is described in 75.78 and 75.79. The team of absentee election judges can be the members of the BOE.

Amy Parker asked if a meeting with our attorney would be needed to answer the outstanding questions and to review documents, or can this be done properly over phone and email. It was agreed that email would be work best if we provide the attorney with the drafts.

a. BOE Oath

Mary Lyde Foster Esposito and Ken Lewis were sworn in as BOE members (written and verbally). Jane Hargrove Brown will be sworn in at the May 11, 2015 BOE meeting.

5. Election Day Procedures

After we get our Election Officers and everyone is properly trained, we will know the Election Day procedures. Amy asked about badges and sample ballots. Kathy McFadden said the county brings the voting booths, flags, signs, and sample ballots 45 minutes to an hour before the polls open. They did not bring badges in the past, but Kathy thinks we can make them ourselves.

6. Selection of the Inspector

There should one inspector and two judges. Howard Sipple and Nancy McNeela would like to volunteer. Once we have the third person, they can decide who the inspector will be.

Motion:** A motion was made by Kathleen Lock to appoint Howard Sipple and Nancy McNeela as Election Officers. Jackson Gingrich seconded the motion.* ***Motion carried unanimously, 4 – 0.

7. Status of Election Guide

Kathy McFadden reported that the Election Guide is pretty well complete. The draft timetable was distributed to Council and BOE for review. Kathy said she compared the timeline that the lawyer provided and she believes all deadlines/requirements are addressed in the timeline.

Amy suggested that we run our forms by Jean Turner from the County. Kathy said that some forms are to be sent to Jean Turner only, and some to Elaine Manlove.

There was a discussion regarding the Certificate of Intent. Kathy believes our document can be updated and will consult with Jean Turner to perfect it. Does the Certificate of Intent need to be notarized or does two witnesses suffice. Kathy will clarify with Jean Turner.

8. **Training**

   Ken Lewis is coordinating scheduling the required training, which will either be held in Dover or Georgetown.

9. **Adjournment**

   Motion:** A motion was made by Kathleen Lock to adjourn the meeting. Jackson Gingrich seconded the motion.* ***Motion carried unanimously, 4 – 0. *The meeting adjourned at 6:55 PM.*

Respectfully submitted,

Glenn Stieffenhofer

Glenn Stieffenhofer
Secretary

SLAUGHTER BEACH TOWN MEETING
Voting Procedures Meeting, 5 PM and Regular Town Meeting, 7 PM
April 13, 2015

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7PM			
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