

**STATE OF MINNESOTA
IN SUPREME COURT**

Minnesota Voters Alliance;
Kevin Peterson;
Paul Kozlak;

Appellate Case No. _____

Petitioners,

v.

**PETITION TO CORRECT
ERRORS, OMISSIONS,
AND WRONGFUL ACTS**

City of Plymouth, Minnesota; Jodi Gallup, in
her official capacity as City Clerk
of the City of Plymouth;

Minn. Stat. §204B.44

County of Hennepin, Minnesota; Daniel Rogan,
in his official capacity as
Hennepin County Auditor;

County of Anoka, Minnesota; Jeffrey Reinert,
in his official capacity as
Anoka County Auditor,

Respondents.

TO: THE SUPREME COURT OF THE STATE OF MINNESOTA, 25 Rev. Dr.
Martin Luther King Jr. Blvd., Minnesota Judicial Center, Saint Paul, MN 55155;
City of Plymouth, Minnesota, 3400 Plymouth Blvd., Plymouth, MN 55477;
County of Hennepin, Minnesota, 300 South Sixth Street, #A-2400, Minneapolis,
MN 55415; County of Anoka, Minnesota, 2100 N. Third Avenue, Anoka, MN
55303.

INTRODUCTION

Pursuant to Minnesota Statutes § 204B.44, Petitioners bring this action to correct errors, omissions, and wrongful acts, by election officials in the City of Plymouth, the County of Anoka, and the County of Hennepin in the formation and function of absentee

ballot boards under Minn. Stat. §203B.121 (or “ballot board statute”). All of these jurisdictions have violations of the ballot board statute in common, but each has unique unlawful traits as well. This case involves the interpretation and misapplication of the first two sentences in the ballot board statute almost exclusively.

Ballot boards in local jurisdictions are made up of select election judges who have the specific responsibility to accept and reject a huge portion of ballots cast across the State. Recognizing the significance of transparency and accountability in this appointment process, the Legislature assigned a specific duty to cities and counties to establish these boards by formal act of the governing body. That duty is not being carried out.

Plymouth claims to have over three hundred people on its ballot board, including unknown members. But after an amalgam of illegal acts, the Plymouth City Clerk and her two office assistants appear to have assumed the role of election judges in accepting and rejecting ballots. These three individuals, who are legally prohibited from comprising the ballot board on two different grounds, have been processing absentee ballots for the primary election since last month.

Anoka County asserts it “established” its ballot board in 2022 by resolution but neglected to appoint any members. Stranger yet, the resolution provides for a perpetual “reconvention” of these nonexistent members, and for their occasional replacement, until the city provides otherwise. To Petitioners’ knowledge, no ballot board resolution of any kind has been passed in Anoka County for the last two election cycles.

Hennepin County has neglected to pass a resolution since 2022 as well. At that time, it “re-authorized” a ballot board that, the County claims, was “established” by a resolution eight years earlier. No Hennepin County resolution has ever established a ballot board that consisted of any members, resulting in a biennial, twelve-year failure to comply with Minn. Stat. § 203B.121 in several respects. Perhaps worse, the ballot board statute requires the Board of Commissioners to appoint members by resolution; In Hennepin, a “*person*” of the County Auditor’s choosing can do it anonymously, outside the purview of the public, with no other strings attached.

These jurisdictions are not alone; the law’s application has varied wildly across Minnesota for years.

In short, none of Respondents lawfully established a ballot board as directed by Minn. Stat. § 203B.121, Subd. 1 for at least this election cycle. The fallout is that accountability and transparency sought and required in the statute has been destroyed. Those who perform the critical duty of accepting and rejecting most of the ballots in the State remain hidden from public view, directly contrary to law. Worse, the person or entity who *actually* chooses ballot board members remains a mystery in each example and could be *literally anyone* under the Hennepin County Resolution.

The unlawful processing of absentee ballots will continue through the general election this November without immediate action by this Court. Further, this case presents the opportunity to ensure proper application of the statute by jurisdictions across the State going forward through a finding of field preemption, and the Court should take it.

JURISDICTION

1. This Court has jurisdiction over this matter under Minn. Stat. §204B.44. This statute provides that “any individual” may file a petition “with any judge of the supreme court in the case of an election for state or federal office” to correct errors, omissions, or wrongful acts by election officials that have occurred or are about to occur.
2. Petitioners bring this action to correct errors, omissions, and wrongful acts carried out by Respondents, who have each failed to establish ballot boards as required by statute. Respondents’ acts have resulted in ongoing violations of Minnesota Statutes § 203B.121 in multiple respects as described herein.

PARTIES

3. Petitioner Minnesota Voters Alliance (“MVA”) is a nonpartisan, 501(c)(3) organization focusing primarily on election integrity, research, voter education, and advocacy. MVA seeks to increase voter participation in the election process and raise public awareness of important issues related to elections.
4. Petitioner Kevin Peterson is a candidate for Minnesota Senate District 42 and will appear on the general election ballot this Fall. He lives and votes in Plymouth, Hennepin County, Minnesota.
5. Petitioner Paul Kozlak lives and votes in Anoka County, Minnesota.
6. Respondent City of Plymouth is a home rule charter city under the laws of the State of Minnesota with the capacity to sue and be sued. Plymouth, through its

City Council, is the governing body responsible for failure to comply with its duties under Minn. Stat. § 203B.121 subd. 1. This includes the specific duty of the governing body to establish a ballot board by resolution.

7. Respondent Jodi Gallup is the City Clerk for the City of Plymouth and is responsible for administering elections in the city. She unlawfully performed, failed to perform, and continues to perform, duties established under Minn. Stat. § 203B.121, resulting in past and ongoing violations.
8. Respondent Hennepin County, by and through its Board of Commissioners, is responsible for the administration of elections in the county. It has the specific duty to pass resolutions establishing ballot boards by resolution under Minn. Stat § 203B.121 Subd. 1.
9. Respondent Daniel Rogan is the Hennepin County Auditor and is responsible for administering elections in the county. He unlawfully performed, failed to perform, and continues to perform, duties established under Minn. Stat. § 203B.121, resulting in past and ongoing violations.
10. Respondent Anoka County, by and through its Board of Commissioners, is responsible for the administration of elections in the county. It has the specific duty to pass resolutions establishing ballot boards under Minn. Stat § 203B.121 Subd. 1.
11. Respondent Jeffrey Reinert is the Anoka County Auditor and is responsible for administering elections in the county. He unlawfully performed, failed to perform,

and continues to perform, duties established under Minn. Stat. § 203B.121, resulting in past and ongoing violations.

FACTUAL BACKGROUND

12. Absentee ballots made up well over half of all ballots cast in the Minnesota General Election in 2020.¹ While this number was affected by the government's response to COVID-19 at that time, fully 40% of all ballots cast in 2024 were absentee as well.²
13. In 2024, the Legislature created permanent absentee status in Minn. Stat. §5B.06, cementing the presence of the mail-in ballot in State law.
14. As the role of the absentee ballot has grown, so has the responsibility of the people who make the decision whether to accept or reject those ballots. This is the role of election judges on ballot boards.
15. The Legislature recognized the significance of this role in ensuring public trust, transparency, and accountability in the administration of elections. To that end, Minnesota Statute § 203B.121 was enacted to require governing bodies in cities and counties across the state to follow a uniform procedure to establish ballot boards and define the duties of the members of those boards.

¹ See <https://sos.mn.gov/election-administration-campaigns/data-maps/absentee-data/>, link on page "Download a spreadsheet of statewide absentee voting statistics 2014-2024," last visited July 30, 2026.

² *Id.*

16. Every ballot board in Minnesota “must consist of” at least two election judges, balanced by major political party affiliation, and chosen from lists furnished by those parties each election cycle in the spring.³

17. Ballot boards are thus “established” each election cycle when the local governing body appoints at least two election judges from the party lists to become members of that board.⁴

18. To ensure transparency and accountability, the Legislature required establishment of ballot boards to be done by a formal act of the governing body - - either an ordinance or a resolution.⁵

PLYMOUTH RESOLUTION

19. On June 17, 2026, Petitioner Kevin Peterson sent an email to Plymouth City Clerk Jodi Gallup, inquiring about the absentee balloting process.⁶ He asked who accepted and rejected the ballots and about the city’s relationship with Hennepin County in this field.⁷

20. Later that day, Gallup replied in an email confirming that the city manages the accepting and rejecting of in-person absentee ballots as well as those that are

³ See Minn. Stat. § 203B.121 subd. 2(a); *Minn. Voters All. v. Cty. of Ramsey*, 971 N.W.2d 269, 279 (Minn. 2022); Minn. Stat. § 204B.21 Subd. 1. (Party lists are furnished on May 1 of each election year).

⁴ Minn. Stat. § 203B.121 subd. 1(a).

⁵ *Id.*

⁶ See Affidavit of Kevin Peterson, attached hereto as Exhibit A.

⁷ *Id.*

dropped off at city hall.⁸ She also sent the draft resolution at issue in this litigation.

21. On June 23, 2026, the Plymouth City Council passed Resolution 2026-153 (“Plymouth Resolution”), attached as Exhibit B. This document is purported to establish a ballot board by appointing a list of 365 people.⁹

22. The Plymouth Resolution also provides that this list will be augmented by those appointed to the Hennepin County ballot board, which at the time was an unnamed group of people of unknown size, to be chosen at another time by someone in Hennepin County.¹⁰

23. Plymouth City Clerk Jodi Gallup’s name appears on the list of ballot board members.¹¹

24. Two individuals who work for the City Clerk as “office support specialists” are also on the list.¹² The Plymouth Resolution described all the names on the list as “election judges and absentee ballot board election judges,” but her two office staff members are actually “deputy city clerks.”¹³

⁸ Ex. A.

⁹ Ex. B.

¹⁰ *Id.*

¹¹ *Id.*

¹² Natalie Dorcy and Colton Ashley are so described on the city clerk’s web site and are alleged to be members of the Plymouth ballot board. See <https://www.plymouthmn.gov/departments/administrative-services/-/city-clerk>, last accessed July 24, 2026.

¹³ Ex. B.

25. During a roughly 20-minute phone call on June 23, 2026, Gallup made reference to her two office assistants and told Petitioner Peterson that ‘they’ process the absentee ballots. Petitioner understood this to mean Gallup herself and her assistants.¹⁴

26. Peterson asked which specific people from the list of names are the election judges who will actually be doing the accepting and rejecting of ballots, and how they will be appointed. Gallup told him that she calls people from the list if something needs to be addressed or adjudicated.¹⁵

27. Peterson understood this to mean that she and her staff would be handling the duties of election judges on the ballot board, and that others from the list would only become involved if she contacted them at another time.¹⁶

28. Gallup reassured Petitioner Peterson during this call that she and her staff were trained on the process and that she had 20 years’ experience in elections.¹⁷

ANOKA COUNTY RESOLUTION

29. No ballot board resolution has been passed in Anoka County since 2022.

30. In that year, the Anoka County Board of Commissioners passed Resolution #2022-102 (“Anoka Resolution”), attached hereto as Exhibit C.

¹⁴ Ex. A.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

31. The Anoka Resolution purports to “establish” a ballot board with the proclamation: “NOW, THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, does hereby establish an Absentee Ballot Board pursuant to Minnesota Statutes § 203B.121...”¹⁸
32. The Anoka Resolution does not appoint any members to the ballot board.¹⁹
- Instead, it provides that “party balanced election judges *will be utilized* to perform all duties where their participation is required by statute.”²⁰
33. It is unclear who is accepting and rejecting ballots in Anoka County, who appointed them, or under what authority.

HENNEPIN COUNTY RESOLUTIONS

34. No ballot board resolution has been passed in Hennepin County since 2022.
35. In that year, the Hennepin County Board of Commissioners passed Resolution 22-0333 (2022 Resolution”), attached hereto as Exhibit D.
36. That Resolution does not purport to establish a ballot board at all. Rather, it “re-authorizes the establishment of” a ballot board.²¹ Respondent Hennepin County references “re-authorize” or “authorize” in place of “establish” several times in the document.²²

¹⁸ Ex. C.

¹⁹ *Id.*

²⁰ *Id.* (Emphasis added).

²¹ Ex. D.

²² *Id.*

37. The 2022 Resolution does not appoint any members to the ballot board.²³
38. The 2022 Resolution makes reference to 2014 Resolution 14-0099 (“2014 Resolution”), attached hereto as Exhibit E. The 2022 Resolution recognized the 2014 Resolution as having “established” the ballot board in Hennepin County eight years earlier.²⁴
39. The 2014 Resolution does not appoint any members to the ballot board.²⁵
40. The 2014 Resolution purports to “authorize[] the Elections Office” to appoint ballot board members.²⁶
41. The 2022 Resolution purports to “authorize[] the Hennepin County Auditor or the County Auditor’s *designee*” to appoint ballot board members, “consistent with Minnesota Law.”²⁷
42. In the “Background” portion of the 2022 Resolution, “designee” is clarified to mean “elections staff person.”²⁸
43. “Elections staff *person*” is not defined in Minnesota Election Law or anywhere in either Hennepin Resolution.

²³ *Id.*

²⁴ *Id.*

²⁵ Ex. E.

²⁶ *Id.*

²⁷ Ex. D.

²⁸ *Id.*

44. A request under the Minnesota Government Data Practices Act was filed on July 7, 2026 seeking the identities of the 2026 Hennepin County Absentee Ballot Board members.²⁹
45. The response included a list of eleven people: Ten election judges, and one “Admin Assistant,” all identified by name.³⁰
46. It is not known when or how these members were appointed to the board, or who did it.

ANALYSIS

There are two central conceits common among all the measures before the Court. First is the notion that “establishing” a ballot board and “appointing members to” a ballot board are two different things. They are not. Second, local governing bodies are assigned the *duty* to establish ballot boards by resolution; they are not handed the authority to pass this responsibility to someone else. Minnesota Statutes § 203B.121 plainly occupies the field of regulation of the establishment and duties of ballot boards in Minnesota, and such a finding by this Court would provide clarity, enhance public trust in the institution, and prevent frequent piecemeal litigation against local governing bodies.

The statutory directives in Minn. Stat. § 203B.121 are clear and free from ambiguity. “As a general rule of statutory construction, a statute is to be construed, if

²⁹ Ex. F.

³⁰ *Id.*

possible, so that no word, phrase, or sentence is superfluous, void, or insignificant.”³¹ If a statute is unambiguous, the court will look only to the plain meaning of its language.³² “When the words of a law in their application to a given situation are clear and free from all ambiguity, the letter of the law shall not be disregarded under the pretext of pursuing the spirit.”³³

There are three basic, unambiguous elements at issue in the first clause of § 203B.121 Subd. 1(a). They are: (1) “The governing body... must;” (2) “by ordinance or resolution;” (3) “establish a ballot board.” To illustrate how each is misused across the various measures before the Court, Petitioner will discuss these three clauses first, then discuss their application in the resolutions.

“The governing body... must”

The governing body in Plymouth is its city council, and the governing bodies in Hennepin and Anoka Counties are their respective Boards of Commissioners. This is not in dispute.

“Must” demonstrates a legislative mandate that the governing body establish a ballot board. This is distinct from a delegation of authority. A duty is assigned by a superior, a required action; whereas “authority” is the legal right to give orders and make

³¹ *Altenburg v. Board of Sup’rs of Pleasant Mound Tp.*, 615 N.W.2d 874, 879 (Minn. App. 2000) (internal quotations omitted), *citing Duluth Firemen’s Relief Ass’n v. City of Duluth*, 361 N.W.2d 381, 385 (Minn. 1985).

³² *Id.*

³³ Minn. Stat. §645.16.

decisions.³⁴ Minn. Stat. § 203B.121 Subd. 1 creates a duty, a responsibility, of local governing bodies to establish a ballot board, and it specifies how it is to be done. It does not bestow additional authority to handle the process as the city or county sees fit. Any other reading is inconsistent with the statute.

“By ordinance or resolution”

The only possible reason the Legislature included the words “by ordinance or resolution” in § 203B.121 Subd. 1(a) is to ensure that the board is established by official act of the governing body, and not by persons unknown and outside the purview of the public. These resolutions must include the identities of the election judges to provide transparency and accountability on the part of both the members and the governing body appointing them. This statutory mechanism also ensures that election judges from the party lists were included consistent with the statute and *Minn. Voters All. v. Ramsey*.³⁵

Minnesota Statutes § 204B.21 provides local governments with the general authority to appoint election judges. Because of its contrast with the “by ordinance or resolution” clause in § 203B.121 Subd. 1(a), this law is instructive. It provides: “Election judges for precincts in a municipality *shall be appointed by the governing body* of the municipality.”³⁶ And, “(e)lection judges for a precinct composed of two or more municipalities *must be appointed by the governing body* of the municipality or

³⁴ See *gen.* <https://www.dictionary.net/compare/authority-vs-responsibility>; last visited July 28, 2026.

³⁵ 971 N.W.2d at 279 (Minn. 2022).

³⁶ Minn. Stat. § 204B.21, Subd. 2 (emphasis added).

municipalities responsible” under those circumstances.³⁷ Neither of these two clauses requires an ordinance or resolution. Informal appointment of election judges by the governing body is thus permissible under § 204B.21, and that may be done without an official act.

Ballot board members, however, are those *particular* election judges who decide whether or not your ballot counts. The Legislature clearly believed this duty was significant enough to require accountability and transparency, and thus to include a *non-delegation* clause requiring an official act - - an ordinance or a resolution. The assumption of authority in the ballot board process by local governing bodies is better viewed as an abdication of duty. This is contrary to law and will be discussed further below in the context of field preemption.

“Establish a ballot board.”

The notion that “establishing” a ballot board and “appointing members to” a ballot board are two different things, is nonsensical in any context. If all the Legislature wanted was a pro forma “board” without any people to perform its duties, it would have “established” such a concept by statute and applied it to every local governing body in the state. A ballot board is established when members are appointed to it. Any other application or interpretation is unlawful.

³⁷ *Id.*

The “sufficient number of election judges” required for every ballot board in Minnesota must be at least two, balanced by political party, and chosen from lists provided by the two major political parties by May 1st of each election year.^{38 39} “Sufficient number” means “enough,” and is not synonymous with “too many” or “more than enough.”

Each resolution will be analyzed under this framework.

I. The Plymouth Resolution is unlawful and fails to establish a ballot board.

Plymouth’s calendar of 365 names is not a list of ballot board members. It is not even a list of eligible ballot board members.⁴⁰ At best, it is a list of names comprised mostly of potential ballot board members. It is a pool of candidates. If no one is a member of the Hennepin or Anoka ballot boards, then the boards have not been established; If everyone is a member of the Plymouth ballot board, then the board has not been established.

Almost nobody on this list knew that they had been appointed to the Plymouth ballot board at all, and likely still don’t.⁴¹ No one from the Hennepin County ballot board could have known about their duties in Plymouth, because: 1) Hennepin County has not passed a resolution since 2022; and 2) the Hennepin County ballot board does not consist

³⁸ *Minn. Voters All. v. Cty. of Ramsey*, 971 N.W.2d 269, 279 (Minn. 2022).

³⁹ Minn. Stat. § 204B.21 Subd. 1.

⁴⁰ The City Clerk is not an eligible ballot board member.

⁴¹ Ex. A.

of any people. This fact makes it difficult to argue that they were provided with the training mandated for all ballot board members under Minn. Stat. § 203B.121, Subd. 1(a).

In Plymouth, the *actual* appointment of ballot board members who accept and reject ballots, i.e. the people who receive compensation for performing their duties under § 203B.121 Subd. 1(b), takes place when this list of candidates is narrowed. In this case it was narrowed from 365 members plus an unknown number of additional members, to three. This is the difference between a “sufficient number” of election judges under the statute, meaning “enough,” and “too many,” meaning more than enough. Regardless of the number of members, they were not appointed by the governing body and it was not done by resolution.

The City Clerk’s appointment of herself and her two office assistants to be the only three members of the ballot board raises four additional problems.⁴² First, the governing body is required to appoint members, and the clerk is not the governing body. Second, and relatedly, members must be appointed by an official act of the governing body – an ordinance or resolution. The city clerk did it without a formal act.

Third, the Plymouth City Clerk is not an eligible ballot board member under any circumstances because only election judges or deputy city clerks can be members. It goes without saying that the Plymouth City Clerk cannot be both the city clerk and a deputy city clerk in her own office. Nor can she be an election judge because her job is to administer the election. This carries many specific duties, including those under Minn.

⁴² See Ex. A. The “office support specialists” were dubbed “deputy city clerks” to facilitate ballot board membership.

Stat. § 203B.121 Subd. 3 (b)(1) and (2), which provide that the roster of voters may be marked “either... by the county auditor or municipal clerk before election day; or (2) by the ballot board before election day.” These are mutually exclusive.

Moreover, the city clerk is to deliver the signature envelopes containing ballots *to* the members of the ballot board.⁴³ She also has the specific duty to “assign election judges to fill vacancies as they occur.”⁴⁴ These statutes are not written so as to permit a city clerk to assign herself to the ballot board or deliver the ballots to herself. Arguably, this is why the Legislature required party-balanced election judges in the first place.

Fourth, two so-called “deputies” on a three-person board is illegal. Two election judges are required, balanced by party affiliation, and chosen from party lists furnished each election year.⁴⁵ The city clerk’s assistants do not leave enough room for the required number of election judges, regardless of party affiliation.

For at least these reasons, Plymouth failed to establish a ballot board as required by Minn. Stat. § 203B.121 Subd. 1.

II. Both the Hennepin and Anoka County Resolutions are unlawful and fail to establish their respective ballot boards.

⁴³ See Minn. Stat. § 203B.121 Subd. 2.

⁴⁴ Minn. Stat. § 204B.23 (c).

⁴⁵ The responsibility to compare signatures “is committed to election judges alone, and the absentee ballot board must therefore include a sufficient number of election judges to handle this duty.” *Minn. Voters All. v. Cty. of Ramsey*, 971 N.W.2d 269, 280 (Minn. 2022).

If ballot boards must be made up of people, and neither the Anoka nor the Hennepin ballot board resolution includes any people, then neither resolution established a ballot board.

To “consist of” means “to be formed or made up of (specified things or people).”⁴⁶ If Hennepin County is correct that either the 2014 or the 2022 Resolution actually “established” a ballot board under the first clause in Minn. Stat. § 203B.121 Subd. 1, then it is in direct conflict with the very next clause requiring that the board “consist of” members. The boards consist of no one. Without members, both the Anoka and Hennepin ballot boards are made up of nothing by statute. That is absurd.⁴⁷

The next problem concerns the party lists. On or before May 1 of every election year, the two major political parties are required to furnish the Secretary of State with lists of potential election judge ballot board members.⁴⁸ These lists are then sent to local jurisdictions, and election judge ballot board members are selected for appointment.⁴⁹ If Hennepin County’s ballot board was, in fact, “established” under the 2014 Resolution, as the 2022 Resolution claims, then the members for that ballot board must have been chosen from the party list from *that year*, or earlier. The same reasoning applies to

⁴⁶ Merriam-Webster Dictionary: “consist of,” *available at*: <https://www.merriam-webster.com/dictionary/consist%20of>, *last accessed* August 3, 2026.

⁴⁷ “[C]ourts should construe a statute to avoid absurd results and unjust consequences.” *American Family Ins. Group v. Schroedl*, 616 N.W.2d 273, 278 (Minn. 2000).

⁴⁸ Minn. Stat. § 204B.21 Subd. 1.

⁴⁹ “The governing body may appoint election judges not appearing on the major party lists only after it has exhausted the candidates on the list.” *Minn. Voters All. v. Cty. of Ramsey*, 971 N.W.2d 269, 276 (Minn. 2022).

Anoka’s 2022 Resolution. But election judges are meant to be selected from party lists furnished *each election cycle*, not from any party list, ever.

The appointing entity under the statute is the governing body.⁵⁰ The appointing entity in Hennepin County may be either the “Hennepin County Auditor or an elections staff *person* designated by the County Auditor.” In other words, *anyone* may select the people who accept and reject absentee ballots in the county with the consent of the county auditor. This is an ocean away from the statute.

Next, for the reasons outlined below in the context of field preemption, delegation of authority to the county auditor, the city clerk, a “person” chosen by the county auditor, or any other individual for appointment of ballot board members is unlawful writ large. None of these parties is the “governing body” and thus cannot pass an ordinance or resolution. The ballot board statute creates a duty, and it does not bestow authority to delegate.

As it turns out, someone is accepting and rejecting ballots in Hennepin County. The July 7, 2026 MGDPA request yielded a list of ten election judges, and one Admin Assistant.⁵¹ So, at some point between the passage of the Resolution “re-authorizing” the 2014 ballot board in 2022, and early July, ten members and one unlawful member were appointed by *someone*. In this case, that someone could be anybody.

The Anoka County Resolution resolves that the “ballot board shall be reconvened, and members appointed for each election held in Anoka County, until adoption of a

⁵⁰ Minn. Stat. § 203B.121 Subd. 1.

⁵¹ See Ex. F. An Admin Assistant is not an eligible ballot board member.

subsequent resolution by a future action of the Anoka County Board of Commissioners.”⁵² Again, there are at least two problems with this. First, there are no members. They can’t reconvene.

Second, this language purports to create a self-renewing ballot board that somehow absorbs and sheds members without the need for additional county action. It does not specify who is to appoint the members, only “members appointed.” But by law the governing body must appoint members by resolution every election cycle. That didn’t happen here.

Once the concept of establishing a ballot board is separated from the appointment of people to the ballot board, all manner of chaos ensues in every case. The Court must remedy these errors and wrongful acts immediately.

III. The Minnesota Secretary of State is facilitating the errors, omissions, and wrongful acts of Respondents.

The Minnesota Secretary of State furnishes the Absentee Voting Administration Manual to each local governing body across the state. The purpose of this publication is to “aid[] absentee voting administrators and their staff in general requirements and duties for administering voting before Election Day.”⁵³ This manual contains extensive citations to statutes and case law and is intended to be used “along with the Office of the

⁵² See Ex. C.

⁵³ Available at: <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.sos.mn.gov/media/eddemz0y/minnesota-absentee-voting-administration-manual.pdf>; last visited July 28, 2026.

Minnesota Secretary of State (OSS) Minnesota Election Laws to answer any additional questions that may be found in the constitution, statutes, or rules.”⁵⁴

On page 49, the Minnesota Secretary of State provides a sample form for an Absentee Ballot Board Resolution designed to be used by cities and counties to satisfy § 203B.121.⁵⁵ This document is the basis for the purely *pro forma* absentee ballot board resolutions before the Court, and the separation of “establish” from “appoint members to.”

The Secretary’s one-page sample resolution includes four “whereas” portions for findings.⁵⁶ Each of these merely recites the language in the ballot board statute. The only actual resolution reads: “THEREFORE, BE IT RESOLVED THAT, the [insert county name] Board of Commissioners hereby establishes an Absentee Ballot Board effective [month day year] to perform the required tasks.”⁵⁷ Immediately below this on the same page is a signature field for each of the county commissioners, and space to mark their yea-or-nay vote.⁵⁸ Below that is a box for certification by a local official.

But the form omits any suggestion that the resolution is required to include the names of the board members. There is no space provided for names, or titles such as “election judge” or “deputy city clerk.” As discussed *infra*, ballot boards do not exist without members, and a resolution based on this form is unlawful.

⁵⁴ *Id.* at 3.

⁵⁵ *See* Ex. G.

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

Local governing bodies using the Secretary’s form have no reason to question the distinction between a legislative delegation of authority to establish a ballot board as the jurisdiction sees fit (which did not happen under § 203B.121), and the carrying out of the assigned duty to appoint members to the position (which did). The Secretary of State should immediately remedy this improper guidance, and this Court should so direct.

IV. The Legislature occupies the field of regulation of “The establishment of ballot boards and duties of members” in Minnesota Statutes § 203B.121.

The various errors and wrongful acts by Respondents plainly conflict with the ballot board statute in several regards. But a proper reading of the statute reveals that the Legislature intended to fully occupy the field of regulation, foreclosing the exercise of additional local authority in the process altogether. All the hallmarks of field preemption are here, and such a finding would promote judicial efficiency by preventing piecemeal litigation over all the various ways local governments can find to misapply this statute. This Court should provide much-needed clarity for every county and charter city in Minnesota.

Plymouth is a home rule charter city. “The power conferred upon cities to frame and adopt home rule charters is limited by the provisions that such charters shall always be in harmony with and subject to the constitution and laws of the state.”⁵⁹ “This is so

⁵⁹ *State ex rel. Town of Lowell v. City of Crookston*, 91 N.W.2d 81, 83 (Minn. 1958). See also *A.C.E. Equip. Co. v. Erickson*, 152 N.W.2d 739, 741 (Minn. 1967) (recognizing that any charter provision conflicting with state law or public policy is invalid); *Nordmarken v. City of Richfield*, 641 N.W.2d 343 at 348 (Minn. Ct. App. 2002) (recognizing that a home rule charter “does not preclude the legislature from preempting charter authority on matters of state concern”).

because municipalities have no inherent powers and can enact regulations only as expressly conferred by statute or implied as necessary in aid of those powers which have been expressly conferred.”⁶⁰

Like charter cities, Minnesota counties derive their legislative and governmental power directly from the Minnesota Legislature, which is constitutionally authorized to provide for the creation, organization, administration, and functions of local government units.⁶¹ As entities of state creation and subordinate agencies of the state government, counties do not possess inherent sovereign power.⁶² Like charter cities, counties can only exercise those powers that are either expressly granted to them by the Legislature, or fairly implied as necessary to the exercise thereof.⁶³

Field preemption is “premised on the right of the state to so extensively and intensively occupy a particular field or subject with state laws that there is no reason for municipal regulation.”⁶⁴ If field preemption is found, “a local law purporting to govern, regulate, or control an aspect of the preempted field will be void, even if the local law is

⁶⁰ *Bicking v. City of Minneapolis*, 891 N.W.2d 304 at 312 (Minn. 2017)(citations and quotations removed).

⁶¹ Minn. Const., Art. XII, § 3, *In re Welfare of the Children of J.B.*, 782 N.W.2d 535 (2010).

⁶² *Motokazie! Inc. v. Rice County*, 824 N.W.2d 341 (Minn. Ct. App. 2012); *Kasch v. Clearwater County*, 289 N.W.2d 148 (1980).

⁶³ *Children of J.B.*, 782 N.W. 2d 535.

⁶⁴ *In re the Appeal of Rocheleau*, 686 N.W.2d 882, 890 (Minn. Ct. App. 2004), citing *Nordmarken*, 641 N.W.2d at 348; See also *Mangold Midwest Co. v. Village of Richfield*, 274 Minn. 347, 356, 143 N.W.2d 813, 819 (Minn. 1966).

not in conflict with the state law.”⁶⁵ The fact-specific test established by this Court in *Mangold Midwest Co. v. Village of Richfield* weighs four factors:

- (1) the subject matter regulated;
- (2) whether the subject matter is so fully covered by state law that it has become solely a matter of state concern;
- (3) whether any partial legislation on the subject matter evinces an intent to treat the subject matter as being solely a state concern; and
- (4) whether the nature of the subject matter is such that local regulation will have an adverse effect on the general state population.⁶⁶

Each of these is satisfied, and the example before the Court in Minn. Stat. § 203B.121 is a textbook case of field preemption.

A. The subject matter to be regulated is the establishment of ballot boards and the duties of ballot board members in Minnesota.

The title of Minn. Stat. § 203B.121 is “Ballot Boards.” The title of Subdivision 1 is “Establishment, applicable laws,” followed by “Duties of Ballot Board[.]” This should not be controversial.

B. The establishment of ballot boards and duties of members is so fully covered by statute that it is solely a matter of state concern.

Ballot board members in local jurisdictions decide whether to accept or reject a huge portion of ballots cast in Minnesota. The people who make up the governing bodies in those cities and counties are assigned the responsibility to select board members, by formal act. They are not entrusted with the authority to draft their own set of rules, redefining how elections are administered. To ensure this did not happen, the Legislature

⁶⁵ *Id.*

⁶⁶ *Mangold*, 143 N.W.2d at 820 (Minn. 1966)

drafted a statute that is as expansive as it is granular, including the directive that the Minnesota Election Law controls unless specifically noted otherwise. Even the Minnesota Secretary of State recognizes that “[a]ll aspects of elections are governed by state and federal law.”⁶⁷

“Extensive regulations” in a statute demonstrate a legislative intent to regulate the matter to the extent that it becomes solely a matter of state concern, thus preempting the exercise of local authority.⁶⁸ The ballot board statute is extremely detailed.

The required training for ballot board members is outlined in Subdivision 1:

Each member of the ballot board must be provided adequate training on the processing and counting of absentee ballots, including but not limited to instruction on accepting and rejecting absentee ballots, storage of absentee ballots, timelines and deadlines, the role of the ballot board, procedures for opening absentee ballot envelopes, procedures for counting absentee ballots, and procedures for reporting absentee ballot totals.⁶⁹

The remainder of the statute describes in exhaustive detail the elements in each of these areas. For the few details not specifically covered in the statute, Minn. Stat.

§203B.121 Subd. 1(c) clarifies that the Minnesota Election Law, and not local authority, is applied. “The Minnesota Election Law applies to all elections held in this state unless otherwise *specifically* provided by law.”⁷⁰

⁶⁷ See “TRANSPARENCY AND PUBLIC ACCESS,” Office of the Minnesota Secretary of State, *available at* <https://www.sos.mn.gov/elections-voting/secure-and-fair-elections/transparency-and-public-access/>, *last accessed*: August 3, 2026.

⁶⁸ *Nw. Residence, Inc. v. City of Brooklyn Ctr.*, 352 N.W.2d 764, 773 (Minn. Ct. App. 1984); *See also Nordmarken*, 641 N.W.2d at 349 (applying field preemption when the legislature prescribed a “detailed and elaborate structure of procedural authority and processes” for local land use planning).

⁶⁹ Minn. Stat. § 203B.121 Subd. 1(a).

⁷⁰ Minn. Stat. § 200.015.

Subdivision 2 (a) directs that board members must take physical possession of all signature envelopes in accordance with Minn. Stat. § 203B.08, which itself has a process on how that is to be done.⁷¹ Then, the statute describes exactly where and how board members are required to write on and initial signature envelopes, the conditions for marking those envelopes in specified ways, and what to do with the envelopes when they're finished marking them.⁷²

Next, specific directives on how to handle rejected ballots are provided, along with timelines. The statute instructs board members whether to break the seal on the envelope and when to do so, when to provide new envelopes, when to contact the voter with a rejection notification and how to do so, and the contents of that notification.⁷³

Subdivision 3 is a set of instructions on how to maintain records and timelines for doing so, targeted at local election officials.⁷⁴ This statute assigns duties to governing bodies, county auditors, and city clerks; it does not transfer authority to them.

Then, an entire subdivision of the statute is dedicated to the opening of envelopes.⁷⁵ This portion concerns which envelopes to open, when and by whom, what to mark on the envelopes and where to put them.⁷⁶ It includes precinct-specific details, notes to be taken, the number of ballot board members required to perform various tasks,

⁷¹ *Id.* at Subd. 2(a).

⁷² *See gen.* § 203B.121 Subd. 2(a) – (c)(1).

⁷³ *See gen.* *Id.* at Subd. 2 (c) (1) – 2 (e).

⁷⁴ *Id.* at Subd. 3.

⁷⁵ *Id.* at Subd. 4.

⁷⁶ *Id.*

and timelines for their completion.⁷⁷ After the envelope is opened by ballot board members under the circumstances described, the ballot is removed by ballot board members under the circumstances described, and another set of directives governs their conduct at that point.⁷⁸ The details in Subdivision 5 apply to the storage and counting of absentee ballots, and are every bit as granular as the remainder of the statute.

The extensive regulations present in Minn. Stat. § 203B.121 demonstrate a clear legislative intent to occupy the field of regulation, even specifying what time of day these tasks are to be completed.⁷⁹ There is no room or reason for local governing bodies to enact additional legislation.

In *Nordmarken v City of Richfield*, the Minnesota Court of Appeals addressed a referendum on a zoning ordinance in a charter city. In finding field preemption under the Municipal Planning Act and the Metropolitan Land Planning Act, the *Nordmarken* Court noted the “detailed and elaborate structure of procedural authority and processes for comprehensive land use planning and for ensuring reasonable compatibility with land use plans of other municipalities.”⁸⁰ A similar structure is evident here.

Because of its contrast with § 203B.121, the statute at issue in *Jennissen v. City of Bloomington* is instructive here.⁸¹ Minn. Stat. § 115A.94 concerns organized collection of solid waste. Bloomington refused to place on the ballot a citizen-led charter

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ *See, inter alia, Id.* at Subd. 5(a)(1).

⁸⁰ *Nordmarken v. City of Richfield*, 641 N.W.2d 343, 349 (Minn. Ct. App. 2002)

⁸¹ *Jennissen v. City of Bloomington*, 913 N.W.2d 456 (Minn. 2018).

amendment calling for a vote on whether to displace private haulers, on the alleged grounds that the field was preempted and there was no room for local legislation of any kind. This Court correctly disagreed.

As Subdivision 6 (a) of § 115A.94 makes clear, “The authority granted in this section... is optional and is in addition to authority to govern solid waste collection granted by other law.” This Court recognized: “perhaps the strongest signal of the Legislature's intent not to preempt, but to provide municipalities with considerable flexibility,” is found in the language of this subdivision.⁸² In the same subdivision, the statute provides that “a city, town, or county may exercise any authority granted by any other law, including a home rule charter, to govern collection of solid waste.” Despite the detailed process in the statute, the Legislature wanted to leave the decision to organize to local governments, and not to make the decision for them.

Here, Minn. Stat. § 203B.121 Subd. 1 (c) demonstrates that there is *no room* for local authority. It explains: “Except as otherwise provided by this section, all provisions of the Minnesota Election Law apply to a ballot board.” And the Minnesota Election Law “applies to all elections held in this state unless otherwise specifically provided by law.”⁸³ Without an explicit grant of authority in this field to local jurisdictions, state law controls. The duty to appoint ballot board members, and thus to establish a ballot board, is assigned to the governing body, and then may *only* be done by official act.

⁸² *Id.* at 462.

⁸³ Minn. Stat. § 200.015.

There is no room for the exercise of additional local authority, whether in conflict with or in furtherance of the statute, and the Legislature makes clear through its exhaustive and specific regulations that this field is solely a matter of State concern.

C. There is no partial legislation on the establishment of ballot boards or the duties of members.

The exclusive process by which to establish ballot boards is included in this statute, as are the duties and limitations on the authority of every ballot board in the state. There is no partial legislation in this field.

D. Permitting local governing bodies to regulate the establishment of ballot boards has had, and will continue to have, adverse effects on the general state population.

The fourth *Mangold* factor examines the impact of inconsistent local legislation on the remainder of the state. Perhaps more than any other field, elections are intended to be administered uniformly across the state because the activities of one jurisdiction inherently and necessarily impact the others. Failure to apply the same set of rules in this critical part of the process affects the State in both tangible and intangible ways.

In analyzing this fourth factor, *Nordmarken* is again instructive:

[t]here is a need to prevent municipal plans from having an adverse impact on other jurisdictions, that urbanization and land development transcend(s) local boundaries; that compatibility and conformity among land use plans are important values; and that controls are necessary to ensure planned, orderly, staged land development, the legislature has enacted for municipalities throughout the state and for metropolitan-area municipalities interrelated statutes that are aimed at obviating piecemeal, fragmentary municipal land

use and development, and that instead provide procedural mechanisms to foster comprehensive and reasonably compatible municipal development.⁸⁴

The *Nordmarken* Court went on to recognize that local regulation of “the process for land use planning and zoning is sufficiently antithetical to the avowed purposes of creating [a] single body of law and uniform procedure that it has substantial potential for adverse effect on the population.”⁸⁵

In exactly the same way, those governing bodies responsible for appointing the people who accept and reject ballots have duties that “transcend local boundaries,” as do the members of the ballot boards themselves. Therefore, a uniform procedure for all local governing bodies was required under § 203B.121, because allowing fragmented, piecemeal regulation “has substantial potential adverse effect” on the rest of the State. This holds true for jurisdictions that purport to create and enforce stricter ballot board regulations, as well as the more “lenient” ones like those before the Court.

Urban voters in Hennepin and Ramsey Counties have decided elections in this state for decades, based purely on population. This is a common pattern in the United States. But the last thing the Legislature intended in passing the ballot board statute is to risk exacerbating that disparity by allowing different rules in different jurisdictions. Allowing local regulation by various cities and counties in this field would pose a significant statewide risk that the total number of ballots accepted and rejected does not accurately reflect the will of the people of the State because differing processes are used

⁸⁴ *Nordmarken*, 641 N.W.2d at 349.

⁸⁵ *Id.*

to administer elections. One acute example of this risk is visible in the 2022 Hennepin Resolution, which permits *a person* to anonymously select the team of people responsible for accepting or rejecting ballots.

Nordmarken concerned orderly development of land. The consequences of allowing local regulation in this field would be immediate and tangible: feedlots abutting residential neighborhoods, liquor stores next to elementary schools, and the like. A wrongful act in the local administration of elections may have effects felt statewide as well, but these effects are very difficult to quantify. The graver risk of allowing local regulation in this field is the damage done to public trust in the institution. The past two decades have seen a decline in trust in American elections on both sides of the aisle.⁸⁶

Here, the Minnesota Secretary of State hails “...the transparency that’s an essential part of maintaining trust in the system,”⁸⁷ yet facilitates the circumvention of a statute designed to provide that very transparency. The result of this opaque, disparate local regulation as it pertains to elections in the State is predictable: a 2024 poll showed that 40 percent of Minnesota voters believe that absentee mail-in ballots are vulnerable to significant levels of fraud.⁸⁸ That number has surely worsened in the past two years.

⁸⁶ Stewart, Charles Haines: “Trust in Elections,” *Daedalus*, a publication of the American Academy of Arts & Sciences, Fall, 2022, available at: <https://www.amacad.org/publication/daedalus/trust-elections>, last accessed August 3, 2026.

⁸⁷ See “TRANSPARENCY AND PUBLIC ACCESS,” Office of the Minnesota Secretary of State, available at <https://www.sos.mn.gov/elections-voting/secure-and-fair-elections/transparency-and-public-access/>, last accessed: August 3, 2026.

⁸⁸ Masters, Clay: “Minnesota Poll: Broad confidence of accurate vote count, but deep split over absentee voting,” *MPR News*, September 25, 2024, available at

Occupation of the field was the clear intention of the Legislature when it drafted Minn. Stat. § 203B.121, and it is the proper framework for this Court. In sum, every factor this Court weighed in *Mangold*, *Nordmarken*, and *Jennissen* is satisfied here.

CONCLUSION and CLAIM FOR RELIEF

For the foregoing reasons, the Court should issue an Order declaring the Plymouth, Hennepin, and Anoka ballot board measures unlawful. It should also direct Respondents to establish ballot boards by appointing named members via ordinance or resolution as required by Minn. Stat. § 203B.121, Subd. 1(a). Finally, the Court should prevent future piecemeal, fragmented local legislation with enormous potential for adverse effects on the rest of the State, with a finding that the Legislature preempted the field of regulation of the establishment and duties of ballot boards in Minnesota.

Absentee ballots in the primary election are already being accepted or rejected across the State.⁸⁹ Absentee ballots for the general election are made available to the voting public beginning September 18, 2026, and processing begins immediately.⁹⁰ Petitioners respectfully request that the Court set a schedule for a response to this Petition and a reply brief in light of this timeline, with oral argument as the Court directs.

<https://www.mprnews.org/story/2024/09/25/minnesota-poll-broad-confidence-of-accurate-vote-count-but-deep-split-over-absentee-voting>, *last accessed* August 3, 2026.

⁸⁹ See <https://www.sos.mn.gov/elections-voting/other-ways-to-vote/>

⁹⁰ Minn. Stat. § 203B.081 subd. 1.

Respectfully Submitted,

Dated: August 5, 2026

JOSEPH LAW OFFICE PLLC

/s/ Gregory J Joseph

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Waconia, MN 55387

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Attorney for Petitioners

EXHIBIT LIST

Ex. A – Affidavit of Kevin Peterson

Ex. B – City of Plymouth Ballot Board Resolution

Ex. C – Anoka County Ballot Board Resolution

Ex. D – 2022 Hennepin County Ballot Board Resolution

Ex. E – 2014 Hennepin County Ballot Board Resolution

Ex. F – Affidavit of Andrew Cilek with MGDPA request

Ex. G – Minnesota Secretary of State Election Administration Manual p. 49

EXHIBIT A

STATE OF MINNESOTA IN SUPREME COURT

Minnesota Voters Alliance;
Kevin Peterson;
Paul Kozlak;

Petitioners,

AFFIDAVIT OF KEVIN PETERSON

v.

City of Plymouth, Minnesota;
Hennepin County, Minnesota;
Anoka County, Minnesota;

Court File No. _____

Respondents.

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

I, KEVIN PETERSON, being duly sworn, do state and affirm as follows:

1. I am a resident of the City of Plymouth, Minnesota. I vote in statewide and local elections, and I have an interest in the integrity of our electoral process. I am also a current candidate for the Minnesota State Senate in District 42.
2. On June 17, 2026, I sent an email to the Plymouth City Clerk, Jodi Gallup, inquiring how absentee ballots were processed, and who processes them, and to better understand the city's relationship with Hennepin County regarding absentee ballots.
3. On June 17, 2026, the City Clerk responded by email confirming that the City of Plymouth manages the accepting and rejecting of the absentee ballots that come in from in-person absentee or are dropped off at city hall. She also sent me the draft resolution which was intended to establish the Plymouth absentee ballot board.
4. After exchanging a few emails, the City Clerk called me on June 23, and we spoke for about 20 minutes. She stated to me that 'they', which I understood to mean she and her staff, process the absentee ballots mentioned above, and that they are trained. She reaffirmed to me that she's done elections since the early 2000's.

5. I had asked her in an email who specifically from the list she provided are the election judges that will be appointed. And how, or will they be, selected and appointed by the governing body?
6. The City Clerk told me on our phone call that if she has any questions or if something needs to be addressed, she calls someone from the list. I understood this to mean that she and her staff would be handling the ballots, and that others from the list would only become involved if she contacted them at another time.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated: August 4th, 2026


Kevin Peterson

EXHIBIT B

CITY OF PLYMOUTH

RESOLUTION No. 2026-153

RESOLUTION APPOINTING ELECTION JUDGES AND ABSENTEE BALLOT BOARD ELECTION JUDGES FOR THE 2026 STATE PRIMARY AND GENERAL ELECTIONS

WHEREAS, the State Primary Election will be held on August 11, 2026 and the General Election on November 3, 2026; and

WHEREAS, the city is responsible for hiring and training election judges and absentee ballot board election judges and utilizes individuals that participated in the caucus process, those individuals who have previously served as election judges or who are new and city staff; and

WHEREAS, per State Statute, 204B.21, Subd. 2, the city may appoint additional election judges and absentee ballot board election judges within 25 days prior to any election if additional election judges will be required; and

WHEREAS, attached to this resolution is the list of individuals to be appointed for the 2026 elections.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA that the attached list of individuals are appointed to serve as election judges and absentee ballot board election judges for the 2026 elections.

BE IT FURTHER RESOLVED that all members appointed to the Hennepin County Absentee Ballot Board as authorized under State Statute, 203B.121, Subd. 1, under the direction of the Election Manager are also appointed to serve as election judges of Plymouth's Absentee Ballot Board.

BE IT FURTHER RESOLVED that the City Clerk is authorized to appoint additional election judges and absentee ballot board judges as deemed necessary within 25 days prior to both elections without further action.

APPROVED by the City Council on this 23rd day of June, 2026.

Matthew Abe	Lori Carlson	Cheryl Flugaur-Leavitt	Rebecca Huerta
Patricia Adkins	Devon Chambliss	Teresa Foushee	Fred Hulting
Alexis Ahrens	Brent Christensen	Patty Franco	Karen Hulting
Peter Albrecht	Nicole Clay	Deb Frank	Steve Huseh
Nicole Alsup	Ranosha Coffelt	Patricia Freeman	Casey Hyman
Jennifer Amatya	Sarah Cole	Michelle Fryer	Thomas Iacoviello
Craig Anderson	Terri Collins	Kimberly Fuhrman	Ann Isenberg
Debbie Anderson	Pam Conner	Pamela Galanter	Mark Isenberg
Lauren Anderson	Kathleen Coyle	Sonia Galinson	Fran Iverson
Mary Margaret Anderson	Bradley Dammann	Russell Gallagher	Lorinda Jackson
Nancy Anderson	Mark Daniel	Jodi Gallup	Christy Jaeger
Patrick Anderson	Chris Daniels	Gary Gaudette	Frances Jaffoni
Colton Ashley	Belle Davenport	Jeanne Gooden	Cynthia Jensen
Elizabeth Atkinson	Jeff Davies	Terese Goodfellow-Heyer	Leslie Johnson
Laura Babcock	Vicki Dellwo	Amy Gottschalk	Steven Johnson
Robert Banse	Richard Demers	Tom Gottwalt	Theresa Johnson
David Bardal	Dawn Dexter	Susan Grahek	Julie Joseph
Lisa Basil	John Dingmann	Karen Gray	Jay Kakuk
Thomas Bassett	Kevin Doyle	Sylvia Grismer	Michael Karaman
Roseann Becker	Natalie Dorcy	Adam Grocholski	Ken Karpe
Gregg Bendtsen	Al Draves	Richard Gross	Andrew Kaus
Carol Bennet	Kyla Dropkin	Patricia Haertel	John Keets
Virginia Benusa	Mary Drouillard	Christopher Hagen	Paul Kegel
Kathy Berkowitz	Radhika Duddilla	Mark Hageness	James Keller
Curtis Billmeyer	Kim Dunford	Lisa Hammock	MacDonald Kennedy
Donald Birdsong	Leroy Duvall	Julianne Hargreaves	Thomas Kenny
Thomas Boatman	James Dvorak	Carolyn Harris	Shabbir Khambaty
Kianna Boatswain	Michael Dwyer	Marijane Hauer	Anjali Khanna
Erin Bobzien	Joe Dzurik	Timothy Hearn	Kevin Klitz
Kathleen Boe	David Earp	Amy Hemstad	Sue Koenenman
Thomas Boe	Janalle Earp	Kristen Henderson	Kraig Koep
Judie Bomchill	Patrick Ebert	Robert Henry	Charlotte Kokkinen
John Brawley	Philip Engel	Tim Herman	Howard Koolick
Sue Brennan	Saudia Epps	Gordon Heruth	Gregory Korstad
Katherine Brick	Jason Erdahl	Margaret Heuer	Timothy Krause
Arica Brower	Dawn Errede	Robert Heuer	Wally Kubitschek
Tim Brower	Bernardo Escobedo-Diaz	Peter Highum	RoseAnn LaBree
Diane Brower-Johnson	Madeleine Essman	Kirby Hoberg	Tim Lahti
Michael Brown	Kathleen Fell	Carol Holmes	Bruce Larson
Maria Bruun	Michael Fennessey	Jim Holmes	Gretchen Larson
Amy Buckley	Susan Ferrell	Jennifer Holte	Paula Lehman
Scott Burglechner	Gordon Field	Kathy Hoppe	Sara Leiste
Rebekah Byland	Leslie Fieldman	Bruce Hoshor	Benjamin LeMay
Janet Campbell	Debra Filer	Rita Hovland	Diane Lempke
Jennifer Campbell	Theresa Finken	Brody Howard	Carrie Lewis
Sarah Campbell	Julie Fischer	Michelle Hromatka	Margaret Lewis
Janelle Cargill	Robert Fischer	Jeff Huebschen	Cynthia Lilly

Joyce Lindquist	Lori Neubel	Joanne Schroeder	Karen Unterseher
Ellen Lindseth	Kevin O'Connor	Jim Schuetz	Jackie Vallette Uglow
Hans Linton	Linda Oja	Craig Schulz	Diana Van Moorlehem
Paul Ljung	Barbara Olson	Nick Schwarzrock	Josh Velasquez
Mary Lolich	David Olson	Gary Schwitzer	Divya Venkat
Jerry Lorenzini	Michael Olson	Leland Scofield	James Villars
Lori Lund	Steve Paladie	Sue Seim	Mary Volkmann
Peter Manderfeld	Elizabeth Pankonin	Helen Seltzer	Mark Wadman
Erin Mangan	Emelyn Peasha	Glenn Sherling	James Walder
Joy Manley	Lilly Perry	Karen Silvis	Susan Walder
Charles Mann	Mary Peters	Ellie Singer	Michael Walker
Patrick Manning	JackieLynn Peterson	Jitka Sirucek	Rick Wallach
Bruce Manthey	Joshua Peterson	Jerome Siverson	Frank Walles
Alice Markham	Judith Peterson	Arne Skaalure	Joanne Walles
Joann Marti	Katherine Peterson	Debra Slacter	Leah Wandersee
Jennifer Matthews	Mary Helen Peterson	Gloria Smith-Meyer	Josie Warren
Marcus McCrory	Pamela Peterson	Michelle Soderberg	Kathy Weber
Kevin McDermott	Theresa Peterson	Milind Sohoni	Hannah Wegner
Rita McDermott	Tim Peterson	Diane Solarz	Chet Welle
Britt McDonnell	Wayne Peterson	Jannetta Spahn	Elynn Welle
Stephanie McGinty	Vicky Phillips	Susan Sparling-Micks	Alison Wells
Bradley Mersereau	Christine Plutowski	Brad Starr	Daniel Wexler
Erica Messerli	Ken Prine	Bonnie Stein	Dan Winderl
Diane Mestemacher	Barbara Quello	Don Steinhart	Lori Wisnewskey
David Metcalf	Damodar Ramanuj	Kari Stern	Darlene Woosley
Mary Mikelthun	Mary Rapaport	Manon Sternberg	Ebony Wyatt
James Miller	Barth Reding	Bailey Stickney	Brenda Wyley
Joan Miller	Mary Lynn Regan	Alex Sumetsky	Shay Wyley
Michael Miller	Merrilee Riley	Jacque Sundquist	Clare Wysocki
Michael R. Miller	Kelsey Roadfeldt	Marilyn Sunseri	Barbara Yost
Lee Minors	Derek Roek	Dan Sussner	Linda Zeis
Ann Moe	Sheila Rolf	Colleen Sweeney	Eric Ziegler
Rebecca Monson	Rachel Romansky	Shaista Tajamal	Kenneth Zieska
Fred Moore	Karen Rosch	Peter Thielen	Gergory Zillgitt
Deborah Moravec	Tom Rosch	Jodi Thielges	Christine Zonneveld
Louise Morgan	Burt Rovner	Jeff Thiemann	Erik Zuroskey
Diana Morrissey	James Rowan	David Tobelmann	Brian Zwilling
Dennis Morrow	Joyce Rubin	Rosemary Tobelmann	
Mary Muller	Colleen Rusch	Sharon Tolley	
Michael Myers	Mary Salit	Kenneth Tolzmann	
Alan Napier	Annette Sandler	Karen Tomlinson	
Jeff Naughtin	Kyle Sarpong	Evan Trewyn	
Mary Neaton	Don Sayler	Lolita Tuopay	
Julie Nekola	Ben Scharenbroich	Dannette Turner-Strickland	
Randi Nelson	Jason Scherschligt	Sherry Tyrrell	
Terri Nelson	Mary Schiebe	Bulent Ugurlu	
Chris Newmarker	Christine Schraml	James Unterseher	
David Nisam	Douglas Schroeder		

EXHIBIT C

BOARD OF COUNTY COMMISSIONERS

Anoka County, Minnesota

DATE: July 26, 2022

RESOLUTION #2022-102

OFFERED BY COMMISSIONER: Meisner

ESTABLISHING THE ANOKA COUNTY ABSENTEE BALLOT BOARD

WHEREAS, Minnesota Statutes Section 203B.121 requires the governing body of each county with responsibility to accept and reject absentee ballots to establish a ballot board and outlines the duties of the ballot board; and,

WHEREAS, the ballot board must consist of a sufficient number of party balanced election judges appointed as provided in Minnesota Statutes Sections 204B.19 to 204B.22 and may also include deputy county auditors or deputy city clerks who have received training in the processing and counting of absentee ballots:

NOW, THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, does hereby establish an Absentee Ballot Board pursuant to Minnesota Statutes Section 203B.121, subd. 1, for the purpose of accepting, rejecting, processing, and counting absentee ballots cast by Anoka County citizens, including at locations designated pursuant to Minnesota Statutes Section 203B.081.

BE IT FURTHER RESOLVED that party balanced election judges will be utilized to perform all duties where their participation is required by statute.

BE IT FURTHER RESOLVED that this ballot board shall be reconvened, and members appointed for each election held in Anoka County, until adoption of a subsequent resolution by a future action of the Anoka County Board of Commissioners.

STATE OF MINNESOTA)
COUNTY OF ANOKA) ss

I, Dee Guthman, Deputy County Administrator, Anoka County, Minnesota, hereby certify that I have compared the foregoing copy of the resolution of the county board of said county with the original record thereof on file in the Administration Office, Anoka County, Minnesota, as stated in the minutes of the proceedings of said board at a meeting duly held on July 26, 2022, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said board at said meeting.

Witness my hand and seal this 26th day of July 2022.



DEE GUTHMAN
DEPUTY COUNTY ADMINISTRATOR

	YES	NO
DISTRICT #1 – LOOK	X	
DISTRICT #2 – BRAASTAD	X	
DISTRICT #3 – WEST	X	
DISTRICT #4 – MEISNER	X	
DISTRICT #5 – GAMACHE	Absent	
DISTRICT #6 – REINERT	X	
DISTRICT #7 – SCHULTE	X	

EXHIBIT D

HENNEPIN COUNTY

MINNESOTA

Board Action Request 22-0333

Item Description:

Re-authorize the Hennepin County Absentee Ballot Board

WHEREAS, this Board previously established the Hennepin County Absentee Ballot Board in Resolution No. 14-0099; and

WHEREAS, the absentee ballot board has a statutory role in receiving and processing absentee ballots issued by Hennepin County; and

WHEREAS, Minnesota statutes and case law have provided additional guidance regarding the membership and functions of the absentee ballot board.

Resolution:

BE IT RESOLVED, pursuant to Minn. Stat. § 203B.121, that the Hennepin County Board re-authorizes the establishment of the Hennepin County Absentee Ballot Board for the purpose of receiving and processing of absentee ballots; and

BE IT FURTHER RESOLVED, pursuant to Minn. Stat. § 204B.21, that the Hennepin County Board authorizes the Hennepin County Auditor or the County Auditor's designee to appoint to the Hennepin County Absentee Ballot Board election judges and deputy county auditors in a manner consistent with Minnesota law.

Background:

Under Minnesota law, the Hennepin County Board must establish a ballot board by ordinance or resolution. The Hennepin County Absentee Ballot Board is authorized to process and count all absentee ballots issued by Hennepin County. In 2014, the Board passed a resolution establishing the absentee ballot board. Since that time, statutory amendments and a Minnesota Supreme Court ruling (Minnesota Voters Alliance v. County of Ramsey, No. A20-1294, A20-1295, A20-1296 (Minn. Mar. 16, 2022)) have further clarified the roles of election judges and deputy county auditors, each of whom may serve as absentee ballot board members.

This action will re-authorize the Hennepin County Absentee Ballot Board and maintain the requirement that the absentee ballot board's practices comply with current Minnesota law. This resolution also authorizes the Hennepin County Auditor or an elections staff person designated by the County Auditor to appoint election judges and deputy county auditors to the absentee ballot board, consistent with Minnesota law. Pursuant to this authorization, the County Auditor will also follow the legal requirements related to the training and duties of absentee ballot board members.

This request aligns with Hennepin County disparity reduction efforts by ensuring the integrity of elections in our county, allowing residents the ability to continue to confidently participate in our democracy, hold elected officials accountable, and have a voice in important issues affecting themselves and their communities. Elections and voting directly impact all disparity domains.

EXHIBIT E

Hennepin County Board Action Request 14-0099



Item Description:

Establish the Hennepin County Absentee Ballot Board

Resolution:

BE IT RESOLVED, that the Hennepin County Board establishes the Hennepin County Absentee Ballot Board for the purpose of processing and counting of absentee ballots; and

BE IT FURTHER RESOLVED, that the Hennepin County Board authorizes the Elections Office to assign staff members who have received training as election judges to serve on the Absentee Ballot Board, to designate election judges trained in the processing and counting of absentee ballots to serve on the Absentee Ballot Board as needed, and to take any other action necessary to ensure the proper administration of the Absentee Ballot Board, as required by state law.

Hennepin County Board Action Request (continued)

Requesting Department	Taxpayer Services
Recommendation from County Administrator	Recommend Approval
Committee Assignment	

Background

In 2010, the Legislature made a number of changes to Minnesota's Election Laws. Among these changes, each county is now required by Minn. Stat. §203B.121 to establish an absentee ballot board to process and count absentee ballots submitted by voters.

The county absentee ballot board would be authorized to process and count all absentee ballots issued by Hennepin County.

The absentee ballot board must consist of a sufficient number of Elections staff and, when needed, election judges who have been trained in the laws and procedures required to process absentee ballots as provided in the Minnesota Election Law. All Elections Office staff members have received the election judge training required to perform the duties assigned to the absentee ballot board.

The Hennepin County Absentee Ballot Board shall meet as needed during absentee voting periods for special and regularly scheduled elections.

Approvals

Department Head	Chapin, Mark	Date	2/26/2014
Deputy/Assistant Administrator	Rachelle, Tait	Date	2/27/2014
County Administrator	Rachelle, Tait	Date	3/10/2014

EXHIBIT F

STATE OF MINNESOTA IN SUPREME COURT

Minnesota Voters Alliance;
Kevin Peterson;
Paul Kozlak;

Petitioners,

**AFFIDAVIT OF
ANDREW CILEK**

v.

City of Plymouth, Minnesota;
Hennepin County, Minnesota;
Anoka County, Minnesota;

Court File No. _____

Respondents.

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

I, ANDREW CILEK, being duly sworn, do state and affirm as follows:

1. I am a resident of the City of Eden Prairie, Minnesota, and the Executive Director of the Minnesota Voters Alliance.
2. On July 7, 2026, I submitted a request for data under the Minnesota Government Data Practices Act to Hennepin County, Minnesota using the online data request portal.
3. In that request, I asked for the names of the members of the 2026 Hennepin County Absentee Ballot Board.
4. Two days later on July 9, 2026, I received an email response providing the names of ten election judges and one Admin Assistant. The email response and list of names is attached to this document.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated: 4 AUGUST, 2026

Andrew Cilek
Andrew Cilek

From: Hennepin County Data Request Portal <hennepincountymn@govqa.us>
To: acilek@att.net <acilek@att.net>
Sent: Thursday, July 9, 2026 at 01:12:15 PM CDT
Subject: Hennepin County Data Request :: D063627-070726

--- Please respond above this line ---



RE: Your data request reference # D063627-070726

Dear Hennepin Ballot Board members Andy Cilek:

This correspondence is regarding your data request dated 7/7/2026.

The names of the members of the 2026 Hennepin County Absentee Ballot Board are as follows:

Linda Blair – Election Judge

Carls Clasen- Election Judge

Barbara Lunde – Election Judge

James Welbourn- Election Judge

Marilee Janssen – Election Judge

Dean Harakas – Election Judge

Monica Bentum – Election Judge

Claire Thefaine – Election Judge

Robert Hulteen - Election Judge

Diana Jaimes – Election Judge

Rhiannon Thompson – Admin Assistant

If you have questions, contact us via the [Data Request Portal](#).

Sincerely,

Chris Chiu

Questions? Visit the [Data Request Portal](#).

Appendix A - Sample Forms

Absentee Ballot Board Resolution

ABSENTEE BALLOT BOARD RESOLUTION

BOARD OF COUNTY COMMISSIONERS

[insert county name], MINNESOTA

Date:

Resolution Number:

Motion by Commissioner:

Seconded by Commissioner:

RESOLUTION NO. [insert resolution number]; ESTABLISHING AN ABSENTEE BALLOT BOARD

WHEREAS, [insert county name] is required by Minnesota Statutes 203B.121, Subd. 1 to establish an Absentee Ballot Board; and

WHEREAS, this board will bring uniformity in the processing of accepting or rejecting returned absentee ballots in [insert county name]; and

WHEREAS, the Absentee Ballot Board must consist of a sufficient number of election judges appointed as provided in sections 204B.19 to 204B.22; and

WHEREAS, the Absentee Ballot Board may include deputy county auditors trained in the processing and counting of absentee ballots;

THEREFORE, BE IT RESOLVED THAT, the [insert county name] Board of Commissioners hereby establishes an Absentee Ballot Board effective [month day year] to perform the required tasks.

COMMISSIONERS	VOTE			
	Yes____	No____	Absent____	Abstain____
	Yes____	No____	Absent____	Abstain____
	Yes____	No____	Absent____	Abstain____
	Yes____	No____	Absent____	Abstain____
	Yes____	No____	Absent____	Abstain____

STATE OF MINNESOTA

[insert county name]

I, [insert county administrator name], duly appointed qualified and County Administrator for the [insert county name], State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, [insert county name], Minnesota at their session held on the ____ day of ____, 2016 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at [insert city name], Minnesota, this ____ day of ____, [year].

____ County Administrator

____ Administrator's Designee