

**APPROVED**

April 23, 2009

**MEETING OF THE MONTGOMERY COUNTY BOARD OF ELECTIONS  
751 Twinbrook Parkway, Rockville, Maryland**

**In Attendance:**

**Board Members:**

Jerrold Garson, President  
John Sullivan, Vice President  
Nancy Dacek, Secretary  
Nahid Khozeimeh  
Lucia Nazarian  
Mary Kiraly

**Staff:**

Margaret Jurgensen, Director  
Sara Harris, Deputy Election Director  
Christine Rzeszut, Acting Operations Manager  
Dr. Gilberto Zelaya, Outreach Coordinator  
Kevin Karpinski, Legal Counsel  
Marjorie Roher, Administrative Specialist  
Rence Adams, Election Aide

**Guests:**

Stan Boyd, Save our Votes  
Angel Brown, United States Postal Service  
Holly Joseph, Save our Votes  
Alysoun McLaughlin, Pew Center on the States  
Sherlie Melendez, United States Postal Service  
Amanda Mihill, Montgomery County Council  
Kate Rhudy, Montgomery County Democratic Central Committee  
Mike Russo, United States Postal Service  
Barbara Sanders, Montgomery County League of Women Voters  
Steve Shawn, United States Postal Service

**Convene Meeting and Declare Quorum Present**

Mr. Garson called the meeting to order at 11:04 p.m. and declared a quorum present.

**Additions/Changes to the Agenda**

Ms. Jurgensen requested an addition under section IV Approval of Minutes so that the representatives from the United States Postal Office can address the Board

regarding late arrival absentee ballot applications. Ms. Roher requested an Executive Session to review previous minutes.

### **Approval of March 16, 2009, and April 16, 2009, Minutes**

Minutes from the March 16, 2009, and April 16, 2009, meetings were distributed for review. A motion was made by Mrs. Khozeimeh to approve the March 16, 2009, minutes as submitted. The motion was seconded by Ms. Kiraly and carried unanimously.

Changes were requested by Mr. Sullivan, Mrs. Dacek, and Ms. Kiraly. A motion was made by Mrs. Khozeimeh to approve the April 16, 2009, minutes as amended. The motion was seconded by Ms. Kiraly and carried unanimously.

### **United States Post Office (USPS) Representatives**

Mrs. Harris stated that USPS representatives were invited to provide information relative to the 300 plus absentee ballot applications that were stamped at Shady Grove Post Office in early April and received after the April 14<sup>th</sup> deadline. Mrs. Harris introduced Mike Russo who is the Operations Support Specialist at Shady Grove Post Office. Mr. Russo addressed the Board concerning late arrival absentee ballots. He stated that Mrs. Harris spoke to him about the discrepancy at the post office. Mr. Russo described the mail distribution process and described how pieces of mail imprinted with orange bar codes are tracked at Shady Grove Post Office. Mr. Sullivan addressed Mr. Russo about mail handling and Mr. Russo's response was that each mail piece is handled 4 times before it is dispatched for delivery. Mr. Russo explained the 4 processes. Ms. Kiraly asked if during encoding and dispatching mail if emblems mattered on mail for delivery. Mrs. Harris's response was that the understanding is that all first class mail is treated the same and only mail from the BOE office carries the Official Election Mail imprint. Mr. Russo stated that he can only speculate that it was a human error that occurred when it left Shady Grove Post Office and mail pieces were mishandled. He stated that he will take precautions and measures so that it doesn't happen again. Ms. Jurgensen asked if there is any mechanism to flag mail and Mr. Russo responded no, mail will come back with other misdelivered mail. Mr. Russo reported that he will update Mrs. Harris for the next election and notify her when bins are being delivered.

Mrs. Harris introduced Mr. Steve Shawn who is Customer Service Manager of the Rockville Post Office. Mr. Shawn stated that he doesn't know exactly what happened but he knows that the mail is put on a truck and sent to him. He noted that it could have been misplaced and feels really bad about what happened. Mr. Shawn stated that the mail was misplaced on different days but all were received at the same time. Ms. Roher stated that there is a distinct possibility that they were accidentally placed in the wrong post office box based on the fact that they went to a company that had a mail opener and realized that the mail wasn't theirs and they sent it back. She asked if there was anyway to determine what companies had mail boxes immediately surrounding ours and contact

them hoping that we can get some information. Mr. Shawn's response was yes that those companies can be contacted. Ms. Roher stated that there are two post office boxes at Rockville that relate to absentee ballots; one for applications and one for ballots.

\*\*\* Ms. Brown, Ms. Melendez, Mr. Russo, and Mr. Shawn left the meeting at 11:45\*\*\*

## **Election Director Status Reports**

### **Budget**

Ms. Jurgensen reported that Ms. Roher submitted the 3<sup>rd</sup> Quarter Analysis in the advance packet. Ms. Roher discussed the budget spreadsheet distributed in folders. Mr. Garson asked if all the expenditures for the special elections will be added to this fiscal year, and Ms. Roher's response was it will be included but will not receive all the invoices within the fiscal year. Mrs. Kiraly suggested that since the Board President is a CPA he might be able to review the budget in an effort to reduce costs. Ms. Jurgensen stated that the budget is given by the County Executive's Office of Management and Budget. Ms. Dacek stated that she is speaking for herself and feels that Ms. Jurgensen and Ms. Roher are responsible for the budget and it is not a responsibility for Board members. Ms. Kiraly stated that she is not bringing forth a motion because she thinks that the staff is doing something incorrectly but it is important for the Board to understand complete details of the budget.

A motion was made by Ms. Kiraly to allow Mr. Garson to review budget. The motion was seconded by Mr. Sullivan. The Board voted with 3 in favor and 2 opposed-motion passed.

Ms. Jurgensen stated that she will set a meeting with the County Council and OMB budget analyst after July 1, to discuss the budget.

### **Voter Registration**

Ms. Jurgensen reported that there was nothing new to report.

### **State Board of Elections**

Ms. Jurgensen reported that there was nothing new to report.

### **Facility Issues**



Ms. Roher stated that there was nothing new to report. Mr. Garson asked when the relocation would occur and Ms. Roher responded that it is still on track for June 22.

## **Board Attorney Report**

Mr. Karpinski stated that there was nothing new to report.

\*\*\*Ms. Roher left the meeting at 12:13 p.m.\*\*\*

## **Old Business**

Ms. Jurgensen reported that there was nothing new to report.

## **New Business**

### **State Legislature**

Ms. Jurgensen requested that this item be delayed until next month. Mr. Garson briefly explained bills that were passed. Ms. Harris stated that a list from the State Board of Elections of 2009 General Assembly election-related legislation and results was emailed to the Board.

## **Special Election April 21, 2009, and May 19, 2009 Preparation**

### **Polling Places**

Ms. Jurgensen stated that the April 29 Student School Board Member Election is in preparation. She noted that the same number of equipment and personnel will be sent for the Special Council District 4 General Election as was sent for the Primary Election.

### **Election Judges**

Ms. Jurgensen reported that the same complement of election judges Council District 4 will be assigned for the Council District 4 Special General Election as was assigned for the Primary Election.

### **Media**

Ms. Jurgensen stated that there was nothing new to report. Ms. Kiraly thanked everyone for providing her with so much information.

\*\*\*Mr. Boyd, Ms. Joseph, Ms. McLaughlin, Ms. Milhill, Mrs. Rzeszut, Ms. Rhudy, Ms. Sanders, and Dr. Zelaya left the meeting at 12:13 p.m.\*\*\*

## **Report on the Executive Session**

At 12:15 p.m. the Board met in Executive Session pursuant to State Government Article, Sections 10-508(a)(1)(i), and 10-508(a)(13), to review minutes from a previous Executive Session and to discuss a personnel issue.

The Montgomery County Board of Elections met in closed session on this date. The following members of the Board and staff were in attendance: Jerrold Garson, Nancy Dacek, John Sullivan, Nahid Khozeimeh, Mary Kiraly, Lucia Nazarian, Margaret A. Jurgensen, Sara Harris, Kevin Karpinski, and Renee Adams.

### **Executive Session Minutes**

Mr. Karpinski distributed minutes from the February 23, 2009, Executive Session for review.

### **Personnel Issue**

Mr. Sullivan discussed the Board's response to the U.S. Post Office Discrepancy. The Board discussed communication issues.

There were no other items discussed in Executive Session.

A motion was made by Mr. Sullivan to adjourn the Executive Session and reconvene in regular session. The motion was seconded by Mrs. Khozeimeh and carried unanimously, with the Board reconvening in regular session at 12:31 p.m.

### **Executive Session Minutes**

A motion was made by Mrs. Khozeimeh to approve the Executive Minutes from the February 23, 2009, meeting as submitted. The motion was seconded by Ms. Kiraly and carried unanimously.

### **Future Meetings**

- A. April 27, 2009 - 10:00 a.m. - Provisional Canvass
- B. May 1, 2009 - 10:00 a.m. - Absentee II Canvass
- C. May 11, 2009 - 10:00 a.m. - Public Testing
- D. May 14, 2009 - 5:00 p.m. - Bag Check
- E. May 18, 2009 - 6:00 p.m. - Precinct Check
- F. May 19, 2009 - 10:00 a.m. - Swearing In – ELECTION DAY
- G. May 21, 2009 - 10:00 a.m. - Absentee I Canvass
- H. May 21, 2009 - 11:00 a.m. - Board Meeting
- I. May 26, 2009 - 10:00 a.m. - Provisional Canvass

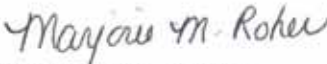
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- J. May 29, 2009 - 10:00 a.m. - Absentee II Canvass
- K. June 15, 2009 - Tentative
- L. July 20, 2009
- M. September 21, 2009
- N. October 19, 2009
- O. November 16, 2009
- P. December 14, 2009

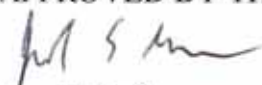
**Adjournment**

With no further business, a motion was made by Mr. Sullivan to adjourn the meeting. The motion was seconded by Mrs. Khozimeh and carried unanimously. The meeting was adjourned at 12:32 p.m.

Respectfully submitted,

  
Marjorie M. Roher  
Administrative Specialist

APPROVED BY THE BOARD:

  
Jerrold S. Garson  
Board President