

APPROVED

May 21, 2009

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

In Attendance:

Board Members:

Jerold Garson, President
Nancy Dacek, Secretary
Nahid Khozeimeh
Lucia Nazarian
Rosalyn Pelles
Mary Kiraly

Staff:

Margaret Jurgensen, Director
Sara Harris, Deputy Election Director
Betty Ann Lucey, Registration Manager
Christine Rzeszut, Acting Operations Manager
Kevin Karpinski, Esq., Attorney
Marjorie Roher, Administrative Specialist
Renee Adams, Election Aide

Guests:

Alan Banov, Montgomery County Democratic Central Committee
Barbara Ditzler, League of Women Voters of Montgomery County

Mr. Garson called the meeting to order at 11:05 a.m.

Additions/Changes to the Agenda

Ms. Roher stated that there were minutes from a previous Executive Session to be approved in Executive Session.

Public Comment

Ms. Roher stated that no one requested permission to address to Board. Mr. Garson added that Alan Banov wanted to address the Board but was not present at this time.

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Approval of April 23, 2009 Minutes

Minutes from the April 23, 2009 meeting were distributed for review. Changes were requested by Ms. Kiraly. A motion was made by Ms. Kiraly to approve the April 23, 2009, minutes as amended. The motion was seconded by Mrs. Dacek and carried unanimously.

Election Director Status Reports

Budget

Ms. Jurgensen reported that the budget at one time looked close to a \$600,000 deficit because of unfunded mandates by the State Board related to the cost of the conduct of the General Election which included the printing of stand-by paper ballots and the increased number of election judges and other personnel, supplies and support necessary for the election. She stated that the deficit now projected for this portion of the cost will be around \$100,000. Ms. Jurgensen informed the Board that staff received billing from the State Board and these bills have all been paid except for a portion of the billing for the voting system. She reported that the State Attorney General Douglas Gansler is suing Premier over a contract dispute and we have been instructed to encumber the funds for that portion of the SBE billing relating to the voting system.

Ms. Jurgensen stated that the Board of Elections submitted an expected cost for the Special Elections at \$1,441,000; the supplemental for this election. She noted that the Office of Management and Budget submitted a supplemental appropriation of \$1.3 million. Ms. Jurgensen reported that under the direction of the Office of Management and Budget, the Board staff developed a plan to minimize the cost of Special Elections. Cost savings included not hiring the League of Women Voters to perform as the Polling Place Support Program, reducing the personnel allotted for each polling place, recycling products from previous elections to reduce printing costs and utilizing existing supplies. She noted that the year end deficit will be closer to \$200,000.

Ms. Roher informed the Board that there were two supplemental appropriations requested. She stated that one has been finalized and ? will receive funds in budget within the next 30 days for costs associated with the Gaithersburg move. Ms. Roher reported that the other supplemental was introduced to the County Council this morning for the special elections. She stated that the budget will go to a public hearing on June 9th in the afternoon which she and Mrs. Dacek will attend. Ms. Roher reported that she has spoken to Mr. Goldstein with the State Board of Elections and he confirmed there will be no more billings for this fiscal year with the exception of the \$280,000 that is to be encumbered. Ms. Roher stated that she has submitted documentation to OMB requesting permission to proceed with an encumbrance request.

Mr. Garson stated that he received a copy of a request for public information detailing invoices paid to SBE. Both Ms. Jurgensen and Ms. Roher stated that they never received the request and asked Ms. Adams to make a copy to give to the Board Attorney.

Ms. Pelles asked who submitted the request and Mr. Garson responded "Save Our Votes".

Mr. Banov entered meeting at 11:16 a.m

Voter Registration

Ms. Jurgensen reported that voter registration opens again for Council District 4 on June 2, 2009. She noted that she expects to see a report on High School Registration in July.

State Board of Elections

Ms. Jurgensen stated that the State HAVA plan has been updated. She reported that the new monies to be appropriated in federal funds are \$1.81 million, noting that the Section 101 funds will be allocated in the following manner:

- Improve interface between State Voter Registration and Motor Vehicles to decrease the number of individuals who have a transaction at MVA that does not reach the SBE or LBE.
- Develop an "on line" voter registration (undefined).

Election Reform Project:

- Develop an "on line" program for the delivery of E-mail ballots.
- Enhance election night reporting (SBE only).
- Election audits
- Establish a data entry center to process voter registration applications for last minute applications.
- Absentee tracking system through US Postal Service.

Ms. Jurgensen stated that petitions for speed camera legislation will be submitted and available for processing on June 2. She noted that SBE training is scheduled on May 27 and May 28. Mr. Karpinski will be advising staff on the process. Ms. Jurgensen stated that the SBE has asked the Directors to wait for determining site selections for early voting as the RFP has been withdrawn and square footage and technology needs to be considered.

Facility Issues

Ms. Roher reported that the Twinbrook location had an AC unit burst last week and the glass room was flooded. She noted that the Gaithersburg site is going extremely well. Ms. Roher stated that she has scheduled staff tours and a Board tour is scheduled for June 3rd. She reported that elevator installation will be delayed by one week. Ms. Roher discussed the moving schedule for the department and noted that BOE will be closed to the public for 3 days and she will release those days after plans are finalized. Ms. Roher added that everything is going well and is on track. Ms. Dacek asked about

signage. Ms. Roher discussed signage for the Board of Elections and signage locations. Mr. Garson asked if Ride-On can make accommodations for BOE and Ms. Roher responded that she spoke to them and they stated that they can not make any accommodations at this time.

Board Attorney Report

Mr. Karpinski discussed the Bloem case with the Board. He stated that the plaintiff filed a motion for summary judgment and that decision was granted. Mr. Karpinski noted that a revised order will be submitted to Judge Rubin. He reported that the plaintiffs will have 30 days from the court order in which they can appeal following signature. Mr. Karpinski stated that he believes they will appeal.

Old Business

Mr. Garson asked Mr. Banov if he had any comments and he expressed concern about the election judge manual.

Ms. Jurgensen reported that the Montgomery County Public School System gave the Board of Elections a plaque to show their appreciation for assistance with the election of the student member to the School Board.

New Business

State Legislature

Mrs. Harris reported that a 90 day Legislative report from MAEO is available on-line. Mr. Garson noted that two bills pertaining to early voting and a new voting system were passed and signed by the Governor.

Special Election Report

Polling Places

Ms. Jurgensen reported that there were no identified problems on Election Day.

Election Judges

Ms. Jurgensen reported that there were no identified problems on Election Day.

Media

There were no media requests.

***Mr. Banov, Ms.Ditzler, Mrs.Lucey, and Mrs. Rzeszut left
the meeting at 12:24 p.m.***

APPROVED

Report on the Executive Session

The Montgomery County Board of Elections convened in Executive Session at 12:25 p.m., pursuant to State Government Article, Sections 10-508(a) 10-508(a)(13), and 10-508(a) to discuss minutes from the previous Executive Session and a personnel matter.

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, Nahid Khozeimeh, Mary Kiraly, Rosalyn Pelles, Lucia Nazarian, Margaret A. Jurgensen, Sara Harris, Kevin Karpinski, Marjorie Roher, and Renee Adams.

Personnel Issues

Mr. Garson discussed a voter complaint from the November 4, 2008 Election.

The Board discussed proposal of bylaws and Board responsibilities.

Executive Session Minutes

Ms. Roher distributed minutes from the April 23, 2009, Executive Session for review.

There were no other items discussed in Executive Session.

A motion was made by Mrs. Dacek to adjourn the Executive Session and reconvene in regular session. The motion was seconded by Ms. Kiraly and carried unanimously, with the Board reconvening in regular session at 12:36 p.m.

Executive Session Minutes

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

Future Meetings

- A. May 26, 2009 - 10:00 a.m.- Provisional Canvass
- B. May 29, 2009 - 10:00 a.m.- Absentee II Canvass
- C. July 27, 2009
- D. September 21, 2009
- E. October 19, 2009
- F. November 16, 2009
- G. December 14, 2009

Adjournment

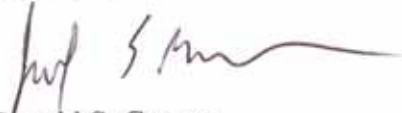
With no further business, a motion was made by Mr. Garson to adjourn the meeting. The motion was seconded by Ms. Kiraly and carried unanimously. The meeting was adjourned at 12:38 p.m.

Respectfully submitted,

Marjorie M. Roher

Marjorie M. Roher
Administrative Specialist

APPROVED BY THE BOARD:



Jerrold S. Garson
Board President

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