

July 27, 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
Nahid Khozeimeh
Lucia Nazarian
Mary Kiraly

Staff:

Margaret Jurgensen, Director
Sara Harris, Deputy Election Director
Betty Ann Lucey, Registration Manager
Brian McKeivitt, Principal Administrative Aide
Ed O'Neill, IT Manager
Christine Rzeszut, Acting Operations Manager
Kevin Karpinski, Esq., Attorney
Marjorie Roher, Administrative Specialist
Renee Adams, Election Aide

Guests:

Stan Boyd, Save Our Votes
Barbara Ditzler, League of Women Voters of Montgomery County
Holly Joseph
Elmira Joy
Kate Rhudy, Montgomery County Democratic Central Committee
Barbara Sanders, League of Woman Voters of Montgomery County

Mr. Garson called the meeting to order at 2:30 p.m.

Additions/Changes to the Agenda

Ms. Jurgensen reported that an addition of an Executive Session at the end of the meeting to discuss contract issues and a new item under New Business regarding approval of data information via CD to candidates and election officials were needed. Ms. Jurgensen also requested discussion to change the next Board meeting to Tuesday, September 29, 2009, at 2:30 p.m.

Mrs. Khozeimeh entered meeting at 2:32 p.m.

Public Comment

Ms. Roher stated that no one requested permission to address to Board. Ms. Rhudy asked if the county budgeted early voting in the budget. Mr. Garson deferred discussion to the Budget portion of the meeting. He noted that early voting will occur in the following fiscal year.

Approval of May 21, 2009 Minutes

Minutes from the May 21, 2009, meeting were distributed for review. A motion was made by Mrs. Khozeimeh to approve the May 21, 2009, minutes as submitted. The motion was seconded by Ms. Kiraly and carried with Mr. Sullivan abstaining due to his absence from the previous meeting.

Election Director Status Reports

Budget

Ms. Jurgensen reported that a printout of the budget for FY09 was provided in the advance packet. She stated that the supplemental budget appropriations from the Council for the cost of the special election and the moving and building costs of the facility had not been credited yet. Ms. Jurgensen reported that they have been notified that because of continued decrease of revenues to county, reduction of state aid and other unanticipated events, the department should expect cuts to the budget for FY10. Ms. Jurgensen explained that there was no other advice provided at this time regarding the level of cuts to the budget for each agency by the county, and added that she will provide information to the Board as soon as she is notified. She noted that the process is for OMB to provide a specific amount that needs to be reduced and then it will be removed from the budget.

Ms. Jurgensen addressed the early voting question asked by Ms. Rhudy. She stated that the early voting was part of our future fiscal impact that we prepare four years out. Ms. Roher stated that the Office of Management and Budget is aware that we are anticipating the costs for early voting and the new voting units this fiscal year. Mr. Sullivan asked if the County knows about the upcoming cost and Ms. Roher responded that they will be reminded of the upcoming cost during budget cuts and noted that BOE will be seeking a supplemental for the new voting systems.

Voter Registration

Ms. Jurgensen reported that monthly statistics are on the website: 561,124 active voters and 46,658 inactive voters, totaling 607,782 voters county wide. She asked Mrs. Lucey if the high school voter registration is ready and she responded no.

State Board of Elections

Ms. Jurgensen stated that there is an Election Director's meeting scheduled for July 30, 2009, at 2:30 p.m. She reported that Ross Goldstein explained that regulations are being drafted to establish controlling factors for the early voting centers and he is expected to present them at the next meeting of the State Board of Elections. Ms. Jurgensen stated that he cautioned that the process to adopt regulations takes time, but once the members of the State Board approve the proposed regulations, the local boards can rely on them even though it's possible that the final version of the regulations may differ from the proposed regulations. She reported on the status of the RFP for the voting system stating that it has been split into two separate solicitations. Ms. Jurgensen noted that there will be one for voting system hardware and one for the services to support implementation. She explained that the solicitations are currently being reviewed by DBM and DOIT, and hopes that they will be available for public review and response either this week or next. The RFP for services appears to be posted with bids requested by September 1, 2009.

Ms. Jurgensen stated that in response to a question about the costs of the new voting system, Mr. Goldstein indicated that he will distribute SBE's cost estimates once they are complete. She added that the new voting system will be financed over time through the Treasurer's Office, but services and implementation costs will be upfront costs that cannot be financed. Ms. Jurgensen noted that because of the services and implementation costs, Mr. Goldstein explained that LBEs should expect that their budgets will increase.

Ms. Jurgensen reported that with respect to the contractual relationship with SBE and Premier, Mr. Goldstein explained that SBE will continue to have a contractual relationship with them because of the warranties and other issues surrounding the existing equipment. She noted that this relationship will continue regardless of the outcome of the voting system and services solicitations.

Ms. Jurgensen addressed the status of the contract claim between Premier and the Attorney General's Office. She stated that Sandy explained that the claim has not been resolved. Ms. Jurgensen stated that Mr. Goldstein explained that payment is being withheld as a result of this contract dispute relates only to the voting system, not electronic pollbook invoices. The Deputy Attorney General added that LBEs with questions concerning electronic pollbook invoices should contact Mr. Goldstein.

Ms. Jurgensen discussed the biennial meeting with the Board. She stated that Board members are required to attend. Ms. Jurgensen stated that Mr. Goldstein explained that SBE is considering splitting the biennial meeting into two meetings - one for Board members and one for election directors and staff. She added that the meeting for the Board members is expected to be held sometime in October. Ms. Jurgensen stated that

with a later meeting date they hope to have more information about the voting system and early voting to share. She added that Mr. Goldstein will work with the MAEO Board to develop a curriculum for the Board members' meeting.

Facility Issues

Ms. Roher reported that our office vacated the Twinbrook location and turned over all keys. She reminded Board members to provide her with any keys they may still have. Ms. Roher stated that there was a ribbon-cutting ceremony with Executive Leggett last Wednesday and discussed the HVAC issue in our new facility.

Board Attorney Report

Mr. Karpinski discussed the Bloem case with the Board. He stated that the plaintiff did not appeal the judge's decision and the case has been resolved.

Old Business

Ms. Jurgensen reported that the Board will need the by-laws committee to meet to discuss by-laws. She noted that the committee will need to meet in advance of the Board meeting. Mr. Garson stated that he will coordinate a time for the committee to meet. Ms. Jurgensen noted that the committee consists of Mrs. Dacek, Ms. Pelles, and Mr. Garson.

Mr. McKeivitt entered meeting at 3:10 p.m.

New Business

Open House

Ms. Jurgensen discussed the staff proposal for an Open House and possible dates. She stated that this will provide the Board members an opportunity to thank the previous election judges and to welcome any new election judges in attendance. Ms. Jurgensen stated that this Open House will serve as good public relations encouraging our election judges to participate with us again in the near future. She added that the Open House will also provide an opportunity for other election officials and county employees to see the new site.

A motion was made by Mr. Garson to hold an Open House on Thursday, October 8, 2009, from 3:00p.m. - 7:00p.m. The motion was seconded by Ms. Kiraly and carried unanimously.

Candidate Information

Ms. Jurgensen discussed pricing for CD information. She explained the background of loading candidate information on a CD. Mr. O'Neil distributed and explained his handout detailing the suggested changes and advantages. He suggested

having two standardized CDs of voter information: municipal elections and county wide gubernatorial and presidential elections, in place of responding to custom information requests. Mr. O'Neill explained that the advantages were improved responsiveness, reduction in labor, and improved candidate value. He noted that the proposed price per CD is \$78.

A motion was made by Mr. Sullivan to provide the standardized CD with one containing county only and the other containing only municipal information for \$78. The motion was seconded by Mrs. Khozeimeh and carried unanimously.

Mr. Boyd, Ms. Ditzler, Ms. Joseph, Ms. Joy, Mrs. Lucey, Mr. O'Neil, Ms. Rhudy, and Ms. Sanders left the meeting at 3:17 p.m.

Report on the Executive Session

The Montgomery County Board of Elections convened in Executive Session at 3:17 p.m., pursuant to State Government Article, Sections 10-508(a) 10-508(a)(13), and 10-508(a)(14) to discuss minutes from the previous Executive Session and contract issues

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, John Sullivan, Nahid Khozeimeh, Mary Kiraly, Lucia Nazarian, Margaret A. Jurgensen, Sara Harris, Kevin Karpinski, Marjorie Roher, Christine Rzeszut, Brian McKeivitt, and Renee Adams.

Contract Issues

The Board discussed planning for early voting.

Executive Session Minutes

Ms. Roher distributed minutes from the May 21, 2009, Executive Session for review.

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 Ms. Khozeimeh and carried unanimously, with the Board reconvening in regular session at 4:31 p.m.

Executive Session Minutes

A motion was made by Ms. Kiraly to approve the Executive Session Minutes from the May 21, 2009, meeting as submitted. The motion was seconded by Mrs. Khozeimeh and carried unanimously.

Contract Issues

A motion was made by Ms. Kiraly to reserve nine early voting sites until September 30 after State Requirements are reviewed. The motion was seconded by Mr. Sullivan and carried unanimously.

Future Meetings

- A. September 29, 2009
- B. October 19, 2009
- C. 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 Mrs. Khozeimeh and carried unanimously. The meeting was adjourned at 4:35 p.m.

Respectfully submitted,



Marjorie M. Roher
Administrative Specialist

APPROVED BY THE BOARD:



Jerrold S. Garson
Board President