

APPROVED

September 29, 2009

MEETING OF THE MONTGOMERY COUNTY BOARD OF ELECTIONS  
18753-210 North Frederick Avenue, Gaithersburg, Maryland

In Attendance:

Board Members:

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

Staff:

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

Guests:

Stan Boyd, Save Our Votes  
Cherri Branson, African American Democratic Club  
Karen Britto, Montgomery County Democratic Central Committee-Chair  
Robert Dyer, Montgomery County Republican Central Committee  
Henry Hailstock, Montgomery County Branch of the NAACP  
Bryan Hunt, Office of Management and Budget  
Holly Joseph, Save Our Votes  
Roxana Olivas, Montgomery County Hispanic Democratic Club  
Kate Rhudy, Montgomery County Democratic Central Committee  
Shirley Rivadeneira, Montgomery County Hispanic Democratic Club  
Barbara Sanders, League of Woman Voters of Montgomery County  
Mark Uncapher, Montgomery County Republican Party -Chair  
Jose Vazquez, Montgomery County Democratic Central Committee

Mr. Garson called the meeting to order and declared a quorum present at 2:30 p.m.

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### **Early Voting Centers**

Mr. Garson introduced Kevin Karpinski and stated that he is the Board attorney and Sara Harris is the Deputy Election Director for the Board of Elections. Mr. Karpinski discussed and reviewed the early voting proposed State regulations handout for the early voting centers. He briefly discussed the selection process, agreements, and security plans for early voting centers.

Mrs. Harris introduced herself and gave a brief overview of the early voting presentation. She thanked Mrs. Rzeszut, Mr. McKeivitt, Mr. Perschau and the operations and BOE staff who made extensive efforts visiting proposed sites to gather and prepare demographic information. Mrs. Harris thanked Bob Murphy from the State Board of Elections for providing the formula generated extract from MD Voters and data layered information and ensuring no duplication of precinct counts in the multiple service areas. She thanked County GIS and Maryland National Capital Park and Planning Commission for providing demographic and map information, the Board for site suggestions, and the public and central committees for their input toward this important election process. Mrs. Harris stated that staff proposed there will be 5 early voting centers with 3 suggested alternates for Montgomery County. She briefed the Board on the historical background of early voting and site selection. Mrs. Harris discussed the Early Voting 2010 Site Selection slide presentation. The slide show explained early voting history, Maryland State Law, Montgomery County expectations, early voting facility use, site selection, commonality of suggested sites, and details and maps for each of 15 proposed sites.

\*\*\* Mr. Zelaya attended the meeting at 2:45 p.m.\*\*\*

### **Public Comments**

The following individuals were present and gave testimonies regarding early voting centers: Robert Dyer, Kate Rhudy, Henry Hailstock, Roxanna Olivas, Cherri Branson, and Mark Uncapher. Their comments are shown as Attachment A along with other statements received by the Board of Elections.

\*\*\* Mr. Hailstock left the meeting at 3:43 p.m.\*\*\*

### **Additions/Changes to the Agenda**

Ms. Jurgensen reported that an Executive Session would be needed at the conclusion of the regular agenda.

### **Approval of July 27, 2009, Minutes**

Minutes from the July 27, 2009, meeting were distributed for review. A motion was made by Mrs. Khozeimeh to approve the July 27, 2009, minutes as submitted. The motion was seconded by Mr. Sullivan and carried unanimously.

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## **Board Attorney Report**

Mr. Karpinski stated that he had nothing new to report.

## **Old Business**

### **Early Voting**

A motion was made by Mr. Garson that the Montgomery County Board of Elections recommend the five following sites as Early Voting Centers for the 2010 Gubernatorial Elections:

Bauer Drive Community Recreation Center  
Germantown Recreation Center  
Marilyn J. Praisner Community Recreation Center  
Montgomery County Executive Office Building  
Silver Spring Civic Center Building

The Long Branch Community Recreation Center is recommended as a backup site for the Silver Spring Civic Center Building if the new building is not ready on time.

The Mid County Community Center and the Upper County Neighborhood Recreation Center are recommended as Alternate Sites.

The motion was seconded by Mrs. Pelles with more discussion. The motion passed with three for and two against.

The Board discussed early voting centers beginning with the 2010 elections. Mrs. Dacek stated that she is concerned that all five centers are within less than half of the county. She added that all western and upper communities are not represented; the people do not have any public transportation and have to travel much further. Ms. Khozeimeh agreed with Mrs. Dacek and added that, while the people in the eastern and lower part of the county do not have far to go to the voting centers, there is nothing convenient to those in the western or northern part of the county, Mrs. Dacek stated that she believes that the Montgomery County Executive Office Building is not a suitable place to have early voting because there is no parking.

Ms. Kiraly asked the staff if she was correct in her understanding that, if the Damascus Community Center were selected as one of the 5 early voting centers, no other combination of 4 proposed centers would accomplish the required goal of reaching 80% of registered voters?

Ms. Kiraly commented on the concern raised for the western and upper county, asking whether the observation that "one half of the county would not be served by the proposed sites," referred to landmass rather than population? To which Mrs. Dacek replied in the affirmative. Ms. Kiraly noted that, the effort to focus on the voters with the greatest need, also meant that neither Bethesda nor Potomac would have early voting centers.

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## **New Business**

### **Open House**

Ms. Jurgensen reported that each Board member has been assigned specific duties which will rotate hourly. She stated that the Board will be in Training Room 1 to meet and greet guests and in the Lower Level Training Room to thank election judges. Ms. Jurgensen added that staff will conduct escorted tours every 15 minutes.

### **2010 Polling Places**

Ms. Jurgensen stated that each year the Board is required to move polling places because of renovations or the inability to return to a private facility. Mrs. Rzeszut distributed and reviewed the list for polling place changes in 2010. The polling place changes are shown as Attachment B.

Ms. Pelles thanked the guests for coming to the Board meeting and invited them to our open house.

\*\*\* Mr. Boyd, Ms. Branson, Ms. Britto, Mr. Dyer, Mr. Hunt, Mrs. Joseph, Mr. McKeivitt, Ms. Olivas, Ms. Rhudy, Ms. Rivadeneira, Ms. Rzeszut, Ms. Sanders, Mr. Uncapher, Mr. Vazquez, and Mr. Zelaya left the meeting at 4:47 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 bylaws and minutes from the previous Executive Session.

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

Bylaws

## **Proposed Bylaws**

The Board discussed and made changes to proposed Bylaws.

## **Executive Session Minutes**

Ms. Roher distributed minutes from the July 27, 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 Mr. Sullivan and carried unanimously, with the Board reconvening in regular session at 6:03 p.m.

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### Executive Session Minutes

A motion was made by Mr. Sullivan to approve the Executive Session Minutes from the July 27, 2009, meeting as submitted. The motion was seconded by Mrs. Nazarian and carried unanimously.

### Future Meetings

- A. October 19, 2009
- B. November 16, 2009
- C. December 14, 2009 - tentative

### Adjournment

With no further business, a motion was made by Ms. Pelles to adjourn the meeting. The motion was seconded by Mrs. Dacek and carried unanimously. The meeting was adjourned at 6:04 p.m.

Respectfully submitted,

*Marjorie M. Roher*

Marjorie M. Roher  
Administrative Specialist

APPROVED BY THE BOARD:

*Jerrod S. Garson*

Jerrod S. Garson  
Board President

APPROVED

Robert Dyer  
5608 Albia Road, Bethesda, MD 20816  
[robert1999@hotmail.com](mailto:robert1999@hotmail.com)

#### COMMENTS ON EARLY VOTING SITE SELECTION

I'm Robert Dyer, an elected member of the Montgomery County Republican Central Committee, and a registered voter.

I'm here today to represent myself, and the voters of Poolesville and Damascus.

It's unfortunate that 99% of voters don't even know this issue is being decided right now. And that some races in the 2010 elections may be decided in this room this afternoon.

Examining the State Board's selection formula and criteria, it is clear they were devised to discriminate against rural areas in Montgomery County, and statewide. Agricultural areas are, by nature, low density, and underserved by transit. Farms are large, and septic systems require lower density residential areas.

5 sites is an arbitrary number. What is magic about the number 5? And if we were to have 5 sites, why would they not be spread evenly throughout the county in Rockville, Poolesville, Bethesda, Silver Spring, and Damascus?

We first have to establish that early voters are a new set of voters. That was the supposed logic behind early voting. By expanding the number of days one could vote, we were told, those who found Election Day or absentee ballots too inconvenient would finally be able to vote.

If early voters are *not* new voters – but rather, voters who would vote anyway, even if early voting was not available – then early voting is a complete waste of the taxpayers' money. Money itself is an issue. If the county and state do not have the funds to execute early voting in a fair and just manner, they have no business offering early voting.

Now, the question is, who among this group of new voters will be encouraged to vote, and who will be discouraged? If early voting is all about convenience, and convenience is the draw for this new type of voter, then making early voting inconvenient in rural areas would suppress turnout among that population.

Why should Silver Spring and Gaithersburg determine a close election, and not Damascus and Poolesville?

Why is it acceptable for a Poolesville resident to have to drive to Gaithersburg to vote, but not for a Gaithersburg voter to drive to Poolesville?

I reject this notion that those of us who do not reside in Rockville, Gaithersburg, or Silver Spring are somehow children of a lesser God.

Robert Dyer thinks the voters of Poolesville, Barnesville, and Beallsville are important. This Board will show *its* opinion of those voters by its actions regarding a Poolesville early voting site. I realize the state guidelines make that difficult.

What will not be difficult for you, however, is to designate the Damascus Recreation Center as a site. With all due respect, you must have a site in Damascus. I've been in the center. It is an outstanding facility, with plenty of parking.

The Damascus site will allow the voters of Damascus, Clagettsville, Clarksburg, Etchison, Laytonsville, Cedar Grove, and Hyattstown to exercise their early voting rights.

Another compelling reason for the site, is that a majority of Montgomery County's police officers and firefighters live in the Damascus area. They work long shifts at all hours, and deserve to have convenient access to early voting.

The voters of Montgomery County will recognize that any action of this Board will, by default, be decided by the Democratic members' votes. As a result, voters will hold the Democratic Party accountable for any disparity in early voting accessibility.

So I respectfully ask you to join me in calling for a fair and equitable early voting site plan.

Join me in standing up for the voting rights of residents in our rural areas.

Join me in supporting the men and women of our police and fire departments who live in the Damascus area.

Join me in unequivocally supporting the Damascus Recreation Center voting site.

Thank you for your consideration.

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**Statement by Kate Rhudy on behalf of the  
Montgomery County Democratic Central Committee**  
September 29, 2009 before the Montgomery County Board of Elections

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On behalf of the Montgomery County Democratic Central Committee, I would like to thank you for the opportunity to address you this afternoon. I would also like to express the MCDCC's thanks to the staff of the County's Board of Elections for all the work that has gone into identifying potential sites for early voting. The MCDCC also applauds the voters of the state of Maryland for approving an early voting program that more than 30 other states have successfully put into practice over the last two election cycles.

**The Siting Process will Play a Major Role in Voter Participation.**

We welcome the opportunity to comment on the early voting locations because it is imperative that all of the citizens of Montgomery County are able to exercise the right to vote. The process of selecting and evaluating voting locations is an important assignment and must be performed in a manner that most improves access to voting for those citizens who would be unable to exercise this right on Election Day due to employment, family or other obligations.

**MCDCC Recommendations.** The Board of Elections has proposed several thoughtful sites and we appreciate the Board's work in this area. The MCDCC recommends the following five sites: 1) the Silver Spring Civic Building, 2) the Bauer Drive Community Recreation Center, 3) the Marilyn Praisner Community Recreation Center, 4) the County Executive's Office Building, and 5) the Black Rock Center for the Arts.

The Montgomery County Council has also endorsed these sites in a letter sent to the Board of Elections on September 25.

We believe these five locations will most effectively expand access to voting – particularly because of their proximity to large centers of the voting population and to public transit with frequent service routes in the parts of the County where citizens are most reliant on bus and metro service. These sites will also make voting more accessible to the many citizens who work multiple jobs and receive hourly pay – and who consequently have the least flexibility in their schedules. Today you will hear from groups representing the County's growing Hispanic and African American communities, whose working families are particularly affected by the important decision of where to situate early voting centers.

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**Silver Spring Civic Building:** The list of potential early voting sites that the Board of Elections initially proposed did not include any locations that are close to Silver Spring metro station. We commend the Board for adding the Silver Spring Civic Building to its list of potential sites and strongly recommend the selection of this location. Based on statistics reported by the Montgomery County Planning Department, Silver Spring metro station has the heaviest ridership of any metro station in the County – with 8,000 more trips per day than nearly every other station. In addition to its proximity to the metro, the Civic Building is also convenient to nearly 40 Ride-On and Metrobus routes that serve downtown Silver Spring, including five routes that pass directly by the site. Although the Civic Building is still under construction, it is currently projected to be complete before July 2010. In the unlikely event that the building is not ready in time, we recommend Gwendolyn Coffield Community Recreation Center as an alternative.

**Bauer Drive Community Recreation Center:** The Bauer Drive Community Recreation Center is conveniently located near voters in Olney and Aspen Hill – many of whom work multiple jobs and would benefit immensely from an early voting site close to their homes. The Recreation Center is near Route 108, which many area residents utilize to travel to and from work. It is also adjacent to numerous apartments and to a shopping center with a grocery store, to which many residents walk. The Recreation Center is also familiar to the community and is frequented by many citizens on a daily basis.

**Marilyn Praisner Community Recreation Center:** The Marilyn Praisner Community Recreation Center is the only location on the Board of Elections' list of potential sites that is convenient to the voters of the far eastern part of the County. Due partly to a large number of newer housing developments, this area is more densely populated than the northernmost and westernmost parts of the County. Many of the area's residents work more than one job and rely on public transportation.

**County Executive's Office Building:** The County Executive's Office Building in Rockville is not currently included on the Board's list of proposed sites. However, we have recommended this location because it is convenient to the densely-populated Rockville community as well as to individuals from across the County who work in Rockville or frequent the city's shopping centers. The Executive Office Building is a short walk to the Rockville metro station, and fifteen bus lines serve this area. We understand that the staff of the County Executive is providing the necessary information for the Board of Elections to employ the site and is working to make handicapped parking available.

**Black Rock Center for the Arts:** Black Rock Center for the Arts is near the Germantown Transit Center, which is served by nine bus routes, making it by far the largest bus corridor in this part of the County. We hope the Board of Elections and other County officials will continue to work with the Black Rock Center to make this facility a viable option for early voting next Fall. However, we support the use of Germantown Recreation Center on Kingsview Road as an alternative to the Black Rock Center if needed.

**Alternate Sites.** MCDCC recommends the following three sites as alternates, in the event that power outages or other unexpected events necessitate relocating one of the primary sites: (1) the new Mid-Community Recreation Center on Queensguard Road in Wheaton, (2) the Longbranch Community Recreation Center on Piney Branch Road in Silver Spring, and (3) the Upper County Neighborhood Recreation Center on Emory Grove Road in Gaithersburg.

**Other States Serve as Models.** We appreciate that the selection of sites for early voting is a complex undertaking – particularly given our large and diverse County and the current budgetary constraints affecting our entire State. We hope that it will be possible in future elections to expand the number of early voting sites to more widely serve the County, and to employ locations that are frequented by large numbers of County residents on a daily basis. We also encourage the Montgomery County Board of Elections as well as the State Board to draw lessons from some of the most innovative early voting models nationwide. For example, Texas and Utah both allow early voting in shopping malls as well as other heavily-trafficked settings, such as universities and airports. Nevada and Kane County, Illinois have both begun to employ votemobiles that travel to communities. The websites of these jurisdictions publicize when and where the votemobiles will be in specific neighborhoods.

Once again, we commend the staff of the Board of Elections for its diligence in identifying several promising early voting locations. We are confident that the first cycle of early voting next Fall will begin to advance the fundamental purpose of this important program – to expand access to voting for those citizens who have frequently been unable to exercise this right.

By authority, MCDCC; Karen Britto, Chair; Simon Atlas, Treasurer

**Statement by Henry Hailstock,**

**President NAACP-Montgomery County Chapter**

My name is Henry Hailstock and I am President of the NAACP-Montgomery County, Maryland Chapter. I welcome the opportunity to address the Montgomery County Board of Elections on this very important topic of sites for early voting locations.

The NAACP is committed to the fair and equitable access to voting locations for all citizens. Moreover, the NAACP adopted a resolution (under article IX, Section 9(b)(1)) at our July 2007 Annual Convention in Detroit, Michigan, calling for early voting and permanent "no excuse" absentee voting to be available in all 50 states.

We congratulate the voters of Maryland for approving the early voting ballot question during the November 2008 election. The approval of this method of voting is the first step to assuring that all citizens have an equal opportunity to take part in an election. The second vital step in the process is assuring that all voting locations are placed in communities, where voters who have been unable

to reach their polling places within the allotted period from 7:00 am – 8:00 pm on Election Day, are afforded easy access to sites.

The NAACP's involvement in the fight for fair locations is documented. The Louisiana NAACP fought for satellite voting locations that would allow New Orleans voters to participate in elections in the same way that satellite voting locations in the U.S. are made available for overseas citizens, who are temporarily in the United States. The Indiana NAACP stood before a federal judge in an effort to open early voting centers in Gary, Hammond and East Chicago courthouses. In Indiana, lawyers for the NAACP essentially argued that the federal voting rights law forbids a county from denying early voting in predominantly Black and Hispanic communities, while allowing it in predominantly non-minority areas.

In addition, the NAACP also sued Volusia County for only having one early voting site in an area where fewer minorities live. In 2008, the NAACP of North Carolina announced that it would be holding a press conference in the capital city of Raleigh, calling on the state to extend early voting hours to accommodate the crush of voters heading in to Election Day. Simultaneously, the North Carolina

Board of Elections held an emergency meeting in which it announced that North Carolina would extend early voting hours on the Saturday before Election Day.

It is important to understand the role of the NAACP in the struggle to protect and enhance the rights of all Americans to cast a free and unfettered vote, to understand why we believe that it is important to make a statement today.

Montgomery County, Maryland has the chance to create a model for the state by reaching out to those communities where voters have been unable to take part in the electoral process, because they work two jobs or lack easy access to transportation.

The Board of Elections has the opportunity to site early voting locations in communities where they are most needed, such as Long Branch, the Gwendolyn Coffield Community Center area, near public transportation in Germantown, far eastern Montgomery County, downtown Silver Spring, the Bauer Community area and in close proximity to the metro stops/the subway.

We have read publications that encourage the Board of Elections to choose sites in areas of the County that happen to have fewer minorities and a smaller number of individuals without automobiles. We urge you to ignore those voices that would place early voting sites in regions with fewer minorities. Their goal is to advance a political agenda; our goal is to advance the rights of Montgomery County's citizens. The NAACP Montgomery County Branch contends that Montgomery County *should – and will – do more* to assure that the siting of these facilities are in areas that serve communities that are less mobile, and have been disenfranchised in the past.

Again, thank you for the opportunity to comment.

**Statement by Roxana Cazares Olivas on behalf of the  
Hispanic Democratic Club of Montgomery County**

September 29, 2009 before the Montgomery County Board of Elections

On behalf of the Hispanic Democratic Club of Montgomery County, I want to thank you for the opportunity to address the Montgomery County Board of Elections this afternoon. The reason that the HDC is here today is to offer a statement regarding the importance of convenient access to early voting polling places for Latino voters.

**Growth in Population will Yield Growth in Voters.** During the presidential election of 2008, there was an unprecedented surge in the number of Latino voters nationwide and in the State of Maryland. This past July, the U.S. Census Bureau released data on the 2008 elections that underscored the growing electoral power of minority communities. In Maryland, 2.6 million voters went to the polls in 2008, up from 2.4 million voters in 2004. Where did these new voters come from? Between 2004 and 2008, the Asian American vote increased by 24%, the African American vote increased by 32%, and the Latino vote increased by 72%. Although many Latinos in Montgomery County are either too young to vote or are in the process of becoming U.S. citizens, as naturalizations increase and as many young U.S.-born Latinos turn 18, the Latino share of the electorate in the state of Maryland – will *rise substantially*. The ease of reaching polling places, particularly early voting locations, is a critical piece that will dramatically affect Latino turnout. Studies have shown that the minority youth vote is rapidly increasing and early voting is being attributed as one of the main factors for the rise.

**Unique Population.** Latino voters in Maryland are unique, because our community faces certain limitations that impede our ability to vote. Latino voters tend to be more dependent upon public transportation than other voters; we maintain employment that requires longer working hours or hold more than one job. Other constraints include dilemmas that are faced by “all” voters, concerning the erroneous belief that voters may vote anywhere on Election Day, which leads to voters ending up at the wrong precinct.

**Early Voting Addresses Barriers.** Early voting will allow currently-registered Latinos, as well as new-registered Latinos, an opportunity to vote by removing these barriers. Our ability to exercise our right to vote will increase, because early voting may be undertaken while we take public transportation to-and-from work, and, never-before Saturday hours – will afford “all” voters the additional time to cast a ballot – that Election Day does not provide. In the 2008 Presidential election, 39% of the people who did not vote, cited either the limitations of single-day voting (long lines that would make them late for work) or access to transportation – as key factors that kept them from voting. Hourly workers who can least afford to take time off from work cannot wait in one-to-two hour lines. Now, any voter whose schedule makes it a challenge to vote on Election Day, will be able to vote over the course of several days at “any” of the sites, provided that early voting locations are placed in areas that are convenient to- and frequented by- the minority community.

**Site Locations in Communities that have Traditionally Faced Barriers.** The Hispanic Democratic Club believes that early voting is very significant, but equally important is the physical location of early voting sites. The HDC recognizes that Montgomery County can avoid the location voids that cropped up in other states, where city/county councils and state boards of elections were assailed for failing to locate “any” early voting sites in predominantly Latino and African American neighborhoods. The model for Montgomery County should be the success stories in various southwestern states, like Nevada, that saw over 60% early voting turnout increases from previous years in Latino neighborhoods, by simply placing an early vote center near the Latino community.

**Voter Registration.** HDC expects that early voting will drive Latino voter registration. The Hispanic Democratic Club is willing to support and work with the Board of Elections in managing this tremendous growth at early voting locations that are convenient to those populations that have faced barriers to voting in the past.

**Preferred sites.** The Hispanic Democratic Club endorses the recommendations of the Montgomery County Democratic Central Committee (MCDCC) for the siting of early voting locations. We believe that: 1) the Silver Spring Civic Building, 2) the Bauer Drive Community Recreation Center, 3) the Marilyn Praisner Community Recreation Center, 4) the County Executive’s Office Building and 5) the Black Rock Center for the Arts in Germantown will provide access to voting sites for the Latino community.

The Hispanic Democratic Club also endorses the MCDCC’s second preference for sites, which are: 1) the Gwendolyn Coffield Center in Silver Spring, 2) the Bauer Drive Community Recreation Center, 3) the Marilyn Praisner Community Recreation Center, 4) the County Executive’s Office Building and 5) the Germantown Recreation Center near Kingsview Road. The recommendations of two polling places in close proximity to the metro as well as polling places close to the bus lines – will offer the Latino community easy access to voting.

**Alternate Sites.** The Hispanic Democratic Club also supports the MCDCC’s proposal for alternate sites, which are: 1) the new Mid-Community Recreation Center on Queensguard Road in Wheaton, 2) the Long Branch Community Creation Center in Silver Spring, and 3) the Upper County Neighborhood Recreation Center on Emory Grove Road in Gaithersburg.

**Thank you for the Opportunity to Comment.** We thank the voters of Maryland, many of whom are also Latino voters, for their overwhelming support for early voting. Again, the Hispanic Democratic Club stands ready to support the Board of Elections in managing the increasing numbers of Latino voters who will participate in the early voting process; many – voting for the first-time ever.

Again, thank you for the opportunity to speak before the Montgomery County Board of Elections.



**Statement by Cherri Branson, President  
African American Democratic Club  
Before the Montgomery County Board of Elections**

On behalf of the African American Democratic Club of Montgomery County (AADC), I would like to thank the Board of Elections for the opportunity to make an important statement on: a) the practice of early voting, b) helpful early voting polling locations and c) how to assure that early voting is fair and equitable.

**African Americans Benefit from Early Voting**

The passage of early voting laws in various states has made it easier to vote and there is a clear and direct correlation between early voting and increased participation in the electoral process by African Americans.

The states that have made voting more convenient for their citizens should be credited with removing the obstacles to voting. Today, the Montgomery County Board of Elections can improve access to voting in this County by positioning early voting sites in those communities where the restrictions of single-day voting has prevented citizens from exercising this right.

In 2008, statistics showed that first time African American voters had the highest voter turnout rate of any racial and ethnic group among people ages 18 to 29. Even so, there has been a question about whether or not early voters are those who ordinarily would have voted on Election Day. The high percentage of African Americans voting early in states such as Georgia – makes it clear that many of these African Americans were “new voters.” Before early voting ended in North Carolina, it was discovered that there were about 100,000 people who voted early, who were not previously on the voter lists. It is statistically apparent that early voting will increase African American turnout.

**Preferred Sites**

The African American Democratic Club endorses the recommendations of the Montgomery County Democratic Central Committee (MCDCC) for the siting of early voting locations. We believe that: 1) the Silver Spring Civic Center, 2) Bauer Drive Recreation Center, 3) the Marilyn Praisner Center, 4) the County Executive’s Office Building and 5) the Black Rock Center for the Arts in Germantown will provide easy access to voting sites for the African American community.

The African American Democratic Club also endorses the MCDCC’s second preference for sites, which are: 1) the Gwendolyn Coffield Center in Silver Spring, 2) Bauer Drive Recreation Center, 3) the Marilyn Praisner Center, 4) the County Executive’s Office Building and 5) the Black Rock Center for the Arts in Germantown. The recommendations of two polling places in close proximity to the subway as well as polling places close to the bus lines – are crucial and will offer African Americans -- easy access to voting.

There are three major areas that the Board of Elections must address during the implementation of the early voting process; those areas are: a) early voting hours, b) awareness of early voting and c) deceptive practices.

### **Early Voting Hours**

In addition to the early voting sites, the AADC believes that it is very important to address the hours for early voting. We urge the Board to exhibit the most flexibility possible in choosing the early voting hours with 7:00 am – 9:00 pm being a reasonable preference for the AADC. During the 2008 election, a couple of states made last minute decisions to extend early voting to accommodate the large numbers of voters, many of whom were minorities. Montgomery County and the state of Maryland should anticipate sizable turnout and be prepared to take official action to extend hours if required due to considerable use of early voting.

### **Early Vote Location Awareness and Visibility**

It has been apparent that voters in many states were confused about locations and sites in first-time early voting states. Many were unaware of the location and hours of early voting or could not see signs – indicating early voting sites. To avoid this problem in Montgomery County, we urge the County to develop an awareness plan to market this enormous opportunity for voters; early voting publicity, including mailings to advertise this ground-breaking law – will be necessary.

### **Deceptive Practices**

African American voters in Maryland have been the victim of deceptive practices in the past. Deceptive practices include misinforming voters about whether they can vote, when to vote and how to vote. Minorities in Maryland have received fictitious candidate literature, causing widespread confusion. African Americans, and minorities in general, have been the victims of phone messages – telling voters to vote the wrong day and misrepresenting the law through mass mailings or any other means of communication with the intent and the effect – being to intimidate or discourage potential voters from exercising their lawful right to vote.

Early voting will help to alleviate many of these deceptive practices, because minorities that have received literature with inaccurate dates listed for Election Day – will now, have a variety of dates to choose to vote. However, early voting also can be subject to fraudulent practices. Fliers could be distributed that state the wrong addresses for early voting locations, particularly when these voting locations are in minority communities. Incorrect information could be sent out with respect to the dates and times of early voting, thereby discouraging minorities from coming back to vote during the actual voting hours.

We urge the members of the Board of Elections to confer with the Maryland Attorney General and take all steps necessary to determine the source of any deceptive practices, particularly as they relate to early voting and publicity about the sites. The Board also should stand ready to counter these activities – through accuracy mailings, phone calls and media communications.

**Thank you for the Opportunity to Comment**

Now that the voters of Maryland have approved early voting, the most important task to be undertaken is the implementation of this process – a) by siting early vote polling places in fair and equitable locations that serve those populations that have been unable to vote in the past, b) by proposing reasonable hours, c) by marketing this ground-breaking method of voting and d) by preparing to swiftly respond to any attempts to disenfranchise minority voters in this County.

Again, thank you for the opportunity to speak before the Montgomery County Board of Elections.

## Montgomery County Republican Early Voting Sites Comments

I appreciate the opportunity to provide comments on behalf of the Montgomery County Republican Central Committee regarding the selection of early voting sites. I commend the Board for its outreach on this matter.

As you know, the state's early voting law requires that 80% of the registered voters live within 5 miles of one of the early voting centers. None of the ten proposed sites are within five miles of voters in the northwest of the county. Only one of the proposed sites, Damascus, would be meet the requirement for voters in the northeast.

Unless Damascus Community Center is one of the five sites, residents in this area will have to travel more than ten miles to an early voting site. This is clearly contrary to the law's intent. Not choosing Damascus could result in the County failing to comply with election law's "maximum distance" requirements.

Three out of ten sites being considered are in Silver Spring. However only one in twelve county residents lives in Silver Spring and the community represents only 2% of the county's total geography. We believe that no more than one early voting sites should be located in any community, limiting Silver Spring to a single site.

Finally the Republican Party believes that the Board of Elections headquarters in Gaithersburg should be one of the sites chosen. Many voters will naturally assume that the Board's office is one of the early voting sites. Voters already go to the office for absentee voting. Not choosing the Board's main office would be a source of considerable confusion for voters.

Thank you for your consideration,

Mark Uncapher

---

Mark Uncapher, Chairman, Montgomery County Republican Party, 15833 Crabbs Branch Way, Rockville, MD 20855, Tel.: (301) 417-9256  
Visit us at: [www.mcgop.net](http://www.mcgop.net)

A14



**MONTGOMERY COUNTY PUBLIC SCHOOLS**  
MARYLAND

www.montgomeryschoolsmd.org

August 31, 2009

Ms. Margaret Jurgensen  
Election Director  
Montgomery County Board of Elections  
P.O. Box 4333  
Rockville, Maryland 20849-4333

Dear Ms. Jurgensen:

As you know, Montgomery County Public Schools always has worked closely with the Board of Elections to ensure a smooth voting process for the citizens of Montgomery County.

Most recently, special elections were held in schools due to the deaths of County Councilmembers Marilyn Praisner and Donald Praisner. A tremendous amount of time and effort went into planning and implementing those elections. Because they occurred during the school day, additional staff had to be deployed to each school. Normal school operations were impacted—students were unable to eat in the all-purpose rooms or cafeterias, media centers were unavailable to students and staff, additional security was needed because outsiders entered our buildings. In addition, police support was deployed to assist with increased traffic, transportation staff arranged changes for bus drop-off and pick-up locations at school sites, and building service staff and technology staff were needed to ensure that the election process was implemented smoothly on the designated special election day. I cannot imagine the tremendous disruption that would occur in our school system, or any school system, if this same process had to be repeated for 10 days of early voting.

I understand that schools are being considered as early voting locations to fulfill the recent legislation that established early voting periods in Maryland of 10 days prior to the 2010 September Primary and 10 days prior to the 2010 General Election in November. I am writing to voice my strong opposition to the idea of using schools for the early voting period. Disrupting schools for 10 days to accommodate early voting would be unfair to our students and have a dire effect on the teaching and learning environment. In addition, it would be extraordinarily difficult, and costly, to ensure a safe school environment for our students and staff. We do not have sufficient staff to provide additional security in multiple locations for a period of 10 days. Furthermore, parking on school property already is a challenge when accommodating students, staff, and parents attending meetings and conferences. While we know that several states across the nation offer an early voting process for their citizens, I am not aware of a jurisdiction that uses its public schools for early voting for the length of time being contemplated here.

Office of the Superintendent of Schools

850 Hungerford Drive, Room 122 ♦ Rockville, Maryland 20850 ♦ 301-279-3381

A15

Ms. Margaret Jurgensen

2

August 31, 2009

Montgomery County parents and citizens expect that while students attend our schools, disruptions to school operations will not occur. Our students achieve at the highest levels, and any extended interruption to the school program is unacceptable. While I am in full support of the election process, I am confident other community locations can be found to provide early voting venues that would result in fewer disruptions for students in Montgomery County.

I appreciate your serious consideration to the issues and concerns raised in this letter.

Respectfully,



Jerry D. Weast, Ed.D.  
Superintendent of Schools

JDW:vnb

Copy to:

Mr. Bowers

Dr. Lacey

Ms. Confino

Ms. Rzeszut

A16



MONTGOMERY COUNTY COUNCIL  
ROCKVILLE, MARYLAND

OFFICE OF THE COUNCIL PRESIDENT

September 24, 2009

Ms. Margaret Jurgensen  
Election Director  
18753-210 North Frederick Avenue  
Gaithersburg, MD 20879

Dear Ms. Jurgensen:

The Montgomery County Council appreciates the attentive and detailed effort that the Board of Elections and staff will undertake to execute the new early voting law. We recognize that the Board and staff are undertaking the implementation of the law at a time when budget constraints are making the process very challenging and we have taken note of the fact that the Board is making every effort to guarantee compliance with limited resources of this unfunded State mandate.

The County Council also wants to acknowledge the extensive work that went in to assessing site qualifications by the Board's staff, as well as by private citizens, because the locations of early voting will have a significant bearing on how many citizens are likely to vote prior to Election Day.

The Board of Elections has a significant assignment in securing five suitable spots for early voting locations. The Council understands that this undertaking is complex in a County that is so large and comprised of many distinct neighborhoods. That is why the Council believes that it is very important to site these centers in areas that are served by the metropolitan subway system and transit centers. The list of potential sites that the Board initially sent to the Council did not include any sites that are a quick walk from the Metro (for example, less than one-half mile). We understand that the Silver Spring Civic Center has been added to the proposed list and we strongly endorse this location.

We had hoped that the County Council Office Building – with its close proximity to the Rockville Metro station – could serve as an early voting location. Since the configuration of the building did not prove suitable, we recommend the Executive Office Building, which also is near the Rockville Metro stop. We understand that the staff of the County Executive is providing the necessary information for the Board of Elections to utilize the site, including facilitating access for handicapped parkers. In addition, we support a site that is very close to the transit center in the town center of Germantown.

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A17

to utilize the site, including facilitating access for handicapped parkers. In addition, we support a site that is very close to the transit center in the town center of Germantown.

The Council highly recommends the Marilyn J. Praisner Community Recreation Center to serve voters in the Eastern segment of the County and we endorse the Bauer Drive Community Recreation Center because of its considerable usage by the local community.

Many states have moved away from a single day of voting and many voters across the country have responded by voting before Election Day. We have confidence that the Board of Elections is prepared to manage this turnout and we thank you in advance for creating an exemplary and well-coordinated early vote program for the County.

Sincerely,



Phil Andrews, President  
Montgomery County Council

A18



**Rohr, Margie**

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**From:** Emily Koechlin [e.koechlin@starpower.net]  
**Sent:** Friday, September 18, 2009 3:55 PM  
**To:** Elections, Board-Of  
**Subject:** Comment on early voting sites

To the Montgomery County Board of Elections:

I am writing to comment on the list of early voting sites recommended by the Board of Elections.

It concerns me that only one of the recommended sites is near a Metro station, and that site--the Jane Lawton Community Center--is in Bethesda, a very affluent areas of the County. I would very much like to see sites near the Silver Spring and Wheaton Metro stations. The current list of recommended locations only includes one site, the Long Branch Community Center, that is easily accessible to low-income people in the eastern, down-county area who depend upon public transportation.

Sincerely,

Emily Koechlin  
7217 Garland Ave.  
Takoma Park, MD 20912  
240-381-9812

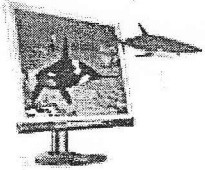
**Roher, Margie**

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**From:** Richard Fidler [fidler8@inbox.com]  
**Sent:** Saturday, September 19, 2009 11:07 AM  
**To:** Elections, Board-Of  
**Subject:** Early voting sites - comment

Of the ten proposed early voting sites, three are in Silver Spring. I suggest that no more than 1 be in the final selection with greater consideration being given to up-county areas, areas where residents have limited access to public transportation. Don't make them travel long distances to reach one of these sites.

---Richard Fidler  
Bethesda, MD



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A20



Margaret Jurgensen  
 Director, Montgomery County Board of Elections  
 18753-210 North Frederick Avenue  
 Gaithersburg, Maryland 20879

September 28, 2009

Dear Ms. Jurgensen:

After the Board of Elections proposed utilizing space at BlackRock Center for the Arts for early voting in 2010, I consulted with several BlackRock board members to frame our response. We have concluded that such an activity at BlackRock would not only adversely affect our operations, it would also be a violation of our lease with the County.

Germantown Cultural Arts Center, Inc., d/b/a BlackRock Center for the Arts, is a 501(c)(3) nonprofit corporation. We lease the building at 12901 Town Commons Drive in Germantown from Montgomery County and operate entirely independently of the County. I believe all would agree that this arrangement has been beneficial to the County, our organization, and the citizens of the Upcounty region we serve.

Our lease, excerpted below, clearly describes the usage of the building for County purposes. *Please note that interference with BlackRock programming is not permitted.* The Board of Elections occupation of the Studio Theatre space would certainly curtail our operations and potentially result in \$69,600 in lost revenue due to cancellation of classes, performances, and rental events.

**15. CONTROLLED ACCESS AND SHARED FACILITIES**

(c) **County Use.** BLACKROCK agrees to provide access to the Property to the COUNTY rent free up to four (4) times per year for the COUNTY to use to conduct awards programs and other special governmental functions that are not incompatible with the purposes of a first-class, community-based fine and performing arts center provided that the COUNTY will pay all costs associated with cleaning the Property after the COUNTY's use and other use of BLACKROCK's staff. The COUNTY agrees to request the use of the PROPERTY not later than sixty (60) days prior to the COUNTY'S planned activity. The COUNTY acknowledges that any such activity will not be permitted at a time when it would interfere with the Programming and business functions already scheduled by BLACKROCK.

**37. COVENANT OF QUIET ENJOYMENT**

So long as BLACKROCK fully performs the BLACKROCK SERVICES and its obligations under this Lease, BLACKROCK has the right to peaceable and quiet possession of the Property without hindrance by the COUNTY or by anyone claiming by, from through or under the COUNTY.

We look forward to continuing our close working relationship with Montgomery County, its various departments, and officials. Please don't hesitate to contact me if I can provide any further information.

Sincerely,

*Charlotte Sommers*  
 Charlotte Sommers  
 Executive Director

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Charlotte Sommers  
*Executive Director*

A21

### Polling Places Changes 2010

D/P	Voters 01/02/2009	Polling Place - 2010	Type Facility	Status	Perm/ Temp	Reason for Change	In Precinct?	2008 Polling Place
04-08	2309				Temp	Under Renovation		Garrett Park ES
04-13	2101		MCPS		Temp	Under Renovation		Farmland ES
05-03	1764	Francis Scott Key MS	MCPS		Perm	Return to Renovated Site		Unitarian Univ. Ch. of Silver Spring
05-11	3339	Springbrook HS	MCPS	Double Up	Temp	Under Renovation	05-05	Cannon Road ES
05-12	3915	Galway ES	MCPS		Perm	Return to Renovated Site		Paint Branch HS
08-09	3204	Cashell ES	MCPS		Perm	Return to Renovated Site		Olny Swim Club
08-10	1969	Olny Swim Center	County		Perm	Olny Baptist Church Declined	No	Olny Baptist Church
10-03	2174	Emmanuel Lutheran Church ?			Temp	Under Renovation		Seven Locks ES
10-04	1584	Bellis Mill ES		Double Up	Temp	Under Renovation		Cabin John MS/Cafeteria
10-07	2764	Carderock Springs ES	MCPS		Perm	Return to Renovated Site	Yes	Adat Shalom Congregation
10-11	1857	Coleman Cadillac?	Private		Perm		Yes	Pauline Betz Tennis Center
10-12	2614	Bellis Mill ES	MCPS		Perm	Return to Renovated Site		Cabin John MS/Gym
	29,594							
		Permanent Change - New Site						
		Permanent change - return to previous site						
		Temporary change						
		Site used for a different precinct in 2008						
		We can return to this site if necessary						
		We cannot return to this site						

(B)