

APPROVED

April 25, 2011

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
Nahid Khozeimeh
Rosalyn Pelles
Lucia Nazarian

Staff:

Margaret Jurgensen, Election Director
Sara Harris, Deputy Election Director
Laletta Dorsey, Registration Coordinator
Leslie Hatch, Election Judge Manager
Marjorie Roher, Management and Budget Specialist III
Christine Rzeszut, Operations Manager
Kevin Karpinski, Legal Counsel
Renee Adams, Election Aide

Guests:

Marcia Bond, League of Women Voters of Montgomery County
Hugh Clayton
LTC. Alfred Eisner
Bryan Hunt, Montgomery County Office of Management and Budget
Holly Joseph
Mary Ann Keeffe
Cathy Kelleher
Doug Mainwaring
Richard Malament

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

Public Comments

Ms. Roher stated that several people requested to address the Board and will do so in Executive Session.

Additions/Changes to the Agenda

Ms. Jurgensen requested the addition of a two part Executive Session to discuss personnel and seek legal advice.

Approval of the 2010 Gubernatorial Canvass minutes, the February 28, and March 28, 2011, minutes.

Minutes from the 2010 Gubernatorial Canvasses were distributed for review. A motion was made by Mrs. Dacek to approve the 2010 Gubernatorial Canvass minutes as submitted. The motion was seconded by Mrs. Pelles and carried unanimously.

Minutes from the February 28, 2011, meeting were distributed for review. The motion was made by Mrs. Khozeimeh to approve the February 28, 2011, minutes as submitted. The motion was seconded by Mr. Sullivan and carried unanimously.

The Board reviewed the minutes from the March 28, 2011, Board meeting. A motion was made by Mrs. Khozeimeh to approve the March 28, 2011, minutes as submitted. The motion was seconded by Mr. Sullivan and carried with Mr. Garson, Mrs. Khozeimeh, and Mrs. Nazarian voting in favor and Mr. Sullivan, Mrs. Dacek, and Mrs. Pelles abstaining.

A motion was made by Mrs. Khozeimeh to convene in Executive Session at 2:33 p.m. The motion was seconded by Mr. Sullivan and carried unanimously.

Report on the Executive Session

The Montgomery County Board of Elections convened in Executive Session at 2:33 p.m., pursuant to State Government Article, Sections 10-508(a), 10-508(a)(13), and 10-508(a)(14) to discuss election judge retention.

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, Lucia Nazarian, Margaret Jurgensen, Sara Harris, Leslie Hatch, Marjorie Roher, Kevin Karpinski, Renee Adams, Hugh Clayton, Alfred Eisner, and Richard Malament.

Election Judge Retention

The Board heard testimony from several individuals.

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 3:10 p.m.

Election Director Status Reports

Mr. Garson welcomed Mary Ann Keeffe and stated that she will be one of the new Board members. The Board and staff welcomed Mrs. Keeffe.

Ms. Jurgensen announced that the MCBOE received recognition from the County Executive for 50% or greater participation of its employees in the MC Giving Campaign for 2010. She thanked Mrs. Chumble and Mrs. Rzeszut for leading the effort.

Budget

Ms. Jurgensen stated that the new county financial system takes longer to close each month and noted that the spreadsheet provided is through the end of February. She stated that she estimates the department will end the year in the black. Based on the Attorney General's recent agreement with Premier, our original year end projection will be reduced by approximately \$246,000. Ms. Jurgensen stated that she believes monitoring overtime weekly and careful planning of all temporary personnel resources helped lower departmental costs. She noted that staff is waiting to hear confirmation of the date for full Council approval of the BOE budget in May. Ms. Jurgensen reported that budget approval for the full county budget is May 26, 2011.

Voter Registration

Ms. Jurgensen stated that MDVoters upgrades took place over the weekend and the State Board is working to fix resulting problems in the system. She reported that the monthly statistics have been posted to the website.

State Board of Elections

Ms. Jurgensen reported that the press release from SBE was received regarding the Attorney General's settlement with Premier. She received the revised billing from SBE and needs to research how the payment will be handled. She explained that the County had liquidated the encumbrance held for payment for this last year due to the county's fiscal situation in the previous fiscal year.

Legislation

Ms. Jurgensen noted that the Harford County Election Board has been expanded from three to five members. House Bill 534 was passed on the last day of the legislative session and requires Carroll and Montgomery Counties to reduce their electioneering boundaries to between 25 and 100 feet. Mrs. Dacek expressed concern with this legislation and requested clarification. Ms. Jurgensen responded that Mr. Goldstein, SBE

Deputy Administrator, has also expressed concern with the justification of this legislation which now provides for two standards in a state that has state-wide uniform voting and election regulations. Mr. Garson updated the Board on various new deadlines

Ms. Jurgensen stated that the death of former Governor Shaeffer has postponed all bill signings. Ms. Jurgensen stated that a special session is scheduled for September - October 15, 2011, to deal with redistricting.

Facility Issues

Ms. Roher reported that staff is working on correcting several HVAC issues.

Petitions

Ms. Jurgensen reported that there are no new petitions and noted that the SBE website reports that materials are being revised.

Board Attorney Report

Pending Issues

Mr. Karpinski reported that he sent a letter to Council President Floreen regarding the petition fund report and would update the Board on the State MOU in Executive Session.

Old Business

New Business

Early Voting

Ms. Jurgensen reviewed handouts that outlined Maryland State Board of Elections Early Voting Regulation 33.17.02.02. She noted important deadlines and requested that the Board review the early voting centers and hold a public hearing in July. Staff is recommending returning to Silver Spring, Bauer Drive, and Germantown and is searching for options to the Executive Office Building and Marilyn Praisner Center due to construction and connectivity issues respectively. Mr. Sullivan believes that the process for new early voting centers should be left for the new Board and noted that he doesn't see anything wrong with the current sites. Mrs. Dacek cautioned the Board against holding a public hearing but had no issue with beginning the process now due to tight deadlines. Mr. Sullivan requested that the Board contact the State regarding the ability to hardwire connectivity at the Praisner Center.

Primary Election April 3, 2012

Mrs. Rzeszut reported that staff is looking at regulations and guidelines for polling places. She stated that she has sent thank you letters to all private facilities and asked them if their facility can be used for the 2012 elections. Mrs. Rzeszut noted that the major change will be redistricting in September/October 2011. Mr. Sullivan questioned when redistricting will take place, Mrs. Harris provided an anticipated schedule based on current known information.

Future Meetings

The new Board will confirm future meeting dates at the June meeting.

- A. June 14, 2011- SBE Biennial Conference in Ocean City
- B. June 20, 2011
- C. July 25, 2011
- D. August, 22, 2011 – *tentative*
- E. September 26, 2011
- F. October 24, 2011
- G. November 21, 2011
- H. December 19, 2011 – *tentative*

Election Director Presentation

Ms. Jurgensen reported that Mr. Garson, Ms. Pelles, and Mrs. Nazarian's Board appointments will end in June and distributed gifts to them as a token of appreciation from the County and staff. Ms. Roher read a letter from Mrs. Kiraly thanking the Board and staff for sharing their talents with her and noted that she will leave with a greater appreciation of the long and stressful hours involved in preparing for elections in Montgomery County, delivering equipment to voting precincts, and conducting a successful canvass. Mr. Garson, Mrs. Dacek, Mrs. Pelles, Mrs. Nazarian, Ms. Jurgensen, and Mrs. Harris also expressed their appreciation.

A motion was made by Mrs. Khozeimeh to convene in Executive Session. The motion was seconded by Mr. Sullivan and carried unanimously.

Report on the Executive Session

The Montgomery County Board of Elections convened in Executive Session at 3:45 p.m., pursuant to State Government Article, Sections 10-508(a), 10-508(a)(13), and 10-508(a)(14) to discuss election judge retention, the SBE MOU, 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, Lucia Nazarian, Margaret

Jurgensen, Sara Harris, Leslie Hatch, Marjorie Roher, Kevin Karpinski, Renee Adams, and Bryan Hunt.

SBE Billing

Mr. Karpinski discussed legal issues regarding the SBE billing.

Mr. Hunt left the meeting at 4:00 p.m.

Election Judge Retention

The Board reviewed and discussed the testimonies of several individuals who addressed the Board.

Mrs. Rzeszut and Ms. Hatch left the meeting at 4:26 p.m.

Executive Session Minutes

Ms. Roher distributed minutes from the March 28, 2011, 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 Mrs. Khozeimeh and carried unanimously, with the Board reconvening in regular session at 4:27 p.m.

Executive Session Minutes

A motion was made by Mrs. Khozeimeh to approve the Executive Session Minutes from the March 28, 2011, meeting as submitted. The motion was seconded by Mr. Sullivan and carried with Mr. Garson, Mrs. Khozeimeh, and Mrs. Nazarian voting in favor and Mr. Sullivan, Mrs. Dacek, and Mrs. Pelles abstaining.

Adjournment

With no further business, a motion was made by Mrs. Khozeimeh to adjourn the meeting. The motion was seconded by Mr. Sullivan and carried unanimously. The meeting was adjourned at 4:28 p.m.

APPROVED

Respectfully submitted,

Marjorie M. Roher

Marjorie M. Roher
Management & Budget Specialist III

APPROVED BY THE BOARD:

Nancy Dacek

Nancy Dacek
Board Secretary