

June 20, 2011

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

In Attendance:

Board Members:

Mary Ann Keeffe, President
Donice Jeter, Vice President
Nancy Dacek, Secretary
Nahid Khozeimeh
Graciela Rivera-Oven
David Naimon

Legal Counsel:

Kevin Karpinski

Staff:

Margaret Jurgensen, Director
Sara Harris, Deputy Election Director
Linda Caro, Office Services Coordinator
John Chapman, Supply Clerk
Aarti Chumble, Principal Administrative Aide
Laletta Dorsey, Program Specialist
Stella Gonda, Office Services Coordinator
Deborah Hamer, Election Judge Recruiter
Ellie Jespersen, Office Services Coordinator
Jessica Jones, Election Judge Recruiter
Betty Ann Lucey, Voter Registration Manager
Philip Olivetti, Office Services Coordinator
Ethmahn Pena, Office Services Coordinator
Tia Prince, Office Services Coordinator
Marjorie Roher, Management and Budget Specialist III
Christine Rzeszut, Operations Manager
Shafiq Satterfield, IT Technician I
Gilberto Zelaya, Outreach Coordinator
Renee Adams, Election Aide

Guests:

Jack Cranford
Clare Damler
David Drake
Audrey Garrett
Bill Hale
Bryan Hunt
Holly Joseph
N. and G. Koepenick
Mary Elizabeth Kuck
Rick Paugh
Barbara Sanders
Adol Owen-Williams
Martha Willson

Ms. Keffe called the meeting to order and declared a quorum present at 2:30 p.m. She introduced David Naimon as a new Substitute Board Member. The Board welcomed Mr. Naimon.

Introduction of Staff

Ms. Jurgensen introduced the following staff members and noted their position: Renee Adams, Linda Caro, John Chapman, Aarti Chumble, Laletta Dorsey, Stella Gonda, Deborah Hamer, Ellie Jespersen, Jessica Jones, Betty Ann Lucey, Philip Olivetti, Ethmahn Pena, Tia Prince, Christine Rzeszut, Shafiq Satterfield, and Gilberto Zelaya. The Board greeted each staff member as they were introduced. Ms. Keffe requested that a staff listing be provided to the Board members.

*** Mrs. Caro, Mr. Chapman, Mrs. Chumble, Ms. Dorsey, Mrs. Gonda, Ms. Hamer, Mrs. Jespersen, Ms. Jones, Mr. Olivetti, Mr. Pena, and Ms. Prince left the meeting at 2:35p.m.***

Public Comments

Ms. Roher stated that Rick Paugh requested time to address the Board. Ms. Keffe asked Mr. Paugh to come to the table. Mr. Paugh stated that he is interested in learning how the Board verifies petition signatures. Mr. Karpinski responded that there are petition guidelines and advised that Mr. Paugh visit the State Board of Elections' website noting that the local Boards do not certify petitions. He informed Mr. Paugh that staff only verify and proof signatures. Mr. Karpinski asked Mr. Paugh for the reason why he was interested and Mr. Paugh responded that he is a circulator for the Petition for Referendum regarding Senate Bill 167 regarding in state tuition for illegal residents. Mr. Karpinski advised that he contact Mr. Goldstein at the State Board of Elections since the verification of petitions is a State process.

Ms. Keeffe asked visitors to introduce themselves and state the organization they represent.

Additions/Changes to the Agenda

Ms. Keeffe requested the addition of Committee Assignments as item number 4 under New Business and noted there would be no Executive Session.

Approval of the April 25, 2011, Minutes

Mrs. Dacek and Mrs. Khozeimeh recommended the minutes from the April 25, 2011, meeting for approval.

Election Director Status Reports

Budget

Ms. Jurgensen updated the Board on the Budget. She stated that the department will return approximately \$195,000 to the county general fund at the end of the current fiscal year. Ms. Jurgensen noted that the spreadsheet for FY12 was provided for the Board's review and will be discussed at next month's meeting. Ms. Roher added that the Board will be given the final FY11 budget spreadsheet in September and noted that the FY13 budget will be discussed at the next meeting.

Voter Registration

Ms. Jurgensen reported that the Maryland Voter Registration System (MDVoters) has a functionality issue with the latest upgrade that has created reporting issues. She stated that staff has been in contact with SBE regarding when to expect the problem to be fixed and was told that it will be fixed "soon." Ms. Jurgensen encouraged the Board to visit our website www.777vote.org where the monthly statistics and precinct breakdown data are posted.

Ms. Jurgensen stated that staff has continued to process voter registration and confirmation mailings. She explained that HAVA (Help America Vote Act) requires that when a sample ballot, or other official election mail, is returned to BOE, a confirmation mailing must be sent. Ms. Jurgensen stated that the Green Confirmation Card provided in the packets is mailed to the last address the voter has on file. She noted that staff will mail sample ballots and other official notices; however, if the voter fails to respond, and two federal elections pass without the voter casting a ballot, the voter is cancelled from the data base.

Ms. Jurgensen stated that there were 31,000 cancellations by the State in January. Mrs. Dacek requested that staff explain the background on their removal for the new Board. Mr. Karpinski explained the history of the Green Party decision, the Attorney

General's Opinion from 2003, and the previous Board's direction regarding cancellations. Mr. Naimon requested a copy of the Attorney General's Opinion that was sent to the State and Mr. Karpinski agreed to forward it to him. Mrs. Jeter requested that bullet number 6 on the green card ("If the card is not returned and you do not vote by the second general election for federal office after the date of this notice, your name may be removed from our voter registration list") be put in bold or a different font so that voters will see it more clearly. Ms. Jurgensen stated that she will make the change to the Green Card during the next printing.

State Board of Elections

Ms. Jurgensen reported that she received a reminder from the State Board that Early Voting information for the County must be submitted by August 2011; noting that this will be discussed later in the agenda. She stated that Montgomery County staff has volunteered for the SBE Ballot Proofing Committee as it relates to upgrades and new software testing. She noted that the State provided the needed equipment for the connectivity issue at the Praisner Early Voting Center and staff is coordinating with General Services regarding its placement and a testing schedule.

Ms. Jurgensen provided the Board with an equipment update. She stated that staff has completed nearly all post election maintenance on the TS units. Ms. Jurgensen reported that of the 3126 units, staff has approximately 400 to complete and noted that charging the equipment will commence at that time. She stated that the poll books have been charged and staff will begin the replacement of the CMOS batteries and repairing the legs on the EPBs. Ms. Jurgensen noted that the Optical Scanners have completed post election maintenance and the new GEMS servers have been delivered and staff is waiting for State Board staff to assist with their installation. Ms. Keeffe asked why the batteries couldn't be charged closer to an election and Mr. Satterfield responded that, according to the State guidelines, the batteries must be charged at least four times a year to prevent damage.

Facility Issues

Ms. Roher reported that staff is working to correct ongoing plumbing and HVAC issues. She noted that, due to staff reductions within the Division of Facility Services, it has been difficult to receive prompt response from maintenance staff. Ms. Keeffe questioned the HVAC issues and requested an explanation on why there appear to be constant problems. Ms. Roher responded that the issues that arise are different each time.

Petitions

Ms. Jurgensen reported that staff processed the latest state-wide petition related to the referendum of the MD Legislature's "Dream Act". She informed the Board that the next set of petitions is expected July 6, 2011.

Board Attorney Report

Pending Issues

Mr. Karpinski stated that there is no pending litigation. He reported that the Department of Justice's Project Civic Access for Montgomery County sent information regarding access in Montgomery County polling locations and offices. They have also requested that all voter registration materials be provided in Braille. Ms. Jurgensen is working with the State Board on this as all materials are provided by them. Mr. Zelaya stated that a Braille version of the voter registration card is available in his office.

New Business

2012 Presidential Primary Election Preparation

Early Voting Sites

As mentioned earlier, Ms. Jurgensen reported that the State Board has sent a reminder that Early Voting site recommendations must be submitted by August. Mrs. Rzeszut gave a presentation providing the Board with information on each Early Voting Center. Ms. Keeffe thanked Mrs. Rzeszut for the presentation. The Board had a lengthy discussion on the use of the Executive Office Building (EOB) as an Early Voting Center. Ms. Jurgensen stated that she was concerned with parking at the EOB because of construction that was taking place but was told by David Dise, Director of the Department of General Services, that it wouldn't impact the Center. Mrs. Dacek commented that she was concerned about parking at the EOB and indicated that the EOB was close to Bauer Drive Community Recreational Center. She stated that she would not support the motion and noted that she preferred a Center in Bethesda or Potomac. Ms. Keeffe stated that she felt that repetition is important to voters and was in favor of returning to the EOB. Mr. Naimon requested that information about parking be put on sample ballots to alert voters and minimize confusion. Mrs. Khozeimeh added that while she was visiting the Center 90% of people that voted at the EOB complained about parking.

A motion was made by Mrs. Jeter to approve returning to the same Early Voting centers: Bauer Drive Community Recreation Center, Executive Office Building, Germantown Recreation Center, Marilyn J. Praisner Community Recreation Center, and Silver Spring Civic Building. The motion was seconded by Mrs. Rivera-Oven. The motion passed with Ms. Keeffe, Mrs. Jeter, and Mrs. Rivera-Oven, voting in favor and Mrs. Dacek and Mrs. Khozeimeh voting against.

A motion was made by Mrs. Dacek to accept the following alternate Early Voting Centers in priority order: Long Branch Community Center, Mid County Community Recreation Center, and Montgomery County Board of Elections. The motion was seconded by Mrs. Khozeimeh and carried unanimously.

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25'-100' Electioneering Boundary

Ms. Jurgensen reported that The Maryland General Assembly passed legislation regarding the electioneering boundary. She stated that staff has reviewed the polling places and have made their recommendations. She stated that staff has prepared two packets for each bi-partisan Board team to review the proposed electioneering limits. Ms. Jurgensen reported that the packet includes a photo of the site with the limits marked. Ms. Jurgensen and Mrs. Rzeszut explained the process of selecting electioneering boundaries at the polling places with the Board. Ms. Keeffe commented that she believes in the saying "if it ain't broke, don't fix it" referring to the electioneering boundaries that were set by the previous Board. Ms. Keeffe suggested that the Board reach out to each political party to see if they received any complaints from voters about polling places regarding electioneering boundaries. She stated that she is concerned if there were safety issues and Mrs. Rzeszut responded that changes were applied and integrated to the sites when complaints were received. Ms. Jurgensen stated that any requested changes to boundaries must be completed by September. Mr. Karpinski stated that he will provide a list of precincts that had complaints by the next meeting. Ms. Keeffe stated that she will request information from the Democratic Central Committee and asked that Mrs. Khozeimeh request information from the Republican Central Committee. After a lengthy discussion, the Board tabled further discussion until the next meeting.

Mrs. Lucey left the meeting at 3:46 p.m.

Redistricting

Mrs. Harris updated the Board on the redistricting process. She reviewed details and the anticipated timeline including information received from Montgomery County Public Schools (MCPS). Mrs. Harris cautioned the Board regarding the potential for an intense schedule at the end of the year.

Board Committee Assignments

Ms. Keeffe announced the formation of two Board committees to review specific issues.

Website

Ms. Keeffe suggested that additional material be added to our website and has requested that Mrs. Rivera-Oven work with staff to review the website. The website committee will consist of Mrs. Rivera-Oven, Ms. Jurgensen, and Mr. Satterfield.

Selection of Legal Counsel

Ms. Keeffe announced that the Board will be advertising the legal counsel position to allow an open selection process. She noted that Mrs. Dacek and Mr. Naimon have agreed to serve on this committee.

Future Meetings

The Board agreed to not make any changes to the future meeting calendar at this time. Ms. Roher stated that she will provide the Board with a future meeting schedule for next year by the November Board Meeting.

- A. July 25, 2011
- B. September 26, 2011
- C. October 24, 2011
- D. October 29, 2011 – 10:00 a.m. – 6:00 p.m.
- E. October 30, 2011 – 1:00 p.m. – 6:00 p.m.
- F. November 21, 2011
- G. December 19, 2011 – *tentative*

Adjournment

With no further business, a motion was made by Mrs. Khozeimeh to adjourn the meeting. The motion was seconded by Mrs. Jeter and carried unanimously. The meeting was adjourned at 4:38 p.m.

Respectfully submitted,



Marjorie M. Roher
Management & Budget Specialist III

APPROVED BY THE BOARD:



Mary Ann Keeffe
Board President