

November 21, 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  
David Naimon  
Jacqueline Phillips

**APPROVED**

**Legal Counsel:**

Kevin Karpinski

**Staff:**

Margaret Jurgensen, Director  
Sara Harris, Deputy Election Director  
Alan Vinh, Information Technology Manager  
Betty Ann Lucey, Registration Manager  
Marjorie Roher, Management and Budget Specialist III  
Christine Rzeszut, Operations Manager  
Lisa Merino, Election Aide II

**Guests:**

Dave Drake  
Barbara Sanders

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

**Public Comments**

Ms. Roher stated that no one requested to address the Board.

**Additions/Changes to the Agenda**

Ms. Keeffe stated that she would like to add Board Communications under New Business on the Agenda.

Ms. Jurgensen asked Mrs. Harris to introduce a new staff member to the Board. Mrs. Harris introduced the new Information Technology Manager, Alan Vinh. Mrs. Harris

stated that staff is delighted to have him on board and is looking forward to a fine working relationship. Ms. Keeffe welcomed Mr. Vinh.

Ms. Keeffe thanked staff for their tremendous work in preparing the redistricting maps and overlays for Saturday's Public Hearing. She stated that she is aware of the time spent on nights and weekends and expressed her appreciation.

### **Approval of the October 26, 2011, Minutes**

Minutes from the October 26, 2011, meeting were distributed for review. Ms. Roher stated that the only change to the minutes was a request from Mr. Naimon noting that the word bilingual was hyphenated incorrectly. The hyphen has since been removed. A motion was made by Mrs. Dacek to approve the October 26, 2011, minutes. Mrs. Khozeimeh seconded the motion and it carried unanimously. Ms. Roher distributed the November 14 Open Executive Session summary and the Board concurred that it should be posted on to the BOE website.

### **Board Committee Reports**

#### **Website Review**

Mrs. Jurgensen stated that after the November 8<sup>th</sup> elections in the City of Rockville, the absentee application for 2012 and the Early Voting logo and link had been added to the website. Ms. Jurgensen stated that the proposed redistricting matrix was added to the website under "What's New". Ms. Jurgensen stated that if the Board wished, staff would add a notation that public comments would be accepted through December 5, 2011, under the Matrix. The Board concurred with her suggestion.

Ms. Keeffe stated that the Board has an important role in informing the public about items like redistricting and other important notices. She stated that at the Public Hearing the Board was roundly criticized because of the lack of reasonable notification, specifically regarding the redistricting Public Hearing date. Ms. Keeffe stated that she would like to discuss further options to reach out to the community to notify them of redistricting information.

Ms. Jurgensen stated that BOE has a list serve available that reaches out to individuals who sign up for Montgomery Alert election information. Ms. Roher stated that when a media advisory goes out it reaches over 1,000 people including, but not limited to, media, County Council, homeowner and civic associations, Regional Services Centers, Department of Recreation, and the school system and Unions. Ms. Keeffe stated that she would like to work on creating our own distribution list. She requested that a press release be sent out with specific redistricting information noting that comments will be accepted through December 5.

### **Election Director Reports**

#### **Budget**

Ms. Jurgensen reported that budget expenditures are close to the projected numbers. Voter registration expenditures related to petition processing did create challenges to the budget. She reported that all overtime and compensatory time in voter registration has ceased. Ms. Jurgensen stated that because of the time involved in the implementation of redistricting there will need to be overtime costs since MDVoters limitations require IT staff to either work early in the morning (4:00 a.m.) or very late in the evening (8:00 p.m.) to manage the GIS interface.

Ms. Roher stated that no further information is available since the FY11 budget has still not been closed out.

### **Voter Registration**

Ms. Jurgensen reported that the staff is processing the backlog of voter registration requests and changes accumulated during the verification of the referendum petition.

### **State Board of Elections**

Ms. Jurgensen stated that an e-mail ballot grant was awarded to the Maryland State Board of Elections. She reported that the project will provide for e-mail ballots to be electronically converted into a scannable ballot instead of being duplicated by hand. Ms. Jurgensen noted that the Board will still be required to proof the duplication process to original e-mailed ballots. Ms. Jurgensen stated that during the 2010 election cycle an estimated 4,000 documents were duplicated by canvass teams which delayed the County's ability to report absentee results.

### **Petitions**

Mr. Karpinski reported that staff has completed the FOP referendum petition. He stated that the County Executive and Council President have been notified that enough signatures have been validated and accepted so that the question may be placed on the 2012 General Election Ballot. Mr. Karpinski requested that the letter of determination be placed on the BOE website. The Board concurred.

### **Board Attorney Report**

Mr. Karpinski reported on the redistricting litigation. He stated that there is a federal statute when a constitutionality of redistricting is challenged, and Judge Titus will determine if a three judge panel will be appointed to hear the case. Mr. Karpinski noted that the case has been placed on a tight schedule; the State was given until 2:00 p.m. on November 18, 2011, and the plaintiffs needed to file their response by 5:00 p.m. today (November 21, 2011).

### **2012 Presidential Primary Election Preparation Board Calendar**

Ms. Jurgensen stated that the Board Calendar and voting supplies for the precinct verification must be submitted to the SBE by November 30, 2011.

Ms. Jurgensen gave a brief explanation and description on how the Verification Plan would work and showed examples of supply items that are stored in the various bags; she also detailed items contained in staff and election judge procedures. Ms. Jurgensen reviewed the 2012 Election Calendar with the Board. Mr. Naimon inquired about the time needed from the Board to complete these procedures. After Ms. Jurgensen responded, there was a lengthy discussion on the best way to accomplish the verification and, it was decided that the verification would start earlier in the day. A motion was made by Mrs. Khozeimeh to accept the Verification Plan and Board Calendar as amended. The motion was seconded by Mrs. Dacek and carried unanimously.

### **Media Outreach**

Ms. Roher stated that she contacted Telemundo and Univision and learned they would charge \$2,300 each. Ms. Roher stated that she is waiting on a call from a Comcast representative for further information on leverage of additional spots. Mrs. Jeter asked about the update on Fios that was discussed at the previous meeting and Ms. Roher stated that Comcast handles the advertising for Fios cable channels and all advertising would be split between the two companies. Ms. Roher added that she would have further information by the December Board meeting.

### **Old Business**

#### **Redistricting**

Mrs. Harris stated that on Saturday, November 19, 2011, the Board heard from 9 of approximately 12 individuals who attended the hearing regarding precinct changes resulting from redistricting and cost-saving mergers. She stated that topics covered concerns regarding timing and distribution of precinct change notices and details of changes within specific precincts. Mrs. Harris stated that currently 14 precincts are being held for additional staff review and will be presented to the Board as soon as possible.

Mrs. Dacek moved to direct staff to begin writing the legal descriptions for all precincts impacted by redistricting and precinct mergers with the following exceptions: Precincts 04-15, 04-26, 04-29, 05-03, 05-10, 05-14, 07-01, 07-12, 07-32, 09-02, 13-03, 13-14, 13-34, and 13-66. Staff is directed to research these precincts further and provide written recommendations to the Board by December 6, 2011. Mrs. Khozeimeh seconded the motion.

Ms. Keeffe asked the Board if there was any discussion on the motion. Mr. Naimon stated that the letter received by Mrs. Walker was not about Legislative District 16 as she had commented and discussed at the public hearing, but instead Legislative District 18. Mr. Naimon stated that he reached out to the Legislative District 16 Central Committee Member, who brought to Mr. Naimon's attention 2 precinct mergers that Legislative District 16 is concerned with - Precincts 7-17 and 7-19 and Precincts 7-23 and 7-30. There is concern that these mergers will result in a large turnout and long lines. Mrs. Khozeimeh asked how many voters were involved in these precincts. Ms. Jurgensen stated that merging Precincts 7-23 and 7-30 would create a precinct with 4,102 voters and save approximately \$1,000. Mrs. Dacek noted that the polling place will

be held at a high school with plenty of room for more machines to be placed to avoid long lines. Ms. Keeffe stated that the Board will not be able to accommodate everyone. She stated that she would like to reinforce early voting and absentee ballot by mail as options in larger precincts. Mrs. Rzeszut briefly discussed the Kensington Parkwood Elementary School for potential use as a polling place (she provided Ms. Keeffe with a diagram of the school). Mrs. Rzeszut has assessed the parking, the gym (which has a partition that converts into 1 big room), and the access on ground level.

Mr. Naimon stated that his Rabbi will be contacting the Rabbi at Temple Beth El Bethesda to determine if it can be used as Precinct 7-12, and will then follow up with the Board and staff.

Mr. Naimon made a motion to amend the previous motion to include Precincts 7-17, 7-19, 7-23, and 7-30 mergers for further consideration. Mrs. Jeter seconded the motion. Mrs. Jeter and Mr. Naimon voted in favor of the motion and Mrs. Keeffe, Mrs. Dacek, and Mrs. Khozeimeh voted against the motion; the motion failed.

The original motion, made by Mrs. Dacek and seconded by Mrs. Khozeimeh, was restated: to direct staff to begin writing the legal descriptions for all precincts impacted by redistricting and precinct mergers except the following Precincts: 04-15, 04-26, 04-29, 05-03, 05-10, 05-14, 07-01, 07-12, 07-32, 09-02, 13-03, 13-14, 13-34, and 13-66. Staff is directed to research these precincts further and provide written recommendations to the Board by December 6, 2011. The motion carried with Ms. Keeffe, Mrs. Dacek, Mrs. Khozeimeh, and Mr. Naimon voting in favor and Mrs. Jeter opposing the motion.

Ms. Jurgensen reported that staff will be working with GIS to obtain registered voter numbers for the precincts that have been approved today. She stated that information on polling place locations and voter numbers will be forward to the Board. Ms. Jurgensen stated that the Board partners established at November's Board meeting will be receiving legal descriptions and maps via e-mail to review. She continued to say that all documents will have to be signed at the December 12 Board meeting by all Board members.

## **New Business**

### **Board Communications**

Ms. Keeffe stated that she had received e-mails from staff relating to redistricting. Ms. Roher noted that any e-mails received after the public hearing were being forwarded to the Board for informational purposes. They will be part of the written record that will be posted to the website. The Board concurred that a written 1 or 2 sentence summary of public comments as well as the original submission of comments be posted to the website.

Ms. Jurgensen stated that an updated redistricting matrix, omitting the precincts that were left in balance today, will be sent out with a media advisory. Mr. Naimon asked that the merged precincts note the total number of voters registered at the precincts. Ms. Jurgensen agreed.

Ms. Keffe requested that staff develop a list serve for future communications. Staff agreed to look into the process.

### **Future Meetings**

Ms. Roher asked if the Board would like to continue to meet on the 3<sup>rd</sup> Monday of the month with the exceptions of months where a conflict occurs due to a county holiday. The Board concurred. Ms. Roher stated that a full calendar would be provided as part of the December agenda.

### **Adjournment**

With no further business, a motion was made by Mrs. Khozeimeh to adjourn the meeting. The motion was seconded by Mrs. Dacek and carried unanimously. The meeting was adjourned at 4:51 p.m.

Respectfully submitted,



Marjorie M. Roher  
Management & Budget Specialist III

APPROVED BY THE BOARD



Mary Ann Keffe  
Board President