

Public Hearing

APPROVED

March 2, 2013

Ms. Jeter called the public hearing to order at 10:00 a.m. In attendance were Board Members Mrs. Jeter, Mrs. Khozeimeh, and Mrs. Rivera-Oven; and Board Staff Ms. Jurgensen, Ms. McLaughlin, Ms. Roher, Mrs. Rzeszut, and Ms. Merino. Also in attendance were 23 interested individuals. The following is a summary of discussions during the meeting.

Mrs. Jeter introduced the Board members. She stated staff will present proposed changes and then public comments will proceed.

Ms. Jurgensen introduced herself. She stated that the Board of Elections and staff are required to redistrict after every census is completed. She added that the Governor and Legislature pass into law the redistricting lines in various subdivisions of government. In October 2011 the Governor put into place the Congressional redistricting and the Legislature passed into law the Board of Education and County Council redistricting modifications as well. She stated the Legislative redistricting took place in 2012 and was litigated through most of that year. The Board of Elections, in December 2012, adopted a calendar for staff to utilize as guidance to prepare for redistricting which must be in place by April 8, 2013, for the 2014 Elections. Staff has presented information on precincts impacted at last two Board meetings. The Board is required to integrate all changes to the precincts in response to the redistricting legislation by April 9, 2013, which is when candidate filling opens.

Ms. Jurgensen stated that staff reviews each precinct impacted by redistricting. State Board of Elections regulations require that precinct boundaries are to wholly reside within a district, so that each ballot style reflect only one Legislative, County Council, Congressional, and Board of Education district. She added that with the return of paper ballots this will be critical to ensure the appropriate ballot style. Staff must also adhere to ADA regulations as well as security and facility needs for the election judges and public. She added the BOE is also subject to the limitations of budget and equipment requirements when selecting polling places.

Ms. Jurgensen presented a power point presentation regarding the following precincts: 02-09 new from 02-06, 04-11 new from 04-25 and 04-05, 04-36 new from 04-01, 04-33 new from 04-08, 04-15, 04-37 new from 04-27, 04-40 new from 04-15, 04-38 new from 04-07, 04-43 new from 04-27, 04-41 new from 04-01, 04-42 new from 04-20, 06-16 (ghost) new from 06-03, 08-14 new from 08-04, 08-15 new from 08-08, 09-32 new from 09-20, 09-38 new from 09-36, and 09-39 new from 09-37 due to Congressional, School Board and County Council District boundary lines.

Mrs. Rzeszut, Operations Manager, presented a power point presentation with the following recommended mergers: Precinct 08-13 to merge with Precinct 08-07, and vote at Sherwood Elementary School. Board and staff recommend realigning the redistricting lines so that Precinct 09-28 (existing precinct) which includes Lakeforest Mall and Asbury Retirement Community and would vote at Asbury Retirement Community. The Board recommends that staff create Precinct 09-40 to vote at Gaithersburg Elementary School and Precinct 09-20 (existing precinct) to vote at Gaithersburg Middle School.

Mrs. Jeter thanked the staff. She addressed the visitors stating that staff has worked hard to bring the information to the Board, noting that BOE is short staffed with the resignation of the person responsible for producing the maps.
Public Comments (All submitted comments have been provided to the Board and have been placed on the MCBOE website.)

Joyce Temple served as election judge for Precinct 13-69, Leisure World, Clubhouse II, and is the 2012 President of Leisure World Yahoo Groups. She stated that she has reached out to several Leisure World residents and all are in agreement with the following issues pertaining to the safety and accessibility of the building and parking area. She proposed an early voting site be placed at Our Lady of Grace Church Interfaith Center, which would give easy access to both club houses. She also proposed precinct balancing, adding there are currently two precincts. Ms. Temple requests that more EPB's and touch screen units be placed in the precincts adding that seniors vote in greater number. She stated that each year election judges should be required to acquire additional training with focus on provisional ballots; noting that there was a major problem with provisional ballots at Precinct 13-69. Ms. Temple proposed that election judge training include testing with a pass/fail report as well as including a time limit for any computer testing. Additionally, she stated that older election judges for Precinct 13-69 be replaced with judges capable of performing specific tasks including registration and the ability to lift forty pounds. She noted that at Precinct 13-69, 1/3 of the judges could not hear well or lift forty pounds and did not have capable people to check the voters in. Ms. Temple stated that she understands the limited budget that BOE is under, but proposes a luncheon to honor and retire those who have served for a number of years. She stated that registration tables should have more space between judges to enable voter's and judges to hear better, and additional line monitors for disabled and physically impaired voters at Early Voting Centers. Additional chairs should be assigned to voting units and more chairs placed in each clubhouse for those waiting to vote and implement a number system for those to be called in order. Ms. Jeter thanked Ms. Temple for her comments.

Rosalind Kipping, Democratic Precinct Chair for Precinct 13-69 Clubhouse II, Leisure World. Ms. Kipping stated that during the election the polling place did not experience any problems with the flow of voters. There was adequate seating available, and they experienced some busy periods with very little problems. She stated that the community is comprised of older citizens with mobility issues and the access to Clubhouse I is difficult compared to Clubhouse II, which has closer parking and level walkways. She inquired if the voters in Leisure World could self select their location since technology exists - as demonstrated during Early Voting. Adding that Clubhouse II is able to handle a larger population of voters without difficulty would decrease the problems caused at Clubhouse I. She recommends that the BOE consider adjusting the

APPROVED

voter population by increasing the number of voters at in Precinct 13-69 and decreasing the number of voters in Precinct 13-54.

Mrs. Jeter stated that the Board has had several discussions in the last four Board meetings regarding Leisure World and is looking at making arrangements for both Clubhouses; however, no decision has been made yet. She stated that there is no additional equipment available to be placed at polling places; staff uses every machine that the State allows with a small reserve for emergencies.

Victor Weissberg, on behalf of the Montgomery County Democratic Central Committee. Mr. Weissberg stated that he realizes redistricting makes it necessary to create new precincts that are atypical or outliers from the classic precinct. Some of these are disjointed sections or small precincts and finding polling places is difficult. It appears that some of the most challenging areas are Washington Grove, Twinbrook, Meadow Hall, and Kensington. Mr. Weissberg asked that the Board of Elections continue to work on finding polling places that cause less disruption to voters. He asked that staff work with local officials to find the best resolution regarding Kensington. He stated that it is difficult to comment on new precincts without having maps that show streets and boundary lines and requested that maps be made available on-line before the Board makes their decision. In addition, he requested that the Board make all efforts to publicize that changes are on the way and notification be sent to those voters affected. Mr. Weissberg addressed his recommendations for the following polling places:

- Precinct 13-39 - recommends a different arrangement for the 2014 Election. He proposed that Precinct 13-39 double at Precinct 13-16 (Rosemary Hills Elementary School) stating many residents are accustomed to voting there. Another location could be Coffield Community Center (previously used). He asked that the Board consider the use of Chevy Chase Elementary School as a temporary polling place as there will be construction taking place and parking will be limited.
- Precinct 13-47 – He stated that the committee supports the request of a permanent place to vote in their precinct, and requested that staff work with voters in this location.
- Precincts 13-54 and 13-69 Leisure World Clubhouses, the committee supports the request of the precincts to be redistributed to reduce crowding, and asked that staff talk with the property manager of Leisure World for assistance.

He thanked the Board for their hard work and allowing the forum to speak.

Mrs. Jeter stated that one of the Board priorities is to try not to have more than 4,000 voters in a precinct. When precincts are combined, and the combined total is about 5,000, it creates a logistic problem.

Christina Ginsberg, President of Twinbrook Citizens Association. Ms. Ginsberg expressed her concern and requested the following:

- Precinct 04-38 – Noted that maps do not reflect current city limits along Twinbrook Parkway adding that the city recently annexed in several single family homes and that should be corrected in the BOE records. She stated the association intends to pursue rectifying the “Garagiola Gerrymander” so that the homes in the west part of Precinct 04-38 are returned to Precinct 04-07 and the apartments in the east part of Precinct 04-38 become congruent, thus erasing Precinct 04-38.
- Precincts 04-37 and 04-40 – These two precincts cover the site of a recent annexation into city limits, adding that it has been zoned and approved for 1595(+/-) apartments. She asked the Board to consider that the boundary will run through a building in the near future. She requested that since all the residents living in this area are citizens of Rockville they vote in a precinct within their City limits.
- Precinct 04-43 she stated that in her opinion either the BOE map or excel spreadsheet is wrong and she will therefore not comment on the precinct.
- Precinct 04-27 – Questions why the citizens of Rockville are voting at Precinct 04-09 (Meadow Hall) and not Twinbrook Library.
- Precinct 04-33 – she stated that precincts 04-37 and 04-40 have been zoned for major development, and most likely will have resident in 2014. These residents will also be within the Rockville city limits and should vote there. She added that the Association supports one precinct /one voting site.
- Precinct 04-19 - Asked that this precinct vote in the city limits of Rockville instead of having its residents travel north and across route 355 to Candlewood Elementary School (Precinct 04-14).

Ms. Ginsberg stated she hopes that the City of Rockville weighs in and supports their recommendations.

Cathy Drzygula stated she is happy to see that the boundaries have followed municipal boundaries and, if this process were followed at all levels there would be fewer changes to make. Ms. Drzygula stated the announcement of the public hearing was minimal and there was difficulty in people attending the meeting. She does not understand why the sign up date comes before information is available; she was only able to access maps on Friday and they are hard to understand in such a short time frame. She has no written testimony because she was unaware of what information was to be presented. Ms. Drzygula stated that new precinct 09-40 addressed some of her concerns regarding Gaithersburg Elementary and noted that Asbury is unaware of the changes that will be affecting them. She stated that Precinct 09-32 (Emory Grove Road) which the BOE identifies as having two voters includes a Habitat for Humanity project. She added that Early Voting was very popular, although the lines were very long and may have discouraged voters, and is requesting a site closer for Gaithersburg. Ms. Drzygula stated that her daughter works in her college mailroom and absentee ballots continued to arrive following the election, (but she did not imply that they were mailed late).

Mayor Sydney Katz, City of Gaithersburg, expressed his concern about the way the public hearing notice was handled. He noted that the maps are difficult to read and figure out where the lines are. He questioned why the public hearing was not being taped. Mrs. Khozeimeh responded it was. Mayor Katz thanked the Board for using Gaithersburg Elementary School for Precinct 09-40. He inquired whether the residents of the City of Gaithersburg would be voting inside or outside the city limits. Ms. Jurgensen responded that the municipalities conduct their own elections; there is no requirement that precinct lines be contingent with municipal lines. Mayor Katz stated that Rockville City is considering conducting their election at the same time as the County and State elections and, if Gaithersburg also did that, it would be confusing if precincts weren't contingent with city limits. Ms. Jurgensen responded the municipal lines have never been followed.

Barbara Sanders from the League of Women Voters of Montgomery County stated that as a bystander and attendee at both State and County Board of Election Board meetings, she would like to thank the Board and staff on the presentation put together today. She stated that most of the concerns expressed today need to be addressed with Legislators, the County Council, and the Governor. She added that the whole redistricting process is controlled by them, and if the public wants the lines to be considered they have to do it and discussions must be started now for the 2020 census.

Kevin Gillogly stated that having the matrix in advance was good, although notification needs to be improved. Mr. Gillogly addressed that the graphic showing precincts should show the previous legislative districts as well as the proposed in future matrixes. Due to the many dictates of redistricting it would be easier to follow if you can see the difference.

Dolly Kildee, Chair of Precinct 09-02 Gaithersburg High School expressed her concern with the division of the precinct in the past election that contributed to long lines in her opinion. She understands that part of Washington Grove will also go to Gaithersburg High School and no additional equipment will be distributed. Ms. Kildee stated that she had not heard of Precinct 09-40 until today and added the process is very confusing and there has to be a better way to handle it so people know what is happening.

Jonathan Shurberg stated he was on the Councilmanic Redistricting Commission for the County and, as far as he understood, there were no splits in any districts. (Ms. Jurgensen stated there was one.) He stated to the extent small precincts were created it was through Legislative and Congressional Redistricting.

Mrs. Rivera-Oven acknowledged the frustration the public has with the changes adding most of them are very grueling and frustrating because there is nothing the Board can do. The Board members can help with the impact but cannot avoid it she added that the Board has truly tried to do as minimal damage and disruption to the voters as possible. She added the Board is not just concerned with accommodations at Leisure World, but across the county. Mrs. Rivera-Oven stated that staff has done a tremendous job ensuring accessibility is provided across the county.

APPROVED

Mrs. Jeter stated that the current Board is trying to be proactive and ensure that our citizens have access and the right to vote with the least inconvenience. Information had not been received by the Board until Monday due to no fault of staff, but a cascade that comes from the State with a short turn around. The information was made public that Monday evening after the Board members discussed it. She added that we will try to work on a quicker turnaround and better notification and invited the public to attend meetings and send comments.

Ms. Roher stated that comments may be received through March 5, 2013, by 5:00 p.m.

Ms. Jurgensen stated that the BOE will be meeting with Asbury.

Mrs. Jeter thanked everyone for their comments and emphasized that final decisions would not be made until March 18, 2013.

March 18, 2013

Date

Mary Ann Keeffe

Mary Ann Keeffe, President