

APPROVED

July 29, 2013

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
Nahid Khozeimeh
Graciela Rivera-Oven
Jacqueline Phillips
David Naimon

Counsel:

Kevin Karpinski

Staff:

Margaret Jurgensen, Election Director
Alysoun McLaughlin, Deputy Election Director
Betty Ann Lucey, Voter Services Manager
Marjorie Roher, Management and Budget Specialist
N. Christine Rzeszut, Operations Manager
Lisa Merino, Election Aide II

Guests:

Mary Ellen Hudson
Lewis C. Hudson
Wayne Johnson
Holly Joseph
Edward King
Joan King
Adol Owen-Williams
Martha Robinson
Barbara Sanders
Joyce Temple

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Convene the Board Meeting and Declare a Quorum Present

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

Public Comments

Ms. Keeffe asked if there were any public comments; Ms. Roher responded that Joan King requested to speak in advance regarding Precinct 13-47. Ms King stated that Precinct 13-47 is a unique precinct that has no schools, churches, recreation centers, or libraries and has always had difficulty finding a permanent polling place. She thanked the Board for responding to the concerns of residents and arranging the use of the Montgomery College Performing Arts Center as the new polling place. However, she expressed her concern with the potential realignment of the boundary lines and how it would affect the community especially with the ongoing expansion and revitalization. Ms. King noted that she would be glad to work with the BOE to encourage the community to vote during Early Voting. The Board briefly discussed the expansion of the community. Ms. Keeffe stated that if the Board decides to keep the precinct together at Montgomery College, it would have to be with the understanding that it could be split at some point due to the development. Mrs. King stated she understood and agreed. Ms. Keeffe thanked Ms. Jurgensen, Mrs. Rivera-Oven, and Mr. Subin for participating in discussions with the Provost of Montgomery College and negotiating the use of the facility. The Board thanked Mrs. King for her comments.

Additions/Changes to the Agenda

Ms. Jurgensen requested an Executive Session to review previous minutes and the FY15 Budget. Ms. Keeffe agreed.

Approval of June 24, 2013, Minutes

Minutes from the June 24, 2013, meeting were distributed in advance. Mr. Naimon requested a change to page five, paragraph two, third line from the end ...*"Ms. Jurgensen reported that the City of Gaithersburg contacted BOE and has agreed to the use of Bohrer Park & Activity Center as a proposed Early Voting site (lease is pending BOE Board Attorney review)"* to add "if the Board votes to do so" before the parenthesis. Ms. Keeffe stated the site has not been approved but the lease terms are under review. Mr. Karpinski noted that the Montgomery County Board of Elections' attorney typically reviews the general lease terms (security, janitorial, and hours of operation, etc.) when a new site is under consideration to begin the process. The Montgomery County Office of the County Attorney and, in this case, the City of Gaithersburg then review and modify the lease agreement if necessary. Ms. Keeffe and Ms. Khozeimeh agreed Mr. Naimon's request was not necessary. Mr. Naimon requested that "County Executive and County Council" be added on Page 5, paragraph 4, to clarify where the funding will come from. He also requested that "Citizens" be added to read Citizens Association on page 6, paragraph 3 and "Silver Spring" be deleted.

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Mrs. Jeter made a motion to approve the minutes as modified. Mrs. Khozeimeh seconded the motion and it carried unanimously.

Ms. Keeffe thanked Mr. Naimon for his review.

Election Director Reports

Budget

Ms. Roher reported on the FY13 spreadsheet provided in advance to the Board for the current fiscal year through June 30, 2013. She noted current fiscal year numbers will be available at the next Board meeting. Ms. Roher stated the final year end figures would be available in mid September. Ms. Keeffe questioned the projected deficit. Ms. Roher stated the deficit reflects the full budgeted amount for the State; however, she does not anticipate the year to end with the deficit shown. Mrs. Rivera-Oven questioned line item 6A021 Travel. Ms. Roher stated that the travel line includes metropolitan travel – voter outreach for local meetings. Ms. Keeffe thanked Ms. Roher.

Voter Registration

Ms. Jurgensen stated high school statistics were provided in the advance packet, adding that 1,200 students were registered in the program.

Ms. Jurgensen stated no upgrades have been made to MDVoters yet.

Ms. Jurgensen reported that the State Board of Elections conducted a data cross check with the District of Columbia using the ERIC program and found voters who allegedly voted in both jurisdictions. She added that information has been given to the State Prosecutor, with copies to the Board attorney.

State Board of Elections

Ms. Jurgensen reported that Ross Goldstein, Deputy Director for SBE, has resigned. She stated that the State Board of Elections Board meeting was held July 25, 2013.

Ms. Jurgensen reported that the State Board has submitted a proposal to create a single point contract for UOCAVA voters (Uniformed and Overseas Citizens Absentee Voting Act). If awarded, all local Boards would refer UOCAVA voters to the SBE website for information and ballot requests and all ballots will be returned to the SBE for processing. After processing, all ballots will be sent to local boards to duplicate or reject and then canvass. Ms. Phillips asked Ms. Jurgensen to briefly describe the process for county review and questioned whether a local board could opt out. Ms. Jurgensen explained the process, indicating the State Board has final say on participation.

Ms. Jurgensen reported that the BOE will need to perform the certification of the election simultaneously with the audit. In the past, the audit was done eight to ten weeks after the certification.

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Both Ms. Jurgensen and Ms. McLaughlin were invited to attend the Bi-Partisan Policy Center. Lines and Capacity planning were discussed. Linda Lamone, State Administrator, credited the Montgomery County Board of Elections for having the "best run elections in the State" of Maryland. Ms. Jurgensen added that a Senior Management Meeting (Montgomery County Government) was held where she was briefed on healthcare reform, animal services transition, performance evaluation deadlines, new urgent communication systems, and retirement announcements.

Ms. Jurgensen reported that Janet Ross is the new Senior IT Manager and Jessica Jones, the Republican Recruiter, has resigned with her last day of employment being August 1, 2013. Alysoun McLaughlin and Chris Rzeszut have both attended training for their National Certification with the Election Center and Auburn University. Lisa Merino has taken multiple training courses on Oracle Financials.

Ms. Jurgensen stated that the State Board of Elections arranged a meeting for large local Boards of Elections regarding the new voting system that was held at the Montgomery County Board of Elections. Ms. Jurgensen briefed the Board on items discussed during the meeting.

Ms. Jeter thanked Ms. Jurgensen for including her report in the advance packet.

Ms. Keeffe welcomed Mrs. Ross as the IT Manager.

Board Attorney Report

Mr. Karpinski reported that no opinion has been issued in the Court of Appeals in *Montgomery County vs. Montgomery County Board of Elections*. He stated that the Court of Appeals is typically adjourned from June to September. He added that the MOU has been circulated to Montgomery County regarding the Early Voting sites (not site specific) as well as to the City of Gaithersburg, with the hopes that any issues with leases and MOUs will be resolved by September, in time for the Board to select the Early Voting sites. Mr. Karpinski stated he attended the Maryland State Bar Association and participated in a panel with Delegate Cardin, where Delegate Cardin indicated that he intends to make changes to the petition section of the Election Law Article during the next legislative session. Mr. Karpinski stated he has offered to volunteer with suggestions on how the section can be improved. Ms. Keeffe thanked Mr. Karpinski.

Old Business

Follow Up Issues from May Board Meeting

No issues were discussed.

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Kensington – Precincts 13-03 and 13-34

Mrs. Rzeszut read the legal descriptions. Mrs. Khozeimeh made a motion to adopt the old precinct lines used in the 2010 Census as the new precinct lines for Precincts 13-03 and 13-34 (Kensington). The motion was seconded by Mrs. Rivera-Oven and it carried unanimously. (The Board signed the legal descriptions.)

Silver Spring – Precincts 13-10 and 13-47

Mrs. Rzeszut presented information on the proposed reconfiguration for Precincts 13-47 (Maryland National Capital Park & Planning) and 13-10 (Montgomery College Cultural Arts Center). The Board discussed new buildings and current towers located on Blair Road. Mr. Naimon inquired if there was sufficient handicap parking. Mrs. Rzeszut stated that Montgomery College will supply handicap parking. Ms. Keeffe stated parking is not an issue – residents want a walkable polling place. Mr. Naimon inquired if there was sufficient space inside. Mrs. Rzeszut responded that there is about 1,500 square feet. Ms. Keeffe inquired about the past voter turnout in 2010 and Ms. Jurgensen provided voter turnout information for 2010 and 2012 elections. Mrs. Rivera-Oven asked for the hours for the Van-Go shuttle. Ms. Jurgensen responded that the shuttle will run from 8:00 a.m. through 8:00 p.m. throughout Early Voting and on Election Day. The Board discussed line wait times. Mrs. Jeter stated that she had received a copy of a letter sent to Dolly Kildee from the Democratic Central Committee Member for District 20, stating that they were aware a decision was going to be made on precinct 13-47, and asked that the precinct be kept intact for convenience to voters. Mrs. Jeter will provide a copy of the letter to the Board. (see attachment A)

Ms. Keeffe stated that the Board tries very hard to keep communities together and is aware how changes impact the communities. She added the Board is very pleased about using the new facility (Montgomery College). Ms. Keeffe would like to try to keep the precinct in its current boundary and move forward with the new site at Montgomery College and leave Precinct 13-10 in its current configuration.

Mrs. Khozeimeh made a motion to move forward and use the Montgomery College Cultural Arts Center as a polling place for Precinct 13-47, and maintain the current boundary lines for Precincts 13-10 and 13-47 with the understanding that boundary lines will need to be revisited as the population grows. The motion was seconded by Mrs. Rivera-Oven and carried unanimously.

Leisure World – Precincts 13-54, 13-69, and 13-71

Mr. Naimon made a motion to approve the proposed plan to create an additional precinct, Precinct 13-71 (Inter-Faith Chapel) at Leisure World. The motion was seconded by Mrs. Rivera-Oven and carried unanimously. (The Board signed legal descriptions for all three precincts.)

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Public Hearing Review

Ms. Jurgensen provided a list of attendees at the public hearing and a brief description of their comments. Ms. Keeffe asked staff to post all comments submitted on the website. Staff agreed. Barbara Sanders commented that maps posted at the public hearing would be beneficial to the voters if they were also posted to the website. Ms. Keeffe disagreed, adding that the maps are not clear and do not include two of the current sites. Ms. Jurgensen stated there is additional information from the State regarding the maps and it will be put together for the Board and made available at the September Board meeting.

Early Voting Sites

Ms. Jurgensen stated that several potential early voting locations had been suggested at the Public Hearing and asked if the Board members would like staff to research them (Takoma Park, Holiday Park, Wheaton Community Center, Village of Friendship Heights, and Marriott Conference Center). Ms. Keeffe asked her to proceed.

New Business

Ms. Roher presented information regarding upcoming outreach events.

Future Meetings

- A. September 16, 2013 – 2:30 p.m.
- B. October 21, 2013 – 2:30 p.m.
- C. November 18, 2013 – 2:30 p.m.
- D. December 16, 2013 – *Tentative*

Ms. Jurgensen stated that the Montgomery County Board of Elections submitted entries for Best Practices to the Election Center, with regards to the rating system of the polling places, the rating of Election Judge Performance, and the canvass spreadsheet.

Mrs. Khozeimeh made a motion to move to Executive Session. The motion was seconded by Mrs. Jeter and carried unanimously. The Board convened in Executive Session at 4:05 p.m.

**** Mary Ellen Hudson, Lewis C. Hudson, Wayne Johnson, Holly Joseph, Edward King, Joan King, Adol Owen-Williams, Martha Robinson, Barbara Sanders, and Joyce Temple left the room at 4:06 p.m. ***

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Report on Executive Session

The Montgomery County Board of Elections convened in Executive Session at 4:07 p.m., pursuant to State Government Article, Section 10-508(a)(13), to review minutes from a previous Executive Session and discuss the FY15 Budget.

The Montgomery County Board of Elections met in closed session on this date. The following members of the Board and staff were in attendance: Mary Ann Keeffe, Donice Jeter, Nahid Khozeimeh, Graciela Rivera-Oven, David Naimon, Jackie Phillips, Kevin Karpinski, Margaret Jurgensen, Alysoun McLaughlin, Marjorie Roher, and Lisa Merino.

The Board reviewed the June 24, 2013, Executive Session minutes.

The Board discussed the FY15 Budget.

With no further business, Mrs. Jeter moved to adjourn the Executive Session. The motion was seconded by Mrs. Rivera-Oven and carried unanimously. The Board meeting reconvened in regular session at 4:45 p.m.

Executive Session Minutes

A motion was made by Mrs. Khozeimeh to approve the minutes. The motion was seconded by Mrs. Rivera-Oven and carried unanimously.

Adjournment

With no further business, Mrs. Khozeimeh moved to adjourn the regular session. The motion was seconded by Mrs. Jeter and carried unanimously. The meeting adjourned at 4:46 p.m.

Respectfully Submitted,

Marjorie M. Roher

Marjorie M. Roher
Management & Budget Specialist III

APPROVED BY THE BOARD:

Mary Ann Keeffe

Mary Ann Keeffe
President

Dear Ms. Kildee:

As I understand, the Board of Elections is prepared to vote tomorrow on splitting Precinct 13-47 into two precincts and I think that it would be a mistake. Precinct 13-47 has the 2nd highest number of voters, a high-density, walkable area with not one single-family home; many of the voters in the precinct do not have cars, and a huge grouping of the elderly. As I understand, NOAA is not an option to have a precinct home and the Civic Center is too far for many in the South Silver Spring area. I think that the best alternative would be to move the **intact precinct** to the Montgomery College Performing Arts Center at the corner of Georgia and East-West Highway (410). It has adequate space, is ADA accessibility, has parking, is in the **current** boundaries of precinct 13-47, and meets the requirements in terms of electrical hookups, electioneering space, space for poll booths and EPBs, etc. From what I understand, in an earlier Board of Election meeting, it was said that the site wasn't acceptable for these very reasons, which we have found that incorrect.

Based on the conversations from my precinct Chair, Joan King, and the South Silver Spring Neighborhood Association, Stephan Fineberg Sylvan, as well as other South Silver Spring neighborhood associations, they would like to have a permanent, highly accessible polling place and the Montgomery College Performing Arts Center has both. **Splitting precinct 13-47 after seven years of moving voters back and forth would further confuse them and we do not want to create more pain points or hurdles to voting.** Keeping this precinct intact will continue to keep the South Silver Spring's sense of community and help to ease a transition to another precinct (this will be their fifth move). The **Montgomery College Performing Arts Center would be a good compromise** as NOAA is not possible and there are no other County facilities in the area.

Thank you for your time. Please feel free to contact me if you have any questions.

Kind Regards,

Janet Williams
At-Large Member (& District 20 Liaison), Montgomery County Democratic
Central Committee

