

January 27, 2014

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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  
Jacqueline Phillips  
David Naimon

Counsel:

Kevin Karpinski

Staff:

Margaret Jurgensen, Election Director  
Alysoun McLaughlin, Deputy Election Director  
Laletta Dorsey, Voter Registration Manager  
Donna Mathers, Office Services Coordinator  
Marjorie Roher, Management and Budget Specialist  
Janet Ross, information Technology Specialist  
N. Christine Rzeszut, Operations Manager  
Gilberto Zelaya, Outreach Coordinator  
Lisa Merino, Election Aide II

Guests:

Barbara Ditzler  
Dolly Kildee  
Adol Owen-Williams  
Rachel Silberman  
Michael Subin

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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**

No public comments were received.

### **Additions/Changes to the Agenda**

No additions or changes were made.

### **Approval of October 21, 2013, Board Meeting Minutes**

The Board reviewed minutes from the October 21, 2013, Board meeting which reflected additional changes. Ms. Keeffe requested that, in the discussion on the Executive Office Building Early Voting site, "some members" be replaced with specific Board member names who disagreed with the statement. Mrs. Khozeimeh made a motion to approve the minutes as amended. The motion was seconded by Mrs. Dacek and carried unanimously.

### **Approval of November 17, 2013, Board Meeting Minutes**

The Board reviewed minutes from the November 17, 2013, Board meeting. Mrs. Khozeimeh made a motion to approve the minutes. The motion was seconded by Mrs. Rivera-Oven and carried unanimously.

### **Election Director Reports**

#### **Personnel**

Ms. Jurgensen introduced Donna Mathers, and announced that she has filled the Office Services Coordinator position in Voter Registration. The Board welcomed Ms. Mathers.

Two trainers have been hired to develop the training materials for the Election Judges and additional trainers will be hired in late February in preparation for the launch of Election Judge training in March.

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## **Budget**

Ms. Jurgensen stated that the budget for this fiscal year reflects expected costs. Ms. Jurgensen reported that the State Board of Elections informed her that the batteries that need to be replaced in all the Touch screen units are expected in by February. The arrival of the batteries will impact the temporary IT staff budget, as they were scheduled and budgeted to arrive in the last fiscal year. Ms. Jurgensen has requested staff assistance from the SBE for the battery replacement.

Ms. Roher reported that current fiscal year expenditures through December 31, 2013, are on track. The Board members discussed a few line items, among them, line item 60532-Non-Professional Services (includes EJ Module). Ms. Jurgensen briefly explained the on-line Election Judge Module that was developed for potential election judges to have access to sign up for training, take quizzes, and review training videos. The charge is due to development of the module that staff currently maintains on-site; a recent upgrade was done to the module resulting in additional charges. Staff noted that due to the use of the Election Judge Module, funds are being saved on postage, paper, and temporary staff hours. Ms. Keeffe thanked Ms. Roher.

## **Voter Registration**

Ms. Jurgensen stated that monthly statistics have been posted.

Ms. Jurgensen reported that SB 15/HB 212 permits the State Administrator of Elections to arrange to receive reports of certain deceased individuals from the United States Social Security Administration or any agency if the State Administrator determines the reports are reliable.

Ultimately no confirmation mailing will be needed for people reported on these lists.

## **State Board of Elections**

Ms. Jurgensen noted that patches and upgrades to MDVoters and Electrack have been completed.

Ms. Jurgensen stated that notification has been made to candidates, outlining the requirements and February 25, 2014, submission deadline for their 2013 Statement of Financial Disclosure.

SBE provided the final Election Judge Manual to local boards of elections. Ms. Jurgensen reported that the SBE has released the following reports:

- *Security Analysis of Online Voter Services*: The analysis found that the online voter registration and online ballot delivery systems were very secure, and the team could not exploit any vulnerabilities or access the website or database.
- *Usability and Accessibility Review of the Online Ballot Delivery System*: The final report is complete and will be submitted to the General Assembly soon. The team made recommendations to improve the usability of the online ballot

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delivery system, and most of these recommendations have been incorporated into the version that will be used for the 2014 elections.

- *Extending Early Voting:* SBE received the report this morning and is reviewing it. Our understanding of the report's conclusion is that early voting cannot be extended through the Sunday before the election with the current processes. A statewide IT network would be required to allow electronic transfer of voter information.
- *Wait Times:* SBE also received this report today. According to the research team, the primary factors for wait times are the length of ballots and the allocation of voting units. Line management practices do not significantly reduce wait times. She stated that software for Electronic Polls books has completed testing and staff is waiting for SBE to accept the changes before it can be uploaded.

The Report and Recommendations of the Presidential Commission on Election Administration, and the Voting and Administration of Elections in Maryland reports were provided to the Board in advance.

Ms. Keeffe stated that she attended the meeting and reported that the Montgomery County Bylaws were approved.

### **Board Attorney Report**

Mr. Karpinski informed the Board that, according to Section 16-206(b)(2)(ii) of the Election Law Article, Montgomery County has the ability to set the no electioneering boundary anywhere from 25 ft. to 100 ft. from the entrance of the building. A COMAR provision states that if Early Voting is to occur in a multi-use facility the no electioneering zone must be set 100 ft. from where the voting is being conducted, which is conflicting with the Election Law Article. Mr. Naimon contacted Mr. Karpinski expressing concern as to whether the COMAR provision could legally make an exception to the statute governing the electioneering boundary in Montgomery County. After reviewing the statutes, COMAR provisions, and contacting the SBE, Mr. Karpinski determined that Section 16-206(b)(2)(ii) of the Election Law Article prevails.

Mr. Karpinski reported on the Office of the Attorney General's response to the letter regarding the State Board's process for registering 16 and 17 year olds who will be eligible to vote in the 2014 Primary and General Elections. He noted that although there was no formal opinion given, the response did note that the State process has changed since the letter was received, and they have adopted a program to notify 17 year old applicants of the reason for the delay in issuing their voter notification cards.

Mr. Karpinski stated that the Bylaw amendments submitted by the Board members have been approved by the SBE.

Ms. Keeffe inquired if Mr. Karpinski had heard anything regarding petitions. He stated he had not. The Board inquired about petition deadlines; he explained the multiple deadlines depending on type of petition. Ms. Keeffe thanked Mr. Karpinski for his report.

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## Old Business

### Early Voting Electioneering Boundaries

Mrs. Rzeszut reviewed the proposed Early Voting electioneering boundary lines for 2014 with the Board (See attachment A). The Board reviewed and discussed each site. Following discussion, the Board reversed the proposed entrance and exit for voting at the Mid-County Recreation Center to facilitate better flow for voters and protection from the elements. The Board inquired if additional parking was available on the basketball court and, staff stated they would inquire with the Recreation Department. Mrs. Dacek made a motion to approve staff's proposed boundary lines for the following sites: Executive Office Building, Germantown Recreation Center, Silver Spring Civic Building, Activity Center at Bohrer Park, Damascus Community Recreation Center, Jane Lawton Community Recreation Center, Long Branch Community Recreation, Upper County Community Recreation Center, and Mid-County Community Recreation Center as amended. The motion was seconded by Mrs. Khozeimeh and carried unanimously. The Board discussed Marilyn J. Praisner Community Center further and inquired why the boundary lines were more than 25 ft. Mrs. Rzeszut stated the landscaping surrounding the entrance prohibits the 25 ft. boundary line. Wheaton Community Recreation Center and Marilyn J. Praisner will be reviewed at the February Board meeting pending receipt of additional photographs.

### Other Old Business

No other old business was discussed.

### New Business

#### Precinct 01-03 Polling Place

Mrs. Rzeszut reviewed the proposed polling place change for Precinct 01-03 from Lake Marion Community Center to the Church of the Nazarene (See attachment B). She explained that Lake Marion Community Center cannot host during the Primary Election due to Summer Camps. Board members expressed concern with the change and distance from the previous polling place and inquired if another, closer, location was available. Mrs. Rzeszut stated the area is very congested and locations are limited that can fulfill SBE requirements and, for that reason, the polling place is outside of the precinct. Ms. Jurgensen stated that staff has made multiple attempts to persuade the Montgomery Village Board to reconsider the use of their facility with no success. Ms. Keeffe asked what the charge will be for the Church of Nazarene; Mrs. Rzeszut responded \$400 for each election. Mrs. Dacek made a motion to accept staff's proposed recommended change of polling place for Precinct 01-03 to the Church of Nazarene. The motion was seconded by Mrs. Rivera-Oven and carried unanimously. The Board concurred that outreach will need to be done for those affected by change.

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### **Precinct 07-08 Polling Place**

Mrs. Rzeszut stated that Christ Lutheran Church, Precinct 07-08, is unable to host during the General Election and staff has proposed the use of Wyngate Elementary School or Bethesda-Chevy Chase High School (BCC) (which would then hold two precincts) as a polling place (See attachment C). The Board reviewed the information. The Board discussed concerns regarding change, distance, affected voters, and consolidation of precincts. Ms. Keeffe inquired if two rooms may be used to isolate precincts if BCC High School is used; Ms. Jurgensen expressed concern that many voters may wait in line for an extended time to later realize they were in the wrong line. She recommends that if BCC High School is used that the precincts be consolidated and voting be done like it is during early voting. Mr. Naimon made a motion to use Bethesda-Chevy Chase High School for Precinct 07-01 and 07-08. The motion was seconded by Mrs. Jeter and carried unanimously. Ms. Keeffe confirmed that changes will be effective for the Primary and General Elections. Ms. Jurgensen stated staff will send Voter Notification Cards (VNC) for both precincts to affected registered voters.

### **Municipalities**

Ms. Jurgensen stated that information on municipal elections was sent to the Board in advance and noted that future agendas will include 2014 Gubernatorial Primary Election preparation updates.

### **Other New Business**

Ms. McLaughlin reported on her attendance at the Presidential Commission Report briefing. The report focused on lines at polls and a benchmark they set that no voter should have to wait more than thirty minutes to vote. The Commission believes local officials should be able to plan the allocation of their resources such that during the normal course of the day, nearly all voters can be processed within the thirty minute standard. Of the 46 recommendations and best practices, Montgomery County Board of Elections already practices more than 40. The report focuses on the right things. She stated that she had the opportunity to attend a session with the co-chairs of the Commission last week and it was clear that there are other states that need to pass laws for many local election officials get the funding to prepare for the Presidential Election.

### **Future Meetings**

Ms. Keeffe stated that the April 21, 2014, Board meeting will remain as scheduled since a quorum will be available.

Ms. Keefe proposed that the Montgomery County Board of Elections' meetings occasionally be held off site and in the evening to encourage additional participants to attend. The Board discussed several ideas and agreed to hold a public outreach event. Staff agreed to

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produce a list of planned events and assist the Board arrange an outreach in March at an Early Voting site.

- A. February 24, 2014 - 2:30 p.m.
- B. March 17, 2014 - 2:30 p.m.
- C. April 21, 2014 - 2:30 p.m.
- D. May 19, 2014 - 2:00 p.m. with *Early Voting Cage Supply Check*
- E. June 12, 2014 - *First Day of Early Voting*
- F. June 16, 2014 - *Tentative*
- G. June 19, 2014 - Last Day of Early Voting
- H. June 24, 2014 - Election Day
- I. June 26, 2014 - Absentee I Canvass Begins 10:00 a.m. to 7:00 p.m.
- J. July 2, 2014 - Provisional Canvass Begins 10:00 a.m. to 7:00 p.m.
- K. July 7, 2014 - Absentee II Canvass Begins 10:00 a.m. to 7:00 p.m.
- L. July 17, 2014 - Certification/Audit
- M. July 21, 2014 - 2:30 p.m.
- N. August 18, 2014 - 2:30 p.m. - *Tentative*
- O. September 15, 2014 - 2:30 p.m.
- P. October 20, 2014 - 2:00 p.m. with Early Voting Cage Supply Check
- Q. October 23, 2014 - First Day of Early Voting
- R. October 30, 2014 - Last Day of Early Voting
- S. November 4, 2014 - Election Day
- T. November 6, 2014 - Absentee I Canvass Begins 10:00 a.m. to 7:00 p.m.
- U. November 12, 2014 - Provisional Canvass Begins 10:00 a.m. to 7:00 p.m.
- V. November 14, 2014 - Absentee II Canvass Begins 10:00 a.m. to 7:00 p.m.
- W. November 17, 2014 - *Tentative*

### **Executive Session Minutes**

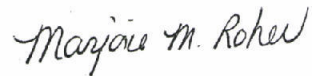
The Board reviewed the Executive Session Minutes in advance of the meeting. A motion was made by Mrs. Jeter to approve the minutes. The motion was seconded by Mrs. Khozeimeh and carried unanimously.

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**Adjournment**

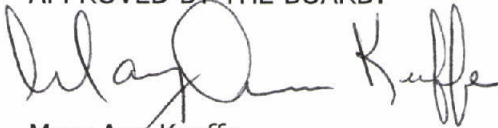
With no further business, Mrs. Khozeimeh moved to adjourn the regular session. The motion was seconded by Mrs. Rivera-Oven and carried unanimously. The meeting adjourned at 4:29 p.m.

Respectfully Submitted,



Marjorie M. Roher  
Management & Budget Specialist III

APPROVED BY THE BOARD:



Mary Ann Keeffe  
President