

APPROVED

November 4, 2014

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
Graciela Rivera-Oven
Nahid Khozeimeh
Jacqueline Phillips
David Naimon

Board Attorney:

Kevin Karpinski

Staff:

Margaret Jurgensen, Election Director
Alysoun McLaughlin, Deputy Election Director
Lisa Merino, Office Services Coordinator
Marjorie Roher, Management and Budget Specialist III

Convene the Board Meeting and Declare a Quorum Present

Ms. Keeffe called the Board Meeting to order and declared a quorum present at 11:40 a.m.

Selection of Polling Place

The Board members randomly picked seven precincts from a basket to be audited prior to certification. The selected precincts will be in possession of the Board Attorney and revealed at 8:00 p.m.

Election of Officers for the Board of Canvassers

Mr. Karpinski asked that the Board appoint a Chair and Secretary for the Board of Canvassers. Ms. Khozeimeh made a motion to appoint Ms. Keeffe, Board President, as Chair of the Board of Canvassers. The motion was seconded by Mrs. Rivera-Oven and passed unanimously. Ms. Phillips made a motion that Mrs. Khozeimeh serve as Secretary of the Board of Canvassers until Mrs. Dacek returns. The motion was seconded by Mrs. Jeter and passed unanimously.

Update on Election Day Activities

Ms. Keeffe asked that staff update the Board with any concerns or issues they are aware of. Ms. Jurgensen reported that all polling places opened on time. She stated that one report of "vote flipping" was received; the Chief Judges closed down the touch screen unit to prevent any further issues. Ms. Jurgensen reported that, due to staff error, a candidate from the House of Delegates, District 16, was left off the laminated (not required by State) sample ballot. All laminated ballots have been pulled from every polling place. Ms. Keeffe stated that she came across a poll worker who was very upset with the missing candidate. Ms. Keeffe could confidently say to the poll worker that all of the laminated sample ballots were in the process of being pulled from the affected precincts as she saw them being pulled as she visited a polling place.

Mr. Naimon inquired further about "vote flipping." Ms. Jurgensen stated that the only one report came in from Wootton High School. "Vote flipping" is described as when a voter has selected one candidate but the "x" appears for the candidate right above or below their selection – the "vote flipping" is attributed to either the voter inaccurately selecting the box for their selected candidate or a calibration issue. The solution for this issue is to deselect the incorrect candidate and select their choice again as well as to verify the summary page at the end of the ballot prior to pressing "cast ballot."

Mrs. Khozeimeh stated she came across two gentlemen at Potomac Elementary who stated they experienced "vote flipping;" however, they did not tell the Chief Judge about the issue. They were able to resolve the issue themselves prior to casting their ballot.

Ms. McLaughlin noted that an estimated 900 calls have been received by the Call Center, some of which were judges expressing concern with how to handle voters' concerns with "vote flipping." Mr. Naimon asked how many calls were received indicating actual experiences of "vote flipping" vs rumors/concerns. Ms. Keeffe stated that voters may be sensitized due to the media reports. Mrs. Jeter asked that staff provide the Board with the number of calls received. Ms. McLaughlin agreed to provide the information.

Ms. Rivera-Oven stated that the Chief Judge at Clarksburg Elementary was told that if a polling place needed stylus pens for voters they would be provided. She inquired what the protocol is to request a stylus for their polling place. Another Chief Judge was told to use the pencils provided for Provisionals; however, the pencils have no erasers that can be used on a touch screen unit.

*** The Board took a brief recess at 12:15 p.m., reconvening at 12:40 p.m. ***

Ms. Jurgensen noted there are insufficient styluses to provide to all 255 precincts; however, if a Chief Judge requests a stylus the roamer can provide one. Ms. Jurgensen provided each Board member with a pack of red pencils with an eraser to use on the touch screen units if needed. She stated that at the Chief Judge briefings on Friday and Saturday, judges were asked to use a stylus or pencil with an eraser.

Ms. Keeffe inquired how many precincts reported that only one Chief Judge showed up. Ms. Jurgensen stated that Monday morning all precincts had two Chief Judges scheduled. Ms. Khozeimeh stated that on her Monday night visit, North Bethesda Middle School had only one Chief Judge. Ms. Phillips noted that Precinct 7-11 had only one Chief Judge as well. Ms. Keeffe reported that Precinct 4-04 also had one Chief Judge present. Mrs. Jeter stated Precinct 5-10 was down two election judges and future vote students were not in attendance. All precincts notified BOE of this information Monday night.

Mrs. Rivera-Oven stated that she called BOE yesterday and asked to speak with a bilingual representative – she asked several questions and their responses were surprising. She was told that she could not vote at the BOE office and that her vote would not be counted. Ms. Jurgensen apologized that she received that information, adding there is no excuse why staff would inform a caller that absentee voting is not available at the BOE. The Board and staff agreed that additional training is needed for some individuals.

Ms. McLaughlin provided the Board with a “vote flipping” call log - calibration calls identified as: second hand reports – 0, voter claim – 6, and possible technical issues - 3.

Mr. Naimon reported that two precincts on Monday night did not have power strips; however, their roamer was able to provide the strips the next morning. Several Board members expressed the need for better quality scissors as many of them broke and the roamers did not carry additional scissors for back-up.

ADA Access

Mrs. Rivera-Oven

- Clarksburg Elementary - layout of the school is not ideal. Students were painting at the entrance of the ADA access door during her Monday night visit. Ms. Jurgensen responded that DGS staff went out early in the morning and cleared the area.
- Gaithersburg Elementary - handicap doors were locked. When she visited Gaithersburg Middle School, the Chief Judge told her that several voters from Gaithersburg Elementary were coming to vote (provisionally) at the Middle School as they stated that Gaithersburg Elementary was closed. She added that there was no signage directing voters to the back of the building where there was another entrance. Additional signage is needed.

Mr. Naimon

- Oakland Terrace Elementary – the map provided to Judges indicated the ADA entrance at the front of building. However, that entrance has no parking and is six stairs higher than the entrance with no curb cut. The polling room had an exit door that took voters directly to the parking lot. Mr. Naimon and the Chief Judge agreed that the entrance indicated on the map should be moved for better accessibility for handicapped voters.

Ms. Phillips

- Chevy Chase Library – push plate did not work. Issue was resolved by talking with facilities personnel. The Chief Judges were not aware that they could reach out to personnel directly.
- Lynbrook Elementary – additional ADA signage is needed, only one sign was provided. ADA entrance is at the back of the building and signage is needed to identify the ADA entrance.
- Chevy Chase Village Hall – insufficient parking available. During her Monday night visit, she parked in an underground garage as all the spots above were taken. She is requesting that staff look in to providing lights as the garage is very dark and has two flights of stairs to access the level above (no elevator). She recommended providing street parking to voters as parking is difficult in that area. Ms. Phillips asked that staff revisit her ongoing concern with voters needing to pay for parking to vote.

Ms. Jurgensen stated that Ms. Merino will provide maps of all sites visited to the Board so they may make any necessary recommendations regarding ADA entrances.

Leisure World – Ms. Keeffe received reports that there were long lines at Clubhouse I and II. Clubhouse II had very long lines and it was determined there was insufficient staff. During Mr. Naimon's visit to Clubhouse II, he saw no obvious problems; the Chief Judge was very attentive and helpful. Mr. Naimon offered to revisit the site if necessary. He asked if the electioneering boundary had always been 75 ft. at Clubhouse II, as it seemed to be to further than it had been in the past. Mr. Karpinski noted that four years ago the boundary should have been set at 100 ft. or a reasonably safe area. Mr. Naimon stated that the recent change from a long time Chief Judge may have contributed to the electioneering boundary change. Mr. Naimon and the Chief Judge agreed to move the electioneering boundary to a more suitable place. Mr. Naimon stated that the electioneering boundary at Garrett Park Elementary School was moved beyond what was indicated on the map; with his assistance the boundary was placed to its appropriate line. At Precinct 13-71 many voters were not showing up in the poll book and were given provisional ballots.

Ms. Phillips suggested that staff consider using a number method for voters who cannot stand in line for a long period of time, as used at Riderwood. Ms. Jeter noted that the number system used at Riderwood is provided by the facility.

Mrs. Jeter reported that a touch screen unit did not load the ballot; a roamer was sent and the issue was fixed. At the same precinct the poll books did not synch. A roamer provided a hub,

and the issue was resolved. She added that during her visits two polling places indicated they were not aware that the ballot was two pages; one precinct issued three, one page, provisional ballots. She added that White Oak (new location) had issues due to its split and several voters were appearing at Westover. She noted that signs should have been placed at the old precinct.

Mrs. Rivera-Oven stated that she came across a resident who, unbeknownst to him, was a registered voter. He expressed concern as he has never registered to vote and his current registration could affect his desire to obtain citizenship in the near future. After further discussion with his daughter, Mrs. Rivera-Oven determined that the gentleman had visited MVA to obtain an identification card and perhaps was registered without his knowledge. Ms. Jurgensen responded that the gentlemen should send correspondence to BOE to cancel his registration as soon as possible. Mrs. Rivera-Oven provided the registered voter information to Ms. Jurgensen.

Mr. Naimon reported that a voter stated that their sample ballot indicated that their polling place was Arcola Towers, although they live in the precinct for Arcola Elementary School. Ms. Jurgensen stated that in the process of redistricting, there were issues with the street address. Ms. McLaughlin stated that Watermill Terrace is located in a small townhouse community, where the official boundary line references the property lines. However, the census blocks do not line up with the property lines. There is a substantive disagreement with GIS on how to reference this street, which staff has manually changed three times. Staff is checking further as one additional complaint has been received. Ms. Jurgensen noted that since the GIS interface was done the voter updated their registration on September 25 and was reverted back to the old precinct. Since then, the voter was offered the opportunity to come to BOE and vote an absentee ballot or visit another polling place to vote a provisional ballot (voter was advised if this choice is taken they will only be allowed to vote for those contests in which they are eligible).

Mr. Karpinski asked if a Board member was available to go to Friendship Heights, as a long line is being reported and several machines are down. Mr. Karpinski stated that staff is not able to confirm information as no contact has been able to be made to the polling place. Ms. Khozeimeh volunteered to go.

Ms. Khozeimeh reported that Clara Barton and Westland Middle school also had long lines with about 15 people.

*** Ms. Khozeimeh left the room at 1:15 p.m. ***

Mr. Naimon asked what update the voter had done whose sample ballot indicated they were to vote at Arcola Towers. Ms. McLaughlin stated that staff has not been able to investigate the issue, as it was brought to her attention today. However, staff will look into the matter further.

Ms. Phillips noted that a judge at Bethesda United Methodist Church offered to edit the Election Judge Manual for clarity. Staff stated the manual is provided and written by the State Board of Elections.

Ms. Jurgensen reported that the Friendships Height's line is now down to zero; the roamer has handled the situation.

The Board briefly discussed "vote flipping" issues.

Mrs. Rivera-Oven asked if staff would like for her to visit Mrs. Dacek's route. Staff indicated they would and Ms. Merino will provide the route to her at the end of the meeting.

Ms. Roher asked if Ms. Phillips is still available throughout the canvass process; she said she was.

The Board discussed the canvass calendar.

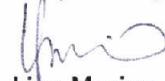
Future Meetings

- A. November 17, 2014
- B. November 25, 2014 – Certification/Audit (TBD)
- C. December 15, 2014 – 2:30 p.m.

Adjournment

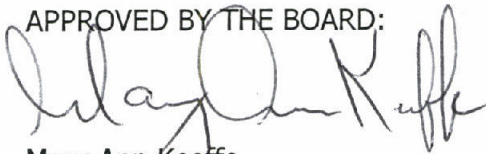
With no further business, Mrs. Rivera-Oven moved to adjourn the regular session. The motion was seconded by Ms. Phillips and carried unanimously. The meeting adjourned at 1:25 p.m.

Respectfully Submitted,



Lisa Merino
Office Services Coordinator

APPROVED BY THE BOARD:



Mary Ann Keefe
President