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**TELE-CONFERENCE
MEETING OF THE MONTGOMERY COUNTY BOARD OF ELECTIONS**
18753-210 North Frederick Avenue, Gaithersburg, Maryland

April 20, 2020

In Attendance Via Phone:

Board Members:

James F. Shalleck, President
Nahid Khozeimeh, Vice President
David A. Naimon, Secretary
Diane Nash Dillon
Elisse W. Barnes
Jacqueline L. Phillips
Alan Banov

Board Attorney:

Kevin Karpinski (on site)

Staff:

Margaret Jurgensen, Director (on-site)
Alysoun McLaughlin, Deputy Director (via phone)
Kera Bumbray, Management and Budget Specialist (via phone)
Lisa Merino, Administrative Specialist (on site)
Janet Ross, Information Technology Manager (on site)
Christine Rzeszut, Operation Manager (via phone)
Gilberto Zelaya, Outreach Coordinator (on site)

Audio of the meeting may be found on YouTube at the link below:

<https://youtu.be/pWcbYp675HI>

Convene the Board meeting and Declare a Quorum Present [0:04]

Mr. Shalleck called the Board meeting to order and declared a quorum present at 2:30 p.m.

Remarks [1:55]

Mr. Shalleck thanked the staff and attorney for all their efforts in preparing for the June 2, 2020, election.

Additions/Changes to the Agenda [4:34]

Mr. Shalleck noted that the 2020 Presidential Primary Election plan will be discussed after campaign contribution disclosures and any questions would be held off until the end of the Director's presentation.

Contributions Disclosure [6:06]

There were no campaign contributions to disclose.

Public Comments [01:49:35]

Diana Conway, Paul Bessel, and Marc Hoffman asked questions during the 2020 election plan. See item with timing mark.

2020 Presidential Primary Election [6:44]

Comprehensive Plan for the June 2, 2020 Election [6:51]

Electioneering Boundaries

Ms. Jurgensen reviewed the no-electioneering boundaries, (photos were distributed to the Board earlier). The electioneering boundary is to be set at 100 feet from the entrance of the vote center, per the Governor's Proclamation.

Vote Center Drop Boxes

Ms. Jurgensen stated that Montgomery County will have 4 ballot drop boxes located throughout the County at the following vote center locations: Germantown Recreation Center, Marilyn Praisner Recreation Center, Silver Spring Civic Building and Gaithersburg Bohrer Park. The ballot drop boxes will remain open from May 21 through Election Day, June 2. The blue ballot drop boxes will be placed outside of the building in view of the front desk. They will also be under camera surveillance by County security. Some locations will need to have cameras installed for security. In addition, all boxes will have security seals to prevent tampering and ballot pick-ups are scheduled a few times a day. Further, to be ADA-compliant, the boxes will have lower slots.

Staff proposes that additional ballot drop boxes be placed at the Board of Elections and the City of Rockville. The Board Attorney will consult the State Board of Elections to determine whether the Board could have drop boxes at those additional locations.

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All Insert information for vote by mail will be provided in English and Spanish. Information will include the ballot drop box locations.

Ballots are expected to be mailed starting around May 1.

The deadline to request ballots by mail by voters who have not already received them is Tuesday, May 26. The deadline to register or to change party registration is Wednesday, May 27. The deadline to request ballots by web delivery is Friday, May 29.

Staff handling the mail and processing the ballots will be given gloves and masks. Also, premium pay will be paid to staff doing mail intake. Social distancing is and will be in place. Similarly, social distancing will be observed at the in-person voting centers, and Plexiglass barriers between voters and election workers will be installed. Sanitizers, wipes, masks, and gloves will also be provided to election workers. Election workers will sanitize voting stations, but staff will be working to determine how to sanitize voting stations without getting ballots wet.

At the direction of the State Board of Elections, the Montgomery County Board of Elections will be closed to the public for voting. The canvassing will be observed by the public by videoconference. Social distancing will be observed by canvassers. (Other details about the collection of ballots and canvassing are explained in the Staff Recommendations for Implementation of Vote by Mail.) Staff will set up the four in-person voting centers.

Ms. Jurgensen also answered questions that Mr. Naimon and Mr. Banov had written her before the meeting. Her answers included the following:

- Voters, such as college students, who had asked for absentee ballots to be mailed to addresses that are not their homes, should check their registration and may need to apply for absentee ballots to be mailed to their home in Montgomery County. Absentee ballots sent to voters in 2018 will not automatically be sent to the same addresses; voters must request them each election cycle.
- As ballots come to the Board, staff will open envelopes, starting on May 21, set aside questionable ballots for the Board to review, and start scanning the appropriate ballots. Board members will review questionable ballots by video conference.
- To go from being an inactive voter to an active one, a voter should call the local Board. Checking your registration online does not change your status from inactive to active. Requesting a copy of your voter registration card does not make you an active voter; voters need to update their registration, such as by calling Voter Services at the Board.

- Ballots will not be mailed to inactive voters. Sample ballots are available online. Sample ballots will not be mailed to voters.
- Everyone is receiving the same ballot. Voters should not fill out an absentee ballot application unless they are changing their address.
- If voters do not receive their ballots by May 15, they should call the Board and it will do a second issue.
- Voters should use a black pen. Voters will be encouraged to take their own black pens to the voting centers on June 2.
- Voters will be able to drop off ballots at the box in front of the BOE. The drop boxes will be available 24/7, but will be manned only the last three hours of voting on June 2.

All ballots requested or received, whether via absentee, or UOCAVA prior to the Governor's election proclamation to postpone the election to June 2 will be counted as normal in the Primary Election canvass. Mr. Karpinski will follow up with the procedure to swear in the Board of Canvassers.

Dr. Zelaya reported that he is working with outreach organizations and the press to educate the public. Education includes pictographs, updating banners, expanding SMS texting which will include the opportunity to check voter registration or updates, and post office locations and vote center drop box locations. This is in addition to the regular media outlets approved by the Board at a previous Board Meeting.

Staff recommends that all election judges who serve at the vote centers for the June 2, election receive "hazard pay" of \$100.00 per position, in addition to the stipend. In addition, staff recommends that election judges who attended training to serve during the originally scheduled April 27 Primary Election, be paid for attending training.

Ms. Khozeimeh moved to accept staff's recommendation to pay election judges an additional \$100.00 hazard pay. The motion was seconded by Mr. Naimon. The motion passed unanimously.

Mr. Banov moved to approve staff's recommendation to pay election judges for attending training. The motion was seconded by Ms. Dillon. The motion passed unanimously.

The Board further discussed the canvassing process. The Board members (onsite) will not be in the building during the canvass. Video conferences will be set up when Board member approval is needed for a ballot. The canvass process will be accessible via live feed for public observation. Mr. Karpinski explained that Board members will be required to attend the canvass (via video) only at the beginning and end of the canvass

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and whenever there are questions about ballots. One close-up camera will cover the canvass tables and a zoomable long-shot camera will be over the whole warehouse area where the canvassing will take place.

The Board discussed the need to have free parking available at the Silver Spring Civic Building.

Mr. Naimon moved that the Board Attorney write a letter to the County Executive and County Council requesting their support for free parking at the garage located across from the Silver Spring Civic Building. The motion was seconded by Ms. Khozeimeh. Mr. Shalleck, Ms. Khozeimeh, Mr. Naimon and Dr. Barnes voted for the motion; Ms. Dillon abstained. The motion passed.

Mr. Banov asked if the SBE has asked for Federal money to pay for postage on return votes by mail, as are Illinois and North Carolina. Ms. Jurgensen replied that SBE staff is working with Federal authorities for Federal Funds. Mr. Banov also asked if SBE would be mailing anything to inactive voters. Ms. Jurgensen said that she was not aware of any planned mailing to inactive voters, since most of them have bad addresses and ballots should not be sent to bad addresses.

Public Comments [1:49:35]

Diana Conway inquired if additional drop boxes will be used in Montgomery County. Regarding foreign language media, she inquired if the media budget has changed from the previous election cycle.

Mr. Karpinski stated that he has reached out to the Deputy Election Administrator, Nikki Charlson. However, at present, the State has not told us how many drop boxes we can have. With respect to media, Dr. Zelaya explained how the Board is using various foreign language outlets to communicate with voters about the primary. Also, Ms. Jurgensen stated that the County has not provided any additional funds for additional media. The media plan was previously approved by the Board and will be implemented with changes caused by COVID-19.

Paul Bessel inquired if same-day voter registration would still be available on June 2 at the vote centers. Ms. Jurgensen affirmed it will be available. In addition, any person interested in registering to vote can do so by visiting the Board of Elections' website or request an application via mail.

Marc Hoffman inquired about the cameras that will be monitoring the drop boxes. Ms. Jurgensen confirmed that County Security/Montgomery County police will be monitoring the cameras.

Senator Cheryl Kagan inquired if the vote centers will be providing results by precincts. Ms. Jurgensen stated that the State Board has not planned to produce results

by precinct. Ms. Jurgensen suggested that the request needs to go to the State Board of Elections. Senator Kagan also inquired what happens to a ballot that is received without the oath signed. Ms. Jurgensen stated that staff will make every effort to contact the voter and resolve the issue, as is typically done.

Election Director Status Report [02:16:44]

Ms. Jurgensen reminded the Board of the deadline for ethics reporting. Senator Kagan stated that the deadline had been extended.

Personnel

Nothing was discussed.

Budget

Nothing was discussed.

Voter Registration

There was no report.

Board Attorney Report [2:17:16]

Mr. Karpinski stated that a new COMAR regulation has been passed that Board members do not need to be present for the opening or closing of the vote centers; nor do Board members need to be present during the canvass. He added that he will follow up on the Board members being sworn in as the Board of Canvassers. In addition, Judge Hollander has ruled in the *Judicial Watch* case on the remaining issue in the case - - whether the State Board of Elections had to produce a copy of the Montgomery County voter registration list that included dates of birth for voters in the County. The Court sided with Judicial Watch and has concluded that the voter registration list should include dates of birth of registered voters because there is no statute or COMAR regulation in Maryland that specifically calls for the exclusion or partial redaction of the information. He added that the Montgomery County Board of Elections has been dismissed from case.

New Business [02:20:13]

No new business items were discussed.

Previously Mr. Banov had sent an email with suggestions for updating the FAQ's on the Board's website. Ms. Jurgensen said that Ms. Ross will be working on them.

Action Items [2:20:20]

1. Mr. Karpinski will ask the State Board if we can have additional drop boxes at the BoE and Rockville City Hall.
2. Mr. Karpinski will write a letter to the County Executive and County Council requesting their support for free parking at the Ellsworth Garage for voters while voting in the Silver Spring Civic Center.
3. Ms. Ross will be updating the FAQ's on the Board's website.

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Board Meeting Minutes [2:20:47]

Board members discussed the minutes and the format of the transcript for the March Board meeting. There were several differences of opinions on how the transcript recorded the meeting.

Mr. Naimon moved to approve the transcript of the March minutes with grammar edits provided by Mr. Banov. The motion was seconded by Dr. Barnes. Mr. Shalleck, Ms. Khozeimeh and Ms. Dillon voted against the motion; Mr. Naimon and Dr. Barnes voted for the motion. The motion failed.

Mr. Shalleck requested that the format for the minutes be discussed at the May meeting.

Ms. Khozeimeh moved to have this month's Board meeting not be transcribed, but instead, to have staff write a summary of the meeting, as was typically done. The motion was seconded by Ms. Dillon and passed unanimously.


Future Meeting [2:38:31]

The next Board Meeting will be on May 18 via conference call.

Adjournment [02:38:43]

Ms. Khozeimeh moved to adjourn the meeting at 5:11 p.m. The motion was seconded by Ms. Dillon and passed unanimously.

Respectfully Submitted,



Lisa Merino
Administrative Specialist II

APPROVED BY THE BOARD:

Jim Shalleck
Board President

