

APPROVED

Meeting Minutes
Monday, October 17, 2022
MONTGOMERY COUNTY BOARD OF ELECTIONS
Virtual Board Meeting via Zoom

In Attendance Virtually:

Board Members:

Nahid Khozeimeh, President
Diane Nash Dillon, Vice President
David A. Naimon, Secretary
Amoretta Hoeber
Elisse W. Barnes, Ph. D.
Alexander Vincent
Alan Banov

Board Attorney:

Kevin Karpinski

Staff:

Alysoun McLaughlin, Acting Director
Janet Ross, Acting Deputy Director
Boris Brajkovic, Voter Services Manager
Christine Rzeszut, Operations Manager
Lisa Merino-Dean, Administrative Specialist

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

<https://youtu.be/YDh65wEkeZw>

Board of Canvassers Meeting

[00:10] Mrs. Khozeimeh convened the meeting at 2:40 p.m. and declared a quorum present.

Mrs. Khozeimeh stated that 5 ballots from the July 19 Primary were received untimely.

Ms. Hoeber made a motion to reject the 5 untimely ballots. The motion was seconded by Dr. Barnes and passed unanimously.

[3:25] Ms. Dillon moved to recess the Board of Canvassers' meeting. The motion was seconded by Mr. Vincent and passed unanimously.

Board of Elections Meeting

[3:40] Mrs. Khozeimeh convened the meeting and declared a quorum present.

APPROVED

Board President Remarks

On behalf of the Board, Mrs. Khozeimeh expressed appreciation to the staff for their commitment, dedication, and hard work preparing for the General Election.

[8:50] Additions/Changes to the Agenda

Additional agenda items -

- Executive Sessions immediately following this meeting
 - o Confidential voter request
 - o Personnel matters

[09:28] Campaign Contributions

Amoretta Hoeber –

\$200.00 to Reardon Sullivan, Republican candidate for County Executive

Mr. Naimon and Mr. Banov attended the Montgomery County Democratic Party's "All Blue in 22" gala on October 2, 2022.

Mr. Vincent attended the Maryland Republican Party's "Red, White and Blue" dinner on September 22, 2022.

In response to questions about the requirement to disclose attendance at party events, Mr. Karpinski referred to sections 4.2(B)3 and 4.2(B)4 of Montgomery County Board of Elections by-laws.

[10:35] Public Comments

Michael Fletcher shared his concerns about the voting system used in Maryland State elections and made suggestions on how to audit the system. His prepared remarks are attached.

Mr. Karpinski responded that Maryland has a uniform voting process selected by the State Board of Elections, including post-election audits that are followed by all Maryland jurisdictions. He asked Mr. Fletcher if he had contacted the State Board. Mr. Fletcher responded in the negative.

Ms. McLaughlin reported that she has a letter from the State Board of Elections to the Voter Integrity Group, which submitted a request similar to Mr. Fletcher's. See attached.

Mr. Naimon asked if Mr. Fletcher has evidence of problems with the machines used in Maryland elections. He said that he was unaware that there is any chip in the Board's ES&S scanners. Ms. McLaughlin added that the ES&S scanners do not have the capacity to transmit any information wirelessly and that members of the public are able to observe the Board's canvass and audit processes.

Mary Pachulski addressed the Board on drop box security. Her written comments are attached.

Ms. McLaughlin verified that drop boxes are under video surveillance 24 hours a day. She believes drop box safety is good at all times and does not recommend changing the hours of drop box availability. Mr. Karpinski added that the State Board of Elections has provided specific directions to jurisdictions on

APPROVED

keeping drop boxes open 24/7. He added that video footage is available for 22 months, in accordance with law.

[32:30] Election Director Status Report

The full Acting Election Director's Report for October 2022 may be found [here](#).

On the issue of postmark dates on untimely ballots, Mr. Naimon requested staff have a conversation with the Postmaster at the Rockville post office to discuss the large number (68) of hand-stamped ballots on July 20, the day after the Primary. 57 were postmarked after Election Day. 11 were from military and overseas voters and postmarked before Election Day, but were received more than 10 days after Election Day. Maryland has tried to send these ballots out earlier. Mr. Naimon pointed out that in the primary the Board had seen a large number of mail-in ballots which were postmarked after Election Day at the Rockville city post office and questioned whether the staff had investigated that issue. Ms. McLaughlin and Mr. Brajkovic said that staff would follow up on this issue. Mr. Naimon encouraged the staff to talk with the Rockville postmaster about the cancellation stamp. Mr. Banov noted that these involved envelopes which were signed under oath days before the election. Mr. Naimon said the Board should check to see if the round cancellation stamp used by the Rockville city post office was incorrect.

Board members requested more information about the canvass stipend data collected by Ms. McLaughlin. In particular, how many hours or days other jurisdictions canvass and if other jurisdictions pay canvassers more than their staff. Ms. McLaughlin explained the schedule for the canvass and the locations of the canvass. Mr. Banov asked if the canvass had canvassed about four thousand ballots; Mr. Brajkovic said that was correct.

Dr. Barnes asked for more details on the hours and days spent by other jurisdictions in conducting their canvasses and what those canvassers are paid. Ms. McLaughlin said she would find out and provide the information. Mr. Naimon noted that in the last meeting the Board had voted to increase the stipends paid the county's canvassers and asked whether the county had matched or exceeded the rates paid by other counties. Ms. McLaughlin observed that the canvassers are paid more per hour than staff. Mr. Naimon explained that the Board had unanimously directed staff to find out what other jurisdictions paid their canvassers and then meet or exceed those rates.

Ms. McLaughlin said that the sample ballot proofs were approved on October 5 and that they have all been mailed out to voters. She added that precinct 13-24 will still be able to vote at the Holy Cross Research Center. She also reported that the State Board had approved the Board's request for more ballot-marking devices at specific polling places which have greater demands for them. In addition, she asked that Board members, one from each party, be available on October 20 to verify the supplies being delivered to early voting sites and for the public test of the voting equipment.

Ms. McLaughlin announced a promotion for Aarti Chumble, who has accepted a new position as an Office Services Coordinator with the Voter Services Division and that Mindy Williams, a Logistics Specialist with Community Use of Public Facilities, has accepted the position of Election Operations Manager and will be starting the position on October 24.

Dr. Barnes asked how the number of judges in training in 2022 compares with the number in 2018 and what's the target for full staffing. Ms. Ross said that the number of chief judges looks satisfactory (possibly short 70) and that the Board needs about 800-1,000 vops .

Ms. Ross will send Board members information about the number of judges needed for the 2022 General Gubernatorial Election, as well as the numbers from 2018.

[1:18:50] Mr. Banov thanked the staff for sending photos of precinct and early voting sites' "no-electioneering zones." He requested photos with additional views around the stairs at the Silver Spring Civic Center. Board members will send the staff any further questions or concerns they have on this issue. Ms. Rzeszut added that as a general rule staff marks off 25 fee from the entrance of the polling place building for the electioneering cones, except when that would put the electioneers in traffic or the like.

Mr. Naimon would like the no-electioneering schematics to be posted online for public comment. Additionally, he requested staff to confirm that the no-electioneering signs are correct for polling locations that have been moved within the same building. Ms. Rzeszut indicated that Wootton High School is the only location that falls into this category.

[1:30:30] **Board Attorney Report**

All items are for the later executive session.

[1:31:05] **New Business**

Canvass schedule – all dates through November 29 are listed on the website. Mr. Karpinski requested that Board Members notify himself and Mrs. Khozeimeh if they need to change their schedule.

Ms. McLaughlin reported on her testimony at the Ways and Means Committee elections briefing on September 29, 2022. She did not provide any written remarks. The briefing can be viewed here - <https://youtu.be/qt5ZkXK8xYo>. She stressed to the committee the need for clarity for conducting future elections, particularly space for canvasses

[1:37:50] **Action Items**

- Ms. McLaughlin will send a written report to the Board the data she collected from other jurisdictions regarding their canvass pay, including out the hours and days spent by other jurisdictions in conducting their canvasses.
- Staff will send to the Board data about election judge recruitment needs for the 2022 General Gubernatorial Election and a comparison with 2018.
- Staff will pursue posting no-electioneering photos to the Board of Elections' website.
- Additional photos will be provided for the Silver Spring Civic Center no-electioneering zones and the correct photos will be included for North Bethesda Middle School (07-19).
- Staff will provide a list of polling locations that have changed within a building.

APPROVED

- Staff will meet with the Rockville Postmaster to discuss hand cancels on mail-in ballot envelopes.

[1:42:20] **Approval of the minutes**

Mr. Vincent moved to accept the following minutes as amended by Mr. Banov:

- August 13, 2022

The motion was seconded by Ms. Hoeber and passed unanimously.

Ms. Dillon moved to accept the following minutes as amended.:

- August 24, 2022

The motion was seconded by Ms. Hoeber and passed unanimously.

Ms. Merino-Dean stated that the wrong minutes of the September 19 meeting were sent to the Board and that updated minutes would be sent.

[1:46:20] **Future Meetings**

All meetings begin at 2:30 p.m. unless otherwise indicated

Dates are subject to change - times to be determined

- A. November 8, 2022, 11:00a.m. Election Day, by Zoom
- B. November 21, 2022
- C. November 29, 2022 (tentative Certification)
- D. December 19, 2022 (Tentative)

[1:49:45] **Adjournment**

Ms. Dillon moved to adjourn the public meeting. It was seconded by Ms. Hoeber and passed unanimously. The Board moved into executive session.

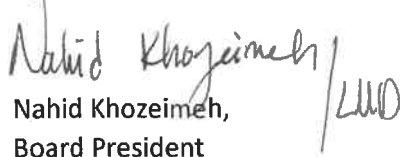
The public meeting adjourned at 4:25pm.

Respectfully submitted,



Lisa Merino-Dean
Administrative Specialist II

APPROVED BY THE BOARD



Nahid Khozeimeh,
Board President

Public Comment Statement to be presented at the Montgomery County Board of Elections Meeting dated October 17, 2022

Good afternoon. My name is Michael Fletcher. Since September 13, 2021, I have been trying to make the Board aware of the problems with our voting system and how citizens are losing confidence in the voting process. At the September 19, 2022 Board of Elections meeting, I stated that, because the electronic machines used in our elections are subject to hacking and their operation is inscrutable, i.e., they function as “black boxes,” the Board could strengthen the integrity of the upcoming election by authorizing a separate check of paper ballots. This check would consist of a hand and eye inspection of the ballots for a few races that would compare the machine results to the hand counts in order to confirm that the voting machines have not manipulated the votes in any way.

If the Board would authorize such a check, I can assist in providing the citizen volunteers required to do the counting and document the results. Election Staff personnel would be needed to provide an oversight role, handle ballot bins, assure that ballot chain of custody is maintained, and provide the machine counts for comparison. The proposed double check would consist of a hand and eye inspection of the paper ballots for:

- 1) one randomly selected voting day at a randomly selected early voting center,
- 2) election day at 12 randomly selected Montgomery County precincts, and
- 3) a sample of mail-in ballots.

The ballots would be inspected, and the results recorded. A table for each counting team would be required. Counting teams would be scheduled based on anticipated number of votes to be counted for each precinct/early voting center. The counters will count the votes shown on the paper ballots for several races from the upcoming gubernatorial election. Specific races to be counted will be determined later. Selection of ballots to be checked will be coordinated with Elections Staff to avoid conflicts with ballots secured for state-mandated audits.

Logistically, the check described above would require no more effort than a Post-Election Manual Ballot Tabulation Audit. The differences would be that more precincts would be checked, the check would focus on more than one race and count all the votes for those races, and of course citizen volunteers would help perform the check.

Based on the above, I request that the Board approve a second check as described above to be performed soon after the gubernatorial election to help restore confidence in our voting system.

Thank you.

Comments to be provided before the Montgomery County MD Board of Elections on October 17, 2022

Good afternoon, my name is _____ and my comments have to do with election security, namely the security of the drop boxes in wide use in Montgomery County.

It has been documented that ballot drop boxes have been misused to facilitate ballot trafficking in several states during the 2020 General Election. Ballot trafficking involves dropping off ballots filled out with names similar to voters on the rolls, voters who are inactive, voters who have moved or died, or simply voters who don't exist. Many of the ballots trafficked in this way are placed in the drop boxes between the hours of 10 PM and 5 AM.

Therefore, I have two questions:

1. Can you state that all drop boxes in Montgomery County will have video surveillance, and
2. Wouldn't it be wise to prevent ballots from being accepted by whatever means that are available to you during these hours? For example, when ballots are picked up in the evening, an election judge/attendant could lock the box so no ballots could be deposited in the wee hours of the morning.

Thank you for your attention to this issue.