

Meeting Minutes
Monday, December 19, 2022
MONTGOMERY COUNTY BOARD OF ELECTIONS
Virtual Board Meeting via Zoom

APPROVED

In Attendance Virtually:

Board Members:

Nahid Khozeimeh, President
Diane Nash Dillon, Vice President
David A. Naimon, Secretary (in person)
Amoretta Hoerber
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
Chris Rzeszut, Operations Manager
Mindy Williams, Operations Manager
Lisa Merino-Dean, Administrative Specialist

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

<https://youtu.be/vbGfiLZLek>

Board of Canvassers Meeting

Mrs. Khozeimeh convened the meeting at 2:30pm and declared a quorum present.

Mr. Brajkovic presented 101 untimely ballots that were received at the Board of Elections after the mandated deadline of November 18, 2022.

- 26 were sent within the US and postmarked after November 8
- 85 were sent from outside the US; 52 of these were postmarked by Election Day, but arrived too late

Mr. Banov moved to reject the 101 untimely ballots. The motion was seconded by Ms. Hoerber and passed unanimously.

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Ms. Hoeber moved to accept the 2022 Gubernatorial General canvass minutes as amended. The motion was seconded by Mr. Banov and passed unanimously.

Mr. Banov moved to recess the Board of Canvassers' meeting. The motion was seconded by Ms. Hoeber and passed unanimously.

Board of Elections Meeting

[09:25] Convene Board of Elections Meeting and Declare Quorum Present

President Remarks

Mrs. Khozeimeh wished everyone a happy holiday season.

Additions/Changes to the Agenda

Additional agenda items -

- Executive Session immediately following this meeting
 - o Personnel matter

Add to New Business -

- Mr. Naimon will start a discussion to be continued in January.

Campaign Contributions

Diane Nash Dillon –

\$250.00 to Reardon Sullivan, candidate for County Executive

\$50.00 to Dwight Patel, candidate for County Council

David Naimon attended the 60th birthday comedy night sponsored by Rep. Jamie Raskin on December 11, 2022.

[17:00] Acting Election Director's Report

Ms. McLaughlin reviewed her report which can be found [here](#). There were further discussions about the following:

- With regard to canvassers' stipends, she said that the issue will be revisited before the 2024 elections.
- Ms. McLaughlin said that she had requested a meeting with the Rockville Post Office to discuss the cancellations on mail-in ballots in the election. Mr. Naimon requested to attend the meeting after it is scheduled.

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- There are many vacancies on the staff; they will be filled in the future. Mr. Vincent asked if there are more vacancies than usual. Ms. McLaughlin responded that there are reasons why there are more vacancies, including the COVID pandemic and lack of applications for vacancies.
- The County delegation to the General Assembly will have a work session on December 20 to discuss various topics, including ranked choice voting. A bill has been introduced to allow the County to implement ranked-choice voting for County offices if it so chose. The Maryland Legislative and Information Service has requested fiscal notes on ranked-choice voting for Montgomery County offices.
- The voting systems lease is up in 2025.
- The Joint Election Officials Liaison Conference national meeting and the annual conference of the Maryland Association of County Officials (MACO) will be held in January. Some staff members will attend them. Ms. McLaughlin will be speaking at the MACO winter conference. Mr. Naimon asked her if she ordinarily discussed her presentations with County officials or the Board President before preparing her talk. He recommended that she coordinate with Board members on her presentation in advance. Her role on the panel is to describe the landscape within which election officials are working right now, and the challenges and issues they are facing. Ms. McLaughlin will share a summary of her January 5 Maryland Association of Counties' Winter Conference panel presentation with the Board in advance. In response to comments by Dr. Barnes, she promised that in the future she would advise the Board in advance about her planned speaking engagements. The Board requested updates on the Montgomery County Delegation's work, and other county and state legislative activities on ranked choice voting.
- Mr. Banov also asked that she share with the Board information she learns about election legislation when she attends the MACO meeting.
- She proposed that staff discuss their lessons learned in the 2022 elections in a single session in the February Board meeting, rather than in a series of meetings.
- On legislation, Mr. Banov asked her to give the Board information about any proposed election bills before the January 2023 meeting, as well as anything important she learns at the MACO and SBE meetings. Mr. Naimon agreed and pointed out that bills which are pre-filed before the session begins have the greatest chance of passing.
- Ms. McLaughlin said there has been discussion by election officials in other Maryland jurisdictions about moving from voting at precincts to voting at a much smaller number of vote centers. Questions arise such as how many centers would we need; how much paper could we save; how many BMDs would we need; and how our physical capacity would change. Another topic is web-delivery ballots.

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- Mr. Naimon asked that staff provide the percentage of voters who used the BMDs.
- Mr. Banov asked if the cost of a BMD has been determined. (Later in the meeting Ms. Ross replied that it costs \$3500.)

In the budget discussion, Ms. McLaughlin mentioned that the Board had spent \$8.2M of the \$10.6M budgeted. Mr. Vincent asked if a supplemental would be necessary. She replied that we would probably need a supplemental.

Considering all the overtime pay required of personnel, Mr. Vincent also suggested that in the future the Board should ask for a much larger budget for personnel, given the shortfalls it has experienced. Other members agreed.

Mr. Banov asked if it would be feasible to borrow trucks from other County departments or buy a used truck to keep. Ms. McLaughlin responded that this was being considered.

The Board requested more details on personnel costs at the January meeting. Ms. McLaughlin responded that the staff could do a deeper dive on that.

[1:26:45] Board Attorney Report

Mr. Karpinski updated the board on the lawsuit filed in federal court by 3 plaintiffs against the State Board of Elections, State Prosecutor, 21 counties and the Center for Tech and Civic Life, alleging fraud and RICO violations. The plaintiffs alleged that counties were receiving money from the Center for Tech and Civic Life for the improper purpose of influencing voting in Maryland, including tampering with drop boxes. The lawsuit was dismissed last week on behalf of all defendants, finding the plaintiffs lacked standing. The decision might be appealed.

Board members requested information on how the funds received by Montgomery County from the Center for Tech and Civic Life were spent. Mr. Karpinski replied that much was used primarily to pay for election judges; Ms. McLaughlin added that some was spent on hazard pay to judges, masks, Plexiglas, and other pandemic prevention supplies. The staff will provide additional details on these funds.

[1:31:15] New Business

A. Board member observations on the 2022 General Gubernatorial Election:

Mr. Banov made the following suggestions –

- Indicate on the mail-in ballot to fill in the oval with black or blue ink, not pencil
- Buy more BMDs
- Highlight the polling location on the front of the sample ballot brochure. (Ms. Hoeber agreed with this.)
- On Election Day, have at least one additional election official and maps at Praisner, Silver Spring, and Potomac (places that also serve as early voting centers) to help voters confirm they are at the correct polling location

- Increase public service announcements to inform voters about using ink, not pencil, and finding their correct polling places
- Reconsider the policy that election judges can work in Early Voting only if they work on Election Day
- Collect feedback from judges soon after early voting and Election Day
- Inform voters at the polls that they can vote by pen or by touch screen (as opposed to electronically)

The Board talked about sending a letter to the State Board of Elections with a list of all of the Board's recommendations to SBE about improving elections. The Board will also consider items they can address without State Board approval.

Mr. Vincent suggested urging the legislature to change the rules on web-delivery ballots and limit access to overseas, diplomatic, military voters and other cases where the need can be justified. Ms. Hoeber pointed out that it would be difficult to take back a process that had previously been offered to the public. She also spoke about a web ballot system in New Hampshire that produces a QR code with the ballot, which could be read with a QR reader by the New Hampshire elections board. She suggested learning more about it. Mr. Naimon suggested ways of informing voters about the issues that arise when they request web-delivery ballots, including videos.

B. Mr. Naimon shared the plans to propose at the January Board meeting a policy that when an election judge tests positive for COVID or another disease soon after serving at a polling location and informs the Board, the Board will notify all the judges at that location.

[2:01:10] Old Business

No old business items were discussed.

[2:01:20] Action Items

- Ms. McLaughlin will send to the Board by the end of the week a draft outline of her comments at the Maryland Association of Counties meeting and by the January meeting give the Board information about any proposed election bills, as well as anything important she learns at the MACO and SBE meetings
- She will also share her personal thoughts on legislative/policy issues for Board consideration
- Provide the Board with information about the percentage of voters that use BMDs
- Provide the Board with more details about overtime and personnel costs in the budget at the January meeting
- Provide details about how the Center for Tech and Civic Life funds were spent
- Schedule a meeting with the Rockville Postmaster and inform Board members of the meeting
- Research how long it took for mail-in ballots to be delivered by U.S. mail

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[2:08:40] Approval of Minutes

Ms. Hoeber moved to accept the following minutes as amended.

- September 19, 2022

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

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

- October 17, 2022

The motion was seconded by Dr. Barnes and passed unanimously.

Ms. Hoeber moved to accept the following minutes as amended.

- November 8, 2022

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

Dr. Barnes moved to accept the following minutes as amended.

- November 30, 2022

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

[2:11:20] Public Comments

Michael Fletcher made allegations about problems in using machines in elections. His written comments can be found [here](#).

Ms. Dillon and Mr. Vincent requested information in the next few months about the systems used by the State of Maryland and Montgomery County Board of Elections. Ms. Ross confirmed the voting system used by the Board is never connected to the Internet. Ms. McLaughlin confirmed the Montgomery County Board of Elections does not have an ALBERT sensor.

[2:29:10] Future Meetings

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

Dates are subject to change

- A. January 23, 2023
- B. February 27, 2023
- C. March 20, 2023
- D. April 17, 2023
- E. May 15, 2023
- F. June 26, 2023
- G. July 17, 2023
- H. August 21, 2023
- I. September 18, 2023

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- J. October 16, 2023
- K. November 20, 2023
- L. December 18, 2023

[2:30:20] Adjournment


Ms. Hoerber moved to adjourn the public meeting. The motion was seconded by Ms. Dillon and passed unanimously. The meeting adjourned at 4:00pm.

Respectfully submitted,



Lisa Merino-Dean
Administrative Specialist II

APPROVED BY THE BOARD



Nahid Khozeimeh,
Board President

