

APPROVED

October 19, 2015

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

In Attendance:

Board Members:

James Shalleck, President
Nahid Khozeimeh, Vice President
Mary Ann Keeffe, Secretary
Alex Vincent
David Naimon
Jacqueline Phillips
Graciela Rivera-Oven

Staff:

Margaret Jurgensen, Election Director
Alysoun McLaughlin, Deputy Election Director
Laletta Dorsey, Acting Voter Registration Manager
Lisa Merino, Office Services Coordinator
Janet Ross, Information Technology Manager
Christine Rzeszut, Operations Manager
Leslie Woods, Election Judge Coordinator

Counsel:

Kevin Karpinski

Guests:

Darrell Anderson
Paul Bessel
Barbara Braswell
Kathy Deerkoski
Nancy Farrar
Adam Fogel
Holly Joseph
Dolly Kildee
Aaron Krant
Michelle Ngwafon
Lewis Porter
Barbara Sanders
Odessa Shannon



Michael Subin
Joyce Temple
Matt Verghese

Convene the Board Meeting and Declare a Quorum Present

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

Approval of the September 12, 2015, Public Hearing Summary

Mrs. Khozeimeh made a motion to accept the September 12 Public Hearing Summary. The motion was seconded by Mr. Naimon and passed unanimously.

Approval of the September 21, 2015, Board Meeting Minutes

Mr. Vincent noted a typographical error on page 3. Ms. Keeffe and Mr. Naimon expressed concern about the lack of detail reflected under the Early Voting item in the minutes. Ms. McLaughlin stated that she had participated in the process of preparing the minutes for that meeting and found it difficult to summarize the arguments made in favor of or against a motion without making interpretations that she was uncomfortable with staff making about which points were most important to the speaker. Ms. Jurgensen noted that the full audio is available on www.777vote.org.

Ms. Keeffe stated that that Board had previously decided that they wanted minutes that people could read to get a good sense of exactly what was discussed and that minutes of previous discussions have captured in a sentence or two the gist of what a person was saying. She also stated that any recommendation to change how the minutes are prepared should come before the Board for approval. Mr. Naimon agreed that the minutes as prepared differed from normal practice and policy and were not sufficiently informative. He stated that the public should not need to listen to the audio to get a sense of what was discussed.

After discussion, there was apparent consensus among Board members that staff rewrite the minutes.

Mrs. Khozeimeh made a motion to hold over the September 21, 2015, Board meeting minutes until the November Board meeting. The motion was seconded by Ms. Keeffe and passed unanimously.

Additions/Changes to the Agenda

Mr. Shalleck requested that the Early Voting item be discussed after public comments are given.

Public Comments

Lewis Porter, founder of Maryland 20-20 Watch and Montgomery County resident, expressed concern with Early Voting sites placed only in the lower part of the county, not dispersed evenly throughout the county. (See Attachment A)

Holly Joseph expressed desire for the Board to be transparent. She stated that change occurs within the Board of Elections which makes it difficult to contact the appropriate person.

Darrell Anderson, Chair of the Montgomery County Democratic Central Committee, spoke in favor of reestablishing the Early Voting sites used in the 2014 Gubernatorial election. He stated that he acknowledged a need for additional Early Voting sites. Mr. Shalleck noted that any bill would need to be pre-filed by October 29, 2015. Mr. Anderson agreed and stated that the Democratic Central Committee is in full support of emergency legislation. (See Attachment B)

Adam Fogel, representing Council Member Nancy Navarro, spoke on behalf of Ms. Navarro. He thanked the Board for its reconsideration of the Early Voting sites and stated that Councilmember Navarro is in support of restoring the 2014 Early Voting sites. He added that as the Chair of the Government Operations Committee, she is committed to funding additional sites and strongly supports legislation for additional sites.

Early Voting Site Reconsideration

Mr. Shalleck made a motion to submit to the State Board the following nine Early Voting sites for the 2016 Presidential Primary and General Elections: Mid-County Community Recreation Center, Executive Office Building, Germantown Community Recreation Center, Marilyn J. Praisner Community Recreation Center, Silver Spring Civic Building, Activity Center at Bohrer Park, Damascus Community Recreation Center, Jane E Lawton Community Recreation Center, and Wheaton Volunteer Rescue Squad, and to request a tenth Early Voting site be permitted by statute and to designate that the tenth site would be the Potomac Community Recreation Center. The motion was seconded by Mrs. Khozeimeh.

Mr. Vincent thanked Mr. Shalleck for his efforts.

Ms. Keeffe thanked all those involved in the resolution.

Mr. Naimon suggested that the legislation not specifically indicate Potomac to be the tenth site, as it may run a lower risk of being passed. He urged staff to plan to prepare for a tenth site at Potomac.

Mr. Shalleck noted correspondence received that day from Councilmember Tom Hucker, noting his support for the concept and stating that he believes a number of communities including Olney, Potomac and Takoma Park deserve to be closer to an Early Voting location. Mr. Shalleck thanked Councilmember Hucker for his efforts.

Mr. Shalleck read the attached letter received from Ike Leggett, County Executive (See Attachment C).

Mrs. Rivera-Oven stated that in her opinion the debates that have occurred throughout the previous several months have brought the community together to discuss voting.

Mr. Naimon thanked all those involved in the resolution. Mr. Naimon read the attached letter from Councilmember Hucker (See Attachment D).

Mr. Karpinski stated that MOU's will be prepared for the nine sites, with an understating that a supplemental MOU will be prepared if legislation is passed. He also stated that Potomac Community Recreation Center will remain reserved.

The Board voted on Mr. Shalleck's motion. Mr. Shalleck, Mrs. Keeffe, Mrs. Khozeimeh, Mr. Naimon, and Mr. Vincent voted for the motion. The motion passed unanimously.

Election Director Status Report (Incorporated as Attachment E)

Personnel

Ms. Jurgensen stated that Brian McKeivitt will be retiring November 1. She added that six temporary employees including several who are bilingual are being hired for outreach. Ms. Jurgensen reported that a new permanent Bilingual Office Service Coordinator will begin November 2 in Voter Services. She added that the Voter Services Manager position has been reclassified and should be posted soon.

Budget (Incorporated as Attachments F through I)

Ms. Jurgensen provided a revised spreadsheet detailing FY15 expenditures, through June 30, 2015, indicating how funds were spent. Ms. Jurgensen acknowledged an \$87,713 surplus. The Board briefly discussed whether the funds may have been used so as to not have a surplus. Ms. Jurgensen stated that funds incurred cannot be earmarked for the following year. Mr. Naimon thanked Mrs. Khozeimeh and Ms. Keeffe for their work on the Budget Committee in pointing out the problem of expenditures being spent on different items than were listed in the budget, and expressed his desire for greater transparency for the Board members on actual expenditures. The Board stated that they would prefer that line items reflect a deficit instead of using journal entries to move funds from one line item to another.

Ms. Jurgensen stated that there will be a need for the Budget subcommittee to meet to discuss the FY17 MARC.

Voter Registration

Ms. Jurgensen stated that monthly statistics were posted.

Ms. McLaughlin updated the Board on issues that Ms. Phillips had reported that she had encountered at the MVA (See attachment J). She stated that MVA will explore the cost to add a summary screen or a printed receipt regarding a customer's voter registration transaction. Ms. McLaughlin stated that further clarity will be provided to the Board regarding how Social Security numbers are handled in the process.

Ms. Keeffe reported that she recently visited MVA to renew her license and was pleased to see that documentation was distributed regarding Motor Voter ensuring that one review the information carefully.

State Board of Elections

Ms. Jurgensen stated that she and Ms. McLaughlin met with SBE personnel regarding regional reporting sites. She stated that a decision had been made to test the electronic pollbooks after testing voting equipment in the mock election.

Attorney Report

Bylaw Modification

Mr. Karpinski updated the Board on the two minor changes to the Bylaws requested by SBE. Mr. Karpinski provided language to reflect that Board members must be sworn in as the Board of Canvassers prior to Early Voting. The second Bylaw change addresses public notice with regard to special meetings as the bylaws as they are currently written do not specifically state that public notice will be provided. The Bylaw amendments will be posted to website and voted on in the November Board Meeting. (See attachment K)

Mr. Vincent made a motion that the proposed Bylaw amendments presented by the Board Attorney be made available for public display and be adopted by the Board at the November Board meeting. The motion was seconded by Mrs. Khozeimeh and passed unanimously.

Section 203

Mr. Karpinski updated the Board members on Section 203 of the Voting Rights Act as previously requested by Mrs. Rivera-Oven. Provided were the following documents:

- Letter from the Department of Justice from 2011 with the Section 203 requirements

- Mr. Zelaya's report on Section 203 from 2010 (required by the Department of Justice)
- Executive Order from County Executive Isaiah Leggett
- Letters from the Empowerment and Outreach committees
- Consent Decree

Mr. Karpinski stated that based upon census data on the number of Montgomery County residents whose first language is other than English and who have limited English proficiency, the Board of Elections initiated several actions to comply with Section 203. He described that Section 203 requires that voting information provided by the Board of Elections needs to be translated into Spanish.

Mr. Naimon stated that the information on the website is translated by Google Translate and inquired about the ability of staff to do more accurate translations. Mr. Zelaya stated that the Board of Elections follows procedures implemented by Montgomery County which uses Google Translate for website translations. Ms. Jurgensen stated that documents provided by the State Board of Elections are translated individually and are made available on the website.

Mrs. Rivera-Oven recommended that the Board of Elections not rely on Google Translate for translations. Ms. McLaughlin stated that all news releases are translated by staff and are distributed to Spanish speaking media outlets. Mrs. Rivera-Oven suggested that the Board consider creating a funding/budget line item for resources and outreach as directed by the County Executive Order in 2010. Ms. Jurgensen agreed to review the website and make necessary and appropriate changes to the headers.

Mrs. Rivera-Oven recommended that staff take training in cultural competency and asked that the Board revisit the idea of creating an advisory group of Latinos regarding outreach. Ms. Jurgensen stated that all Montgomery County employees are mandated to complete Limited English Proficiency courses every 3 years through the Office Human Resources. Mrs. Khozeimeh inquired if the Board of Elections is reaching out to the several other communities of different languages spoken in Montgomery County.

Mr. Zelaya described activities of the Board of Elections to reach out to all those who speak other languages. Ms. Jurgensen stated that the Board of Elections identifies the language needs for each precinct and allocates bilingual judges as needed.

*** Ms. Keeffe left the room at 4:14 p.m. ***

Mr. Karpinski reported that two FOIA requests have been submitted - - one from the State Democratic Central Committee and the other from the Montgomery County Democratic Central Committee requesting to inspect records pertaining to early voting site selection. The Board had also received an Open Meetings Act complaint and that a timely response will be filed.

Old Business

Board Committees

The Board members discussed the need for an outreach committee. It was stated that Mrs. Rivera-Oven and Mr. Vincent will discuss further at a later date.

Other Old Business

Ms. Jurgensen shared locations of where events and leaflets were distributed throughout Montgomery County. She stated that groups or organizations interested in learning about the voting system can fill out a form to request a demonstration of the new equipment at 777vote.org.

2016 Election Preparation

New Voting System

Ms. Jurgensen reported that the Mock Election for Early Voting began today and will run through October 26. She stated that several simulations and tests occurred. For further detail see attachment D. Ms. Jurgensen stated that functions not tested included the Same Day Voter Registration process or software, new pollbook software and increased capacity of pollbooks. She stated that staff was simulating DS200 failure. She added that there may be additional testing November 16 through 19.

*** Ms. Keeffe returned to the room at 4:23 p.m. ***

Ms. Jurgensen stated that during the Mock Election, it was discussed that the ballot box would not hold what was originally intended; however, a work around is in process so it can hold more ballots. Ms. Jurgensen stated that she has obtained cost figures for leasing additional scanners if that is to occur.

*** Ms. Phillips left the meeting at 4:26 p.m. ***

City of Rockville Election

Ms. Jurgensen reported that the City of Rockville is using the SBE equipment assigned to Montgomery County. Montgomery County has prepared and tested all equipment for the City of Rockville Election to be held November 3. Ms. Jurgensen reported that a contract has been signed with ES&S (Election Systems & Software) and SBE for services. Ms. Jurgensen stated that the City of Rockville will have the votes counted/tallied at BOE and if the Board members are interested in attending the City's election, they should contact Ms. McLaughlin.

Polling Place Review

The Board reviewed the list of proposed polling changes recommended by staff. Ms. McLaughlin reported on two additional proposed polling place changes provided by Delegate Al Carr. Ms. McLaughlin provided maps of the additional proposed changes.

Ms. McLaughlin also provided a list of the staff-recommended changes that would require a change in precinct boundaries.

Mrs. Rzeszut reviewed a power point of staff recommendations for polling place changes with the Board members. The Board requested that staff reassess the following polling places/precincts: 02-06, 02-11, 02-09, 02-08, and 02-01. The Board members will revisit the following sites: 04-19, 04-32, 04-35, 07-10, 13-42, 13-58, and 13-65.

Mr. Naimon made a motion to approve staff's recommendation for precinct boundaries to split Precinct 09-06 and create a new Precinct 09-40. The motion was seconded by Mrs. Khozeimeh and passed unanimously.

Mrs. Khozeimeh made a motion to accept staff's recommendation for precinct boundaries to split Precinct 09-26 and create a new Precinct 09-41 that would vote at Germantown Elementary School, with Precinct 09-26 to vote at Clopper Mill Elementary School. The motion was seconded by Ms. Keeffe and passed unanimously.

Mr. Naimon made a motion to accept staff's recommendation to have Precinct 13-67 and Precinct 13-68 vote at the Takoma Park Recreation Center. The motion was seconded by Mr. Vincent and passed unanimously.

Ms. Keeffe stated that she would contact Delegate Carr to obtain further information on his proposed changes.

The Board revisited the polling place changes.

Mr. Naimon made a motion to accept staff's recommendation to change the polling place for precinct 13-05 to vote at the new Silver Spring Library. The motion was seconded by Mr. Vincent and passed unanimously.

Mr. Vincent made a motion to accept staff's recommendation to change the polling place for precinct 05-01 to vote at Dr. Charles Drew Elementary School. The motion was seconded by Ms. Keeffe and passed unanimously.

Ms. Keeffe made a motion to accept staff's recommendation to change the polling place for precinct 13-39 to vote at Rock Creek Forest Elementary School. The motion was seconded by Mr. Vincent and passed unanimously.

Mr. Vincent made a motion to accept staff's recommendation to change the polling place for precinct 13-43 and precinct 13-70 to vote at the Aspen Hill Library. The motion was seconded by Ms. Keeffe and passed unanimously.

The Board members decided not to change the polling place for precinct 13-37.

Ms. Keeffe made a motion to accept staff's recommendation to change the polling place for precinct 05-21 to vote at East County Community Recreation Center. The motion was seconded by Mr. Vincent and passed unanimously.

The Board members agreed that notification be placed on all old sites indicating the new polling place. Ms. Jurgensen stated that voter notifications cards are required to be mailed when a polling place is changed.

New Business

Maryland Election Integrity

Ms. Jurgensen reported that Ms. Kelleher had provided a list of 1064 voters that her group believes should not be on the list of registered voters. It was found that 571 were cancelled or inactive voters, 77 were not found in the database, 133 had an address changed and updated, 283 were active voters. The active voters that remain on the list fall into these categories: nursing home, group living facilities such as residential shelters, seminaries, homeless shelter and other types of group living arrangements, and UOCAVA voters (UOCAVA voters are military personnel who are permitted to use their last address of residency). Board members agreed that Ms. Jurgensen respond to the Maryland Election Integrity Group.

Other New Business

Mr. Naimon requested that the process of equipment allocation for Early Voting and Election Day be placed on the agenda for the November Board meeting.

Future Meetings

Ms. Merino asked the Board to schedule the 2016 Board meetings. Mr. Shalleck asked the Board members to prepare to discuss the 2016 calendar at the November Board meeting. The Board members tentatively scheduled the January and February Board meetings.

- A. November 16, 2015
- B. December 14, 2015
- C. January 25, 2016
- D. February 22, 2016 (Tentative)

Adjournment

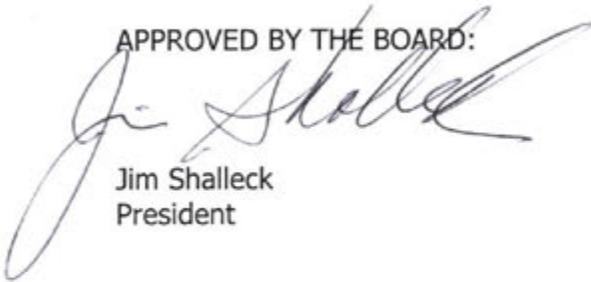
Mr. Vincent moved to adjourn the meeting. The motion was seconded by Ms. Keeffe and passed unanimously. The meeting adjourned at 6:08 p.m.

Respectfully Submitted,



Lisa Merino
Office Services Coordinator

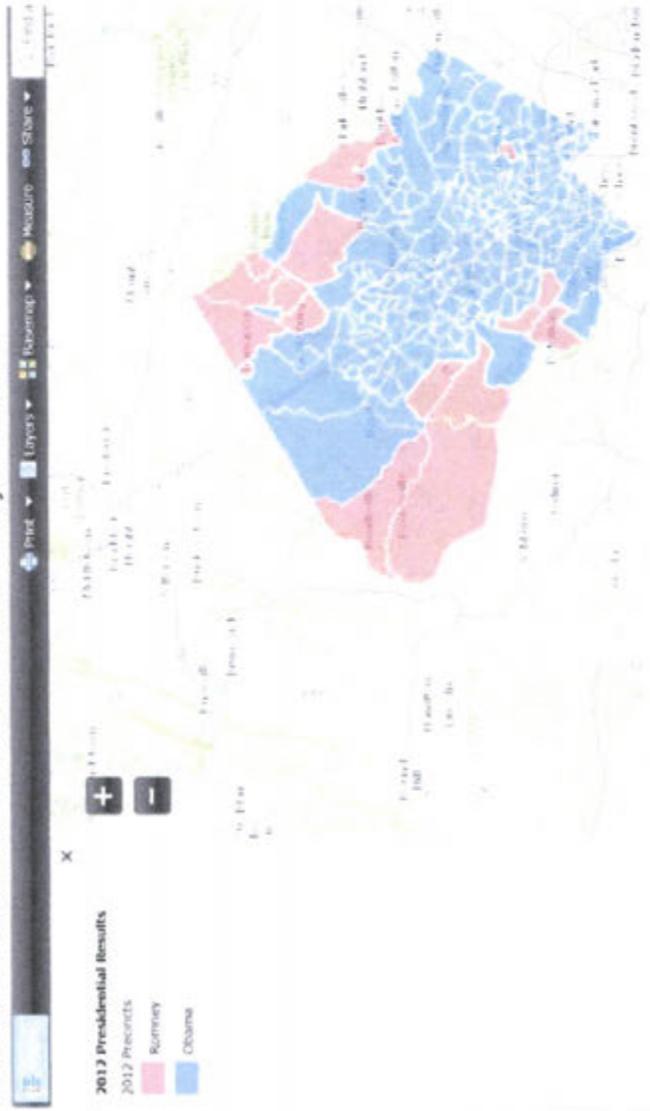
APPROVED BY THE BOARD:



Jim Shalleck
President

2012 Presidential Election Results by Precinct

<http://www.maine.gov/elections/2012/2012-presidential-election-results-by-precinct>



Unofficial Early Voting Turnout* (By County)

Election: 2014 Gubernatorial General Election

Election Date: November 4, 2014

*Turnout Totals do not include Provisional or Absentee Voters

**County-Wide Eligible Active Voters are as of 10/18/2014

County Name	Day1	%Day1	Day2	%Day2	Day3	%Day3	Day4	%Day4	Day5	%Day5	Day6	%Day6	Day7	%Day7	Day8	%Day8	Total	%Total	Eligible Actives
Alegany	332	0.78 %	182	0.43 %	73	0.17 %	52	0.12 %	168	0.39 %	186	0.44 %	216	0.51 %	295	0.69 %	1,504	3.53 %	42,560
Anne Arundel	5,104	1.46 %	5,186	1.48 %	2,640	0.76 %	2,349	0.67 %	5,074	1.45 %	5,037	1.44 %	5,753	1.65 %	7,513	2.15 %	38,658	11.07 %	349,313
Baltimore City	3,978	1.07 %	2,953	0.79 %	1,484	0.40 %	1,249	0.33 %	3,272	0.88 %	3,588	0.96 %	3,637	0.97 %	5,765	1.54 %	25,924	6.95 %	373,169
Baltimore County	7,213	1.38 %	6,615	1.27 %	3,065	0.59 %	2,416	0.46 %	7,088	1.36 %	7,186	1.38 %	7,743	1.49 %	10,488	2.01 %	51,814	9.94 %	521,130
Calvert	746	1.24 %	671	1.12 %	255	0.43 %	142	0.24 %	585	0.96 %	632	1.05 %	727	1.21 %	993	1.68 %	4,751	7.92 %	59,976
Caroline	305	1.66 %	201	1.10 %	71	0.39 %	73	0.40 %	166	0.90 %	205	1.12 %	247	1.35 %	338	1.84 %	1,606	8.75 %	18,353
Carroll	1,182	1.05 %	1,066	0.94 %	503	0.45 %	317	0.28 %	1,097	0.97 %	1,116	0.99 %	1,304	1.15 %	1,431	1.27 %	8,016	7.10 %	112,946
Cecil	714	1.15 %	560	0.90 %	217	0.35 %	139	0.22 %	553	0.89 %	567	0.91 %	563	0.91 %	810	1.31 %	4,123	6.65 %	61,990
Charles	746	0.74 %	894	0.89 %	429	0.43 %	306	0.30 %	919	0.91 %	949	0.94 %	1,057	1.05 %	1,590	1.57 %	6,880	6.85 %	100,449
Dorchester	287	1.40 %	227	1.11 %	88	0.33 %	63	0.31 %	207	1.01 %	198	0.97 %	219	1.07 %	339	1.66 %	1,608	7.86 %	20,466
Frederick	1,574	1.04 %	1,412	0.94 %	726	0.48 %	611	0.40 %	1,439	0.95 %	1,325	0.88 %	1,597	1.06 %	2,029	1.34 %	10,713	7.10 %	150,895
Garrett	224	1.16 %	145	0.75 %	91	0.47 %	116	0.60 %	154	0.80 %	168	0.87 %	215	1.11 %	244	1.26 %	1,357	7.03 %	19,292
Harford	2,960	1.80 %	2,268	1.38 %	1,073	0.65 %	751	0.46 %	2,297	1.39 %	2,178	1.32 %	2,575	1.56 %	3,863	2.34 %	17,965	10.90 %	164,780
Howard	2,636	1.35 %	2,729	1.40 %	1,899	0.87 %	1,852	0.85 %	2,722	1.39 %	2,629	1.35 %	2,948	1.51 %	4,417	2.26 %	21,432	10.97 %	195,440
Kent	329	2.59 %	286	2.25 %	104	0.82 %	100	0.79 %	245	1.93 %	267	2.10 %	270	2.12 %	368	2.89 %	1,969	15.47 %	12,724
Montgomery	4,321	0.68 %	4,005	0.63 %	2,945	0.46 %	2,414	0.36 %	4,246	0.67 %	4,533	0.71 %	5,092	0.80 %	7,888	1.24 %	35,444	5.58 %	634,859
Prince George's	5,817	1.07 %	5,416	0.99 %	2,771	0.51 %	2,079	0.38 %	6,216	1.14 %	6,399	1.17 %	6,741	1.24 %	10,797	1.98 %	46,236	8.49 %	544,677
Queen Anne's	928	2.80 %	712	2.15 %	245	0.74 %	169	0.51 %	664	2.00 %	592	1.78 %	739	2.23 %	1,108	3.34 %	5,157	15.55 %	33,173
Saint Mary's	564	0.87 %	683	1.06 %	219	0.34 %	285	0.44 %	554	0.86 %	601	0.93 %	640	0.99 %	925	1.43 %	4,471	6.93 %	64,510
Somerset	267	2.05 %	150	1.15 %	69	0.53 %	88	0.68 %	153	1.18 %	171	1.32 %	153	1.18 %	212	1.63 %	1,263	9.72 %	12,999
Talbot	662	2.58 %	703	2.74 %	286	1.11 %	204	0.79 %	695	2.71 %	702	2.74 %	612	2.36 %	1,005	3.92 %	4,869	18.97 %	25,663
Washington	558	0.62 %	506	0.56 %	213	0.24 %	131	0.15 %	510	0.57 %	476	0.53 %	532	0.59 %	576	0.64 %	3,504	3.89 %	90,097
Wicomico	759	1.34 %	718	1.27 %	382	0.67 %	323	0.57 %	638	1.13 %	648	1.14 %	682	1.20 %	795	1.40 %	4,945	8.72 %	56,894
Worcester	676	1.89 %	516	1.45 %	223	0.62 %	238	0.67 %	419	1.17 %	433	1.21 %	456	1.28 %	478	1.34 %	3,439	9.83 %	35,699
ALL	42,880	1.16 %	38,806	1.05 %	19,851	0.54 %	16,267	0.44 %	40,081	1.08 %	40,786	1.10 %	44,718	1.21 %	64,257	1.74 %	307,646	8.31 %	3,701,654

Statement of the Montgomery County Democratic Central Committee (MCDCC) to the Montgomery County Board of Elections on October 19, 2015

After Election Day in 2014, the MCDCC asked precinct officials to let us know how things went at the polls; what went well and what needed improvement. As is our practice, we bring these compliments and concerns to the Board to address.

The issue today is use of the Shady Grove Conference Center as a polling place for precincts 04-35 and 06-14 in 2014. The complaints against it included the lack of adequate parking and handicapped access. For some, it took one-half hour to park, which is very inconvenient, especially for parents with children, and it could be even more difficult with bad weather. The election judge said they received several complaints. We understand that these concerns were brought to the Board's attention, but without any change. They also asked that the handicapped parking be checked. The only visible handicapped parking has steps that one would have to maneuver. In a memo from the Director of Elections on 2/20/15, she notes that parking will be an even greater issue in the presidential election year with likely heavier turnout. Staff said they would review and present additional recommendations at a future meeting. At the April Board meeting, a lengthy discussion occurred without resolution. Staff did report at the time that they were considering moving Precinct 04-35 to the Travilah Fire Station.

That left Precinct 06-14. As we reported after the 2014 General Election, Precinct 06-14 originally voted at Stone Mill Elementary School. The polling place was moved to Shady Grove Conference Center, back to Stone Mill, and is back again at the Shady Grove Conference Center. Since Temple Beth Ami is in the precinct, the Democratic Central Committee's liaison to the Board contacted the Temple's staff who said they would be willing to explore establishing a polling place. Our liaison then talked to Board staff who said they would follow up. When she asked for an update in August, our liaison was advised that 04-35 would vote at the Temple. She reminded staff that 04-35 was to go to Travilah Fire Station. It was 06-14 that was looking for relief as they are the ones that brought the issue to our attention. Board staff said they would follow up with the Director. At the September meeting, the Board received a chart that has polling place changes that you will discuss today. That chart has 04-35 voting at the Temple. This does not address the concerns of precinct 06-14. Even more egregious, the result of this recommendation is that:

Precinct 04-35 will vote at the Temple which is in precinct 06-14, and
Precinct 06-14 will remain at the Shady Grove Conference Center which is in precinct 04-35

However, this means the Travilah Fire Station is now available. Since the Station is located in precinct 09-33, those voters could return to their precinct instead of travelling 4 miles to vote at Summit Hall Elementary School in Gaithersburg.



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

October 16, 2015

Mr. James Shalleck, President
Montgomery County Board of Elections
18753 North Frederick Avenue, Suite 210
Gaithersburg, MD 20879

Re: 2016 Election Cycle Early Voting Centers

Dear Mr. Shalleck:

It is my understanding that the Montgomery County Board of Elections (Board) will be discussing the final list of sites for early elections today, October 19, 2015, and that the State Board of Elections has until October 29, 2015 to make its final decision.

I believe the way to resolve the issue would be for the Board to reverse its current position and restore all nine of the original early voting sites and seek emergency state legislation to add a tenth site, with the stipulation that the tenth site be the Potomac Recreation Center. If you agree to this recommendation, I am committing my active support both for the legislation and the resources you will need to operate the additional site. A number of our state legislators have expressed their public support for an additional site in order to help facilitate concerns raised by several members of the Board.

Let me be clear, should you agree to the tenth site, I will fully support measures necessary by our legislature and to provide the resources to operate that site. Time is clearly of the essence since the SBE must make its decision by October 29, 2015 and, in addition, for legislative approval to occur in time to implement the Potomac Recreation Center, legislative approval must occur in January and will require pre-filing which also must be done by October 29.

I respectfully request your approval of this recommendation at your October 19 Board meeting.

Thank you for seriously consider this critical recommendation.

Sincerely,

Isiah Leggett
County Executive



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

TOM HUCKER
COUNCILMEMBER

PUBLIC SAFETY COMMITTEE
TRANSPORTATION, INFRASTRUCTURE
ENERGY AND ENVIRONMENT COMMITTEE

October 16, 2015

Dear President Shalleck and Board Members:

I appreciate your receiving public comment as you consider a new recommendation for locating early voting centers in Montgomery County. Over the last few weeks we have seen thousands of residents express concerns about the decision to eliminate early voting in East County and Bethesda and inconvenience thousands of voters. Thankfully, you have demonstrated a clear willingness to listen to your constituents and your conscience when you restored early voting at the Praisner Center in Burtonsville - and I hope you will now move forward in a way that makes it easier for as many people to vote.

The lack of the necessary support at the State Board of Elections for your previous proposal requires us to forge a consensus that removes roadblocks and clears the way for more people to vote.

For the 2016 election cycle I recommend that the previous nine early voting centers - with the non-controversial replacement of the Wheaton Recreation Center with the Wheaton Volunteer Rescue Squad - be utilized. These locations are accessible and convenient, met the requirements set forth by the General Assembly and were supported by strong bipartisan majorities on both the County and State Boards of Elections. These sites will guarantee that more of our citizens can take advantage of early voting opportunities and will maintain continuity and avoid confusion for voters, especially as we add same-day voter registration during the early voting period.

But with a population greater than six states and the District of Columbia, I firmly believe that having only nine early voting centers is insufficient and does not serve the voters of our County well. I hope you will also join me in pushing the General Assembly to add at least one additional early voting location through emergency legislation. A number of our communities - including Olney, Potomac and Takoma Park - deserve to be closer to an early voting location, and I look forward to supporting your ability to realize this in the near future.

We share the same values when it comes to voting: As an American your voice counts. And no matter what you look like, how much money you have or where you come from you have the right to vote. I strongly believe that this proposal puts these values into action.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Hucker".

Tom Hucker
Councilmember, District 5

October 19 2015

Election Director Status Report

- A. Personnel
 - 1. Brian McKevitt retires 10/29/2015
 - 2. Temporary staff for outreach – Offers extended to 6 persons
(4 are bi-lingual in English / Spanish)
 - 3. Office Services Clerical Bi-lingual for Voter Registration/Absentee offered and accepted.
 - 4. Re-classification of the position for lead position in Voter Registration/Absentee completed and approved by OMB. Expectation is job will be advertised in the next business week depending on Dept. of Human Resources.

- B. Budget
 - 1. Sent Friday
 - 2. Build out Warehouse and Voting Equipment Expenses
(attachment)

- C. Voter Registration
 - 1. Monthly stats posted
 - 2. MVA letter – Alysoun McLaughlin

- D. State Board of Election
 - 1. Meeting with SBE staff related to regional reporting sites. Decision made to perform testing up completion of mock elections and City of Rockville.

Board Attorney Report – Kevin Karpinski

- A. Bylaw Modification
- B. Section 203
- C. Significant correspondence

Old Business

- A. Board committees
- B. Other old business
 - 1. Riderwood Launch of New Voting System

- a.) 2200 leaflets were dropped at Shady Grove and Wheaton Metro stops the day before the event.
- b.) Events were scheduled for the entire County, Takoma Park, Germantown and Mid-County.
- c.) Activities related to Outreach on the website with request form:

<http://www.montgomerycountymd.gov/elections/index2.html>

2016 Election Preparations

A. New Voting System Update

1. Mock Election (October 14 thru October 26)
 - a) Additional testing added in November 2015
 - b) Current Mock Election progress report;
 - i.) Test has been scaled back.
 - ii.) Test included the creation of the election by SBE.
 - iii.) Test included downloading the election at the local level to local server then workstation.
 - iv.) Testing content of Conducting the Election Instruction Manual.
 - v.) Test of SBE programming and software.
 - vi.) Testing of local board logic and accuracy procedures to load the DS 200 and Express Vote Marking Device with the precinct based voting and Early Voting Centers.
 - vii.) Mock Election Test is load test of the DS 200 digital scanner.
 - viii.) No testing of Same Day Voter Registration.
 - ix.) No testing of new software for the poll book.
 - x.) No load testing to increase capacity of poll books at Early Voting Centers.
 - xi.) MC BoE staff will simulate DS 200 failure and test turnaround time to prepare new equipment.
2. State Board of Public Works approved staffing contract to begin the process of hire personnel to prepare for the election.

B. City of Rockville Election

1. Election created and loaded to Montgomery County Board of Elections server.
2. Logic & Accuracy testing on scanner and ballot marking completed.

3. Ballots are printed and ready for delivery; some delivered for absentee voting.
 4. Election Judge training has started.
 - a) State Board training staff sitting in the classes to learn process and equipment.
 5. Poll books software & data will be prepared by SBE.(Same software as 2014)
 6. High speed scanner to be prepared after Mock Election for absentee scanning.
 7. Contract is in place with ES&S and SBE for services.
- C. City of Takoma Park
1. Poll books will be utilized and prepared by SBE.
- D. City of Gaithersburg
1. Utilizing the paper precinct register.

New Business

- A. Voter list from July 2012 submission from Maryland Election Integrity Group sent September 6, 2015.

Catherine Kelleher submitted a list of names of voters that her group does not believe should be on the list of registered voters in Montgomery County. The list consisted of 1064 names. The names break out as follows:

- | | |
|--------------------------------|-----|
| • Cancelled or Inactive voters | 571 |
| • Not in database | 77 |
| • Address changed & updated | 133 |
| • Active voters | 283 |

The active voters that remain on the list fall into these categories:

- Nursing Homes
- Group living facilities such as residential shelters, seminaries, homeless shelter and other types of group living arrangements.
- UOCAVA (Military and Overseas Voters)

I instructed staff to compare the active voters on the list to the Maryland list of deceased. This was completed. The nursing homes are restricted by HIPAA Privacy Rule to disclose and it sets limits related to disclosing if the patient is still at the facility. The staff visited many of these same sites as part of the Nursing Home Program and requested the Nursing Home to provide the Board with updated information. If staff receives new information, the MD Voter file is updated. Currently, local elections boards of the municipalities will provide the Montgomery County Board updated information when they visit nursing home and related residential facilities.

The other group homes, I have instructed staff to send a mailing to those facilities to request that when a sample ballot is mailed to that voter that does not live at the facility to return it to the postal carrier so it can trigger the confirmation mailing process. Staff will send this letter prior to the mailing of the Sample Ballot to re-inforce this request. It should be noted that in 2012, this same list was sent to the Board. Staff did visit all the facilities such as the seminaries and other shelter facilities requesting that the facility return Sample Ballots to the postal carrier.

UOCAVA Voters in the State of Maryland are permitted to use the last address in the State of Maryland and staff is aware of the problem it creates but it is lawful and the process used for voters living outside of the United States to vote.

FY15 OPERATING BUDGET SPREADSHEET
Through June 30, 2015 (As of September 8, 2015)

LINE ITEM	FY15 APPROVED	FY15 YEAR TO DATE*
PERSONNEL COSTS	3,694,533	3,589,690
5A001 - Salaries & Wages	3,013,667	2,914,877
50010 - Full Time Salaries	1,919,065	1,834,415
50012/50020 - Part Time Salaries/Seasonal Temps	648,960	712,981
60168 - Temporary Office Clerical (moved from OP for clarity)	201,329	111,816
SUBTOTAL FOR TEMPORARY PERSONNEL	850,289	824,797
50324 - Overtime (includes emergency, multi-lingual & holiday)	244,313	255,664
5A002 - FICA	209,979	227,520
5A003 - Group Insurance	286,432	279,335
5A004 - Group Retirement	184,455	167,958
OPERATING EXPENSES	3,760,559	3,777,690
6A001 - Services and Contracts	1,305,634	1,678,860
60060 - Legal/Attorney Services	100,000	66,588
60066 - SBE Program Management	485,370	485,370
60304 - Maintenance - Electrical	0	0
60314 - Maint - Computer Systems	25,000	27,424
60326 - Repair/Maint Agmts - Office Equip	11,000	4,575
60412 - Moving Services	25,000	16,145
60414 - Building Construction	0	456,545
60416 - Building Design	0	0
60530 - Other Professional Services - EJ Stipend	624,764	598,540
60532 - Other Non-Professional Services (includes EJ mod.)	34,500	23,672
6A002 - Maintenance	115,233	73,133
61010 - Computer Equip Repairs/Maint (EPB)	115,233	73,133
6A003 - Rentals/Leases	1,306,165	1,208,607
61902 - Furniture Rentals (Polling Place)	7,000	6,734
61904 - Copiers, Fax, Mailing Machine Rentals (see 63020)	0	0
61924 - Other Equipment Rentals (MDVoters)	864,766	864,766
61926 - Bldg or Space Rental/Leases (Pol. Place)	24,500	18,157
61932 - Other Rentals/Leases (DREs)	409,899	177,744
New Voting System (Optical Scan)	0	141,206
6A004 - Office Supplies & Equipment (<\$5,000)	185,600	49,232
62010 - General Office Supplies+	84,140	34,644
62016 - Computer Supplies	5,000	5,000
62018 - Computer Equip (<\$5,000)	28,000	825
62022 - Paper and Supplies for Copiers	0	4,184
62028 - Other Supplies & Equipment	68,460	4,579
6A011 - Books, Videos, and Subscriptions	3,500	4,385
62700 - Books/Reference Materials	2,500	2,452
62712 - Other Books, Videos, and Subscriptions	1,000	1,933
6A012 - Other Supplies/Materials/Equipment	133,584	135,970
62826 - Keys and Locks	0	2,385
62946 - Charges from SBE	133,584	133,584
6A013 - Printing/Central Duplicating Services	172,115	170,847
63016 - Imaging	35,380	2,972
63018 - Document Shredding	0	301
63020 - Office Mach. Cop. Leasing (see 61904)	11,760	17,506
63022 - Other Central Dup Svc - Printing (all printing costs)	124,975	150,068
Mandated Legal Requirements		
Charges from SBE		
Election Specific Costs		
Personnel Charges		
Temporary Personnel Charges		
Overtime Costs		
Benefits		

FY15 OPERATING BUDGET SPREADSHEET
Through June 30, 2015 (As of September 8, 2015)

LINE ITEM	FY15 APPROVED	FY15 YEAR TO DATE*
6A014 - Outside Printing	105,550	81,930
63100 - Outside Printing/Copying	550	34
63104 - Sample Ballot Printing	105,000	81,896
6A015 - Mail	138,361	90,678
63200 - Central Dup - Postage - Bulk (services, NO postage)	36,530	36,005
63202 - Central Dup - Postage - Individual (PO Box rental)	21,081	1,696
63206 - Inter-Office Mail/Pony Charge	750	2,756
63208 - Other - Mail (Sample Ballot Postage)	80,000	50,220
6A016 - Outside Postage and Mail	38,000	85,568
63300 - Outside Mail Services (VNCs and all other postage)	37,500	85,301
63304 - Other Outside Mail Services	500	266
6A017 - Motor Pool	29,114	13,180
63500 - Assigned Motor Pool Vehicles	25,614	5,414
63504 - Daily Rental Motor Pool	3,500	7,576
63506 - Other Motor Pool Charges	0	0
63508 - MP EZPASS Charges	0	190
6A018 - Communications Services	150,399	132,268
63600 - Local Telephone Service Charges	25,000	72,859
63604 - Cellular Phone Line Charges	6,800	2,454
63618 - Blackberry Charges (smart phones)	9,000	8,884
63624 - Communication Circuits	27,729	20,550
63626 - Communication Modems (SBE)	24,870	18,521
63634 - Other Communication Services (PP Phone Lines)	57,000	9,000
6A020 - Charges from Others	26,148	54
63810 - Charges for Facility Maintenance	26,148	54
6A021 - Travel	13,996	21,159
64010 - Metropolitan Area Travel	7,996	12,953
64012 - Non-Metropolitan Area Travel	6,000	8,206
6A022 - Education, Tuition, and Training	10,125	8,455
64100 - Local Conference Related	2,000	2,628
64120 - Other Education, Tuition, & Training	8,125	5,827
6A023 - Dues/Memberships	2,000	2,559
64200 - Professional Memberships (Individual)	2,000	2,559
6A024 - Advertising	20,036	16,177
64300 - Advertising - Jobs	0	0
64304 - Advertising - Marketing/Sales	20,036	16,177
6A099 - Miscellaneous Operating Expenses	5,000	4,631
69999 - Other Misc Operating Expenses	5,000	4,631
DEPARTMENTAL TOTAL	7,455,093	7,367,380
Balance Remaining for Late Invoices/Charge Backs		87,713
* Included prior year encumbrances		
+ Includes office supplies, polling place supplies, and office furniture		
Mandated Legal Requirements		
Charges from SBE		
Election Specific Costs		
Personnel Charges		
Temporary Personnel Charges		
Overtime Costs		
Benefits		

FY16 OPERATING BUDGET SPREADSHEET
Through September 30, 2015 (As of October 11, 2015)

LINE ITEM	FY16 APPROVED	FY16 YEAR TO DATE*
PERSONNEL COSTS	3,931,901	545,520
5A001 - Salaries & Wages	3,233,166	429,376
50010 - Full Time Salaries	2,126,098	355,175
50012/50020 - Part Time Salaries/Seasonal Temps	656,424	67,867
60168 - Temporary Office Clerical (moved from OP for clarity)	201,329	1,403
SUBTOTAL FOR TEMPORARY PERSONNEL	857,753	69,271
50324 - Overtime (includes emergency, multi-lingual & holiday)	249,315	4,931
5A002 - FICA	218,646	31,426
5A003 - Group Insurance	305,315	52,542
5A004 - Group Retirement	174,774	32,176
OPERATING EXPENSES	3,609,635	1,057,444
6A001 - Services and Contracts	1,688,863	596,124
60060 - Legal/Attorney Services	75,000	8,365
60066 - SBE Program Management	613,682	300,223
60304 - Maintenance - Electrical	0	0
60314 - Maint - Computer Systems	25,000	0
60326 - Repair/Maint Agmts - Office Equip	11,000	3,427
60412 - Moving Services	27,857	2,857
60414 - Building Construction	277,060	281,242
60530 - Other Professional Services - E.J. Stipend	624,764	0
60532 - Other Non-Professional Services (includes E.J. mod.)	34,500	10
6A002 - Maintenance	188,765	38,765
61010 - Computer Equip Repairs/Maint (EPB)	188,765	38,765
6A003 - Rentals/Leases	842,337	311,157
61902 - Furniture Rentals (Polling Place)	7,000	320
61924 - Other Equipment Rentals (MDVoters)	717,448	217,448
61926 - Bldg or Space Rental/Leases (Pol. Place)	24,500	0
61932 - Other Rentals/Leases (Voting System)	93,389	93,389
6A004 - Office Supplies & Equipment (<\$5,000)	125,004	4,462
62010 - General Office Supplies+	70,000	1,662
62016 - Computer Supplies	5,000	0
62018 - Computer Equip (<\$5,000)	28,000	0
62022 - Paper and Supplies for Copiers	0	500
62028 - Other Supplies & Equipment	22,004	2,300
6A011 - Books, Videos, and Subscriptions	3,500	1,805
62700 - Books/Reference Materials	2,500	107
62712 - Other Books, Videos, and Subscriptions	1,000	1,697
6A012 - Other Supplies/Materials/Equipment	107,726	30,058
62826 - Keys and Locks	0	0
62946 - Charges from SBE	107,726	30,058
6A013 - Printing/Central Duplicating Services	169,336	17,467
63016 - Imaging	35,380	4,045
63020 - Office Mach. Cop. Leasing	11,760	4,363
63022 - Other Central Dup Svc - Printing (all printing costs)	122,196	9,059
Mandated Legal Requirements		
Charges from SBE		
Election Specific Costs		
Personnel Charges		
Temporary Personnel Charges		
Overtime Costs		
Benefits		

FY16 OPERATING BUDGET SPREADSHEET
Through September 30, 2015 (As of October 11, 2015)

LINE ITEM	FY16 APPROVED	FY16 YEAR TO DATE*
6A014 - Outside Printing	100,550	0
63100 - Outside Printing/Copying	550	0
63104 - Sample Ballot Printing	100,000	0
6A015 - Mail	138,361	6,518
63200 - Central Dup - Postage - Bulk (services, NO postage)	36,530	3,572
63202 - Central Dup - Postage - Individual (PO Box rental)	21,081	220
63206 - Inter-Office Mail/Pony Charge	750	2,501
63208 - Other - Mail (Sample Ballot Postage)	80,000	225
6A016 - Outside Postage and Mail	38,000	10,234
63300 - Outside Mail Services (VNCs and all other postage)	37,500	10,234
63304 - Other Outside Mail Services	500	0
6A017 - Motor Pool	10,832	1,226
63500 - Assigned Motor Pool Vehicles	8,832	1,181
63504 - Daily Rental Motor Pool	2,000	0
63508 - MP EZPASS Charges		45
6A018 - Communications Services	123,549	32,322
63600 - Local Telephone Service Charges	50,000	0
63604 - Cellular Phone Line Charges	2,800	0
63618 - Blackberry Charges (smart phones)	9,000	1,464
63624 - Communication Circuits	36,279	21,685
63626 - Communication Modems (SBE)	4,870	174
63634 - Other Communication Services (PP Phone Lines)	20,600	9,000
6A020 - Charges from Others	11,148	0
63810 - Charges for Facility Maintenance	11,148	0
6A021 - Travel	23,996	6,544
64010 - Metropolitan Area Travel	17,996	4,374
64012 - Non-Metropolitan Area Travel	6,000	2,169
6A022 - Education, Tuition, and Training	10,125	19
64100 - Local Conference Related	2,000	0
64120 - Other Education, Tuition, & Training	8,125	19
6A023 - Dues/Memberships	2,000	195
64200 - Professional Memberships (Individual)	2,000	195
6A024 - Advertising	20,036	0
64300 - Advertising - Jobs	0	0
64304 - Advertising - Marketing/Sales	20,036	0
6A099 - Miscellaneous Operating Expenses	5,507	547
69999 - Other Misc Operating Expenses	5,507	547
DEPARTMENTAL TOTAL	7,541,537	1,602,964
* Included prior year encumbrances		
+ Includes office supplies, polling place supplies, and office furniture		
Mandated Legal Requirements		
Charges from SBE		
Election Specific Costs		
Personnel Charges		
Temporary Personnel Charges		
Overtime Costs		
Benefits		

**DESCRIPTION OF FUND TRANSFERS TO COVER FY15 EXPENSES FOR
THE NEW VOTING SYSTEM AND THE BUILDOUT OF THE NEW WAREHOUSE**

PROJECT	TRANSFERRED FROM	AMOUNT	TOTAL AMOUNT TRANSFERRED FOR PROJECT
NEW WAREHOUSE BUILDOUT	62018 - Computer Equipment	\$27,175.00	
	63634 - Other Communication Services	\$40,789.00	
	60060- Legal/Attorney Fees	\$25,000.00	
	61010 - Computer Equipment (EPBs)	\$42,100	
	61932 - Other Rentals/Leases (DREs)	232,154.00	
	62010 - General Office Supplies	35,000	
	62028 - Other Supplies & Equipment	50,000	
			\$452,218.00

**DESCRIPTION OF FUND TRANSFERS TO COVER FY15 EXPENSES FOR
THE NEW VOTING SYSTEM AND THE BUILDOUT OF THE NEW WAREHOUSE**

NEW VOTING SYSTEM	62028 - Other Supplies & Equipment	\$13,909.00	
	63104 - Sample Ballot Printing	\$23,104	
	63202 - Central Dup - Postage (PO Box)	\$19,385	
	63208 - Other Mail (Sample Ballot Postage)	\$29,780	
	63634 - Other Communication Services	\$7,211.02	
	62010 - General Office Supplies	\$9,590.00	
	62016 - Imaging	\$3,561	
	60326 - Repair/Maint Agmts 0 - Office Equip	\$8,340.90	
	60412 - Moving Services	\$8,555.00	
	60532 - Other Non-Profess. Serv. (Incl. EJ Module)	\$11,426.87	
	61926 - Bld or Space Rental/Leases (Pol. Places)	\$6,343.00	
			\$141,205.79

Report to the Board of Elections

Expansion of Warehouse Space and New Voting System

Background Information:

Warehouse: On July 14, 2014, a Decision Memorandum was sent to Chief Administrative Officer Tim Firestine requesting authorization to move forward with an expansion of existing warehouse space to accommodate the new voting system. The total amount of funding requested was \$476,300.89 which included \$315,681.36 in operating expenses (covered in the Leasing Budget), \$292,105 for buildout expenses, \$35,897 for security, \$2,609.43 for telecommunication, and \$2,500 for moving (a total of \$333,111.43 for the Board of Elections).

On September 24, 2014, Budget Director Jennifer Hughes recommended that the Chief Administrative Officer authorize the department to move forward with the expansion and to use FY15 funds to cover the majority of costs associated with the expansion of leased space by 13,483 square feet. The Chief Administrative Officer approved this recommendation on September 30, 2014. Lease negotiations began between the landlord and the Division of Leasing Services and, in May 2015, the lease was finalized.

The Leasing Division of the Department of General Services recommended that buildout expenses NOT be included in the lease as the amortized cost of the buildout would increase the lease cost unnecessarily. As part of their lease negotiation process, it was determined that the cost of buildout would be paid directly to the landlord by the Board of Elections.

In the interim, staff continued to work with the landlord's architect and the Division of Leasing Services to revise expansion plans as new information was received from the State Board of Elections. Changes were made to the plans as a result, including the addition of a high speed scanner room with an advanced air filtration system to assist with the paper dust that will be emitted from the paper ballots. The expansion plans were finalized, permits were obtained, and work began in early June 2015.

New Voting System: Board members will recall discussions during budget meetings with the County Executive and County Council in which repeated requests were made for funds to cover the cost of the new voting system as identified by the State Board of Elections. Staff also had extensive conversations with the Office of Management and Budget, the County Executive's Office, and County Council Staff. While there is no written documentation to point to regarding this project, in all instances the Board of

Elections was advised that no funds would be included in the budget allocation. We were encouraged to find funding within the existing allocation and, if necessary, a year end transfer or supplemental appropriation would take care of any deficit.

Funding Process

At the end of April 2015 budget reports reflected a potential surplus of \$2,201,732 for the Board of Elections. Staff reviewed anticipated remaining expenditures and made the determination that the cost of the expansion would be accommodated within existing funding levels. During the May 16 Board meeting, staff reported that both the warehouse expansion and FY15 costs for the new voting system would be paid out of the anticipated surplus.

On June 21, after careful review of fiscal year expenditures and anticipated additional expenses, staff moved funds from various line items to cover the costs of the warehouse expansion and new voting system costs utilizing Montgomery County Government's Journal Entry process. Those transfers are detailed in Attachment A. Following posting of the Journal Entries, staff encumbered funds for the State Board of Elections, Seneca Center II LLC (the landlord), and EAI (security and alarm contractor) utilizing the Montgomery County Government's Purchase Order process.

Payment Process

As invoices have been received for work completed, staff has issued payments against the Purchase Orders in accordance with Montgomery County Government Office of Procurement and Accounts Payable policies and procedures. These payments are detailed in Attachment B.

Submitted by Marjorie Roher



RECEIVED
SUPERVISOR OF ELECTIONS

*15 OCT 13 P4:04

October 6, 2015

MONTGOMERY COUNTY, MD

Maryland Motor
Vehicle Administration
6801 Ritchie Highway, N.E.
Glen Burnie, Maryland 21062

410-768-7000
1-800-950-1MVA
CUSTOMER SERVICE CENTER

1-800-492-4575
TTY

www.MVA.Maryland.gov
WEB SITE

Mr. James Shalleck
P.O. Box 4333
Rockville MD 20849-4333

Dear Mr. Shalleck:

Thank you for your letter regarding Ms. Mary J. Phillip's experience at the Maryland Motor Vehicle Administration (MVA) along with the request for a voter registration summary screen. I appreciate the opportunity to address your concerns.

We were previously contacted by the State Board of Elections (SBE) and submitted details regarding this transaction. Hopefully you received that information but the details are listed below.

- When Ms. Phillips received a non-commercial Maryland license in 2010 her Social Security Number (SSN) was not able to be verified because her name did not match with the record through the Social Security Administration (SSA). At the time she was issued a 'non compliant', U restricted "not for federal purposes" license. Customers with a "U" restriction are not presented the motor voter screens within their transactions.
- On June 24, 2015, Ms. Phillips visited Glenmont MVA branch office to renew her driver's license and her SSN was verified. However, because she already had the "U" restriction placed on the previous license, the "U" restriction automatically carried over to the renewed license.
- After completing the transaction, the branch noticed the "U" restriction. That transaction was voided and a call was placed to MVA Headquarters to have the restriction removed.
- After the "U" restriction was removed an electronic query of the SBE's voter table was done. There were no results and therefore Ms. Phillips received the screen to apply to register to vote. The apply to register to vote screen appeared for the following reasons:
 - On SBE's database she is listed as Jacqueline Phillips
 - On MVA's records she is listed as Mary Jacqueline Phillips.
 - SBE's database does not have a driver's license number associated with her voter registration record. This is the primary identifier for matching purposes.
 - If Ms. Phillips had a driver's license number on SBE's file, she would have been presented the "already registered and confirm party registration screens" indicating she was currently registered to vote with an opportunity to update or confirm her record.

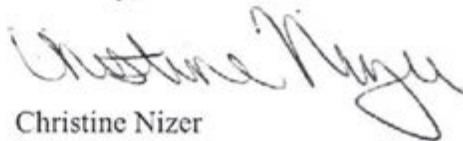
Mr. James Shalleck
Page Two

- Our system indicates that no Customer Agent override was performed during the transaction. This indicates that the "NO" response to the question of applying to register to vote was selected by the customer, Ms. Phillips.

After analyzing this situation we feel a motor voter summary screen would have not helped Ms. Phillips. However, the MVA will do a preliminary level of effort and estimated cost for including a summary screen or a printed receipt regarding a customer's motor voter responses. Once we have conducted an analysis we will be in contact with the State Board of Elections on the feasibility of this effort. Please note that we are currently working closely with SBE and utilizing current resources for same day voter registration implementation. We value the partnership on motor voter issues and remain committed to establishing the most efficient motor voter process possible for Maryland voters.

Again, thank you for your letter. If you have any additional questions or concerns, please contact Mr. Tom Surock, Manager, Motor Voter Program, MVA at 410-762-5143, or via email at tsurock@mva.maryland.gov. Mr. Surock will be happy to assist you.

Sincerely,



Christine Nizer
Administrator

cc: The Honorable Guy J. Guzzone, Senator
The Honorable Craig J. Zucker, Delegate
Ms. Linda Lamone, Administrator, SBE
Mr. James Ports, Deputy Secretary, Maryland Department of Transportation
Mr. Dennis Schrader, Deputy Secretary, Maryland Department of Transportation
Mr. Tom Surock, Manager, Motor Voter Program, MVA

Proposed Amendments Presented to the Board of Elections at a regularly scheduled meeting on October 19, 2015.

1. Amendment to Section 2.3 – Board of Canvassers, subsection D.

This subsection currently reads as follows:

D. No later than 5:00 p.m. on the day of the election, the members of the board of canvassers shall take an oath, administered and recorded by the Clerk of the Montgomery County Circuit Court, to canvass and declare the votes cast truthfully and to perform other duties required by law.

Proposed amendment to read as follows:

The members of the board of canvassers and board counsel shall take an oath, administered and recorded by the Clerk of the County Circuit Court, to canvass and declare the votes cast truthfully and to perform other duties required by law.

1. If there is no early voting the oath must be taken by 5:00 p.m. on election day (see COMAR 33.08.01.02).
2. If there is early voting the oath must be taken before the start of early voting (see COMAR 33.17.06.01).

2. Amendment to Article 3, Meetings, subsection 3.1, Time and Location, subsection E.

The subsection currently reads as follows:

E. Special Meetings. The president of the board may call a special meeting. The President of the board shall notify the board members, election director and counsel.

Proposed amendment to read as follows:

E. Special Meetings. The President of the board may call a special meeting. The President of the board shall notify the board members, election director and counsel. Public notice of a special meeting shall be provided as soon as reasonably practical after a special meeting has been called.