

APPROVED

June 16, 2014

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

In Attendance:

Board Members:

Mary Ann Keeffe, President  
Donice Jeter, Vice President  
Nancy Dacek, Secretary  
Nahid Khozeimeh  
Jacqueline Phillips  
David Naimon

Board Attorney:

Kevin Karpinski

Staff:

Margaret Jurgensen, Election Director  
Alysoun McLaughlin, Deputy Election Director  
Laletta Dorsey, Acting Voter Registration Manager  
Lisa Merino, Office Services Coordinator  
Marjorie Roher, Management and Budget Specialist III  
Janet Ross, Information Technology Manager  
N. Christine Rzeszut, Operations Manager  
Gilberto Zelaya, Outreach Coordinator

Guests:

Rachel Silberman  
Michael Subin

**Convene the Board Meeting and Declare a Quorum Present**

Ms. Keeffe called the Board Meeting to order and declared a quorum present at 2:35 p.m.

## **Public Comments**

No comments were given.

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## **Additions/Changes to the Agenda**

Ms. Jurgensen requested an Early Voting Update under 2014 Gubernatorial Primary Election Preparation and an Executive Session to discuss litigation.

## **Approval of the May 19, 2014, Board Meeting Minutes**

The Board was sent the May 19, 2014, minutes in advance. Ms. Roher noted that an edit was made to the minutes on page 7, second paragraph, line two, adding "Mrs. Khozeimeh." Mrs. Khozeimeh made a motion to approve the minutes as amended. The motion was seconded by Mrs. Jeter and carried unanimously.

## **Election Director Report (Incorporated as attachment A)**

### **Personnel**

Ms. Jurgensen reported that the Board of Elections has hired Lisa Merino as an Office Services Coordinator in Administration. The Board welcomed Ms. Merino.

### **Budget**

Ms. Jurgensen reported that the Board of Elections staff has been working several hours outside of routine business hours to prepare for the delivery of equipment and supplies for Early Voting requirements. The hours have impacted the overtime budget.

Ms. Roher acknowledged Ms. Jurgensen's statement, adding that the issue was discussed in previous Board meetings that the temporary employee and overtime budget would increase in the last month going into the new fiscal year. However, the full impact will be reflected on next month's budget report. Ms. Roher stated that the budget may reflect a slight surplus in temporary personnel, as a part of the Primary Election occurs in FY15 and will be spent then. Mr. Naimon inquired if the surplus can be used in the following fiscal year; Ms. Roher responded that, according to the budgetary guidelines, no surplus of funds can be carried over. She added that the full budgeted amount for the election judge stipend has been accrued from this year's budget to be paid in FY15.

Ms. Roher stated that the final SBE bill has yet to be submitted. Mr. Naimon inquired if there is an estimated amount of what will be billed from the State. Ms. Roher responded that the amounts billed vary and there is no way to estimate or anticipate what will be billed. She noted that the allocated funds for the State will be encumbered for use when the bill is received.

Ms. Phillips inquired about the estimated cost for the Early Voting process. Ms. Jurgensen responded that, in the past, the Office of Management and Budget and State Legislature have always treated Early Voting and its sites as an additional polling place, not as an "additional election." Staff has allocated a line item to better estimate funds spent during Early Voting that includes personnel, equipment, supplies, and mileage. Ms. Jurgensen will provide an estimated cost of Early Voting to the Board once numbers are available.

## **Voter Registration**

Ms. Jurgensen reported that Voter Registration closed on June 3, 2014, and all documents that were received on a timely basis were entered into the system. She stated that data will be prepared for the Electronic Poll Books used for Early Voting by Sunday; at that time, a final cross check will be done with DMV and Social Security to validate any pending voters.

Ms. Jurgensen reported that Jennifer Badgley contacted the office stating that she completed a voter registration form on March 15 at the Silver Spring DMV and apparently it was not transferred to the Board of Elections nor the State Board of Elections (SBE). Upon research, no such record was found at DMV, SBE, or the Board of Elections. During the process of searching, two voter registrations were discovered at the White Oak MVA; both were received at DMV timely. SBE is working with the vendor to attempt to add the applications as timely. Information will be available Saturday if the attempt to add the names was successful. A voter notification was sent to both individuals. Ms. Jurgensen sent Ms. Badgley a letter notifying her that she may vote provisionally and requested that she write a letter to the Board stating why we should process/accept her provisional ballot – noting the issue was brought to the Board of Elections. Once staff comes across her provisional ballot, it will come to the Board of Canvassers with the letter for approval or rejection. Mr. Naimon inquired how her application was done; Ms. Jurgensen responded that Ms. Badgley filled out a paper application and dropped it in the box located at the DMV. The Board members expressed their concern regarding how often the box is checked, the security of the box, the staff at DMV that check the box, and noted that a lot can go wrong with the process of paper applications. The Board inquired who trains the staff at DMV and Ms. Jurgensen responded that the staff (all front line employees) at DMV are trained by Tom Ciroc who is the liaison between SBE and DMV.

Ms. Jurgensen provided a final count of registered voters.

Ms. Keeffe stated that during her visits with Mrs. Khozeimeh to Early Voting sites, they encountered issues regarding voters who had moved within the same building complex and had different apartment numbers in the poll books. According to these individuals, they noticed the different apartment numbers when their sample ballot was received, and they called the Board of Elections to inquire what the process is to update their address. Staff directed the voter that the apartment could be updated once they went to their polling place. Upon arriving at the Early Voting site, they were asked to vote a provisional ballot (they were not told this) and their apartment number would then be updated. They expressed concern that their vote would not be counted if they voted provisionally. Ms. Keeffe assured the voters that their provisional ballot would be reviewed and then counted according to State guidelines and regulations. Mr. Karpinski stated that if this concern were to come up again, staff and Board should remind voters they have the ability to check if their vote was counted through the State Board of Elections' website. Ms.

Jurgensen assured the Board that the call center provides clear and sufficient information to callers.

### **State Board of Elections**

Ms. Jurgensen stated the deadline to request a ballot to vote by mail is Tuesday, June 17, 2014, at 11:59 p.m.

Ms. Jurgensen reported that Runbeck has transmitted ballots to voters. She stated that several boxes of return envelopes were incorrectly synched with the wrong county. This was discovered prior to June 1, 2014. The report finds that no Montgomery County voter has been affected to date. Staff has received two Carroll County ballots; the process will be to send a copy of the signature to the county and then send the ballot via tracked mail.

Ms. Jurgensen reported that the Federation of the Blind sued the Maryland State Board of Elections regarding the online ballot marking tool and its usage. The hearing was held June 11, 2014. A hearing date will be held in August; however, the judge is not allowing the marking tool be used for the Primary Election.

Ms. Jurgensen reported that the Request for Proposal ("RFP") for the new voting system has not yet been posted and no further information is available.

Ms. Keeffe inquired if the Board had seen a copy of Linda Lamone's response to her letter regarding the optical scanner allocation. The Board members indicated they had not seen the letter. Ms. Keeffe summarized the response. She and other Board members expressed their concern on the impact the State's response would have in Montgomery County. Ms. Jurgensen will make the response available to the Board members.

### **Board Attorney Report**

No report was given.

### **Old Business**

#### **Website**

Ms. Jurgensen reported that the Board of Elections' website was redesigned with the aid of Chris Daniels from the Department of Technology Services (DTS) with the focus on Early Voting. Ms. McLaughlin provided screen shots of the mobile version of the Board of Elections' website. She stated no statistics are currently available; however, she noted that there have been about a thousand visits to the site. Ms. Keeffe expressed her appreciation and thanks to the revamped website and the fast action taken by staff.

## **2014 Gubernatorial Primary Election Preparation**

### **Election Judge Update**

Ms. Jurgensen requested a motion to appoint the Election Judges for Early Voting and Election Day. Mrs. Dacek made a motion to direct the Election Director to make the appointment of Elections Judges for Early Voting and Election Day. The motion was seconded by Ms. Keeffe and passed unanimously.

Ms. Jurgensen stated that staff continues to recruit additional judges; very few precincts will open with the legal minimum of judges, as many of them have above the number needed. All precincts will open with a Spanish speaking judge. She stated that this is "drop out week" so the name and numbers listed remain in flux. Ms. Keeffe inquired if judges are still needed; Ms. Jurgensen responded we should have at least six election judges to rotate staff. Staff will do as much as they can to place additional judges in precincts with less than six.

### **Supply Equipment Update**

Ms. Jurgensen stated that public testing was conducted on June 2 and 10, 2014, at 10:00 a.m. and everything tabulated correctly. The Optical Scan Units were tested at that time and the units have been prepared for Election Day and respective canvasses. She added that precinct registers, one of the largest print jobs for the county, started to arrive on Saturday and will be packed into supply bags for all polling places. Touch screen voting equipment preparations have been completed. The electronic poll books will be delivered on Monday, June 23, 2014, by the county vendor.

### **Board Calendar**

Ms. Jurgensen reminded the Board that, on Thursday evening, they will need to verify the polling place supply bags and then proceed to their assigned Early Voting site.

Ms. Roher reviewed an updated Board calendar. Board members confirmed their availability. Mr. Karpinski stated that if he was needed to visit a polling place Monday or Tuesday morning he would offer his services pro-bono. Ms. Roher will send the Board a revised calendar.

Ms. Jurgensen stated that Mr. Karpinski will review the canvass data and new audit procedures. The Board then discussed the Canvas and Audit dates and new procedures.

### **Election Day Visitors**

Ms. Roher reported that Tiffany Arnold from the *Gazette* has been given credentials to all media polling places; Ms. Arnold will provide a preferred site and time of arrival as the Primary Election nears. Howard University students would like to visit Precinct 13-21, Takoma Park Middle School, information will be provided to Ms. Phillips as it is her assigned site. Ms. Roher stated

since the media request visits are low, the additional volunteers that were to help on Election Day will not be called upon for the Primary Election.

## **New Business**

### **Early Voting**

Ms. Jurgensen reported that all nine Early Voting Centers opened on time every day. She added that there is an average of forty provisional ballots per day, due to address changes. The Board is receiving voter turnouts nightly from Ms. Jurgensen.

Ms. Jurgensen stated that the Silver Spring Civic Center was evacuated at 7:40 p.m. on Saturday night due to food burning in the kitchen. The smoke activated the sprinkler system; one of the sprinkler heads blew off and created a stream of water which flooded the area and the nearby elevator shaft, resulting in six to twelve inches of water. She added the Fire Department, Department of General Services, and Community Use of Public Facilities arrived quickly and were very cooperative. Ms. Jurgensen reported that a fire watch was imposed for that evening and the Early Voting Center opened on time Sunday morning. Two voters had just checked in as the fire alarm sounded off, and three individuals who claimed to be there prior to eight o'clock wanted to cast their vote. Ms. Jurgensen contacted Board Attorney, Mr. Karpinski, and State Administrator, Linda Lamone. Ms. Lamone allowed the three individuals to vote via provisional ballot, the other two remained until all was clear and they were able to cast their vote that evening. Ms. Jurgensen thanked the Early Voting Manager, Ruehl Michlin, election judges who served that day, Mrs. Rzeszut, and Ms. McLaughlin who all assisted in keeping the communication lines open and to Fire Chief Steve Lohr for making Operations Chief John Dimitridis available as our communication liaison. Ms. Philips asked that a letter be drafted on behalf of the Board to thank the Fire Chief; the Board agreed. A thank you letter was also sent by Ms. Jurgensen.

Ms. Jurgensen stated that after Ms. Keeffe and Mrs. Khozeimeh visited several Early Voting sites, they had suggestions for improvements. Upon their requests, changes were made. Ms. Jurgensen and staff have a running list of items to be reviewed. Admittedly, there were some lessons to be learned with nine locations and new additions launching for the Primary, but overall the voters have had no problems voting. All locations meet the State Board of Elections' requirements. She added that a few complaints have been submitted regarding aggressive campaigning and excessive signage.

Ms. Keeffe stated there is a universal problem with parking. She added that parking is limited due to campaign workers parking; Board members agreed. Ms. Keeffe suggested that staff reach out to campaigns and election judge personnel and ask that campaign workers park on the street or further from the building, allowing voter's accessible parking. Ms. Jurgensen responded that staff will reach out to political parties, campaigns, and candidates requesting them to leave priority parking for voters. She added that Election Judges are asked during training to park further from the building. Mrs. Jeter requested that a table cloth or skirt be put on all Electronic Poll Book tables to shield the cords and prevent someone from tripping; overall her opinion was that everything went well and voters were happy with the new Wheaton location. Mrs. Jeter provided numbers for voter turnout for each site, adding that the turnout is better than in years past. Ms. Jurgensen noted that staff will meet and discuss specific issues and requested that if the

Board had items to be discussed, they email them to her. Mrs. Dacek requested that additional bright signage be placed on the main road for the Early Voting site in Damascus. Ms. Phillips was delighted to see several individuals who were interested in signing up to be election judges, as she distributed "I voted" stickers.

## **Future Meetings**

- A. June 19, 2014 - Last Day of Early Voting – Bag Check
- B. June 24, 2014 - Election Day
- C. June 26, 2014 - Absentee I Canvass Begins 10:00 a.m. to 7:00 p.m.
- D. July 2, 2014 - Provisional Canvass Begins 10:00 a.m. to 7:00 p.m.
- E. July 7, 2014 - Absentee II Canvass Begins 10:00 a.m. to 7:00 p.m.
- F. July 17, 2014 - Certification/Audit
- G. July 21, 2014 - 2:30 p.m.
- H. August 18, 2014 - 2:30 p.m. - *Tentative*
- I. September 15, 2014 - 2:30 p.m.
- J. October 20, 2014 - 2:00 p.m. with Early Voting Cage Supply Check
- K. October 23, 2014 - First Day of Early Voting
- L. October 30, 2014 - Last Day of Early Voting
- M. November 4, 2014 - Election Day
- N. November 6, 2014 - Absentee I Canvass Begins 10:00 a.m. to 7:00 p.m.
- O. November 12, 2014 - Provisional Canvass Begins 10:00 a.m. to 7:00 p.m.
- P. November 14, 2014 - Absentee II Canvass Begins 10:00 a.m. to 7:00 p.m.
- Q. November 17, 2014 – *Tentative*
- R. November 25, 2014 – Certification/Audit (TBD)
- S. December 15, 2014 – 2:30 p.m.

Mrs. Khozeimeh made a motion to move to Executive Session. The motion was seconded by Mrs. Dacek and carried unanimously. The Board convened in Executive Session at 4:00 p.m.

\*\*\* Laletta Dorsey, Janet Ross, Chris Rzeszut, Rachel Silberman, Michael Subin, and Gilberto Zelaya left the room at 4:01 p.m. \*\*\*

## **Report on Executive Session**

The Montgomery County Board of Elections convened in Executive Session at 4:01 p.m., pursuant to State Government Article 10-508(a)(8) to discuss a litigation matter.

The Montgomery County Board of Elections met in closed session on this date. The following members of the Board and staff were in attendance: Mary Ann Keeffe, Nancy Dacek, Donice Jeter, Nahid Khozeimeh, Graciela Rivera-Oven, David Naimon, Jackie Phillips, Margaret Jurgensen, Alysoun McLaughlin, Marjorie Roher, and Lisa Merino.

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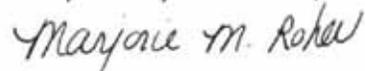
The Board discussed a matter regarding the Office of Special Prosecutor.

With no further business, Mrs. Khozeimeh moved to adjourn the Executive Session. The motion was seconded by Ms. Keeffe and carried unanimously. The Board meeting reconvened in regular session at 4:07 p.m.

**Adjournment**

With no further business, Ms. Jeter moved to adjourn the regular session. The motion was seconded by Mrs. Dacek and carried unanimously. The meeting adjourned at 4:07 p.m.

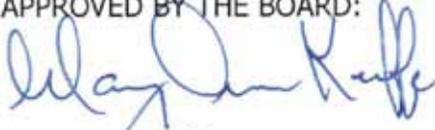
Respectfully Submitted,



Marjorie M. Roher

Management & Budget Specialist III

APPROVED BY THE BOARD:



Mary Ann Keeffe  
President

June 15 2014

## Director's Report

I wish I had more time. Overall everything is going well. All deadlines have been met.

Voter registration data has been uploaded and transferred to the GEMS database. There are three known voters that will have an issue when they arrive at the polls. They will be required to vote a provisional ballot. We have contacted those individuals using e-mail or US Postal Service. We are working with SBE staff to address the issue with Dept. of Motor Vehicles where paper voter applications were misplaced.

Supplies are arriving and in most cases packed for the polling places. Precinct registers, one of the largest print jobs for the county started to arrive on Saturday for packaging into the supplies for the precincts.

Touch screen voting equipment is completed. Delivery commences on Monday for numerous polling places. The data base is expected to be transferred to the State Board of Elections upon completion of the proofing of the data base GEMS voter census. This data is critical for the audit.

The electronic poll books will not be prepared for delivery until Monday, June 23, 2014. The update of all voters utilizing Early Voting and Absentee will need to be added to the data base of the Electronic poll book for Election Day.

Voter registration data has been uploaded and transferred to the GEMS database. There are a three known voters that will have an issue when they arrive at the polls. We have been in contact via e-mail or US Postal Service. They will be required to vote a provisional ballot.

Early Voting is going well. All nine Early Voting locations opened on time every day. Overall we have averaged about a total of 40 Provisional ballots from all nine locations, daily. The majority are change of address issues. I am trying to send updates on voter turnout numbers at least nightly and try to get the afternoon count to all of you. Margie also has the information if you call her.

We had a fire at the Silver Spring Civic Center that caused the facility to evacuate at 7:40pm on Saturday night. We had wonderful cooperation from the Fire Department, Dept of General Services and Community Use of Facilities. We opened on time Sunday morning.

Admittedly, we have had some lessons learned with nine locations launched for the Primary but overall the voters have had no voting opportunity encumbered by electronic or election judge failures. We have received a few complaints about aggressive campaigning and excessive signs. The City of Gaithersburg had an issue with storing campaign materials but it has resolved. They also changed the mowing schedule for the grounds so that no one would touch the signs placed at the site until Friday.