

APPROVED

**TELE-CONFERENCE
MEETING OF THE MONTGOMERY COUNTY BOARD OF ELECTIONS
Following Executive Session Preceding the Public Session**

18753-210 North Frederick Avenue, Gaithersburg, Maryland

September 8, 2020

In Attendance Via Phone:

Board Members:

James F. Shalleck, President

Nahid Khozeimeh, Vice President

David A. Naimon, Secretary

Diane Nash Dillon

Elisse W. Barnes

Jacqueline L. Phillips

Alan Banov

Board Attorney Kevin Karpinski

Staff:

Margaret Jurgensen, Director

Alysoun McLaughlin, Deputy Director

Christine Rzeszut, Operations Manager

Public:

Maryam Shazad

Audio of the meeting may be found on YouTube at the link below:
<https://www.youtube.com/watch?v=GlvBQ5rp2k4&feature=youtu.be>

Convene the Board meeting and Declare a Quorum Present [:13]

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

Board President Remarks [:40]

Mr. Shalleck and Members discussed with the Board Attorney the rules and procedures for dealing with personnel matters in executive session and then addressing the rest of an agenda. Mr Karpinski concurred that the proper procedure is to make a motion to go into closed session for personnel discussions. Following the discussion, the Board will return to open meeting for a vote on the proposals discussed in executive session.

Ms. Khozeimeh moved that the meeting be adjourned and the Board go into public session.

While waiting for a technology problem to be resolved, Mr. Shalleck asked for clarification: could decisions made today with regard to paying election judges be amended later if circumstances change. Ms Jurgensen answered in the affirmative.

Mr. Naimon asked what the matter is before the Board at this meeting. Ms. Jurgensen stated that approval was sought to establish the pay for the election judges while the agency is recruiting.

Mr. Naimon asked what the decision was; Mr. Shalleck said he wanted the Board to vote on what had been discussed in the 2:00 executive session. Mr. Naimon made a motion to defer a vote on the issue until September 14; Mr. Shalleck said he denied that motion and that the bylaws give the president the right to set the agenda. Mr. Naimon countered that the bylaws didn't give the president the right to deny motions, that he had been called on and wanted to make a motion.

Mr. Shalleck asked if there was a second to Naimon's motion; a second was called by Dr. Barnes; Mr Shalleck called for a vote.

Mr. Naimon said he wanted to speak to his motion before the vote by "giving the short version of what [he] said in executive session": without having more information about the canvass and whether it was going to be open or front facing or back facing, it is premature to act on this recent decision of the State Board to allow county boards of election to decide whether the canvass will be open to the public (because of public health issues related to Covid recovery concerns). He proposed to delay the vote on judges' hazard pay until the September 21 meeting when the Board is scheduled to vote on the openness of the canvass, and a decision can then be made about pay for canvassers.

Mr. Shalleck asked whether there was further discussion; none being requested, he called for a vote on Mr. Naimon's motion. The motion was defeated with two voting aye (Mr. Naimon and Dr. Barnes) and three voting against it (Mr. Shalleck, Ms. Khozeimeh, and Ms. Dillon).

Mr. Shalleck asked whether there were any other motions.

Ms. Khozeimeh made a motion to accept the staff recommendation to give canvassers an additional stipend of \$20 per day as hazard pay; the motion was seconded.

Mr. Shalleck asked if there was further discussion. Mr. Naimon asked for discussion, and moved to amend the motion to increase hazard pay by \$50 per day; a second was made by Dr. Barnes. Mr. Shalleck called the vote; with a single aye vote by Mr. Naimon the motion to amend was defeated.

Mr. Naimon stated that he will vote against the original motion because he wants canvassers to get more pay and the BOE to make efforts to limit hazards so the canvass can be open to the

public, and to make decisions that could ultimately lead to higher pay for permanent staff. He stated that he did not think that the decisions being made had been adequately thought out on the heels of the State Board's decision the previous Friday to allow counties to potentially close the canvass.

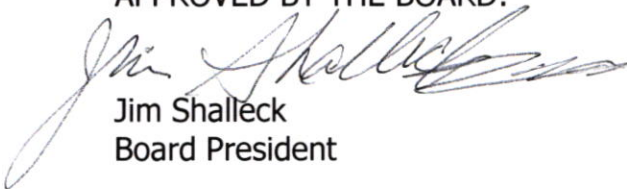
Mr. Shalleck asked Ms Jurgensen whether she had told the board the decision about pay could be adjusted in the future. Ms Khozeimeh repeated her motion; she answered that the decision can be altered later.

Ms. Khozeimeh moved that the staff recommendation be approved per her original motion; Ms. Dillon seconded the motion; Mr. Shalleck called the vote; the motion was approved with a single nay vote (by Mr. Naimon).

Mr. Shalleck asked for a motion to adjourn; that motion was made by Ms. Khozeimeh and seconded by Ms. Elisse Barnes; the motion was passed without objection, and Mr. Shalleck adjourned the meeting until the next meeting on September 21 at 2:30.

Respectfully Submitted,
Lisa Merino
Administrative Specialist II

APPROVED BY THE BOARD:



Jim Shalleck
Board President