

**MEETING OF THE MONTGOMERY COUNTY BOARD OF ELECTIONS**

18753-210 North Frederick Avenue, Gaithersburg, Maryland

**May 17, 2021**

**In Attendance:**

**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  
Boris Brajkovic, Voter Services Manager  
Kera Bumbray, Management and Budget Specialist  
Lisa Merino-Dean, Administrative Specialist  
Janet Ross, Information Technology Manager

**Guests:**

Cheryl Kagan, State Senator – District 17

Audio of the meeting can be found at:

<https://youtu.be/uVyV92WEUJM>

**Board of Canvassers [:25]**

Mr. Shalleck called the Board of Canvassers meeting to order and declared a quorum present at 2:32 p.m.

The Board members reviewed one ballot from Australia which was received on March 16, 2021 and intended for the Primary election.

Mrs. Khozeimeh moved to reject the one ballot received as too late. The motion was seconded by Ms. Dillon and passed unanimously.

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With nothing further to discuss, Mrs. Khozeimeh moved to adjourn the Board of Canvassers meeting and move into the regular Board meeting at 2:35 p.m. The motion was seconded by Ms. Dillon and passed unanimously.

## **Board Meeting [2:12]** **Convene Board Meeting**

Mr. Shalleck called the Board meeting to order and declared a quorum present.

## **Remarks [2:54]**

The Board discussed the option to have attendees not show their face if they are not addressing the Board. Mr. Shalleck expressed concern that attendees have been showing their day to day activities, like cooking, eating or having personal conversations, etc. while their face is shown during the Board meeting. Mr. Naimon suggested that some attendees may want the Board members to know that they are attending and are interested.

Ms. Jurgensen requested that staff have an opportunity to see how other jurisdictions handle videos of non-members during meetings. The Board agreed.

## **Additions and Changes to Agenda [2:33]**

Mr. Shalleck announced that an Executive Session meeting will be held to discuss a personnel matter.

Mr. Shalleck noted that Approval of Minutes will be moved on the Agenda after Campaign Contributions.

Mr. Naimon asked that Board website be added to the end of the Director's Report for each meeting.

## **Campaign Contributions [7:31]**

There were no campaign contributions disclosed.

## **Public Comments [8:15]**

There were no public comments.

## **Board Meeting Minutes [9:05]**

Mrs. Khozeimeh moved to accept the January 25, 2021, February 22, 2021, and the April 19, 2021 Board meeting minutes, as amended. The motion was seconded by Ms. Dillon and passed unanimously.

Board members thanked Mr. Banov and Mrs. Merino-Dean's efforts in preparing and editing the minutes.

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Dr. Barnes requested that timing marks be added to the minutes moving forward.

### **Election Director Status Report [17:05]**

#### **Announcements**

Ms. Jurgensen reported that the monthly statistics were posted and emailed to the Board on May 3.

She added that the County Council Work Session approved the Board of Elections' budget on May 12 and the final budget approval is scheduled for May 27, 2021 before the County Council.

#### **Personnel [17:50]**

Temporary Information Technology staff will continue to be on site through May 28 to complete the post-election maintenance of equipment and inventory.

#### **Budget [18:26]**

Ms. Bumbray provided a detailed spreadsheet in advance of the meeting.

#### **Voter Registration [18:43]**

Ms. Jurgensen reported that staff is working on packing materials from the 2020 election and preparing to store voter information as mandated.

#### **State Board of Elections [19:17]**

Ms. Jurgensen reported that the SBE's Pollbook RFP is moving forward, although no decision has been made at this time. Staff has been advised that the issue is set to be discussed at the Board of Public Works in August.

Mr. Naimon inquired if the Board of Public Works will determine who will be responsible for the cost of equipment. Ms. Jurgensen responded that as of the now, SBE's position is that local boards are responsible for 100% of the cost. She added that Ms. McLaughlin reported that the Maryland Association of County Officials (MACO) tried to get this item passed as part of Senator Kagan's legislative proposal this most recent year. MACO has also tried to get this issue addressed in one of Senator Kagan's bills.

Senator Kagan requested to address the Board. She stated that the measure did not move forward. She added that she is looking at emergency legislation to be brought back in January, although there are no guarantees.

The Board members inquired if the statute already anticipates state/county sharing of expenses for election equipment. Mr. Karpinski responded that it does not address it. Senator Kagan noted that postage was addressed specifically, noting that the cost would be shared by the State Board of Elections (SBE) and

local boards. Mr. Karpinski noted that local boards are not part of the RFP process and have no say on the final decision on equipment. Yet, they are ultimately responsible for 100% of the cost to lease this equipment.

The estimated cost for pollbooks across the State is \$31 million and Montgomery County will be charged 17% or 18%, which is estimated at \$5.25 million. Mr. Naimon noted that the Board's entire budget is about \$8 million and exclaimed this was absurd. Ms. Phillips agreed and recommended strong opposition to this.

It was determined that Ms. McLaughlin will reach out to Maryland Association of Election Officials (MAEO) and MACO to inquire of their positions and report it to the Board on June 1. At that point, Mr. Naimon suggested, if there wasn't good progress on this issue, our Board can start voicing our concerns, such as with a letter. Ms. Phillips recommended that at a minimum we write a letter.

Ms. Jurgensen added that the voting upgrade system is in the testing phase. It will be determined if the upgrade will begin in July. In answer to a question by Ms. Dillon, Ms. Ross explained that the upgrade will include revising the software to permit uploading of images as well as numbers, as well as placing all candidates for a given office on one screen on the ballot marking devices.

She added that the deadline to submit Early Voting locations is October 29, 2021, so that the Board must make its decision at its meeting in October 2021.

Ms. Jurgensen noted that the website has been updated to highlight the Board meeting, as requested by the Board. Mr. Naimon requested that staff share important upcoming dates for the 2022 election.

Mr. Naimon requested that all election dates and deadlines be presented at the June meeting. He also asked that links to vote by mail options be added to the home page of the website.

#### **Board Attorney Report [51:02]**

Mr. Karpinski reported he received updates to COMAR regulations regarding election issues and that he will share the link with the Board.

#### **New Business [51:36]**

Ms. Jurgensen reported that the mandatory Biennial State Board of Elections Conference will be held with MAEO and is scheduled for August 25 in Ocean City. It will be held in person with virtual options. Additional details, once received, will be shared with the Board.

**Action Items:**

- Staff will learn how other jurisdictions handle videos of non-members during meetings.
- Updates on the Board website will be included in the Director's Report for each meeting.
- Ms. McLaughlin will reach out to MAEO and MACO to inquire about their positions regarding cost sharing for the pollbooks.
- Mr. Naimon requested that staff share important upcoming dates and deadlines for the 2022 election.
- Mr. Naimon requested that all election dates and links to vote by mail options be added to the home page of the website.
- Mr. Karpinski reported he received updates to COMAR regulations regarding election issues and will share the link with the Board.
- SBE Biennial mandatory meeting information will be shared with the Board.

Response to Mr. Banov's observations from the 2020 Presidential Election can be found [here](#).

The Board inquired if sites for the 2022 election have been identified. Ms. Jurgensen responded that information on Early Voting Centers will be shared at the June Board Meeting. Dr. Barnes asked why only one room will be used for Early Voting at the Potomac Community Rec Center. Ms. Jurgensen responded that during the primary we will be competing for space in recreation centers with the Department of Recreation, which will have summer camps at that time. During the pandemic, Mr. Karpinski added, the public was not going to recreation centers so we had more space available for voting. Ms. Jurgensen noted that the Board will be choosing two additional Early Voting sites for the 2022 elections.

The Board then discussed the need to make site selections early for the benefit of voters. In addition, they discussed the desire to better streamline communications with Board members when they are out visiting sites. Mr. Banov and Mr. Naimon recommended that Board members encountering issues during elections contact Ms. Jurgensen, Ms. McLaughlin, and Mr. Karpinski directly.

**Future Meetings**

The next Board meeting will be held on June 21, 2021.

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**Adjournment**

With nothing further to discuss, Ms. Khozeimeh moved to adjourn the meeting at 4:02p.m. The motion was seconded by Mr. Banov and passed unanimously.

**Report on Executive Session**

The Montgomery County Board of Election convened in Executive Session at 4:03pm, pursuant to State Government Article, Sections 10-508(a)(2)(7) and (10), to discuss a personnel matter. The following were in attendance virtually: James F. Shalleck, Nahid Khozeimeh, David Naimon, Diane Nash Dillon, Elisse Barnes, Jacqueline Phillips and Alan Banov, in addition to the Board Attorney, Kevin Karpinski.

Respectfully Submitted,



Lisa Merino  
Administrative Specialist II

APPROVED BY THE BOARD:



James F. Shalleck  
Board President