

Meeting Minutes
Monday, March 20, 2023
MONTGOMERY COUNTY BOARD OF ELECTIONS
Virtual Board Meeting via Zoom

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In Attendance

Board Members:

Nahid Khozeimeh, President (in person)
Diane Nash Dillon (virtual)
David A. Naimon, Secretary (virtual)
Amoretta Hoeber (virtual)
Elisse W. Barnes (virtual)
Alexander Vincent (virtual)
Alan Banov (virtual)

Board Attorney:

Kevin Karpinski (in person)

Staff:

Boris Brajkovic, Director
Alysoun McLaughlin, Deputy Director
Janet Ross, IT and Training Manager
Chris Rzeszut, Operations Manager
Mindy Williams, Operations Manager
Lisa Merino-Dean, Administrative Specialist

A video of the meeting may be found on YouTube at the link below:
<https://youtu.be/V7Qvb3UAXHE>

Board of Canvassers Meeting

Mrs. Khozeimeh convened the Board of Canvassers meeting at 2:30 p.m. and declared a quorum present.

Mr. Brajkovic presented 2 untimely ballots that arrived at the Board of Elections after the statutory deadline of 10:00 a.m. on the 10th day after Election Day -

- 1 came from an overseas voter; it was postmarked on Election Day
- 1 was sent within the US; it was date stamped on November 14

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

Ms. Dillon moved to adjourn the Board of Canvassers meeting and move into the regular Board Meeting. The motion was seconded and passed unanimously.

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Board of Elections Meeting

[0:02:00] Convene Board of Elections Meeting and Declare Quorum Present

President Remarks

Mrs. Khozeimeh thanked the Board and staff for their work.

Additions/Changes to the Agenda

No changes were made.

Campaign Contributions

No contributions were reported.

Public Comments

There were no public comments.

[0:03:00] Election Director's Report

Mr. Brajkovic reviewed his Director's report that was provided to the Board in advance. The full report can be found [here](#).

In response to Mr. Vincent's questions about the postcards mailed to eligible but not registered voters, Mr. Brajkovic confirmed that the State Board, not the local Board, prepares and mails the postcards using data from ERIC and MVA. The BOE does not have access to the mailing list from the State.

Mr. Banov asked what best practices are coming out of working group discussions. Mr. Brajkovic shared examples of the categories, such as social media and outreach, election judge retention, and engagement in non-election years. He will report more after working groups have completed their work.

Mr. Naimon asked how members of the Board can share their ideas and engage in what is being discussed in working groups. Mr. Brajkovic will report what's being discussed in working groups and will take Board members' ideas to them as well. He will also accept any ideas from the Board to submit to the working groups.

On personnel matters, Mr. Brajkovic responded to Mr. Banov that positions are being posted and filled in coordination with the County Human Resources Department. Priority is being given to the IT and finance positions. Laletta Dorsey is the Acting Voter Services Manager for now.

Mr. Brajkovic also described the budget situation. He noted that, because of the postponement of the primary election by the courts, the Board conducted the primary and general elections in one fiscal year.

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He also reported that the County Executive added about \$1.6 million to the Board's FY23 year budget for FY24.

Ms. Dillon asked about the maintenance of active, inactive, and cancelled voter records. Mr. Brajkovic confirmed that the voter database contains these records, and voters' eligibility status is clearly identified in the database.

Regarding proposed legislation, Mr. Naimon asked what operational issues the BOE would face if the 2024 primary date is moved to the second Tuesday in May. Mr. Brajkovic responded that typically schools administer tests in May so the Board staff will have to communicate with MCPS about property availability. Additionally, the BOE operations schedule and projected expenses will have to be refigured.

In response to Mr. Banov's question about current election judge compensation, Mr. Brajkovic reported that BOE compensation was initially \$180.00, but was raised to \$200.00 by the County Executive. Ms. Williams addressed Mr. Banov's question about recycling shredding paper waste by sharing that there is no charge for the shredding service and that the shredding company can sell what it shreds.

Mr. Vincent asked about overtime expenses and election judge stipends for the 2022 election as listed in the supplemental request. Mr. Brajkovic explained the supplemental request is to make up the difference between what was budgeted and what was actually spent in the fiscal year. Election judge stipends are reflected in the budget line item, "60530, Other Professional Services."

Ms. Hoeber asked how much the recount added to the budget. Mr. Brajkovic will prepare the numbers for the next Board meeting.

[0:34:55] Board Attorney Report

Responses to the Board's recommendations to Maryland State Administrator of Elections, Linda Lamone, were distributed to the Board prior to the meeting. The Board expressed concern that no changes will be made to the ballot marking devices for the 2024 election cycle. The limited number of candidates per page will continue to be a problem in 2024.

Over the weekend, as Mr. Karpinski explained, plaintiffs in the *Gibson* case filed an emergency motion for preliminary injunction, which is essentially a motion for reconsideration of the court's order that dismissed the case, on a motion to dismiss, for lack of standing. Plaintiffs have dropped all the counties from the case and are proceeding against the State of Maryland, Office of the State Prosecutor, Center for Tech and Civic Life, Ms. Lamone, and the State Board of Elections.

Mr. Karpinski recommended the Board send another letter to the State Board expressing its extreme disappointment that the process of changing ballot marking device screens began in 2016 and that, despite being told that corrections would be made in 2018, nothing has been done.

Mr. Naimon reported that during a Senate Education, Energy, and the Environment Committee briefing, Maryland State Board Administrators indicated a change in equipment is expected in 2026 and they were not sure it would be cost effective to fix the BMD problem for the 2024 election cycle.

Ms. Hoeber moved that Mr. Karpinski draft a letter to Ms. Lamone for Board review. The motion was seconded by Ms. Dillon and passed unanimously.

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Ms. Barnes asked for a copy of the previous letter that was sent to the State Board regarding the BMDs and other issues. Mr. Karpinski said he would provide it to the Board.

[00:45:10] New Business

No new business items.

[00:31:42] Old Business

Ms. Dillon expressed appreciation to Mr. Brajkovic and staff for providing the Center on Tech and Civic Life (CTCL) grant report. She would like to see the CTCL original solicitation to apply for the grant. Mr. Brajkovic recalls the initial application was online and there was no booklet, pamphlet or other printed materials soliciting applications. He will look for what Ms. Dillon is requesting. Ms. Dillon explained that she categorically opposes any private, third-party funding of elections. Her concerns about CTCL are about their overall program and collection of data. Mr. Naimon followed up by noting that the grant money was not spent on anything controversial and questioned how there was any "data mining." He also said he had no objection to the grant's funding nonpartisan activities by the Board and expressed hope that the Board has a document trail for any solicitation of grant money. Ms. Dillon responded that she opposed any third-party funding of elections, but she has no concerns about how the Board spent the money from this particular grant.

[00:56:00] Action Items

The Board wants –

- a more detailed presentation on lessons learned;
- to know the cost of the recount; and
- CTCL grant solicitation material, if available.

Mr. Karpinski will draft a Board letter to the State Board according to the earlier discussion.

[00:57:00] Approval of Minutes

Mr. Vincent moved to accept the February 23, 2023 minutes as amended. The motion was seconded by Ms. Dillon and passed unanimously.

[00:57:45] Future Meetings

All meetings begin at 2:30pm unless otherwise indicated

Dates are subject to change

- A. April 17, 2023
- B. May 15, 2023
- C. June 26, 2023
- D. July 17, 2023
- E. August 21, 2023

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- F. September 18, 2023
- G. October 16, 2023
- H. November 20, 2023
- I. December 18, 2023

[00:58:00] Adjournment

Ms. Dillon moved to adjourn the meeting. The motion was seconded by Ms. Hoeber and passed unanimously. The meeting adjourned at 3:30pm.

Respectfully submitted,



Lisa Merino-Dean
Administrative Specialist II

APPROVED BY THE BOARD



Nahid Khozeimeh,
Board President