

Meeting Minutes
Monday, May 15, 2023
MONTGOMERY COUNTY BOARD OF ELECTIONS
Virtual Board Meeting via Zoom

APPROVED

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)

Guests:

Marc Elrich, Montgomery County Executive (virtual)
Jim Shalleck, former Board President (in person)
Jacqueline Phillips, former Board member (virtual)

Staff:

Boris Brajkovic, Director
Janet Ross, IT and Training Manager
Chris Rzeszut, Recruitment and Election Support Manager
Mindy Williams, Operations Manager
Laletta Dorsey, Interim Voter Services Manager
Gilberto Zelaya, Program Specialist
Michelle Gonda, Administrative Specialist
Lisa Merino-Dean, Administrative Specialist

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

[0:00:35] Convene Board Meeting and Declare Quorum Present

Mrs. Khozeimeh convened the meeting at 2:30pm and declared a quorum present.

[0:00:55] Recognition of Service

Montgomery County Executive Marc Elrich expressed appreciation to the Board for its diligence and hard work, especially under difficult circumstances. He also welcomed the new Election Director, Boris Brajkovic. Mr. Elrich presented certificates of recognition and appreciation to Mrs. Khozeimeh, Mr. Shalleck, Ms. Phillips, Dr. Barnes and Mr. Banov.

Mr. Shalleck thanked the County Executive and his staff for their support during the time he was President of the Board. Mr. Naimon added his appreciation for Mr. Elrich and the County Council's assistance in the Board's acquisition of the ballot sorting equipment. Mr. Naimon emphasized that equipment will significantly aid the Board in processing the increasing number of mail-in ballots received.

[0:07:34] Board President Remarks

Mrs. Khozeimeh marked her final meeting as Board President by sharing her deep appreciation to the County Executive, Board colleagues, election judges and staff for their hard work for the common goal of supporting the democratic right to vote.

Other board members and the Board Attorney shared comments about departing and former colleagues and appreciation for their service.

[0:29:30] Additions/Changes to the Agenda

No changes were made.

Campaign Contributions

No contributions were reported.

[0:30:20] Public Comments

Mr. Charles Gregorski addressed the written comments he submitted and that were distributed to the Board before the meeting. They can also be found [here](#). In his comments, he expressed support for a ban on funds from Non-government Organizations to facilitate the election process.

Ms. Dillon thanked Mr. Gregorski for his thoughtful and persuasive comments.

[0:35:00] 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](#).

Following a question from Mr. Naimon about the availability of the new space for canvassing in 2024, Mr. Brajkovic clarified that it is too early to know how long it would take to reconfigure the new space if the space were acquired. Staff have reserved the meeting room at the Bioscience Education Center at Montgomery College (Germantown Campus) for canvassing in 2024.

[0:46:00] Board Attorney Report

Mr. Karpinski spoke to the Petition that has been submitted for an advance determination of sufficiency to limit the term of the County Executive to 2 consecutive terms. Ten thousand valid signatures are required in order for the Petition to appear on the ballot. The Petition sponsor has until the second

Monday in August preceding the General Election to submit the signatures, which will have to be verified by the Board of Elections.

Regarding HB 410 and the definition of “historically disenfranchised communities,” Dan Kobrin, the Assistant Attorney General assigned to the State Board of Elections, told Mr. Karpinski that the Attorney General’s Office and the State Board of Elections will set the criteria that will determine which communities meet the definition and that the Board will apply those criteria for the 2024 election.

Mr. Karpinski shared an update on the Gibson case which was pending in the U.S. District Court for the District of Maryland, dismissed for lack of standing, and denied a motion for reconsideration. The case has now been appealed to the U.S. Court of Appeals for the Fourth Circuit. A joint brief is being prepared by the Attorney General’s Office that will be signed by the State Board, and State and County entities.

Mr. Vincent asked and Mr. Karpinski confirmed that “historically disenfranchised communities” in HB 410 is related to the selection of early voting centers. Mr. Naimon added it also applies to election day polling place changes. Mr. Karpinski reiterated that the criteria for defining “historically disenfranchised communities” has yet to be defined.

[00:52:30] New Business

None was added.

[00:52:45] Old Business

A. HB 410 discussion

This item was covered in the Board Attorney’s report.

B. Outreach schedule

Mr. Zelaya shared the schedule which was distributed to the Board in advance of the meeting and will evolve and change as additional events are added. Board members asked questions about outreach to the public, private and parochial high schools. Mr. Zelaya confirmed that outreach is made to schools in all of these categories. The outreach schedule will be sent to board members monthly.

C. Motion Proposed: Regarding Non-Governmental Funding of Election Operations and Administration

Mr. Vincent formally introduced the following motion:

RESOLVED, that the Montgomery County Board of Elections (the “Board”) adopt the following policy regarding non-governmental funding of election operations and administration:

- It is the sense of the Board that the exercise of its powers and duties, its activities, equipment, and operations, and the salary or compensation of its permanent or temporary employees, be paid for solely and exclusively from tax revenues disbursed from the treasury of Montgomery County Government or the State of Maryland in consequence of appropriations made by law;

- No Board member or any member of the Board's professional staff shall solicit or accept any grant, loan, donation, gift, or payment from any non-governmental source to pay for the exercise of any of the Board's powers and duties, its activities, equipment, and operations, or the salary or compensation of its permanent or temporary employees; and
- It is the sense of the Board that no agency, board, or commission of Montgomery County Government or the State of Maryland should solicit or accept any grant, loan, donation, gift, or payment from any non-governmental source to pay, directly or indirectly, for the exercise of any of the Board's powers and duties, the Board's activities and operations, or the salary or compensation of the Board's permanent or temporary employees.

Mr. Vincent believes this is a vital issue for Montgomery County and the nation going forward. The resolution is based on the experience had with the Center for Tech and Civic Life (CTCL) 2020 grant and what it is reported that CTCL and Mark Zuckerberg did with grants across the country to influence the outcome of the 2020 election. Mr. Vincent thinks any non-governmental source that funds or gets involved in elections does so to exercise influence and control over the process.

The motion was seconded by Ms. Dillon. She expressed her complete support for the resolution and Mr. Vincent's comments. She does not want to relitigate the results of the 2020 election and she has no concerns about the way Montgomery County used the CTCL funds. She is concerned about the threat that is posed when personal, private funds are brought into the electoral process.

Mr. Naimon addressed the need for resources to run elections. Given the need for resources and the absence of concern about how the CTCL grant was used in Montgomery County, Mr. Naimon feels the resolution is based on a hypothetical situation that we have not experienced. There is no indication of election interference in Montgomery County.

Ms. Khozeimeh pointed out that grants can be reviewed on a case-by-case basis instead of making a blanket decision to reject all outside funds. She has no concerns about the way Montgomery County utilized the CTCL grant.

Speaking in favor of the motion, Ms. Hoeber believes the Board acts as a quasi-governmental organization, fulfilling a quasi-governmental function, and should be funded with public money – county, state or federal.

Mr. Banov noted the extent to which CTCL grants were given around the country. He does not see any proof that CTCL influenced any election. Mr. Naimon added that 21 out of 24 Maryland jurisdictions, which are not all Democratic-leaning, received CTCL funding in 2020. There is no indication that the money was used to skew the elections results in Maryland.

[1:23:20] The motion failed, 3-2. The recorded vote is as follows –

For – Diane Nash Dillon, Amoretta Hoeber

Against – Nahid Khozeimeh, David A. Naimon, Elisse W. Barnes

[1:24:50] Mr. Naimon announced the swearing-in ceremony and election of officers for the new Board of Elections will be on Monday, June 5, 2:30pm at the Montgomery College campus in Germantown. The event is open to the public.

[01:25:18] Approval of Minutes

Mr. Banov moved to accept the April 17, 2023 minutes as amended. The motion was seconded by Ms. Hoeber and passed unanimously. Mr. Naimon thanked Mr. Banov for his excellent work on the minutes for many years.

[01:11:40] Future Meetings

All meetings begin at 2:30pm unless otherwise indicated.

Dates are subject to change.

- A. June 26, 2023
- B. July 31, 2023 (changed from July 17)
- C. August 21, 2023 (*tentative*)
- D. September 18, 2023
- E. October 16, 2023
- F. November 20, 2023
- G. December 18, 2023 (*tentative*)

[01:12:55] Adjournment

Ms. Hoeber moved to adjourn the meeting. The motion was seconded by Ms. Dillon and passed unanimously. The meeting adjourned at 4:00pm.

Respectfully submitted,



Lisa Merino-Dean
Administrative Specialist II

APPROVED BY THE BOARD



David A. Naimon,
Board President