

## **Meeting Minutes**

**Monday, December 16, 2024**

### **MONTGOMERY COUNTY BOARD OF ELECTIONS/BOARD OF CANVASSERS**

#### **Virtual Board Meeting**

#### **Virtual Attendance Board Members:**

David A. Naimon, President

Daniel A. Koroma, Vice President

Amoretta (Amie) M. Hoeber, Secretary

Keyna I. Anyiam, Board Member

Diane Nash Dillon, Board Member

Margie C. Delao, Substitute Member

Alexander C. Vincent, Substitute Member

#### **Virtual Attendance Board Attorney:**

Kevin Karpinski

#### **In-Person Staff Attendance:**

Boris Brajkovic, Director

Lisa Merino-Dean, Administrative Specialist

Aishah Mills-Pherigo, Acting Recruitment Manager

Sandra Prudenti, Voter Services Manager

Mindy Williams, Operations Manager

A video of the meeting may be found on YouTube at the link below:

[Virtual December 16, 2024. Board Meeting](#)

#### **Convene as Board of Canvassers Meeting (00:32)**

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

Mr. Brajkovic presented ninety-four (94) untimely mail-ballots from the 2024 Presidential General Election that were received at the Board of Elections after the mandated deadline of 10:00 A.M. on November 15, 2024.

- 31 ballots sent within the United States were postmarked after Election Day and arrived after the deadline.
- 4 ballots sent within the United States were timely postmarked on or before Election Day but arrived after the deadline.
- 19 ballots sent from outside of the United States were postmarked after Election Day and arrived after the deadline.
- 40 ballots sent from outside of the United States were timely postmarked on or before Election Day but arrived after the deadline.

Ms. Dillon moved to reject the 94 untimely mail-ballots. The motion was seconded by Mrs. Hoeber and passed unanimously.

Mr. Brajkovic presented the 2024 Presidential General Election Canvass Minutes, which summarize the number of ballots that were canvassed on each canvass day during the 2024 Presidential General Election. Mr. Brajkovic highlighted that during the 2024 General Election, almost as many ballots were canvassed before Election Day as there were canvassed in the entirety of the 2024 Primary Election. This is credited to voters returning their Mail-In Ballots earlier in the process.

Ms. Hoeber moved to approve the 2024 Presidential Election Canvass Minutes as presented by the staff. The motion was seconded by Ms. Dillion and passed unanimously.

Mr. Naimon adjourned the meeting of the Board of Canvassers.

### **Convene Board Meeting and Declare a Quorum Present (8:37)**

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

### **President's Remarks (9:22)**

Mr. Naimon noted that he is very impressed by what the Board and staff have accomplished in the 2024 Presidential General Election. He accredits the successful execution of this election to Mr. Brajkovic and the staff. He thanked the Board for their Canvass availability.

### **Additions/Changes to Agenda (12:01)**

There were no additions or changes to the agenda.

### **Disclosure of Campaign Contributions and Fundraiser Attendance (12:07)**

No disclosures were made.

### **2024 General Election Board Observations (13:11)**

Mr. Vincent believes that the 2024 Presidential General Election went very well and complimented the staff on their dedication and hard work. Mr. Vincent expressed concern regarding the large number of provisional ballots that were cast in the 2024 General Election and is looking forward to creating a solution that reduces the number of provisional ballots in future election cycles.

Ms. Hoeber agreed with Mr. Vincent regarding the concerning number of provisional ballots that were cast in the 2024 Presidential General Election. Ms. Hoeber suggested that the Board could take action by better educating the public on how to avoid going through the provisional process to save everyone time. Ms. Hoeber emphasized that educating the public and more training for Election Workers may not necessarily reduce the number of provisional ballots, but may reduce the number of provisional ballots that needed to be rejected for reasons that could have been avoided.

Ms. Delao asked about the causes of long lines and wait times at polling places. Mr. Brajkovic responded that the wait times were not equally distributed across all 232 Polling Places. Mr. Brajkovic added that he believes that the Polling Places and general areas with higher wait times are correlated with the high number of provisional ballots that were generated in those areas.

Mr. Naimon suggested that in locations where the number of provisional ballots is greater than the average, more provisional judges are added to serve at those Polling Places to combat the long lines and wait times. Mr. Brajkovic responded that a handful of Polling Places had additional Provisional Judges assigned and additional staff members were dispatched on Election Day to assist at Polling Places experiencing long lines and wait times to complete the provisional process. Mr. Brajkovic added that we did not have a surplus of Election Judges to dispatch on Election Day beyond those who had already been assigned to serve at a Polling Place on Election Day. The staff has already begun outreach to recruit Election Workers for the 2026 Election Cycle as the goal is to have a full complement and a surplus of Election Workers.

Mr. Koroma expressed that he believes we are moving in the right direction and that there is still room to improve. Mr. Koroma added that he is looking forward to the data-driven presentation during the January Board Meeting so that a well-informed strategy can be crafted to mitigate problems including the high number of provisional ballots and Mail-In Ballots that were not returned. Mr. Koroma complimented Mr. Brajkovic and the staff for their phenomenal work during the 2024 Election Cycle.

Mr. Brajkovic agreed with Mr. Koroma's comments and added that the large volume of Web Delivery requests for web-delivered print-at-home ballots was as much as both Prince George's County and Baltimore County combined. Mr. Brajkovic added that his presentation in January will include statistics on Code 4 Provisionals, which include those who requested a mail-in ballot but chose to vote in person rather than returning their Mail-In Ballot. Among the Code 4 Provisional Voters, approximately 4,800 voters had claimed they never received their Mail-In Ballot, while another 5,000 voters simply changed their minds and decided to vote in person. This added significantly to the number of provisional ballots cast, as well as increased wait times at Polling Places. More information will be presented in January 2025.

Mr. Naimon added that he would like for there to be further investigation into the cases where individuals indicated that they did not receive a mail-in ballot they had requested.

Ms. Dillon noted that in training for Election Judges, it should be emphasized that unless a voter requires assistance or is accompanied by a child, voters should be checking in, marking their vote choices, and casting their ballot alone. While it is a celebrated outing for many groups of people to go together to vote, from the check-in table to the scanner, voting should remain an individual process. Ms. Dillon extended her gratitude toward the staff for their hard work.

Mr. Karpinski echoed many of the Board members' comments reflecting that the high number of Provisional ballots was concerning. Mr. Karpinski suggested that there should be an emphasis on educating voters on the ramifications of selecting one way of voting and making a last-minute change to that plan.

Mr. Koroma responded that while that is an admirable strategy for voters to embody to avoid voting provisionally, the Board does not want to limit voters' ability to choose their voting method. Mr. Naimon agreed.

Ms. Dillon inquired about the permanent mail-in ballot list and whether there could be reminders sent out to voters who are on the list to remind them of their status.

Mr. Brajkovic responded that there are two different notifications made to voters on the permanent mail-in ballot list. The first is a legally required mailed notification from the State Board of Elections made 90 days before the mailing of ballots. The second is an emailed reminder to all Montgomery County voters who are on the permanent mail-in ballot list and have shared their emails with the Board. The notifications indicate that the recipient is on the permanent mail-in ballot list, the voting method they selected, and an option to be removed from the permanent mail-in ballot list.

Mr. Naimon added that if voters want to physically go to the polls on Election Day but have already received a Mail-In Ballot, they may bring their completed ballot to a polling place and hand it to an Election Judge to be returned to the BOE.

Mr. Naimon asked that staff do a sampling of those who indicated that they did not receive their ballot in the mail.

#### **Public Comment (59:31)**

No public comments were made at this meeting.

#### **Election Director's Report (1:00.04)**

Mr. Brajkovic's Election Director Report can be found [here](#).

Mr. Brajkovic reported the number of Active Voters in Montgomery County crossed 700,000. He believes that it is a result of the high interest in the 2024 Presidential General Election, outreach efforts, voter registration efforts, same-day voter registration, etc.

The Maryland State Board of Elections officially certified the 2024 Presidential General Election Results for the State of Maryland on December 5, 2024.

Mr. Brajkovic reported that interviews have begun for the Vote-By-Mail Program Manager position with the hope of having the successful candidate onboarded in January 2025. The Deputy Director position will be readvertised in the coming weeks. The HR Liaison/Administrative Specialist is currently covering the duties that were assigned to our former budget and finance specialist. The staff is also working with colleagues at the Office of Management and Budget and the Office of Human Resources to advertise the Recruitment Manager position.

Following the conclusion of the 2024 Election Cycle, the number of temporary employees has decreased. However, some temporary employees remain as staff works through post-election cleanup, equipment maintenance, and clearing the Voter Registration backlog. Mr. Brajkovic informed the Board that it is anticipated that a bulk of expenditures will take place in the 3<sup>rd</sup> Quarter.

Outreach for the 2026 Election cycle has begun with the first event attended by Board staff last week. Mr. Brajkovic emphasized that the recruitment and outreach team is continuously looking for prospective volunteers to serve as Election Workers in the upcoming 2026 Election Cycle.

Mr. Vincent asked about the possibility of staff accruing overtime for the remainder of Fiscal Year 2025. Mr. Brajkovic responded that he does not anticipate much overtime, if any, however, given there are several deadline-driven tasks, staff will meet those deadlines whether or not overtime is needed.

Mr. Vincent asked about the spending on Outside Printing and Mr. Brajkovic reported that the higher-than-anticipated spending on this budget line was in part due to a Sample Ballot error as well as unexpectedly high volumes of postage that were used to send Voter Notification Cards and other mailings triggered by voter action.

Mr. Vincent suggested increasing the allocation of funds in these budget lines to ensure we are budgeting properly for the upcoming fiscal year. Mr. Brajkovic assured Mr. Vincent that the budget is currently being reorganized as staff anticipates spending for the 2026 Gubernatorial Election Cycle.

### **Board Attorney's Report (1:17:23)**

Mr. Karpinski updated the Board and Staff on the status of the two pending lawsuits challenging the 2020 and 2022 election results. The case involving the 2022 Election was argued by the Assistant Attorney General for the State Board of Elections last week. The case involving the 2020 Election has been referred to a 3-judge panel in the United States Court of Appeals for the 4<sup>th</sup> Circuit to determine if oral arguments are necessary or if the panel will issue an unreported per curiam opinion. All materials are on a litigation hold from the Attorney General's Office until there is a resolution. The timeline for resolution remains unpredictable.

### **Old Business (1:21)**

There was no old business.

### **Website Report (1:21:32)**

Mr. Brajkovic presented a statistical report on the Board of Elections' website usage for October and November 2024. The statistical report can be found [here](#).

### **New Business (1:29:49)**

Election Administration Improvement Proposals (1:30:00)

Full Discussion of Legislative Proposals can be found [here](#) (1:30:00 -> 2:40:17)

Mr. Naimon presented a slate of 10 Legislation Proposals and 18 Administrative Proposals for the Board to consider during this discussion. The full list of Election Administration Improvement Proposals can be found [here](#).

Ms. Dillon moved to remove item 6 from the slate of Election Administration Improvement Proposals. The motion was seconded by Mr. Vincent. The motion was defeated with 1 in favor, 3 against, and 1 abstention.

Mr. Vincent moved to remove item 7 from the slate of Election Administration Improvement Proposals. The motion was seconded by Ms. Dillon. The motion was defeated with 1 in favor and 4 against.

Mr. Naimon moved to vote on the slate of Legislative proposals. The slate of Legislative Proposals from the Election Administration Improvement Proposals passed unamended with 4 in favor and 1 against.

Mr. Naimon suggested in item one of the Administrative Proposals scheduling a meeting between the Board and the Gaithersburg Postmaster regarding the postmarks that are stamped on ballots. Board members agreed that the scheduling process for the meeting may begin and that the discussion of the slate of Administrative Proposals 2-18 will occur at the January 2025 Board Meeting.

### **Approval of Minutes (2:40:20)**

Ms. Dillon moved to approve the minutes of the following meetings as amended:

- September 16, 2024
- October 21, 2024
- November 5, 2024
- November 27, 2024

The motion was seconded by Mr. Koroma and passed unanimously.

### **Future Meetings (2:45:23)**

All meetings begin at 3:00 P.M. unless otherwise indicated. Dates are subject to change.

- A. January 27, 2025
- B. February 24, 2025
- C. March 17, 2025

### **Future Action Items (2:47:52)**

- Election Director will provide data for those voters who indicated that they did not receive their mail-in ballot.
- Mr. Naimon will begin to schedule a meeting with the Gaithersburg Postmaster in the coming weeks.
- Board discussion of the slate of Administrative Improvements will take place at the January 2025 Board Meeting.

### **Adjournment (2:48:28)**

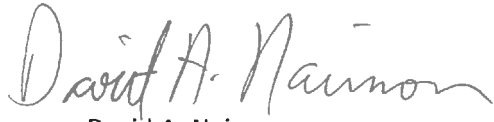
Mr. Naimon moved to adjourn the public Board Meeting at 5:48 P.M. and move into a closed Executive Session to discuss confidential voter requests.

### **Report on Executive Session**

The Montgomery County Board of Elections moved into the executive session at 5:55 P.M., pursuant to §3-305(b)(2), General Provisions Article, to consider confidential voter requests.

The Executive Session was adjourned at 6:30 P.M.

Approved by the Board,

A handwritten signature in dark ink, reading "David A. Naimon". The signature is fluid and cursive, with the first name "David" and last name "Naimon" clearly legible. There is a small horizontal line above the "i" in "Naimon".

David A. Naimon

Board President

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