

APPROVED

October 17, 2016

MEETING OF THE MONTGOMERY COUNTY BOARD OF ELECTIONS
18753-210 North Frederick Avenue, Gaithersburg, Maryland

In Attendance:

Board Members:

Jim Shalleck, President
Nahid Khozeimeh, Vice President
Mary Ann Keeffe, Secretary
Alexander Vincent
David Naimon
Jacqueline Phillips
Graciela Rivera-Oven

Staff:

Margaret Jurgensen, Election Director
Alysoun McLaughlin, Deputy Director
Lisa Merino, Office Services Coordinator
Margie Roher, Management and Budget Specialist III
Janet Ross, Information Technology Manager
Christine Rzeszut, Operations Manager
Jessica White, Voter Services Manager

Board Counsel:

Kevin Karpinski

Guests:

Dolly Kildee
Barbara Sanders
Michael Subin

Audio of the minutes may be found at the link below:

<https://youtu.be/CapvFPdHBVw>

Convene as Board of Canvassers, the Board Meeting, and Declare a Quorum Present

The Board members were sworn in at 2:00 p.m. as the Board of Canvassers by the Clerk of the Court, Barbara Meiklejohn.

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

Election of Canvass Officers

Mrs. Khozeimeh made a motion to nominate Mr. Shalleck as Chair and Ms. Keeffe as Secretary of the Board of Canvassers. The motion was seconded by Ms. Phillips and passed unanimously.

With nothing further to discuss, Mrs. Khozeimeh made a motion to adjourn as the Board of Canvassers. The motion was seconded by Ms. Keeffe and passed unanimously.

Approval of the September 1, 2016, Conference Call Minutes

Mrs. Khozeimeh made a motion to accept the September 1 conference call minutes with the proposed amendments as presented. The motion was seconded by Ms. Keeffe. Some Board members presented additional edits. Mr. Vincent amended the motion to approve the additional edits provided during the Board meeting. The motion was seconded by Ms. Phillips and passed unanimously. The Board members voted on the original motion and it passed unanimously.

Approval of the September 19, 2016, Board Meeting Minutes

Mrs. Khozeimeh made a motion to accept the September 19 Board meeting minutes with proposed amendments presented. The motion was seconded by Ms. Keeffe and passed unanimously.

Additions/Changes to the Agenda

Mr. Shalleck stated that an Executive Session would be held following the meeting to discuss the Fiscal Year 2018 budget.

Public Comments

There were no comments.

APPROVED

Election Director Status Report (Incorporated as Attachment A)

Personnel

Ms. Jurgensen reported that all temporary staff have been reactivated to assist in election preparations.

Budget (Incorporated as Attachment B)

Ms. Roher provided a spreadsheet detailing the FY17 expenditures through September 30. Mr. Vincent inquired if the funding approved from the State would be reflected on the spreadsheet; Ms. Roher offered to provide the reflection of the additional funding differently next month.

Voter Registration

Ms. Jurgensen reported that the last day of Voter Registration is October 18 at 9:00 p.m. All applications must be entered into MDVoters by Sunday, October 23, to prepare the pollbooks for Early Voting.

Ms. White reported that there are currently 663,360 active and pending registered voters. She added that there have been 4,020 new registered voters. Ms. White noted that Voter Registration statistics are available on the Board of Elections' website. Ms. Jurgensen stated that past statistics can be provided for purchase upon request.

The Board members and Attorney briefly discussed the difference between active and inactive voters. Mr. Karpinski recommended that active and inactive voters be counted the same, as the rights of the voter do not change based on active or inactive status. The total registered voters in Montgomery County is 723,713 (active and inactive).

State Board of Elections

Ms. Jurgensen reported that the State Board of Elections has approved the request for additional ballot marking devices throughout the ten Early Voting centers and seven selected precincts on Election Day.

Ms. Jurgensen reported that the State Board of Elections' vendor, Runbeck, who mails the absentee ballots has had a small number of absentee ballots placed into the incorrect county envelopes, none of which have affected Montgomery County.

Ms. Jurgensen reported that the State Board of Elections' staff is working with State DoIT (Department of Technology) and Federal authorities regarding the security of various election systems. The State Board of Elections directed Local Boards to place a link on their website to "rumor control" (on State site) for the public to visit.

Ms. Jurgensen reported that the State Board of Elections has updated the Canvass instructions that will be reviewed during the Board Attorney report.

Ms. Jurgensen provided Absentee Statistics to date. (see attachment C)

Board Attorney Report

Mr. Karpinski updated the Board members on a previous inquiry regarding the State's practice requiring a certification meeting. He stated that the Canvass procedures have been revised to reflect the requirement of a certification meeting of the Board of Canvassers; the decision was made in consultation with the Attorney General and State Board staff. The estimated date of certification will be December 7. Mr. Karpinski stated that draft canvass minutes reflecting the new requirement were provided to local Boards Friday. He added that he is not aware if the State Board is notifying the public. The Montgomery County Board of Elections will, as they always do, post notification of the meeting. Ms. Phillips inquired if the Certification meeting may be held over the phone; Mr. Karpinski responded he believes so. He added the Board members may agree on the certification number and then move to have the Chair and Secretary sign off on the certification.

Mr. Naimon requested clarification on when the certification meeting will be held. Mr. Karpinski and Ms. Jurgensen stated that a tentative date to certify the election will be December 7. The date may vary depending on how long it takes, and what method is used, to complete the audit process. Ms. Jurgensen stated that the State has not yet advised what method will be used to audit the election, hand count versus using the Clear Ballot technology. She noted that the Board of Public Works has not yet approved the contract for the vendor on the Clear Ballot audit method. Mr. Shalleck inquired when the deadline to certify the election is. Ms. Jurgensen responded that the certification would need to occur 24 hours prior to the State Board certification. Ms. Phillips suggested that the State Board send staff to assist Montgomery County during the Canvass process. Ms. McLaughlin briefly described the audit process.

Some Board Members expressed the need for the new canvass process and the required certification meeting to be communicated to the public. Ms. Jurgensen stated that a media release could be prepared.

Ms. Jurgensen requested a ten-minute recess to assist confidential voters. Mr. Shalleck agreed.

*** Recess began at 3:26 p.m. and ended at 3:39 p.m.***

Mr. Karpinski updated the Board members on the *Thomas Moore vs. Montgomery County Board of Elections* (Term Limit Petition case) lawsuit. Mr. Karpinski reported that Judge Greenberg granted summary judgement to the Board of Elections, finding that the petition was properly validated and verified.

Ms. Phillips requested that the Board revisit the Clear Ballot process. She proposed that a letter from the Board President be sent to Governor Hogan requesting the approval of the lease and explaining the need for the use of the Clear Ballot machine to efficiently audit and certify the

election process. The Board members briefly discussed the audit processes used in previous elections. Ms. Keeffe made a motion to send a letter under the Board President's signature requesting funds from the Board of Public Works for the use of Clear Ballot. The motion was seconded by Mrs. Khozeimeh and passed unanimously. Ms. McLaughlin will prepare a draft to be sent out Tuesday.

Ms. Keeffe requested that a Press Release be sent to candidates and political parties to notify them of the new canvass procedures. Mr. Karpinski suggested that a media release be written with the tentative date of the Certification meeting noting that it would be pending when the audit is completed and adding why the meeting is needed/held. The Board members agreed with Mr. Karpinski's statement. A draft notification will be circulated to Mr. Shalleck and Ms. Keeffe; Mr. Naimon stated he would also be willing to review it.

Old Business

No information was discussed.

2016 Primary Election

Preparation Status

Ms. Jurgensen reported that voting units have been prepared for Early Voting and Election Day. She added that Public Testing and the Early Voting Cart Check will occur on October 21 at 10:00 a.m. Mr. Shalleck and Mrs. Rivera-Oven will be in attendance.

Ms. Jurgensen reported that all ballots have been packed for Election Day and Early Voting. ES&S has been on site repairing 12 new scanners.

Early Voting site signage will begin to be placed today.

Mrs. Rzeszut provided an update on the Executive Office Building (EOB) and the handicapped parking for Early Voting. A handout was provided. Mrs. Rzeszut received confirmation that the construction will be completed prior to the commencement of Early Voting. Mr. Subin confirmed at the meeting that handicapped parking will be available in the EOB circle. Mrs. Rzeszut added that handicapped parking will not be allowed in the transportation transit line, but there is available handicapped parking at four locations at or close to the EOB (see attachment D). She stated that the handicapped parking will be identified as "handicapped voter parking" and the meters will be hooded/covered, the signage and covers will be placed by Election Judges every day through Early Voting.

Ms. Jurgensen updated the Board members on correspondence received from the Maryland General Assembly regarding Precinct 13-68's precinct change, overflow parking, and signage concerns. Ms. Jurgensen discussed the issue with the State Board of Elections and they are in agreement with the request to send Voter Notification Cards; however, this will need to include alliance with Prince George's County due to Section 203 regulations for distribution of information, software programming in MDVoters, and communication with the print shop and vendor. Mrs.

Rzeszut stated that signage will be placed at all entrances of Grace Methodist (the old polling place) to direct voters to the recreation center (the new polling place). The new site of the Takoma Park Recreation Center will have reserved overflow parking for voters and election judges at The Overlook (election judge parking), and additional parking at Hampshire Towers (until 4:30 p.m. for voters, [signage will be placed]), and on the service road across New Hampshire Avenue (voters). Election Judges will need to provide license plate numbers to ensure they are election judges working. Mr. Shalleck requested that a comprehensive response be provided to the Delegation and Ms. Jurgensen agreed to provide one. Mr. Naimon and Ms. Keeffe requested that political parties be notified of the parking concerns at Precinct 13-68. Ms. Jurgensen stated that candidates and their guests would need to provide their license tag number so their vehicles would not be at risk of being towed. Ms. Jurgensen stated that a crossing guard will be located at the New Hampshire Avenue and Merwood Drive intersection.

Outreach

Ms. Jurgensen circulated a list of all outreach events throughout the Primary and General Election. The Board members thanked Mr. Zelaya for his efforts.

Election Judge Update

Appointment of Election Judges

A list of all Election Judges who have completed training and will be serving throughout Early Voting and Election Day was circulated among the Board members. Ms. Khozeimeh made a motion to appoint the list of names to serve as Election Judges. The motion was seconded by Ms. Keeffe and passed unanimously. The Board members briefly discussed the status of Election Judges. Ms. Jurgensen stated that there still is a need for Republican Judges and judges Up-County. Mrs. Rivera-Oven suggested that Mr. Zelaya reach out to Parent Teacher Associations for additional judges Up-County.

Mr. Naimon expressed concern about the significant drop-off between the number of people who complete the online survey to become an election judge (about 6,000) compared to the number of judges who complete training (fewer than 3,000), and suggested that the Board members discuss ways to give judges more scheduling options for attending training. The item will be placed on the January Agenda.

Canvass Calendar

The Board members reviewed the Canvass calendar through the certification date. Ms. Roher requested that the Board members update the calendar with their availability and forward it to her.

Ms. Roher asked the Board members to clarify what time the second day of the Canvasses begin. The Board members agreed to have all Canvass dates begin at 10:00 a.m. Mrs. Rivera-Oven suggested that only those Board members who serve all day would receive lunch.

New Business

Ms. Jurgensen reported that the United States Post Office is working with two non-partisan groups to assist with, and resolve, postal delivery issues.

Ms. Jurgensen stated that the Board member supply bag and Monday night routes will be distributed at the November 3 supply bag check at 5:00 p.m.

Ms. Keeffe and Ms. Phillips were very pleased with the outcome of the Official Voter Guide/Sample ballot mailer, adding that the colors have made a big bold difference.

Future Meetings [This schedule existed on October 17. Changes occurred to the schedule at a later date]

- October 21, 2016 – Public testing and Early Voting Cart Check 10:00 a.m.
- A. October 27, 2016 - Early Voting Begins 8:00 a.m.
- B. November 3, 2016 – Election Day Supply Verification 5:00 p.m.
- C. November 3, 2016 - Close of Early Voting 8:00 p.m.
- D. November 7, 2016 - Monday Night Visits 6:00 p.m.
- E. November 8, 2016 - Presidential General Election 6:00 a.m. - 8:00 p.m.
and Board Meeting 11:30 a.m.
- F. November 10, 2016 - Absentee Ballot Canvass I 10:00 a.m. - 8:00 p.m.
- G. November 11, 2016 - Absentee Ballot Canvass I cont. 10:00 a.m. - 7:00 p.m. HOLIDAY
- H. November 12, 2016 - Absentee Canvass I cont. 10:00 a.m. - 8:00 p.m.
- I. November 13, 2016 - Absentee Canvass I cont. 10:00 a.m. - 7:00 p.m. (Tentative)
- J. November 16, 2016 – Provisional Canvass 10:00 a.m.
- K. November 17, 2016 – Provisional Canvass cont. 10:00 a.m.
- L. November 18, 2016 – Absentee Ballot Canvass II 10:00 a.m.
- M. November 19, 2016 – Absentee Ballot Canvass II 10:00 a.m. (Tentative)
- N. November 21, 2016 – Board Meeting
- O. December 7, 2016 – Certify Election (Tentative)
- P. December 19, 2016 – Board Meeting (Tentative)

Adjournment

With nothing further to discuss, Mrs. Khozeimeh made a motion to adjourn the Board meeting at 4:42 p.m. and convene in Executive Session. The motion was seconded by Ms. Keeffe and passed unanimously.

Executive Session

The Montgomery County Board of Elections convened in Executive Session at 4:44 p.m., pursuant to Md. Code Ann, General Provisions Art, sec.3-305 (b)(13) to review the FY18 Operating Budget.

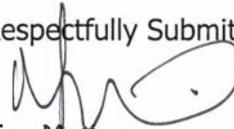
APPROVED

The Montgomery County Board of Elections met in closed session on this date. The following members of the Board and staff were in attendance: Jim Shalleck, Nahid Khozeimeh, Mary Ann Keeffe, Alex Vincent, David Naimon, Jackie Phillips, Graciela Rivera-Oven, Margaret Jurgensen, Lisa Merino, Margie Roher, and Board Attorney Kevin Karpinski.

The Board members discussed the Fiscal Year Budget for 2018.

Mrs. Khozeimeh made a motion to adjourn the Executive Session at 5:14 p.m. The motion was seconded by Ms. Keeffe and passed unanimously.

Respectfully Submitted,



Lisa Merino
Office Services Coordinator

APPROVED BY THE BOARD:



Jim Shalleck
President

October 14, 2016

Board Meeting posted on Friday, October 7, 2016

Election Director Report for October 17, 2016

Board of Canvassers will be sworn into office at 2:00p.m. on October 17,2016

Board meeting will commence at 2:30p.m.

- I. Quorum
- II. Minutes
- III. Additions or Changes to the Agenda/Executive Session-Yes
- IV. Public Comments - No one has notified this office of comments.
- V. Election Director Status Report
 - A. Personnel – Alysoun McLaughlin, Deputy Director
 - B. Budget – Marjorie Roher, Management & Budget Specialist
 - C. Voter Registration – Jessica White, Voter Services Manager
 1. The last day of voter registration is October 18 at 9:00p.m.
 2. All applications must be entered into the system by Sunday, October 23, 2016 to prepare pollbooks for Early Voting.
 - D. State Board of Elections – Margaret Jurgensen, Director
 1. State Board approved request for additional ballot marking devices at the 10 Early Voting Centers and seven precincts.
 2. Runbeck (SBE vendor of absentee postal ballots) has had a small number of absentee ballots placed into the incorrect county envelope.
 3. State Board staff is working with State DOIT and federal authorities regarding the security of the various

elections systems, this is on-going process.. Local Boards have been directed to place a link to "rumor control" for the public to visit.

- i. Submitted to the Board, State Board Information on the Security Feature, ES&S Security features and Testimony of David Becker, noted expert on elections.
 - ii. State Board
4. SBE has updated the Canvass instructions. Cover in Board Attorney Report

VI. Board Attorney Report – Kevin Karpinski

VII. Old Business

VIII. 2016 Election Preparations

- A. Voting Units have been prepared for Early Voting and Election Day with staff reviewing and verifying.
 - i. Public Testing October 21, 2016 @ 10:00a.m. with Early Voting Cart Check.
- B. Ballot packaged for Election Day precincts/Early Voting Center
- C. ES&S vendor has been on site repairing scanner units.
- D. Software for the Early Voting Poll books has been provided by the State Board of Elections staff.
- E. Signage for Early Voting will begin today except EOB, October 25th.
- F. Polling place supplies are in the process of assembly.
- G. Executive Office Building Update
- H. Letter from Legislative Delegation 20 regarding 13-68, the Takoma Park Recreation Center Precinct – Christine Rzeszut
 - i. Change to the Voter Notification Card – submit to the State Board for changes to the notification, to redesign working with Prince George's County for the bi-lingual notification then ask for the programming for MDVoters and the respective County Print Shop or vendor.
 - ii. Letter was forwarded to the State Board for information related to cost for the programming changes.
- I. Election Judges
 - Motion to appoint to serve as election judges
 - Status
 - i. Need more Republican Judges
 - ii. Need more Judges for Election Districts 4 and 7.

- iii. Need more bi-lingual Election Judges in languages Chinese or Korean, could use more Spanish.
- J. Early Voting location
 - i. Report no later than 7:00a.m., Thursday Oct. 27th.
- J. Absentee Requests
 - 1. Request for ballot – 45,997 and of that number 17,880 are ballots to be duplicated.
- K. Canvass Calendar

IX. New Business

- A. USPS working with two non-partisan groups that are attempting to assist with and resolve postal delivery issues.

Executive Session is required

FY17 OPERATING BUDGET SPREADSHEET
Through September 30, 2016 (As of October 5, 2016)

LINE ITEM	FY17 APPROVED	FY17 YEAR TO DATE*
PERSONNEL COSTS	4,087,399	856,536
5A001 - Salaries & Wages	3,324,488	698,252
50010 - Full Time Salaries	2,189,135	442,262
50012/50020 - Part Time Salaries/Seasonal Temps	684,709	215,823
60168 - Temporary Office Clerical (moved from OP for clarity)	201,329	5,448
SUBTOTAL FOR TEMPORARY PERSONNEL	886,038	221,271
50324 - Overtime (includes emergency, multi-lingual & holiday)	249,315	34,719
5A002 - FICA	226,428	51,298
5A003 - Group Insurance	357,768	67,884
5A004 - Group Retirement	178,715	39,102
OPERATING EXPENSES	4,983,962	1,375,740
6A001 - Services and Contracts	1,648,643	378,386
60060 - Legal/Attorney Services	75,000	14,636
60066 - SBE Program Management	673,318	359,689
60304 - Maintenance - Electrical	0	625
60314 - Maint - Computer Systems	25,000	0
60326 - Repair/Maint Agmts - Office Equip	11,000	3,436
60412 - Moving Services	25,000	0
60414 - Building Construction	0	0
60530 - Other Professional Services - EJ Stipend	804,825	0
60532 - Other Non-Professional Services (includes EJ mod.)	34,500	0
6A002 - Maintenance	279,251	132,751
61010 - Computer Equip Repairs/Maint (EPB)	279,251	132,751
6A003 - Rentals/Leases	2,117,620	584,401
61902 - Furniture Rentals (Polling Place)	7,000	0
61924 - Other Equipment Rentals (MDVoters)	735,513	335,113
61926 - Bldg or Space Rental/Leases (Pol. Place)	34,485	2,147
61932 - Other Rentals/Leases (Voting System)	1,340,622	247,141
6A004 - Office Supplies & Equipment (<\$5,000)	168,664	80,571
62010 - General Office Supplies+	70,000	11,874
62016 - Computer Supplies	5,000	350
62018 - Computer Equip (<\$5,000)	28,000	19,995
62022 - Paper and Supplies for Copiers	0	53
62028 - Other Supplies & Equipment	65,664	48,298
6A011 - Books, Videos, and Subscriptions	3,500	505
62700 - Books/Reference Materials	2,500	173
62712 - Other Books, Videos, and Subscriptions	1,000	332
6A012 - Other Supplies/Materials/Equipment	181,674	104,006
62826 - Keys and Locks	0	0
62896 - Parking Meters	0	0
62946 - Charges from SBE	181,674	104,006
6A013 - Printing/Central Duplicating Services	144,406	39,804
63016 - Imaging	10,000	4,178
63018 - Document Shredding	0	0
63020 - Office Mach. Cop. Leasing	11,760	4,602
63022 - Other Central Dup Svc - Printing (all printing costs)	122,646	31,024
Mandated Legal Requirements		
Charges from SBE		
Election Specific Costs		
Personnel Charges		
Temporary Personnel Charges		
Overtime Costs		
Benefits		

FY17 OPERATING BUDGET SPREADSHEET
Through September 30, 2016 (As of October 5, 2016)

LINE ITEM	FY17 APPROVED	FY17 YEAR TO DATE*
6A014 - Outside Printing	100,550	600
63100 - Outside Printing/Copying	550	600
63104 - Sample Ballot Printing	100,000	0
6A015 - Mail	138,361	31,795
63200 - Central Dup - Postage - Bulk (services, NO postage)	36,530	28,758
63202 - Central Dup - Postage - Individual (PO Box rental)	21,081	443
63206 - Inter-Office Mail/Pony Charge	750	2,594
63208 - Other - Mail (Sample Ballot Postage)	80,000	0
6A016 - Outside Postage and Mail	90,500	154
63300 - Outside Mail Services (VNCs and all other postage)	90,000	0
63304 - Other Outside Mail Services	500	154
6A017 - Motor Pool	10,965	1,599
63500 - Assigned Motor Pool Vehicles	8,965	1,599
63504 - Daily Rental Motor Pool	2,000	0
63508 - MP EZPASS Charges	0	0
6A018 - Communications Services	33,670	17,148
63604 - Cellular Phone Line Charges	2,800	25
63618 - Blackberry Charges (smart phones)	9,000	1,723
63626 - Communication Modems (SBE)	4,870	0
63634 - Other Communication Services (PP Phone Lines)	17,000	15,400
6A020 - Charges from Others	5,000	0
63810 - Charges for Facility Maintenance	5,000	0
6A021 - Travel	23,996	938
64010 - Metropolitan Area Travel	17,996	938
64012 - Non-Metropolitan Area Travel	6,000	0
6A022 - Education, Tuition, and Training	10,125	333
64100 - Local Conference Related	2,000	333
64120 - Other Education, Tuition, & Training	8,125	0
6A023 - Dues/Memberships	2,000	0
64200 - Professional Memberships (Individual)	2,000	0
6A024 - Advertising	20,036	2,500
64300 - Advertising - Jobs	0	0
64304 - Advertising - Marketing/Sales	20,036	2,500
6A099 - Miscellaneous Operating Expenses	5,000	249
69999 - Other Misc Operating Expenses	5,000	249
DEPARTMENTAL TOTAL	9,071,361	2,232,277
* Included prior year encumbrances		
+ Includes office supplies, polling place supplies, and office furniture		
Mandated Legal Requirements		
Charges from SBE		
Election Specific Costs		
Personnel Charges		
Temporary Personnel Charges		
Overtime Costs		
Benefits		

Absentee Statistics – October 17 2016

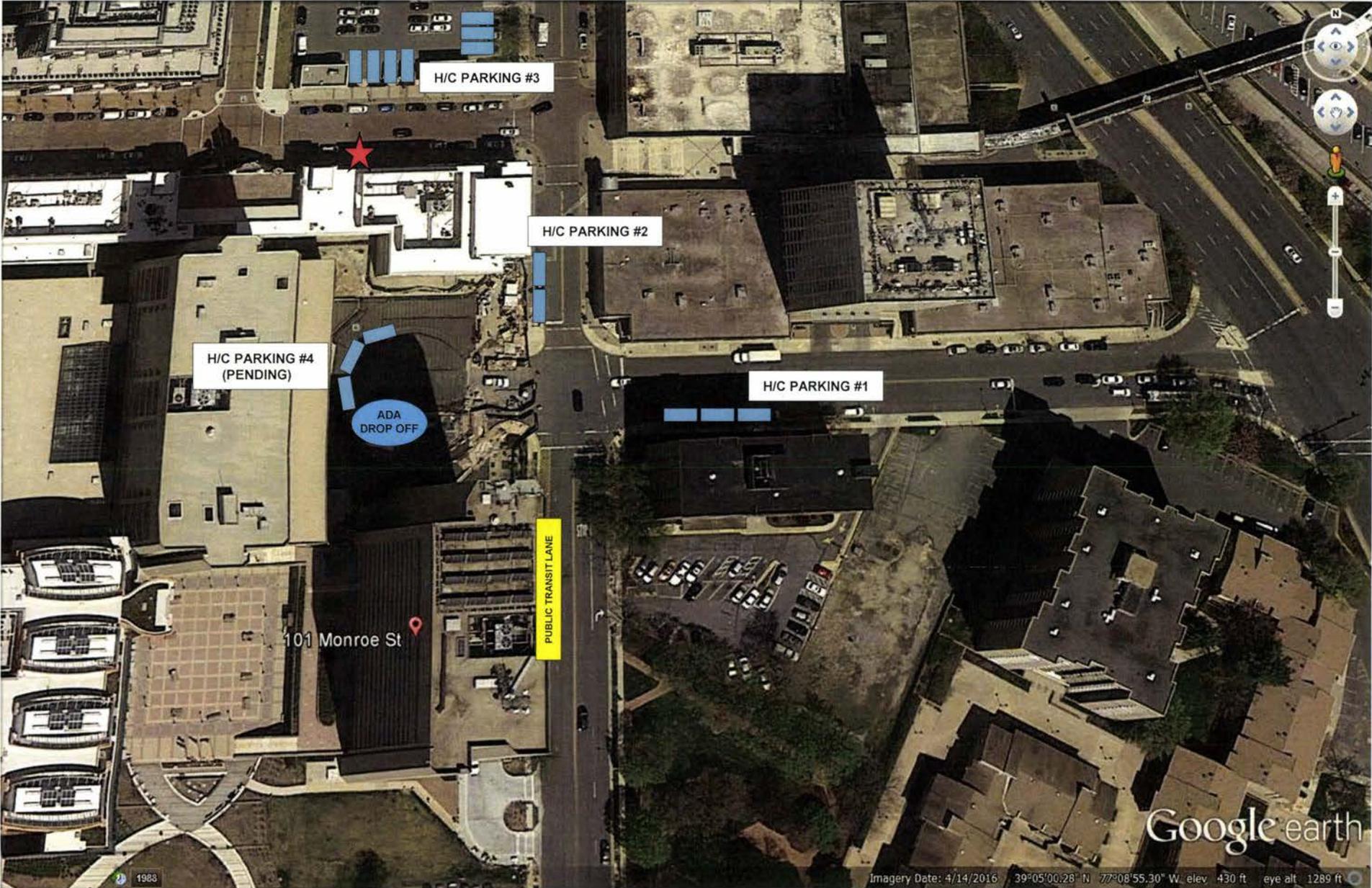
Applications Processed: 45, 804

By web, fax, e-mail: 17,983
By mail: 27,061
In-Person: 1,771 (of which 1,440 are for the
Nursing Home Program)

Ballots Received: 7,123

From web, fax, e-mail: 1,639
By mail: 4,385
In-Person: 1,140 (of which 939 are from the
Nursing Home Program)

EARLY VOTING CENTER 02 – EXECUTIVE OFFICE BUILDING



 Walkway from E. Montgomery Avenue

 Parking Space