

APPROVED

June 24, 2013

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

In Attendance:

Board Members:

Mary Ann Keeffe, President
Donice Jeter, Vice President
Nancy Dacek, Secretary
Nahid Khozeimeh
Jacqueline Phillips
David Naimon

Staff:

Margaret Jurgensen, Election Director
Alysoun McLaughlin, Deputy Election Director
Laletta Dorsey, Program Specialist
Leslie Hatch, Election Judge Coordinator
Ethmahn Peña, Office Services Coordinator
Marjorie Roher, Management and Budget Specialist
N. Christine Rzeszut, Operations Manager
Gilberto Zelaya, Outreach Coordinator
Lisa Merino, Election Aide II

Guests:

Paul Bessel
Barbara Braswell
Holly Joseph
Dolly Kildee
David Kipping
Rosalind Kipping
Amanda Mihill
Barbara Sanders
Joyce Temple
Beth Wong

Convene the Board Meeting and Declare a Quorum Present

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Ms. Keeffe called the Board Meeting to order and declared a quorum present at 2:30 p.m.

Public Comments

Ms. Keeffe asked if there were any public comments; Ms. Roher responded that Paul Bessel requested to speak in advance regarding Leisure World. Ms. Keeffe stated that the Board reviewed Mr. Bessel's comments submitted prior to the meeting and will hold Mr. Bessel to the three minute rule due to a lengthy agenda. Mr. Bessel thanked the Board for the opportunity to address them. He stated he is not proposing or opposing anything the Board is considering for Leisure world. Mr. Bessel asked that the Board consider all logical solutions and accurate facts regarding the issues at Leisure world using the most efficient, inexpensive, and least interruptive methods to assist voters. Ms. Keeffe agreed with Mr. Bessel's statement adding that the Board uses those criteria for all changes. Ms. Keeffe and the Board thanked Mr. Bessel.

Ms. Roher stated that Rosalind Kipping wished to address the Board. Ms. Keeffe stated that Mrs. Kipping also had three minutes. Mrs. Kipping briefly described the Governance of Leisure World noting that the Council is represented by a resident of each mutual, and the Council is in support of the third polling place for Leisure World. She urged the Board not to rush into any decision until a letter is received from the governing council regarding the third precinct. Ms. Keeffe and the Board thanked Mrs. Kipping.

Additions/Changes to the Agenda

Ms. Jurgensen requested an Executive Session to review previous minutes. Ms. Keeffe agreed.

Approval of May 20, 2013, Minutes

Minutes from the May 20, 2013, meeting were distributed in advance. One change was submitted on page four, under Early Voting. Mrs. Dacek requested staff take out "included salary of employees" and replace it with "the hourly rate". Mr. Naimon requested clarification on page five, fourth paragraph; "only access is stairs." Ms. Jurgensen clarified there is an elevator. She added that in order for the site to be ADA compliant (which it was), there must also be an elevator. Ms. Phillips suggested the use of parentheses to clarify the information. Mrs. Khozeimeh made a motion to approve the minutes upon modification. Mrs. Jeter seconded the motion and it passed unanimously.

Election Director Reports

Budget

Ms. Roher reported on the FY13 spreadsheet provided in advance to the Board for the current fiscal year through May 31, 2013. Mr. Naimon asked the status of the projected overage in personnel. Ms. Roher reviewed two line items, which showed a deficit, she noted that other lines are projected to be under budget which should result in a smaller overall deficit. Ms. Jurgensen noted that the last bill from the State is projected to be received by July 7, 2013. Ms. Keeffe thanked Ms. Roher.

Voter Registration

Ms. Jurgensen reported that no petitions have been submitted and monthly statistics were posted. She added the ERIC project will commence to update the voter registration records. Ms. Jurgensen stated a new release for MDVoters is also expected in July.

State Board of Elections

Ms. Jurgensen reported that the SBE June Board meeting has been cancelled. Ms. Keeffe noted that the SBE Board has difficulty obtaining a quorum. Ms. Phillips expressed concern that the SBE Board meetings are not operating according to regulations. She questioned how decisions are being made at the State level, and how LBEs would be impacted, as well as what the legalities and requirements are for the SBE to meet. Mrs. Dacek agreed and acknowledged that the SBE Board members are responsible for reviewing the LBE comments and concerns regarding issues at the LBE level. Ms. Keeffe noted that the SBE Board members are all voluntary, unlike LBE boards. She asked that the Board Attorney review the law regarding SBE Board member requirements.

Ms. Jurgensen reported on the proposed regulation permitting voters to use a smart phone or Ipad/tablet as an election aid or sample ballot. She added that SBE staff is asking if the Montgomery County Board of Elections would like to take a position (comments must be received before the State's July Board meeting). The Board discussed the issue and requested staff look in to how other states handle this situation. Ms. Keeffe stated the Board will hold off on a position until that information is received.

Ms. Jurgensen stated SBE is considering a POS (Point of Service) grant application for UOCAVA voters to request and submit ballots to the State Board of Elections instead of to local boards. Ms. Jurgensen referred SBE to Bobbie Payne and Michelle Gonda, who are heavily involved with the UOCAVA process, and stated she has expressed her concerns to Ms. Keeffe and Ross Goldstein regarding the POS grant and its impact to voter service from the local Board perspective.

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Biennial Conference

Ms. Jurgensen reported there will be new regulations related to postage for absentee voting to require the cost of returned postage be printed on absentee materials like the return envelope. The USPS representative was not aware of the new online absentee voting that will not have any identifiable return addresses on envelopes and the "Official Election Mail" emblem will also not be printed. She added that the USPS will continue to work on creating appropriate labeling for the envelope.

Ms. Jurgensen reported there was discussion regarding planning for the new voting system and the SBE will be using Google Apps as a collaborative tool to get issues out for public discussion. She noted that SBE has made the decision to have a public demonstration of the equipment later this year. Ms. Jurgensen and the Board briefly discussed the process and future use of paper ballots.

Mrs. Jeter requested that the Election Director's report be available in the advance meeting packet. Staff agreed.

Ms. Keeffe stated she did not find the conference as informative as in the past. She stated the highlight was our very own presentation by Gilberto Zelaya regarding early voting, outreach, and the use of future vote. She added many other county representatives also enjoyed the presentation. The Board thanked Mr. Zelaya for his presentation. Ms. Keeffe requested that a condensed version of the demographic portion of the presentation be given at the public hearing. Staff agreed.

Board Attorney Report

No report was given.

Old Business

Follow Up Issues from May Board Meeting

No issues were discussed.

Early Voting Sites

Ms. Jurgensen stated that once the Board approves the proposal staff will post the proposed sites on the website. A notification will also be released to more than 500 organizations, political parties, elected officials, previous candidates, municipalities, civic associations, and media. She noted that public comments will be accepted through September 17, 2013. A Public Hearing will be held July 27, 2013, from 10:00 a.m. to 12:00 p.m., and additional comments may be received at the July 29, 2013, Board meeting.

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Mrs. Rzeszut reviewed how the early voting sites were selected. She noted the two sites Board members requested be looked into are not available. Rolling Wood, which was a Montgomery County Public School and is currently leased out to Lycee Rochambeau French International School, will not be available to be used as an Early Voting Center. Temple Shalom is a very good location but the attributes are not ADA compliant and it is a small facility; since it is not ADA compliant it could not be used as an early voting site.

Mrs. Rzeszut and Mr. Zelaya reviewed a power point presentation with photographs and attributes for the twenty proposed Early Voting Centers (see attachment A for a condensed spreadsheet). The Board reviewed each site. The Board thanked the staff for impressive hand outs and presentation. Mrs. Rzeszut thanked Mr. Peña for his assistance with the preparation of maps. The Board discussed the proposed Early Voting Sites. Ms. Jurgensen reported that the City of Gaithersburg contacted BOE and has agreed to the use of Bohrer Park & Activity Center as a proposed Early Voting site (lease is pending BOE Board Attorney review). Ms. Jurgensen stated BOE is open to receiving recommendations from the Board and the public regarding other potential early voting sites.

Mrs. Khozeimeh made a motion to eliminate Casey Community Center, Randolph Road Theater, and Sandy Spring Fire & Rescue due to location, accessibility, and ease for voters. Mrs. Jeter seconded the motion and it passed unanimously.

Mrs. Jeter suggested the Board request nine Early Voting sites. Mrs. Dacek stated that Montgomery County only has funding for eight Early Voting sites. She added that Board members have expressed concern in the past with potential deficits in the budget and adding an additional site that currently has no funding will create a bigger deficit. Mr. Naimon stated there was a very good case to request an additional early voting site, and if there is no funding available from the County Executive and County Council we would only have eight early voting sites.

Mrs. Jeter made a motion to request a ninth Early Voting site and directed staff to send a letter to the County Executive and the County Council. The motion was seconded by Mr. Naimon. Mrs. Dacek opposed and Mrs. Khozeimeh abstained. The motion passed 3 for, and 1 against.

Ms. Jurgensen stated updated information regarding proposed early voting sites will be posted to the website in the next several days - as well as notification of the Public Hearing. She requested the Board contact Mrs. Rzeszut via email with any other proposed sites. Ms. Keeffe thanked Ms. Jurgensen.

Leisure World – Precincts 13-54, 13-69, and 13-71

Ms. Jurgensen reviewed a map of Leisure World showing proposed precinct boundaries. Mrs. Rzeszut presented a power point presentation and expressed the need to create a better population balance with an additional polling place by using the Interfaith Chapel Social Hall. Mr. Naimon asked if any of the mutuals would be split and if any religious icons were visible at the Interfaith Chapel Hall. Mrs. Rzeszut stated there were no religious icons in the social hall and Ms. Jurgensen stated there is no intention to split any mutuals. Ms. Keeffe requested that

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staff move forward with preparing legal descriptions for the polling places at the Leisure World complex.

Mrs. Khozeimeh made a motion for staff to prepare legal descriptions for Precinct 13-69, 13-54, and 13-71. The motion was seconded by Mrs. Dacek and passed unanimously.

Silver Spring – Precincts 13-10 and 13-47

Ms. Jurgensen reported that she met with Brad Stewart, provost of Montgomery College, and they have agreed to permit the Cultural Art Center to be used as a polling place. The facility has two entrances and is spacious for voters and electioneering with protection from weather elements. Staff recommends a crossing guard be placed on Georgia Avenue for voter safety.

Ms. Jurgensen proposed that the Precinct 13-10 boundary line be moved from Colesville Road to Blair Mill Road shifting 1,289 voters from 13-47 to 13-10. The Board discussed new construction in Precinct 13-47. Mrs. Jeter expressed concern with the change of the boundary lines. She inquired how much BOE paid in the past for the use of NOAA as a polling place. Ms. Jurgensen responded \$6,600 including required NOAA security staff. Mrs. Jeter asked if staff has attempted to negotiate the price. Mrs. Jurgensen stated Mrs. Rzeszut has made several attempts to contact NOAA to negotiate; she added that NOAA is not interested in hosting the BOE as a polling location at this time.

Ms. Keeffe requested that public comments be accepted regarding Precinct 13-47 and Precinct 13-10 and a notice to the community be sent with a final decision to be made at the July Board meeting. Mr. Naimon requested that notice also be sent to the Citizens Association, staff agreed.

Kensington – Precincts 13-03 and 13-34

Mrs. Rzeszut reported that based on 2013 MD General Assembly emergency legislation precinct lines were reconfigured to include the entire Town of Kensington for Precincts 13-03 and 13-34. A map was made available to the Board. Mrs. Khozeimeh made a motion to accept the boundary line change to Precinct 13-03 and 13-34 and allow the Town of Kensington to vote at one polling place. The motion was seconded by Mrs. Jeter and carried unanimously.

New Business

No new business was discussed.

Future Meetings

- A. July 27, 2013 Public Hearing – 10:00 a.m.
- B. July 29, 2013 – 2:30 p.m.
- C. September 16, 2013 – 2:30 p.m.
- D. October 21, 2013 – 2:30 p.m.
- E. November 18, 2013 – 2:30 p.m.
- F. December 16, 2013 - *Tentative*

Mrs. Khozeimeh made a motion to move to Executive Session. The motion was seconded by Mrs. Jeter and carried unanimously. The Board convened in Executive Session at 5:22 p.m.

Report on Executive Session

The Montgomery County Board of Elections convened in Executive Session at 5:22 p.m., pursuant to State Government Article, Section 10-508(a)(13), to review minutes from a previous Executive Session.

The Montgomery County Board of Elections met in closed session on this date. The following members of the Board and staff were in attendance: Mary Ann Keeffe, Donice Jeter, Nancy Dacek, Nahid Khozeimeh, David Naimon, Jackie Phillips, Margaret Jurgensen, Alysoun McLaughlin, Marjorie Roher, and Lisa Merino.

The Board reviewed the April 15, 2013, Executive Session minutes.

With no further business, Mrs. Jeter moved to adjourn the Executive Session. The motion was seconded by Mrs. Khozeimeh and carried unanimously. The Board meeting reconvened in regular session at 5:28 p.m.

Executive Session Minutes

Two sets of Executive Session Minutes from the April 15, 2013, Executive Sessions were distributed for review. A motion was made by Mrs. Jeter to approve both sets of minutes. The motion was seconded by Mrs. Khozeimeh and carried unanimously.

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Adjournment

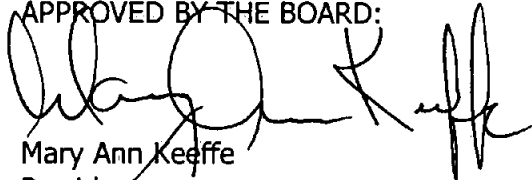
With no further business, Mrs. Khozeimeh moved to adjourn the Regular Session. The motion was seconded by Ms. Keeffe and carried unanimously. The meeting adjourned at 5:30 p.m.

Respectfully Submitted,

Marjorie M. Roher

Marjorie M. Roher
Management & Budget Specialist III

APPROVED BY THE BOARD:



Mary Ann Keeffe
President