

MINUTES

WASHINGTON COUNTY BOARD OF ELECTION
September 13, 2011

35 W. Washington Street
Hagerstown, MD 21740
240-313-2050

Present:

Board

John Benchoff, Board President
Carroll Earp, Vice President
Tammy Downin, Secretary
Eileen Wiggins, Member
Roger Schlossberg, Board Attorney

Staff

Kaye Robucci, Election Director, I
Sharon Mackereth, Election Deputy Director, I

John Benchoff called the meeting to order at 2:06 PM. There was a quorum present. The Board acknowledged a guest at today's meeting - Michael Handler, Law Clerk for Roger Schlossberg, Board Attorney.

Approval of Minutes of August 9, 2011:

John Benchoff asked if the Board had any corrections or modifications to the minutes of the August 9, 2011 Board Meeting. Carroll Earp requested the following corrections. (words corrected shown in **bold**).

Minutes from August 9, 2011 Monthly Meeting –

Page 1: Board Members Present –
Eileen **Wiggins**, Member

Page 3: Old Business:

- C. Election Worker Training Location – update
Schedule of training dates have been sent for review to the church.

Page 3: New Business:

- B. Election of Board Secretary
a. Nominations

John Benchoff opened nominations for Board Secretary, **Carroll Earp nominated** Tammy Downin. No further nominations were offered. Nominations were closed.

Tammy Downin made the motion to accept minutes as corrected, Carroll Earp seconded. Approved as submitted.

Addition/Changes to the Agenda:

Kaye Robucci requested the following additions to the agenda:

Correspondence - Kurt Downey, County Assistant Attorney, on Potential Legislation for 2012.

Reports – Sharon Mackereth, presentation on Eventbrite.

Correspondence:

- A. MAEO Executive Board Meeting Agenda August 12, 2011 – E-Mailed to the Board.
- B. MAEO Minutes of May 2, June 12 and June 15, 2011 – E-Mailed to the Board.
- C. This office received a request from Kurt Downey, County Assist. Attorney on any potential legislative issues the Election Board would want presented to the State Legislators in 2012. At this time, we have not forwarded anything to him.

Roger Schlossberg informed the Board that because of redistricting, there could be an issue we should consider. Mr. Schlossberg will provide more information under “Reports” at this meeting.

Reports -

- A. Kaye Robucci and Roger Schlossberg reported on recent annexations made by the City of Hagerstown. The City has annexed approximately 90 small parcels of land around the outer edges of Hagerstown City limits. The annexation of those parcels into the City allows those voters to vote in the City elections to be conducted in conjunction with the upcoming 2012 Presidential Elections

As reported to the Board, there are significant potential problems arising from these annexations. As a result of the recent changes to the City Charter to align City elections with the Presidential election cycle, the 2012 Presidential Election will be the first election in which City candidates and ballot issues will appear on a combined County/City ballot. These recently annexed voters now reside within the City boundaries, but they are still within County legislative districts (2A or 2B) outside of the current City legislative district (2C). In the 2012 elections we will not have any legislative contest on the ballot (such as Delegates or State Senators). Because some of these small parcels of land have only 2 to 18 registered voters, the statistical confidentiality of their secret ballot is placed in jeopardy.

The Staff believes there is a temporary fix for the 2012 elections. The fix will include assigning these newly-annexed voters to a City precinct accompanied by a notice to said voters explaining that although they live in a County legislative district, they have the right to vote for all City contests on a combined County/City ballot. By causing this combined County/City ballot to be voted in a City precinct, the statistical confidentiality of the ballot will be preserved.

While the above fix will address the confidentiality issue for the 2012 election cycle, it will not address the problem during the 2014 Gubernatorial Election. In order to deal with this problem before that time, the election district lines will need to be revised so that these pockets of "escaped" City voters no longer exist. (Obviously, as the City likely will continue to annex other parcels into the City, those election district lines likely will require continuing revision into the future.)

All of the foregoing raises the following important issue – who has the authority to change election district lines? Election district lines were set up long ago and it presently is not within the authority or discretion of the Board to adjust those borders. In discussions between Roger Schlossberg and Donna Duncan, it has been urged by SBE that the County Commissioners have the authority to change those election district lines. However, upon careful legal review by both the Board's counsel and counsel for the County Commissioners, it appears that no such express authority exists for non-Charter counties such as Washington County.

There appears a need for legislation to permit the County Commissioners (or, perhaps, the Board) to adjust election district lines to correct this problem prior to the next Gubernatorial Election cycle. The Board anticipates some difficulty in getting the attention of the County delegation for such a hyper-technical change. The Board directed counsel to undertake further research and investigation on the subject and report back to the Board at its October meeting.

B. Election Worker recruitment - Letters have been sent out to our pollworkers.

The Board considered the subject of reappointment of several poll workers in light of performance reviews from the 2010 elections. Upon presentation by Kaye Robucci as to one of those poll workers including a review of unsatisfactory performance related to uncooperative behavior and disruptive presence, the Board authorized her not to reappoint that poll worker. Sharon Mackereth presented separately as to two other poll workers. Following limited discussion, the Board directed that Staff provide detailed documentation regarding any issues concerning those poll workers at the Board's October meeting.

C. Eventbrite –

Sharon Mackereth reported on an event scheduling program which is free on the internet. This is an excellent tool for allowing the election workers to select which training class they wish to attend. Instead of the workers calling into the office setting up date and time to attend the class of their choice, they can do it on the internet. Once they complete the registration, the system e-mails them a ticket showing the exact date, time and class signed up for.

They would then bring that ticket to the class to show they had registered. Also, the program monitors who registered and for what class and makes that information available to us in the office. The office staff would still need to input this information in MDVoters Election Workers Module. The Board members were given the website address and passwords needed to try out the program at home and report to us on how easy it was to register.

Old Business –

- A. Early Voting site – has been approved by the State.

We have received approval from Ross Goldstein, Deputy Administrator, SBE, for our Early Voting site, the Red Cross Building.

- B. Early Voting Agreement –

The Early Voting Agreement has been sent to the County Attorney. The Red Cross has added a few new stipulations to the agreement, so it needs to be revised.

- C. Resolutions for Polling Place changes (Districts 8 and 24).

Roger Schlossberg would like to do some revisions before having the Board sign the resolutions. It has been tabled until next meeting.

- D. Alternate Early Voting Site.

Kaye Robucci informed the Board that she contacted Jim Sterling, Director, Building, Grounds and Parks, about the possibility of using the PNC Bank Building as our Alternate Early Voting site. Jim Sterling sent the request on to Joe Kroboth, Public Works Director, for approval. The approval of our Alternate Early Voting Site is not due until January, 2012. We will table this discussion until our next meeting.

New Business

- A. Request from Big Pool Community Center and Polling Place Rental Survey.

Kaye Robucci received notice from Big Pool Community Center that we use as a polling place for District 15. The officers of the Community Center are requesting an increase in the rental fee, from \$50.00 to \$65.00. Kaye talked with Mr. Davis of the facility and he stated that the Center is having financial problems and may have to close its' doors during the winter months. Kaye informed the Board that her FY12 Budget could handle paying Big Pool the \$65.00.

Tammy Downin made a motion to accept the rental fee increase to \$65.00; Carroll Earp seconded the motion. All were in favor.

Kaye distributed a Rental Fee Survey done in 2009 which indicates that Washington County is one of the lowest paying counties with a standard fee of \$50.00 per election.

Suggestion was made that we have a two tier approach of increase in rental fees. There are several issues we should consider when determining the fee increase – such as, the size of the facility for the amount of registered voters and the electrical power required to operate.

This would mean an increase for FY13 Budget. We should consider a break point of the amount of voters.

Carroll Earp called attention to the fact that, even smaller counties pay more than Washington County.

Eileen Wiggins agrees that we should look at this again in the future, after we receive more information. Kaye will prepare additional information and e-mail it to the Board.

B. Picnic

Kaye Robucci requested that we set a date, time and location for this years' office picnic. The office will call Rachel Mobley, County Parks, for a pavilion. We appreciated John Benchoff and Clyde Tate for having us at their homes in the past. The Board and Staff agreed on the date of Tuesday, October 4th at 6:00 PM. The location will be considered at a later date.

Members Remarks

None

Scheduling of Next Meeting

The next meeting of the Washington County Board of Elections will be held October 11, 2011 at 2:00 PM at the Board office.

Distributed Information

Pertaining to the Election Workers - the Social Security Taxes and W2 information.

Summary of 2011 Legislation changes from Attorney Generals' office.

Revised copy of the SBE Election calendar dated 8/22/ 2011.

New Black Law Books coming.

Adjournment:

There being no further business to come before the Board at this time, Carroll Earp made a motion to adjourn at 3:14 PM; Tammy Downin seconded the motion. Unanimously approved.

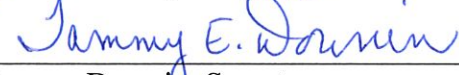
Compiled by Sharon C. Mackereth
Deputy Director, I

Respectfully Submitted,



John Benchoff, Board President

10/11/11
Date



Tammy Downin, Secretary

10/11/11
Date