



MINUTES

WASHINGTON COUNTY BOARD OF ELECTIONS
May 9, 2023
17718 Virginia Avenue
Hagerstown, MD 21740
240-313-2050

Present:

Board:

Martin Lumm, Board President
Tammy Downin, Board Vice President (Virtual)
Connie Mozingo, Assistant Board Secretary
Brian Kane, Board Attorney

Staff:

Kaye Robucci, Election Director II (Emeritus)
Barry Jackson, Election Director II
Teresa Morningstar, Acting Deputy Director II
Cory Green, Election Program Assistant II

Absent:

Bill Blazes, Board Secretary
Jim Schultheis, Member

Guests:

Claudia Martin
Susan Lyons
Nancy Armstrong
Donna Brightman
Peter Perini
Angela Batista
Kandace Carpenter

President Martin Lumm called the meeting to order at 3:07 pm at the Washington County Election Center, 17718 Virginia Avenue, Hagerstown, MD 21740. There was a quorum present.

Approval of Minutes of April 11, 2023.

Connie Mozingo moved to accept the minutes, for April 11 2023, Tammy Downin seconded, and the motion was carried unanimously.

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Request for Additions/Changes to Agenda:

Barry Jackson requested to add the following items to New Business:

- I. Swearing in of New Board
- II. Integra (Election Software)
- III. MAEO Door Prize

Correspondence:

- I. Niki Charleston Email

Reports:

- I. Election Director
 - A. Personnel –
 1. Deputy Director position closed on April 14, 2023. No qualified individuals applied. We will reopen the position on June 16, 2023. In the meantime, Teresa Morningstar has been appointed acting Deputy Director, effective April 5, 2023.
 - B. Meetings:
 1. Director's Meetings: Recap of April 20, 2023 Call:
 - a) April 21st is deadline to apply for CISA grant.
 - b) SBE will send a welcome packet to new board members with a message from Linda Lamone, ethics attachments, etc.
 - c) SBE asked LBEs not to assign election judges to the 2024 election yet, until they determine the effect of HB1200.
 - d) New audit summary report process: Random audits will be performed on four LBEs each month. SBE will notify LBEs of findings but will make the corrections themselves. Repeat notifications will be forwarded to SBE director of voter registration. Third offense will be reported to the local board president.
 - e) List maintenance training in July/August
 - f) Reminder that Post Election Maintenance (PEM) is to be completed by April 21, 2023 and certification documents to be submitted.
 - g) SBE is creating a new voting system project team.
 - h) LBEs may continue to use the current pollbooks in support of municipal elections.
 - i) New pollbooks – tablet configuration will last two months. Current schedule for delivery/pickup of pollbooks is August/September 2023.
 - j) Records retention survey due April 30, 2023.
 - k) RICO case has been appealed in the 4th Circuit. LBEs must continue to hold onto 2020 election records.

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I) Next Meeting, June 15, 2023 in Washington County!

C. Trainings: N/A

D. Legislative Update: Status of election-related bills:

1. Governor Moore signed the following bills:

- a) SB379/HB535 (Kagan, MoCo/Feldmark, HoCo) – sets rules for the early processing of mail in ballots, tabulating and releasing results, curing of ballots without signatures, and acceptance of ballots if more than one is submitted by the same voter.
- b) SB863/HB899 (Kagan, MoCo/Jones, AA) – allows for the removal of the State Administrator of Elections upon 4 votes from SBE.
- c) HB410 (Rosenberg, Balt.City) – Election Reform Act of 2023. Originally set rules for how local boards can change polling places and prohibited records requests within 90 days of an election and until after certification. Amended version prohibits reducing polling places by more than 5% of 2018 polling places. **5% requirement was removed**
- d) HB1200/SB925 (Jones, AA/Washington, PG) – minimum \$250 for election judges plus \$100/day for returning judges, minimum \$50 for training.

E. Voter Registration Activities and Statistics:

1. Registration Statistics for April 2023

F. Candidate Filings:

1. Filing for 2024 Presidential Election began on January 19, 2023. No filings so far.

G. Voting System Activities:

1. N/A.

H. Projects:

1. Still awaiting new systems from county as a result of cyber-attack in November, 2022.
2. Clean up from 2022 election (clean out black transfer carts and put everything away, box up voted and unvoted ballots for storage).
3. Inventory audit to be completed by June 30th, 2023. **Audit was completed.**

II. Attorney

Brian Kane stated that the RICO lawsuit case has been appealed in the 4th Circuit. Brian Kane stated that the appeal should not affect the Board of Elections other than retaining the 2020 election records.

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Old Business:

- I. Polling Place Merges
Barry Jackson stated Mercersburg Printing won the contract to print the Voter Notification Cards. Barry Jackson corrected the number of precincts from the merge is 45 and the number of polling places is 40.
- II. FY24 Budget
The County is having a public hearing on the budget May 9, 2023 at 6:00 pm. Barry Jackson stated that as far as he knows the hiring of the additional staff member has been approved and we should know for sure by the next board meeting in June.
- III. MAEO Conference
Conference call with the MAEO Board and Committee will be tomorrow regarding an update on the hotel. Tammy Downin asked if there is any way that she can be guaranteed a refrigerator due to medication? Barry Jackson stated that he will ask tomorrow during the call.
- IV. Ethics – due April 30, 2023
Barry Jackson stated that all board members have submitted their Ethics.
- V. Early Voting
Teresa Morningstar and Carl Daley visited the proposed early voting sites.
Boonsboro American Legion: The room is approximately 4,950 sq. feet. Parking is approximately 60-100 cars at one time. The building is ADA compliant. Marty Lumm asked if the American Legion does Bingo? Teresa Morningstar stated that they do Bingo; however, Mr. Moats, whom they met with, stated they are looking forward for the early voting to be there and will make the necessary accommodations.
Big Pool Community Center: Teresa Morningstar and Carl Daley met with Doug Weller. The room is approximately 1,270 sq. feet. Future renovations will be made for lighting outside. There is parking; however, there are no lines for parking spots. There are also no dedicated handicap spots. Bathrooms are fairly large at the facility; however, they are not ADA compliant. There is no WIFI in the building, but they use hot spots.
Hancock Town Hall: Teresa Morningstar and Carl Daley met with Mike Faith. The room is approximately 775 sq. feet, but only had 3 electrical outlets. The room that was shown was not the one that Barry Jackson had previously discussed with Mr. Faith. There is a large flat parking lot with approximately 36 parking spots. The Hancock Town Hall will be revisited so the polling place evaluation can be redone for the recreation room.
Kandace Carpenter asked if there is parking other than the 36 parking spots in case the Town Hall has other events going on? Teresa Morningstar stated that there is street parking in front of the Town Hall.
Dona Brightman asked what the deadline is for when SBE pulls the voter registration numbers to determine the number of polling sites? Kaye Robucci stated that per the new election calendar SBE pulls the number of registered voters on September 12, 2023.
- VI. CISA Grant Opportunity
The local EMS submitted their information to the state. They are required to

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spend at least 3% of the budget on election security. Some possible items that could be added are new locks for the front doors, blast resistance film will be applied to the windows out front, and having roll down security doors installed in the lobby. Barry Jackson stated that it will be until late summer until another update will be provided.

New Business:

I. Swearing in of New Board

New Board members cannot be sworn in until their appointment starts per an email from Nikki Charlson, which was included in the board packet. Swearing in will be on June 5, 2023 at 8:30 am. Martin Lumm stated that Brian Kane and Tammy Downin are a wealth of knowledge.

II. Integra (Election Software)

SOCH Inc. has software called Integra. It is a cloud-based software and uses GovCloud. The cloud will hold personal information and per the company the information does not leave the agency. Other agencies such as the FBI uses this company for their storage. The software will help streamline the election process and the software is very user friendly. The price tag is approximately \$30,000. There is one line item in budget year 2023 that will approximately have this leftover; however, the purchase will not be able to be completed in budget year 2023.

Tammy Downin asked how this software became known to the staff? Barry Jackson stated that the company was at an election conference convention that they attended in Denver. SOCH Inc. will be at MAEO if anyone has any questions.

Kandace Carpenter asked if the \$30,000 is the total fee? Teresa Morningstar stated that the \$30,000 is a lump sum and then there will be a yearly fee.

Kandace Carpenter asked if Washington County decides to terminate the contract with the company, then who owns the information in the cloud?

Barry Jackson stated he did not know the answer, but will look into it.

Barry Jackson is asking for this board to make a decision to move the \$30,000 from budget year 2023 to budget year 2024 so that it can go through the procurement process. Connie Mozingo asked if the money is not moved then what happens to the money? Kaye Robucci stated that the money is gone. The board unanimously agreed to move the \$30,00 from budget year 2023 to budget year 2024.

III. MAEO Door Prize

In the past staff have contributed their own money for the door prizes. There is a Maryland store in Westminster, and staff will go down to purchase some items for the Door Prize. The budget for the door prizes is no more than \$100. Barry Jackson is asking for donations for the door prizes from the Board and Staff.

Members Remarks:

Tammy Downin stated that she is saying good bye to so many people not only on the board, but also staff as Kaye Robucci and Tamara Derr are retiring.

Connie Mozingo wished the new board good luck.

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Marty Lumm stated he came on the board in 2015. From 2015 to 2019 the election was pretty routine. 2019 to present day Martin Lumm stated that the elections are no longer routine as they once were and are now more involved, ranging from court cases and lawsuits to 8 days of canvassing.

Nancy Armstrong stated that the old board has left some big shoes to fill.

Donna Brightman stated that the comment on nonpartisanship really stuck out to her and hopes the new board can continue to operate this way.

Peter Perini stated that as a guest at the board meetings he has always felt welcomed and thanked the current board for all their hard work.

Peter Perini did have one question regarding ballot drop boxes? Barry Jackson stated that there is some question as to if a ballot drop boxes will be required at early voting sites. If they will not be required at the early voting sites then staff are proposing that one be added at Williamsport town hall and another one at Sharpsburg town hall. The drop box that was at the Washington County Free Library will be relocated to the Hagerstown Town Hall. Peter Perini asked what the deadline is to request additional drop boxes from the state? Barry Jackson stated he would reach out to the state for the deadline.

Kandace Carpenter asked if there is a deadline for the Voter Notification Cards to be mailed to voters and what happens if they are returned as undeliverable? Barry Jackson stated that there is a 30 day deadline from when the board signs the resolution and if the cards come back as undeliverable then staff follow the NVRA process.

Kandace Carpenter asked for future dates that the board members will be required to be in attendance regarding the 2024 election. Brian Kane stated that previous counsel advised Brian to clear 6 weeks after the Election Day and all of that time was used in the previous election.

Distributed Information:

Board Packet

Future Events:

MAEO Conference, May 15th-18th

Swearing in of New Board, June 5th, 8:30 am, County Courthouse

Scheduling of Next Meeting:

The next regular meeting of the Washington County Board of Elections will be held on Tuesday, June 13, 2023 at 3:00 pm The location is Washington County Election Center, 17718 Virginia Avenue, Hagerstown, MD; as pursuant to the Bylaws of the Washington County Board of Elections, Article 3, Section 3.3(A) 8.

Adjournment and Reconvening the Board of Canvassers:

There being no other business to come before the Board at this time, President Marty Lumm called for a motion to accept the previous executive session minutes that were not previously approved. Connie Mazingo made a motion to accept the previous executive session minutes and Tammy Downin seconded and the motion carried unanimously.

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President Marty Lumm called for a motion to adjourn the Regular Board Meeting and reconvene the Board of Canvassers. Connie Mozingo made a motion to adjourn the Regular Board Meeting and reconvene the board of canvassers. Tammy Downin seconded the motion, and it carried unanimously at 4:39 pm.

Compiled by Cory Green
Election Program Assistant II

Respectfully Submitted,

 7/11/23

Tammy Downin, President Date

 7/11/23

Donna Brightman, Secretary Date