



MINUTES

WASHINGTON COUNTY BOARD OF ELECTIONS

April 11, 2023

17718 Virginia Avenue

Hagerstown, MD 21740

240-313-2050

Present:

Board:

Martin Lumm, Board President

Tammy Downin, Board Vice President

Bill Blazes, Board Secretary

Connie Mozingo, Assistant Board Secretary

Brian Kane, Board Attorney

Staff:

Kaye Robucci, Election Director Emeritus

Barry Jackson, Election Director II

Teresa Morningstar, Election Program Supervisor I

Cory Green, Election Program Assistant II

Absent:

Jim Schultheis, Member

Guest:

Peggy Martin

Donna Brightman

Peter Perini

Claudia Martin

Kandace Carpenter

Nancy Armstrong

President Martin Lumm called the meeting to order at 3:04 pm at the Washington County Election Center, 17718 Virginia Avenue, Hagerstown, MD 21740. There was a quorum present.

Approval of Minutes of March 14, 2023.

Connie Mozingo moved to accept the minutes as amended, for March 14, 2023, Bill Blazes seconded, and the motion carried unanimously.

Page 5 #2 Polling Place consolidation "Barry discussed," instead of "Barry discusses"
Page 5 "Review two confidentiality request." Change "request" to "requests," and
"Connie Mozingo made the motion and Jim Schultheis seconded"

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Closing statement needs to include that the Board of Canvassers was convening

Request for Additions/Changes to Agenda:

- III. Maryland Matters article about Linda Lamone
- IV. State Board of Elections announcement to begin appointment of new State Elections Administrator.

Correspondence:

- I. Emailed to Board: Statement from Linda Lamone
- II. Emailed to Board: MAEO Updated Agenda

Reports:

- I. Election Director
 - A. Personnel –
 - 1. Barry Jackson hired as Election Director. Kaye Robucci staying on in advisory role until July 1, 2023.
 - 2. Deputy Director position posted on DBM April 3, 2023, closes Friday, April 18, 2023.
 - B. Meetings:
 - 1. Director's Meetings: Recap of March 16, 2023 Call:
 - a) SBE will respond to records requests made to the local boards.
 - b) Save the Dates:
 - (1) October 5th – Statewide TTX (table top exercises) in Anne Arundel
 - (2) October 19th – Biennial conference in Annapolis.
 - c) The forms workgroup and University of Baltimore continue to work on the new provisional/SDR application
 - d) Green and Working Class parties lost their status with the State of Maryland. We sent letters to the affected voters in Washington County.
 - e) MVA paper applications - paper apps will be sent to MVA central location to then be sent to SBE, to then be sent to the LBEs.
 - f) Disaster recovery failover testing is next week (April 17-21)
 - g) Post Election Maintenance (PEM) deadline is April 21, 2023
 - h) New Voting System for 2026 – project team members will be selected by July 1st.
 - i) New electronic pollbooks – new tablets delivered to central warehouse on March 16th, need volunteers to help with acceptance testing.
 - j) Records retention local board survey – comprehensive survey due by April 30th.
 - k) Next Meeting, April 20, 2023

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C. Trainings: N/A

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

1. Bills on the way to passage:

- a) SB195 (West, Balt/Carr) – adds Judge of the Orphan’s Court to Non-Partisan races. **Did not pass General Assembly**
- b) 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. **Passed to Governor.**
- c) SB339/HB642 (Kagan, MoCo/Grossman, WashCo) – Recount bills putting into law practices that we already have in place. **Did not pass General Assembly.**
- d) SB863/HB899 (Kagan, MoCo/Jones, AA) – allows for the removal of the State Administrator of Elections upon 4 votes from SBE. **Passed to Governor.**
- e) HB572 (Kaiser, MoCo) – Risk Limiting Audits. **Did not pass General Assembly.**
- f) 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. **Passed to Governor with admendments. 5% requirement was removed**
- g) HB1200/SB925 (Jones, AA/Washington, PG) – minimum \$250 for election judges plus \$100/day for returning judges, minimum \$50 for training. **Passed to Governor.**

Peter Perini asked if there was a bill that extended the primary to May 14, 2024. Barry Jackson replied that the primary was moved, but the bill number that it was included in was not known at the moment.

Peter Perini asked if the election judge pay increase had to be presented to the commissioners due to the budget already being submitted?

Barry Jackson replied that yes, the pay increase would have to be brought to the attention of the county commissioners and that since the budget is still pending it is possible that the budget could be amended to include the new pay increase for election judges.

E. Voter Registration Activities and Statistics:

1. Registration Statistics for March 2023

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Kandace Carpenter asked if there was ever an issue with being able to be placed on the county commissioner's agenda for the third early voting site due to SBE requesting the list within 1 month after the voter registration statistics are pulled?

Barry Jackson responded that there will not be an issue being placed on the county commissioner's agenda and that the third early voting site was already in the budget and all that the county commissioners can do is reject or accept the third early voting site if the number of registered voters is less than 100,000.

F. Candidate Filings:

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

G. Voting System Activities:

1. Tablets for new electronic pollbooks were delivered to SBE central warehouse on March 16th. Carl Dayley participated in the acceptance testing of the tablets.

H. Projects:

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

II. Attorney

Brian Kane informed the board that the Ballot Mule Rico suit was dismissed in December 2022. In January 2023 the Plaintiffs filed a motion for the court to reconsider and that motion is still pending with the courts.

Old Business:

I. Polling Place Merges

49 polling places will be combined into 40 polling places. Precincts will be reduced from 55 to 47.

Combining precincts 03002/03003/03004 to Girls Inc. Gymnasium, becomes precinct 03002.

Kandace Carpenter asked what the parking conditions were at Girls Inc. and Barry Jackson responded that there is a parking lot, but it is on a slight slope.

Combining precincts 06001/06002 to Boonsboro High Gymnasium, becomes precinct 06000.

Peggy Martin asked how this will affect election judges and Barry Jackson responded that less election judges will be needed to work due to the combining of locations. Barry Jackson stated that less voting equipment would be deployed versus having the two sites.

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Combining precincts 10001/10004 to South High Gymnasium, becomes precinct 10001.

Combining precincts 13001/13002/13003 to Maugansville Elementary Gymnasium, becomes precinct 13001/13002.

Combining precincts 21001/21002/21003 to North High Gymnasium, becomes precinct 21000.

Combining precincts 26001/26004 to Election Center, becomes precinct 26001.

Combining precincts 26002/26003 to Lincolnshire Elementary Cafeteria, becomes precinct 26002.

Peter Perini stated that overall, this is a 20% decline in polling places which is a good thing, however, more election judges will be needed to work at these locations. Peter Perini asked if a cost saving analysis has been completed for election judges and voting supplies? Barry Jackson stated that half of the election judges would still be employed due to the size of these larger Precincts and that overall, less voting equipment would be deployed.

Peter Perini stated that the Girls Inc. Gymnasium parking lot can be challenging and that some assistance with traffic may be needed.

Peggy Martin asked how the election judge pay increase will affect the county?

Tammy Downin responded that it is the law and that with consolidating polling places it should save some money.

Donna Brightman asked if the polling place decreases will be reevaluated at a later time? Barry Jackson stated that after every election there is a debrief on what worked and what did not. Barry Jackson also stated that he does not plan on combining any more precincts, but if mail in voting continues to increase then this matter may be revisited again.

Connie Mozingo asked if this will save money if you take into consideration the number of days for mail in voting? Barry Jackson stated that the polling place merges should offset some of the mail in voting cost and some of the election judge pay increases.

Tammy Downin made the motion to accept the staff recommendation to consolidate 8 precincts bringing the total number of precincts from 55 to 47 and reduce the previous 49 polling places to 40, Connie Mozingo seconded, and the motion carried unanimously.

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II. FY24 Budget

Still waiting to hear if the budget was accepted by the county commissioners, but the additional staff member was approved. Barry Jackson stated that he reached out to the budget and finance department for the status on the budget.

III. MAEO

May 15- May 18, 2023.

Brian Kane suggested that at least one staff member attend the PIP, PEP, Discipline, OH MY meeting on May 15, 2023 from 3:00 to 4:00 pm.

IV. Ethics – due April 30, 2023

Are due at the end of this month. Jim Schultheis is the only member that has yet to file.

V. Early Voting

Barry Jackson stated that it was always the staff's intention to spread out the early voting sites throughout the county. Barry Jackson recommended 3 early voting sites. The first site is the Washington County Election Center, the second site is the Boonsboro American Legion. The third site would be Big Pool if approved by the county commissioners or if the number of registered voters is greater than 100,000 by August 22, 2023.

Martin Lumm previously asked Barry Jackson to prioritize the early voting sites based on the number of voters that the early voting sites would be servicing and Marty stated he was surprised by the recommendation of Big Pool.

Big Pool early voting site has only one ramp and the ramp leads through the kitchen. Also, the step from the parking lot to the sidewalk is higher than accessibility standards allow.

Peter Perini asked if the states selection criteria from 2021 was applied to these early voting sites and Barry Jackson stated that the previous selection criteria was applied to all of the potential early voting sites.

Peter Perini stated the he is struggling how the Washington County Free Library is no longer being considered as an early voting site. Kandace Carpenter stated that at the last board meeting it was presented to the public that the voters that used the Washington County Free Library were not the voters that were disenfranchised.

Brian Kane stated that the 2020 census data should start to come out as it was not readily available for the 2022 election and that the data could be used to help determine the early voting sites.

Kandace Carpenter stated that the Washington County Department of Social Services has relocated some transient housing clients to hotels throughout the county.

Martin Lumm stated that prior to the board meeting today it was discussed between Barry Jackson and himself that the early voting sites may be something that this Board may have to defer for the next board. Tammy

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Downin stated that this should continue to be researched and more data can be presented at the next board meeting.

Claudia Martin asked how many voters turned out at the Washington County Free Library verse the Election Center and Barry Jackson stated that he did not have the exact numbers, but the number of voters that came to the Election Center was about 10:1 compared to the Washington County Free Library.

VI. CISA Grant Opportunity

CISA provided a report in 2019 on improvements to make the building more secure and about half of them have been taken care of. Barry Jackson forwarded the CISA report to the County's Emergency Services to see what they could recommend. Approximately \$5,000 is the grant that can be applied to increasing the buildings security.

New Business:

N/A

Scheduling of Next Meeting:

The next regular meeting of the Washington County Board of Elections will be held on Tuesday, May 9, 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.

Members Remarks:

Tammy Downin thanked the new board members for being present at the Board Meeting.

Peggy Martin thanked the board for all of their past and current hard work.

Peter Perini stated it was an honor for him to tell people throughout the state how great of a job the staff, election judges, and the board members do, day in and day out.

Distributed Information:

Board Member Packet

Future Events:

MAEO Conference, May 15th-18th

Swearing in of New Board, June 5th(?) Tentatively scheduled for 8:30 am by the clerk of the Circuit Court Kevin Tucker.

Adjournment and Executive Session:

There being no other business to come before the Board at this time, President Marty Lumm called for a motion to adjourn the Regular Board Meeting and go into executive session. At 4:48 pm., Tammy Downin made a motion to adjourn the Regular Board Meeting and go into executive session. Bill Blazes seconded, and the motion carried unanimously. There was a break until 5:05 pm, to allow guests time to leave the room and the Board to prepare for the executive session.

SUMMARY OF CLOSED SESSION HELD ON April 11, 2023

1. Statement of the time, place, and purpose of the closed session:

Time of closed session: 5:05 pm

Place (location) of closed session: Election Center 17718 Virginia Avenue, Hagerstown, MD 21740.

Purpose of the closed session: (10) to discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:

- (i) The deployment of fire and police services and staff; and
- (ii) The development and implementation of emergency plans.

Record of the vote of each member as to closing the session:

Names of members voting aye: Tammy Downin, Bill Blazes, Connie Mozingo,

Members opposed: None Abstaining: Marty Lumm

2. Statutory authority to close session:

This meeting was closed under the following provisions of General Provisions Art. § 3-305(b):

Topic #1: § 3-305(b) (10) **Topic #2:** § 3-305(b) (10) **Topic #3:** § 3-305(b) ()
 (add others as needed)

3. Listing of each topic actually discussed, persons present, and each action taken in the session:

Topic description	Persons present for discussion	Action Taken/Each Recorded Vote
#1: Election Center as a COOP site	Marty Lumm, Tammy Downin, Connie Mozingo, Brian Kane, Bill Blazes, Barry Jackson, Cory Green, Kaye Robucci, Teresa Morningstar	No action
#2: Use of Election Center for tax sale.	Marty Lumm, Tammy Downin, Connie Mozingo, Brian Kane, Bill Blazes, Barry Jackson, Cory Green, Kaye Robucci, Teresa Morningstar	No Action
#3 Executive Session Minutes	Marty Lumm, Tammy Downin, Connie Mozingo, Brian Kane, Bill Blazes, Barry Jackson, Cory Green, Kaye Robucci, Teresa Morningstar	Past Minutes were approved.

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After the discussion was completed, Connie Mozingo made the motion to adjourn Executive Session at 5:55 pm. Bill Blazes seconded, and all parties voted aye.

Compiled by Cory Green
Election Program Assistant II

Respectfully Submitted,

Martin Lumm 5/9/2023
Martin Lumm, President Date

Connie Mozingo 5/9/23
assist
Sec
~~Bill Blazes, Secretary~~ Date