



MINUTES

WASHINGTON COUNTY BOARD OF ELECTIONS
October 12, 2021
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
Jim Schultheis, Member
Brian Kane, Board Attorney

Staff:

Barry Jackson, Election Deputy Director II
Cory Green, Election Program Assistant I

Absent:

Guest:

Peter Perini, Washington County Democratic Central Committee
Seth Wilson, Washington County Republican Central Committee
Lisa Shields
Julie Greene, Herald Mail

President Marty Lumm called the meeting to order at 3:00 PM at the Washington County Election Center, 17718 Virginia Avenue, Hagerstown, MD 21740. There was a quorum present.

Approval of Minutes of September 14, 2021:

Jim Schultheis moved to accept the minutes for September 14, 2021, Connie Mozingo seconded, and the motion was carried unanimously. Tammy Downin abstained.

Additions/Changes to the Agenda:

Barry Jackson requested the following under Correspondence:

- I. Electronic Pollbook Solution – Update emailed to the Board.

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Correspondence:

- I. Electronic Pollbook Solution – Update emailed to the Board.

Reports:

- I. Election Director
 - A. Personnel - IT Election Services contract extension expires on October 31st. More to discuss in closed session.
 - B. Meetings:
 1. Director's Meetings: Next Meeting: October 21, 2021 at 10AM. Possible discussion points for the next meeting may be:
 - a) Electronic Pollbook Solution
 - b) Early Voting Center Selection, due November 29, 2021
 2. League of Women Voters Meeting on October 16th – Barry Jackson will give a presentation on Election Security.
 3. Marty Lumm and Barry Jackson are on the October 19th County Commissioners agenda to seek approval for the third Early Voting Center.
 - C. Correspondence: N/A
 - D. Trainings:
 1. Microsoft Access Class: September 22 – Carl Dayley
 2. VSS Training (Voting System and Software):
 - a) Date(s): September 28 - 30
 - (1) BMD Initial: Cory Green
 - (2) BMD Refresher: Carl Dayley
 - (3) SU Initial: Cory Green
 - (4) SU Refresher: Carl Dayley
 3. ElectionWare & Election Reporting Manager (ERM) Initial: Carl Dayley & Barry Jackson
 - E. Legislative Update – Barry Jackson is leading the Legislative Tech Workgroup. The group attended virtual demonstrations of several ballot sorting solutions and created a product comparison document to submit to the Legislative Committee.
 - F. Voter Registration Activities and Statistics:
 1. Registration Statistics for September 2021 were distributed to the Board. Barry Jackson reported that as of October 11, 2021, there were 98,830 active registered voters.
 2. National Voter Registration Day on September 28th at Hagerstown Community College. We were there to take registrations and answer questions. Students could vote in a “Mock” election on the voting equipment (31 voted) and try for a prize on the plinko board.

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G. Candidate Information:

1. Filing began February 23, 2021. 16 Candidates have filed.

H. Voting System Activities:

1. Pollbook Acquisition – Vendor has been selected, but solution will not be implemented until after the 2022 Election.
2. Mock Election – Ballot Proofing to be completed by October 21st.
3. 3rd quarter charging done on all voting equipment.
4. Shelving installed for pollbooks and printers.

I. Projects:

1. Clean up Street File in preparation for Redistricting
2. Contact Election Day Polling Places
3. Contact Election Workers – Barry Jackson reported that around 1,200 letters were sent out. Connie Mozingo asked how many election workers were needed out of the 1200 and it is estimated 650 to 700 workers are needed.

Lisa Shields asked how election judges are assigned? Barry Jackson responded that the Board does its best to assign workers to a polling place closest to their home if they cannot work in their home polling place. Each site has a Republican chief judge and Democratic chief judge and then the rest of the election staff is assigned as proportionately as possible.

4. Additional Early Voting Centers.

II. Attorney: No Report.

Old Business:

I. Virginia Avenue Update

- A. HVAC work is ongoing.

II. Vote on 2nd and 3rd Early Voting Sites

- A. Barry Jackson presented the three Early Voting sites to the Board:

1. Washington County Election Center, 17718 Virginia Avenue, Hagerstown, MD 21740
2. Washington County Free Library, 100 S. Potomac Street, Hagerstown, MD 21740
3. Smithsburg Library, 66 Water Street, Smithsburg, MD 21783

- B. Recommendation before the Board is to approve Washington County Free Library as the 2nd Early Voting site, and Smithsburg Library as the 3rd Early Voting site.

- C. President Marty Lumm opened up the floor for discussion.

1. Seth Wilson handed out and read his statement, which reads as follows:

“To the members of the Board of Elections:

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On behalf of myself and the members of the Republican Party whom I represent, I urge the Board to table or postpone any vote to add a second early voting center in Hagerstown, specifically the location referenced as EVC02 in the Board's public notice dated October 7, 2021.

The proposed distribution of voting centers is not equitable as required by law. Further, no determination that a third voting center will be required by law is likely. Therefore, I believe it is in the best interest of all citizens of Washington County that any vote to establish a second voting center in Hagerstown be tabled or postponed at this time.

Thank you for your consideration."

Seth added that if voting does commence today, he would like the voting to be of the Smithsburg Library instead of the Washington County Free Library. Seth's opposition is that the Washington County Free Library is not equitable to the rural citizens of Washington County. Seth also stated that electioneering would be difficult at this site. Marty Lumm responded to Seth that one of the factors the Board of Elections must consider is that, for three Early Voting Centers, 80% of the registered voters live within five (5) miles of one of the Early Voting Centers. Other considerations are the Early Voting Centers should have bathrooms and a kitchen for election workers. Marty said one strict requirement is that all Early Voting Centers must be ADA compliant. Marty said Barry Jackson and Kaye Robucci have gone to various locations and these were the best choices for the voters of Washington County.

2. Seth Wilson reported that other counties used schools during Early Voting and suggested we do the same. Jim Schultheis responded that schools in Washington County are not a viable solution due to the early voting center having to be open for 10 days.
3. Tammy Downin asked Barry Jackson how big the room was in Smithsburg Library. A picture of the room was shown on the monitor. Tammy's assertion is that the Smithsburg Library is too small to assist with a large turnout, which is why the Washington County Free Library was selected as the second site. The room in the Washington County Free Library is much larger and can handle a larger volume.
4. Lisa Shields asked how the voter turnout is at the early voting. Barry Jackson responded that it would be less for a Gubernatorial but 15,000 in the Gubernatorial General Election would be an educated guess, possibly more with voters having more options to choose from in Early Voting centers.
5. Marty Lumm asked for Barry Jackson's recommendation for voting today. Barry asked if the board would be willing to vote on both sites

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and have the Smithsburg Library as the second site and the Washington County Free Library as the third site. Brian Kane reminded the Board that the third site requires additional approval. First the Washington County commissioners would need to approve it, then SBE would have to grant approval for the third site.

6. Peter Perini opined that the equitable distribution that is referenced by the Code of Maryland Regulations (COMAR) does not need to be within a certain geographic distance, but that it should be equitable to the population of the county, and as a result, the Library and the Virginia Avenue location are the right choices as far as the population of Washington County is concerned.
- D. Marty Lumm asked for a motion. Tammy Downin made a two-part motion:
1. Approve the Washington County Election Center at 17718 Virginia Avenue, Hagerstown, MD 21740 as Early Voting Center Number 1 and the Washington County Free Library at 100 S. Potomac Street, Hagerstown, MD 21740 as Early Voting Center Number 2; and
 2. Pending approval from the Washington County Commissioners and State Board of Elections (SBE), the Smithsburg Library at 66 Water Street, Smithsburg, MD 21783 as Early Voting Center Number 3.
- E. Bill Blazes seconded the motion, and Marty Lumm called the roll. The motion passed, 4-0, with Marty Lumm abstaining.

III. 2020 Census and Redistricting

- A. The Maryland Department of Planning released the reallocation population adjustment for incarcerated citizens in Washington County who reside elsewhere, reducing the population in Washington County from 154,705 to 150,517.
 - B. Barry Jackson reported that the Maryland Citizens Redistricting Commission's congressional map still looks the same as the original map initially created, though it was apparently updated on September 25, 2021. Still unclear if Western Maryland will now be Congressional District 1 or remain Congressional District 6.
- IV. Ballot Drop Boxes – SBE clarified that ballot drop boxes are not required at every Early Voting site; however, Barry Jackson recommended that, since we already have a drop box at our one Early Voting site, we should be consistent and have one at each of the other two. Tammy asked if they were in the budget and Barry did not think so. Ballot drop boxes are estimated at \$1,500 each.
- V. .gov Domain Name – Application was submitted to the Cybersecurity and Infrastructure Security Agency (CISA) on September 29, 2021, and we are still awaiting approval.
- VI. Christmas Party – Hickory Bridge reservation December 3rd, 2021 at 5:00. Dining room at the Women's Club. \$150.00 to rent the room and then catering would have to be selected. Tammy Downin would not be comfortable with Hickory Bridge, because of the closed in space. Board would like more information on Women's Club and catering options.

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- VII. Comprehensive Audit – We received clarification from SBE that the Comprehensive Audit can be discussed in open session. There were originally five findings by SBE, but we disagreed with three of them, and SBE retracted those those three.

New Business:

- I. American Rescue Plan Act Premium Pay for Election Officials
Barry Jackson informed the Board that Kaye Robucci would like to wait until she returns to present our proposal to the County Commissioners for bonus pay for election workers. Marty Lumm originally sent an email to Sara Greeves, County Chief Financial Officer, asking if the election workers would be considered for the bonuses, but he did not mention election staff or Board Members.
- II. Use of Election Center as Vaccination Site.
Washington County Department of Health approached the Board of Elections to see if the site could be used 1 Friday a month as a vaccination site. Early voting room would be where they would need access to. Tammy Downin asked if this would go against Board policy of granting groups other than county organizations access to the building. Barry Jackson stated since it is the Washington County Health Department requesting that it should not violate the policy.

Members Remarks:

Tammy Downin thanked Barry Jackson and the staff for the many topics that were researched and for the information.

Connie Mazingo said the Board does not take Seth Wilson's remarks lightly, but the options that we came up with for Early Voting were the best available.

Jim Schultheis inquired about moving precinct 26-1, St Joseph's Catholic Parish, into the Election Center. Barry Jackson informed Jim it will be done. The Board has to approve it and notification has to be sent out to each affected voter.

Brian Kane is appreciative of the staff for all of their hard work.

Tammy Downin thanked Brian Kane for all of his work and research.

Seth Wilson said he is appreciative of the feedback and dialogue with the Board and the staff.

Lisa Shields asked about the Ballot Drop Box procedures, and Barry Jackson walked her through it, step by step, explaining all of the chain of custody procedures and security measures we take.

Lisa Shields asked why it took so long for the election judge application to be updated when Frederick had there's out many months ago. Barry Jackson informed Lisa that every Board of Election operates differently and that the dates are not set in stone.

Lisa Shields asked why the Washington County board website goes to vote.org when you click on register to vote. Issue has since been corrected. Barry Jackson will look into this to get back with Lisa. Lisa stated that it was called in last week by a person Lisa would not disclose at the moment who called in to report the issue to a staff member at the Washington County Board of Elections. Issue was also reported to SBE and SBE directed Lisa's contact to call the Washington County Board of Elections.

Scheduling of Next Meeting:

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The next regular meeting of the Washington County Board of Elections will be held on Tuesday, November 9, 2021 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.

Distributed Information:

Future Events:

- I. Barry Jackson Address to League of Women Voters, October 16, 2021

Adjournment and Executive Session:

There being no other business to come before the Board at this time, Marty Lumm called for a motion to adjourn the Regular Board Meeting and move into Executive Session. At 4:30 PM, Connie Mazingo made a motion to adjourn the Regular Board Meeting and convene an Executive Session under State Government Article, § 10-508 (a) (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals. Bill Blazes seconded the motion.

All guests left the meeting.

SUMMARY OF CLOSED SESSION HELD ON OCTOBER 12, 2021

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

Time of closed session: 4:30 pm.

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

Purpose of the closed session: ARP Premium Pay for Election Officials

2. *Record of the vote of each member as to closing the session:*

Names of members voting aye: Tammy Downin, Bill Blazes, Connie Mazingo, and Jim Schultheis

Members opposed: None

Abstaining: Marty Lumm

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

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4. 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: ARPA Premium Pay for Election Officials	Marty Lumm, Tammy Downin, Bill Blazes, Connie Mozingo, Jim Schultheis, Brian Kane, Barry Jackson, and Cory Green	No action taken
#2: Personnel matter affecting a specific individual	Marty Lumm, Tammy Downin, Bill Blazes, Connie Mozingo, Jim Schultheis, Brian Kane, Barry Jackson, and Cory Green	No action taken

After the discussion was completed, Tammy Downin made the motion to close the Executive Session at 5:48 PM, Jim Schultheis seconded, and the motion passed unanimously.

Compiled by Cory Green
Election Program Assistant I

Respectfully Submitted,

 11/9/2021

Martin Lumm, President Date

 11-9-21

Bill Blazes, Secretary Date