

**MINUTES**  
**WASHINGTON COUNTY BOARD OF ELECTION**  
**August 12, 2003**  
**35 W. Washington Street**  
**Hagerstown, MD 21740**  
**240-313-2050**

Present:

Board

Charles Mobley, Jr., President  
Marianne Schneider, Democratic Member  
Dorothy Waters, Republican Alternate  
Eileen Wiggins, Democratic Alternate  
Greg Bannon, Board Attorney

Staff

Dorothy M. Kaetzel, Election Director I  
Sharon C. Mackereth, Election Data Application Spec. II

Charles Mobley called the meeting to order at 2:00 PM. John F. Barr, Republican Member, was absent. There was a quorum present.

**Approval of Minutes of July 8, 2003**

Charles Mobley asked if the board had any corrections or modifications to the minutes of the July 8, 2003, Board Meeting. The minutes were approved as submitted.

**Addition/Changes to the Agenda:** Several items will be added to the agenda: The letter from SBE on new Voting System, memo from SBE about Brad Barkey leaving as Voter Registration System Project Manager, and letter from Barbara L. Fisher, Vice President of MAEO, about 2004 Legislation these will be discussed under Correspondence.

**Correspondence:**

- A. Several items from SBE minutes were discussed -  
Green Party Law Suit  
Contract renewals with ES&S was drafted for local offices which included an early release clause.  
SBE merger with the Secretary of State's office.
- B. Ralph Wachter resigned from position on State Board and is replaced by  
A. Susan Widerman.
- C. Letter from Tim Augustine about Polling Place evaluation, he was pleased with the thorough information presented. This was compiled by Jim Mobley from Election Day evaluation sheets.

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- D. Letter from Delegate Christopher Shank to Dr. Elizabeth Morgan, Superintendent of Schools for Washington County. This was in response to the letter about Smithsburg High School registration.

Dorothy Kaetzel talked with Dr. Clyde Harrell, Board of Education, and he feels that this was a strike back at the former school principal. The young lady, who sent the letter regarding high school registration, had other personal issues with her former principal. Dr. Harrell feels that the situation did not happen the way the letter stated. Jim Mobley suggested sending a follow up letter to Delegate Chris Shank, on the outcome of our investigation.

- E. The letter from SBE Administrator Linda Lamone, to Commissioner Gregory Snook regarding new voting system was discussed.
- F. Reactions to recent criticism of New Touch Screen Voting System was discussed.
- G. Memo from SBE on new voting system was discussed.

Gov. Ehrlich has ordered a study to be done on the Diebold Touch Screen System. The study is to see if the election software can be compromised by hackers. All questions should be referred to the Governor's office.

The Board is concerned about what happens when contract is already signed. Karen Luther, County Purchasing Agent, suggested we keep contract with ES&S for the Optech's III P-Eagle voting system, just in case there would be a special election before the end of the year. The money is already in budget.

- H. Memo from SBE about Brad Barkey leaving as Voter Registration System Project Manager.
- I. Letter from Barbara L. Fisher, Vice President of MAEO, to Linda Lamone, SBE, about 2004 Legislation

The Board was concerned with having to request ID's at the polls (confusion and discrimination complaints). Bulk mailing of Absentee Ballot Applications by political parties presents a major problem for the local office.

- J. Open House – Baltimore County on August 25, 2003, if anyone is interested.

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**Reports:**

- A. Dorothy Kaetzel gave a report on the Directors' Meeting.
1. New employees at SBE were introduced.
  2. Gilles Burger is the new Chairperson for the State Board.
  3. Board of Public Works signed contract July 18<sup>th</sup> for new voting system – suggestion was made to get out of contract with ES&S – Karen Luther, Washington County Purchasing Agent, recommended we keep it for now.
  4. A new Voter Registration System – required by HAVA by 2006.
  5. Maryland will get money from HAVA for Polling Place Accessibility.
  6. Verifying new registrants' Drivers License number will be done at the State Board, with the Dept. of Motor Vehicle. Those who do not provide their numbers will have to provide ID's at the Polls. Social Security presently has no way to verify the last 4 digits of an applicant's Social Security number.
  7. There will be a Biennial meeting breakout on new voting system, for Board Members.
- B. The Voting Machine Seminar in Allegany, on July 31<sup>st</sup> was a good turnout of Board and staff members. We picked up valuable information and a good hands on experience. It was a worthwhile session.

**Old Business:**

- A. Court Case with the City of Hagerstown.
- Greg Bannon, Board Attorney, distributed a copy of a letter sent to William P. Nairn, City of Hagerstown Attorney, informing the City that the County Election Board policy for all future elections will be upholding the 100 foot "No Electioneering" restricted area as far as solicitation of signatures on petitions with the intent to have an issue placed on a future election ballot. The law suit has been closed, and will be removed from agenda.
- Exit polling is done within the 100 foot area as per Maryland Election Law, but this is done as voters exit the polling place after actually vote.
- B. Contract Extension – ES&S  
City of Hagerstown and extension of this Board's contract
- Dorothy Kaetzel talked with Karen Luther, County Purchasing Agent and Donna Spickler, City Clerk about this matter. Karen will be talking with Donna about the contract – Dorothy has not heard anything as of yet. The City will have to work this out with ES&S. They are aware of this.

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C. Sub-division of Election District 18-1 –

The option of using Bluebird Ave. as the dividing line, has been accepted. We will be leaving 18-2 alone and dividing 18-1, carving out 18-3.

These two sections will have approx. 2,000 registered voters and we know that there is development going on in this area. The new polling places have not been established yet. The consensus is to change 18-1 from Chewsville Community Center to Old Forge School. We will table this – until the next board meeting.

Jim Mobley has inspected the Hagerstown Seventh Day Adventist Church facility for the possibility of using a room for 18-3 polling place. They do have a large room with ample electrical connections, this section of the building is on a lower level and there are no handicap accessible parking spaces – but we have the portable signs we can use. There is a sloped area but it is acceptable. Traffic is directed in one way, but this is no problem. The kitchen is usable and there is a phone. Jim informed them that we are still looking and we will be in touch. The church is not concerned with the low money for use of the facility.

**New Business:**

A. Formally adopt various procedures –

At this time, the Board proposed to formally adopt these procedures and policies for the record.

1. Closed Meetings Law
2. Public Observation of Petition Verification
3. Procedures for after Election Audit
4. Delivery of Election Day Materials Policy

A motion was made by Marianne Schneider to adopt these procedures and policies, and Eileen Wiggins seconded the motion. Motion was carried – Unanimously.

B. City of Hagerstown Elections 2005

How involved is the staff in City Elections –

1. List of registered voters and vacs.
2. Polling places and election workers
3. Candidates filings and audit fund reports

Timing issue was a problem with the City petition, because it was right after a full county election and the staff was preparing for a recount. We are willing to turn the handling of Hagerstown City Elections over to the City.

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If they would be willing to change the dates of their elections to coincide with one of ours it would save time and cost on their side.

A letter should be sent advising the Mayor and Council – that we would like the City Elections to be on our ballot.

Greg Bannon, Board Attorney will do a letter informing the City of Hagerstown Election Board that the County Election Board will no longer be willing to do the City of Hagerstown Elections.

The matter was deferred to next meeting.

**C. Review Polling Place Layouts and Secure Storage Space.**

After our trip to Allegany County we realize that we need secure storage space at each polling place. Secure storage space is needed for a one week time period, Thursday to Thursday, especially if there would be a recount as was in 2002. District 26-3, Valley Grace Brethren Church, will be a problem - there is no secure storage space. This needs to be looked at – actually going out to inspect the polling places. It has been nine to ten years since originally inspected for use as a polling place.

There is a representative coming on Friday, Aug. 15<sup>th</sup> from Diebold to go over space requirements for storage.

Dorothy will call School Board, Jeff Harr – about security at each school used as polling place.

Gregory Bannon, Attorney, left the meeting at 3:40 pm.

**D. Discuss leasing warehouse space –**

Storage space, here in Washington County will be paid half by the County and half by the State, the machines then are maintained by Diebold. It would work better for us if they would store them some place in another county, if possible. The company then would deliver the machines as in the past. The meeting with the man from Diebold will be Friday – 10:00am at Bowman's Warehouse. Jim Sterling informed Dorothy that any changing or remodeling requires lead-time, drawings, permits and completion of work. Jim Mobley stated that, we need to be in touch with the County Commissioners and let them know what is going on with the storage space.

**Members Remarks:**

Board members discussed issues with monthly meeting pay as to the difference with hourly pay and taxes taken off.

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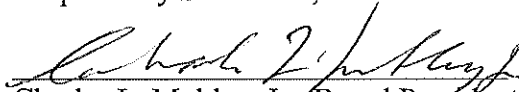
**Scheduling of Next Meeting:**

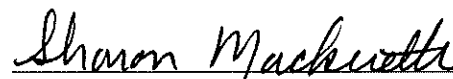
The next meeting of the Washington County Board of Elections will be held September 9, 2003, at 2:00PM at the Board Office

**Adjournment:**

There being no further business to come before the Board at this meeting, a motion was made by Dorothy Waters to adjourn at 3:57 PM; Marianne Schneider seconded the motion. Unanimously approved.

Respectfully Submitted,

  
Charles L. Mobley, Jr., Board President      9/09/03  
Date

  
Sharon Mackereth, Election Data      9/09/03  
Application Spec. II      Date