



## MINUTES

### WASHINGTON COUNTY BOARD OF ELECTIONS

April 11, 2017

35 W. Washington Street

Hagerstown, MD 21740

240-313-2050

#### **Present:**

#### **Board:**

Tammy Downin, Vice President

Jim Schultheis, Secretary

Martin Lumm, Member

William Blazes, Member

#### **Staff:**

Kaye Robucci, Election Director II

Barry Jackson, Election Deputy Director II

#### **Guests:**

Jerry DeWolfe, Chairman, Republican Central Committee

Tammy Downin, acting President, called the meeting to order at 2:00PM; at the Washington County Board of Elections Office, 35 W. Washington Street, Room 101; Hagerstown MD 21740. Board President Bruce Field and Board Attorney Roger Schlossberg were absent. Tammy Downin assumed acting President in Bruce Field's absence. There was a quorum present.

#### **Approval of Minutes of March 20, 2017:**

Jim Schultheis moved to approve the minutes, Marty Lumm seconded, and the motion was carried unanimously.

#### **Additions/Changes to the Agenda:**

Add under Correspondence:

C. Fiscal Year 2018 Budget Schedule

Under Old Business, table A. By-Laws of Washington County and E. Open Meeting Information, because Roger Schlossberg is not present.

#### **Correspondence:**

- A. The March 16, 2017 Directors' Meeting Minutes were distributed. Kaye Robucci reviewed the minutes with the board and highlighted the following:
  - a. Voting Systems:
    - i. Mock Election will be held in January 2018;
    - ii. ES&S will be offering refresher training on the voting equipment in the fall of 2017;

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- iii. ElectionWare Results Website, though used in 2016, cannot be used in the 2018 election;
  - iv. Potential update for the BMD - Electionware 5.2.2.0 would provide for two columns of candidate names instead of one column. However, all equipment would have to be updated, including the servers and workstations. SBE will make a decision regarding the update;
  - v. Electronic Pollbooks will have the CMOS Batteries replaced and a software update scheduled for fall 2017.
- b. 2018 Elections:
- i. Use of BMDs during Early Voting or use of paper ballots. While version 5.2.2.0 does allow for two columns of candidates, the navigation issues still exist. One of the biggest concerns with paper ballots is the number of ballot styles during a gubernatorial election.
- c. Project Management Office:
- i. The old TS Units are being auctioned off thru the Department of General Services;
  - ii. The new inventory system will be used for the 2017 annual inventory. Equipment will be scanned using a barcode scanner. SBE will be sending teams to each LBE to conduct the inventory audit;
  - iii. There is a County Tech 2 Position that was piloted in Cecil County during the 2016 general election. A County Tech 2 Resource is available to help with anything an LBE may need. It is not a mandatory position but an option for the LBE's in 2018.
- d. Election Reform:
- i. Barry Jackson and Teresa Morningstar attended the EO40 Lessons Learned Session;
  - ii. Kaye Robucci will be attending the Election Judge Workgroup meeting on April 26, 2017;
  - iii. Cortnee Bryant is producing training videos on OLVR and Recounts. She is using footage from City of Hagerstown Recount;
  - iv. The Post-Election Comprehensive Audit should be sent to the LBE's by the end of April.
- e. Miscellaneous:
- i. Election Assistance Commission (EAC) Update – if the EAC is abolished, the voting system certification will become the responsibility of the states.
  - ii. The Campaign Finance Summary Guides have been reprinted.
- B. Reuters.com April 3, 2017 article, "U.S. top court won't revive New Hampshire ballot 'selfie' ban." Currently, Maryland does not permit electronic devices in the polling places, so voters can't take a photo of their ballot.
- C. The Fiscal Year 2018 Budget Schedule was distributed to the board.

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**Reports:**

A. Election Director

a. Personnel

- i. Barry Jackson completed his six month probationary period. Barry is a member of the Maryland Association of Election Officials (MAEO) Legislative Committee and was appointed to the Special Committee for Modernizing Absentee Ballot Opening Procedures. Both committees will meet in April, and Barry will attend.
- ii. Performance Evaluations will be conducted at the end of May for all office staff.

b. Meetings & Trainings

- i. Kaye Robucci attended the Personnel Committee meeting April 4, 2017. The committee is writing new job specifications.
- ii. Barry Jackson provided testimony to the Senate Education, Health and Environmental Affairs Committee in support of HB 73 – Election Workers-Minimum Age, and HB1626 – Early Voting-Registered Voter Updating the Voter's Address on an Existing Registration. Both bills passed in the General Assembly.

c. Correspondence Received: None

d. Registration Statistics for April 2017 were distributed to the Board.

e. Voting System Activities:

- i. Post Election Maintenance (PEM) on 523 voting booths will be scheduled for some time in May or June, 2017.

f. Candidate Filings:

- i. No additional filings

g. Precinct & Polling Issues – Barry will conduct surveys of all polling places during the summer. Precinct 26-3 (currently Valley Grace Brethren Church) needs to be relocated. The current space at Valley Grace Brethren Church is not sufficient.

h. Projects

- i. Petitions may be coming!

B. Attorney – no report

C. Election Recount Training Video

- a. Marty Lumm reported that Cortnee Bryant from SBE met with the board and staff on April 7, 2017 to discuss the training video she is putting together for conducting a recount. She wanted to get as much information as possible from us on the preparation we went through to be ready for the recount.

**Old Business:**

A. By-Laws of Washington County – tabled until May

B. FY18 Budget

- a. The IT position for 2018, originally unfunded, has been funded by the county commissioners for \$50,000.

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- b. Everything requested was funded, except a 2<sup>nd</sup> early voting site and additional attorney fees.
- C. 2017 MAEO Conference, Rooms & Conference Package, Silent Auction
  - a. Teresa Morningstar has requested conference packages for the board and staff
  - b. Silent Auction and Table Centerpiece required by each LBE
- D. 2017 Legislation – Barry Jackson reported that the Maryland General Assembly adjourned their general session on April 10, 2017. They will convene the next general session on January 10, 2018. There were a total of 73 election-related bills introduced during the recent general session. Sixteen bills were passed and await the Governor's signature, 17 were rejected by the committees in which they were introduced, and 40 never received an up or down vote by either the committee in which they were introduced or in the general session.
  - a. We were particularly interested in 23 bills. Of those, the following were passed:
    - i. HB0073 – Election Judges-Minimum Age (changes required minimum age of an election worker to 16);
    - ii. HB0143 – Miscellaneous Duties and Procedures (“housecleaning” bill, cleaning up duties of LBE directors);
    - iii. HB0353 – Change in Administrative Policy Affecting Voting Rights-Notice (election boards must give at least 48 hours notice prior to considering a change in policy that will affect a voter's right to vote, and if adopted, the change must be posted within 48 hours of the adoption.);
    - iv. HB0619/SB0882 – Campaign Signs at Polling Places (candidates may now place signs at polling places as early as 5PM the night before the election and the night prior to the beginning of Early Voting.);
    - v. HB1626 – Early Voting-Registered Voter Updating the Voter's Address on an Existing Registration (makes the change of address requirement for a voter at early voting consistent with the requirement on election day).
  - b. The following bills received unfavorable reports in their committees:
    - i. HB0532/SB1133 – Qualification of Voters-Proof of Identity (Delegate Neil Parrott's bill requiring voters to show identification at the polling place)
    - ii. HB0539 – Voter Registration and Absentee Voting-Proof of Citizenship (Delegate Neil Parrott's bill requiring proof of citizenship when registering to vote or request an absentee ballot)
    - iii. SB0058 – Election Observers (would have included language regarding procedures for accommodating independent election observers)
    - iv. SB0064 – Affiliating With a Party (would have allowed Unaffiliated voters to change party affiliation to either Democrat or Republican during early voting in the primary election)
  - c. The following bills never received an up or down vote:
    - i. HB0168 - Required Notifications-Voter Challenges or Intimidation (would have required additional language on specimen ballots informing voters of their rights if their identity were challenged.
    - ii. HB0169/SB0091 - Open Meetings-Audio Recordings and Documents (would have required the State Board of Elections (SBE) to record their meetings)

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- iii. HB0345/SB0423 – Registration and Voting at Polling Place (constitutional amendment question for voters to register and vote on election day)
  - iv. HB0535 – House Legislative Districts-Single Member (Delegate Neil Parrott's bill would have created specific district for each delegate.)
  - v. HB0741/SB0938 – Automatic Voter Registration (When doing business at MVA or social services, qualified individuals would have been automatically registered.)
  - vi. SB0406 – Voting System-Digital Scanners (would have authorized LBEs to receive two digital scanners per polling place if desired)
  - vii. SB0711 – Elections by Mail (would have changed the voting process in Maryland to mail in ballots)
  - viii. SB0883 – Voting by Individuals Not Lawfully Present in the United States (would have outlawed voting in municipalities by illegal immigrants)
  - ix. SB0960 – Reporting of Precinct Results (would have required reporting of absentee and early voting election results by precinct)
- E. Open Meeting Information – tabled until May meeting
- F. 2016 Financial Disclosure Statements are due April 30, 2017.
- G. Municipal Elections
- a. In the March 20, 2017 board meeting, Roger Schlossberg suggested that the board investigate the process and cost of allowing municipalities to be added to the gubernatorial and/or presidential elections. Donna Duncan at SBE sent an email to Kaye Robucci saying that municipalities are required to go through a burdensome process to be put on the ballot. Tammy Downin suggested to table the subject until the May board meeting, so Roger Schlossberg could be involved in the discussion
- H. Biennial Meeting, October 23, 2017 in Annapolis. Kaye Robucci reported that board members, attorney and election director are required to attend. If any of these individuals cannot attend, they need permission from Linda Lamone, state administrator, to be excused.

## **New Business:**

- A. Move to New Location
- i. Board and staff members met with Julie Rohm, property manager at Valley Mall, to discuss the requirement of candidate signs at the mall, should it become our Early Voting site in 2018. The Valley Mall will not permit signs to be placed in grassy areas, and SBE requires that candidates be allowed to put signs anywhere on the property outside the 100' "no electioneering" zone.
  - ii. The letter of intent from the county commissioners has not been sent to Julie Rohm, due to the sign issue.
  - iii. The board gave Kaye Robucci an action item to invite Linda Lamone and Nikki Charlson to view the site.

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**Members Remarks:**

None

**Scheduling of Next Meeting:**

The next meeting of the Washington County Board of Elections will be held on May 9, 2017 at 2:00PM. The location is Washington County Board of Elections 35 W. Washington St. Room 101, Hagerstown, MD; as pursuant to the Bylaws of the Washington County Board of Elections, Article 3, Section 3.3(A) 8.

**Distributed Information:**

- A. Registration Statistics
- B. Maryland General Assembly, 2017 General Session, Election-related Bill Summary

**Adjournment:**

There being no other business to come before the Board at this time, Bill Blazes made the motion to adjourn at 3:43PM; Jim Schultheis seconded, passed unanimously.

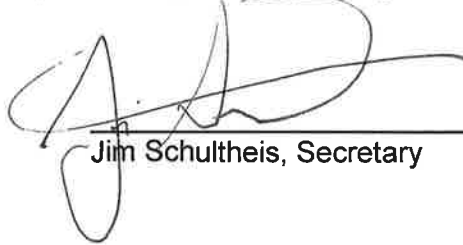
The Bylaws with advice of counsel shall follow the requirements of the Open Meetings Act as specified under Title 10, Subtitle 5 of the State Government Article.

Compiled by Barry Jackson  
Election Deputy Director II

Respectfully Submitted,

 5/9/17

Tammy Downin, Acting President      Date



Jim Schultheis, Secretary

5/9/17  
Date