

MINUTES

**WASHINGTON COUNTY BOARD OF ELECTION
September 11, 2012**

**35 W. Washington Street
Hagerstown, MD 21740
240-313-2050**

Present:

Board

John Benchoff, President
Carroll Earp, Vice President
Tammy Downin, Secretary
Bruce Field, Member
William Blazes, Member
Roger Schlossberg, Board Attorney

Staff

Kaye Robucci, Election Director, I
Sharon Mackereth, Election Deputy Director, I

John Benchoff called the meeting to order at 2:02PM. There was a quorum present

Approval of Minutes of August 14, 2012:

John Benchoff asked if the Board had any corrections or modifications to the minutes of the August 14, 2012 Board Meeting. Approved as submitted by Carroll Earp; seconded by Bill Blazes. Unanimously approved.

Addition/Changes to the Agenda:

Kaye Robucci requested the following additions under –

Reports

Directors Meeting, September 11, 2012

New Business

Rockland Elementary School request

Drawing of precincts for verifying supplies – 2, 9, 25-1, 25-2 and 27-2

Correspondence:

- A. Greens and Libertarians regained their party status – E-Mailed to Board.
- B. 2012 Ballot Questions and Summaries – E-Mailed to Board.
- C. MAEO Minutes of April 17, May 2, June 3 and June 6, 2012 – E-Mailed to Board.

The Director, Kaye Robucci, called attention to the State Board's announcement of the location of the 2013 MAEO Conference – the Marriott Inn & Conference Center at the University of Maryland in Hyattsville. It will be the 50th Conference of MAEO.

- D. 2012 EW Training Schedule – E-Mailed to Board.
- E. Memo from Kirk Downey, County Attorney, requesting 2013 Legislative items – E-Mailed to Board. Kaye Robucci, Director, informed Mr. Downey that this office had no issues for legislation.

Reports:

- A. September 19, 8:30AM, WHAG with Mark Kraham -

The Director informed the Board of a request from TV Station, WHAG 25, to do an interview with Commentator, Mark Kraham, on Election information. This will be an excellent opportunity to reach the public.

- B. Election Director's Meeting, August 21, 2012 -

The Director commented on Question #6 Congressional Re-Districting Referendum – What happens if Congressional Plan is overturned? The Governor will submit a new plan and the General Assembly will vote on the plan.

Election Director's Meeting – September 11, 2012 -

- The Director informed the Board that a congressional candidate from the Eastern Shore withdrew just recently. The Party Central Committee is going to put in a write-in candidate.
- SBE is going forth with establishing their office on Facebook and Twitter, they are recommending LBE's to follow suit.
- Maryland is the first state to agree to participate in Electronic Registration Information Center (ERIC), a nationwide program to share information with other participating states.

The Director demonstrated our new signs designating the entrance to the polling place which is also the handicap accessible entrance.

Old Business:

- A. Phones, South Hagerstown HS Gym and Bethel United Methodist Church -

John Benchoff requested the layout for South Hagerstown HS by Thursday. The Director will contact Bethel United Methodist Church.

- B. Election Worker Training Classes – update -

The Director updated the members on the Election Worker Training Classes – we had our first two classes yesterday for 2 hours each and it worked well. Using one side of the facility and not having to set-up and break down works great – 30 classes and one class room. The Church is very accommodating and is happy to have us.

C. Security update -

The Director contacted Sgt. Pete Lazich to set patrols for drive-bys – something will be put in writing so that all polling places will be covered several times throughout the day. Municipal City Police will give extra coverage. A suggestion was made to plant a police car at the polling place – just to show presence. John Benchoff suggested contacting Tom Langston regarding this possibility.

D. Churches used as polling places – update -

This issue has been sent by SBE to the Asst. AG, Jeffrey Darsie. SBE will also send the recommended wording to our Attorney, Roger Schlossberg, for his input.

E. Picnic, September 13, 2012 at 6:00pm at Roger Schlossberg's home.

New Business

A. By-Laws, Discussion of an Assistant Secretary - tabled until the October, 2012 Board Meeting.

B. Challenge of Voters on Election Day, Roger Schlossberg -

Board Attorney, Roger Schlossberg, did a presentation on Challengers and Watchers. The Attorney did a walk through with the State guidelines regarding Challengers and Watchers.

Candidates and special interest groups can designate a person as a Challenger and Watcher. These people have the right to be in the polling place before the polls open and after the polls close. They may challenge voters and observe the whole process. They want to be at the Check-In table to listen and observe. The Challenger staying within the polling place has to be an accredited challenger. They have the right to challenge the identity of a voter – but they can not do wholesale challenges of every voter that comes in. This does not give them the right to challenge a voter just because the voter might vote a particular way. A non-accredited challenger can come in and make a challenge but they can not stay. Once they complete the challenge they have to leave.

Some political groups are actually in the business of challenging voters before voting. A movement is rumored that the Republican Party will challenge every Democrat who comes into the polling place. They cannot make repeated challenges just to cause havoc during an election. If a challenger comes in just to do this – we can have them removed by law enforcement personnel.

Page 6 item #9 of the "*Instructions and Information for Challengers, Watchers, and Other Election Observers*" (as required in COMAR) states that – "Individuals and Entities Designating Challengers and Watchers shall provide the LBE's with either copies of completed *Challenger and Watcher Certificates* or a list of individuals they have designated to serve as challengers and watchers in the polling places.

We need to advise these individuals that if they do not provide a list - their people will not be allowed in the polling place. If a ton of challengers show up on Election Day – we will need to talk about it. We need to provide a safe haven to protect the integrity of our election.

Challenger and Watchers should be required to attend a training class – to learn what they are allowed and not allowed to do. They have the right to ask the Chief Judge if they can check the tamper tape. But, the Chief Judge can decide whether it is a good time or not (depending on the flow of voters at the time). Training this week for Chief Judges is Friday, September 14, 2012, 8:30AM – 10:30AM – Roger Schlossberg, Board Attorney, will be there.

The Attorney instructed the Board that a challenger has only a short time in which to make a valid challenge. Once the voter speaks his/her name, the challenger needs to make the challenge at that moment. Once the voter authority card is printed or a ballot given, it is too late for a valid challenge. The moment the challenger makes a challenge the process of checking in the voter – Stops and a Chief Judge is called.

Carroll Earp, Board Member, commented on an incident that took place in the 2010 Gubernatorial Election at District 20 Downsville Ruritan Building. A challenger was in the building being obnoxious and questioning everything. He had a certificate but it was in his car and he had not shown it to the Chief Judge. How does the Chief Judge handle this situation? Our Attorney will do some additional research on this matter. The Board agrees to this action.

Executive Session

At this time, Bruce Field made motion to adjourn the regular Board Meeting at 3:35 PM and convene into Executive Session; Tammy Downin seconded the motion. Unanimously approved.

Return to Regular Meeting

At 4:10PM the Board Meeting re-convened; Bruce Field made motion to re-convene the regular Board Meeting at 4:10PM; Carroll Earp seconded the motion. Unanimously approved.

C. Polling Place Evaluation Program -

Kaye Robucci informed the Board that under consideration from SBE, we do not have to evaluate all of the polling places on Election Day. Only 50% of the precincts need to be evaluated. The Director is required to do a report on the 27 precincts that the Board evaluates and the method used to select the precincts evaluated. This report is due no later than 45 days following the election.

Roger Schlossberg, Board Attorney, would like to be assigned to precincts closer to the office, in case he is needed in the office. John Benchhoff, Board President, will select the polling places to be visited by each Board Member. The Director will let Mr. Benchhoff know which precincts had the most issues from the Primary Election. The evaluation forms are the same as those used in the Primary but with extra sheet for notes

D. Election Worker Photo ID's -

Bruce Field, Board Member, reported on Photo ID's for the Chief Judges and Tech Judges. The ID's will have the County Seal, workers name and position (Chief Judge or Technical Judge). Bruce will be taking the pictures when the judges attend training. We will be recording the picture number on a spreadsheet and saving the pictures on a thumb drive. The ID's will have a hole for a lanyard - with the judges stopping by to pick up the ID's before Election Day. We would like to get the ID's and lanyards back after Election Day for the next election. This is a Pilot program – in the future maybe ID's for all of the judges.

E. Rockland Elementary School -

The Director informed the Board that this office has received a request from a teacher at Rockland Elementary School. The school would like to actually set up a polling place and instruct students on voting. The third, fourth and fifth grade students will be taking part and be election workers.

This is an excellent chance to teach young citizens the importance of voting. The Board would like to participate. Should this be done before or after the election? We would have more to present to them after the election such as – how many voted – at polls or by absentee ballot. Bruce Field suggested before the election, as a build up to the election and with all of the electioneering going on it will entice the parents to vote.

An hour presentation would mean putting together a program and using the voting equipment with the famous name ballot.

Members Remarks

Tammy Downin informed the Board that she will be on vacation the last week in September, 2012 and will be available if needed.

Comments were made to the effect that according to COMAR - cell phones and pagers may not be used inside the polling place. The new "Totem" poles will have the "NO ELECTRONIC DEVICES" sign on it and several copies will be provided to be placed throughout the polling place.

Scheduling of Next Meeting

The next meeting of the Washington County Board of Elections will be held on October 9, 2012.

Distributed Information

Sample Ballots
Board of Election By-Laws

Adjournment:

There being no further business to come before the Board at this time, Bruce Field made a motion to adjourn at 5:00PM; Carroll Earp seconded the motion. Unanimously approved.

Compiled by Sharon C. Mackereth
Deputy Director, I

Respectfully Submitted,



John Benchoff, Board President

10/9/2012
Date



Tammy Downin, Secretary

10/9/12
Date