



## MINUTES

### WASHINGTON COUNTY BOARD OF ELECTIONS

July 9, 2019

35 W. Washington Street

Hagerstown, MD 21740

240-313-2050

#### **Present:**

#### **Board:**

Martin Lumm, Board President

Tammy Downin, Board Vice President

Bill Blazes, Board Secretary

Connie Mazingo, Board Assistant Secretary

Jim Schultheis, Board Member

#### **Staff:**

Kaye Robucci, Election Director II

Tammi Derr, Election Data Application Specialist II

#### **Guests**

Randy Barber – Democratic Central Committee

Matt Breeding – Republican Central Committee

Mary Ann Keyser – Democratic Central Committee

President Marty Lumm, called the meeting to order at 3:00 PM at the Washington County Board of Elections Office, 35 W. Washington Street, Suite 101, Hagerstown, MD 21740. Attorney Brian Kane was absent. There was a quorum present.

#### **Approval of Minutes of June 11, 2019:**

Tammy Downin requested the following change on page 4 under H-1 Transition from Outlook to Maryland.gov, and then moved to accept the change, Bill Blazes seconded, and the motion was carried unanimously.

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

Kaye Robucci requested the following additions:

- Correspondence III. – Welcome Packets for Board Members
- Old Business IX. – FY20 Budget - Final

#### **Correspondence:**

- I. 2020 Presidential Elections Calendar - Election Director, Kaye Robucci distributed a printed copy to all Board members. This is as of June 21, 2019. The calendar is also available on the state website if anyone would want to view it electronically.

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- II. Directors' Meeting Minutes of June 13, 2019. Kaye Robucci highlighted the following items:
- A. DHS' National "Tabletop the Vote" Exercise was held at Anne Arundel County on June 19, 2019. Kaye Robucci and Teresa Morningstar attended.
  - B. The new Personnel Director at SBE is Shermaine Malcolm. The new job classifications have been approved.
  - C. A New Absentee Application has been posted on the Online Library and the State website.
  - D. Provisional Applications will be revised due to regulations with Same Day Registration.
  - E. An updated version of the ADA Survey was in the June 7, 2019 issue of the County Bulletin as well as on the Online Library.
  - F. Insurance and Equipment MOU – Shafiq Satterfield reported that communications regarding this will be coming from Keith Ross.
  - G. Voter Registration Application inventory is small due to the removal of the Green and Libertarian Parties. These parties are still actively circulating petitions to gain party recognition.
  - H. GIS- Mary Wagner reported that the Voter Registration Department is working on the ability to load GIS information into the Street File. This would allow a quicker and more accurate way for help with redistricting.
  - I. Shafiq Satterfield reported the 4G Modems firmware used during early voting will be updated. Regional Managers will be working with LBE's to schedule pick up of equipment.
  - J. LBE Additional Equipment requests – We will be getting additional poll books but no printers as they are not available.
  - K. Election Day Pollbook Networking – The cost to network a polling place on election day remains at around \$1,000.
  - L. The 2020 Temporary Staffing survey was received July 1<sup>st</sup>.
- III. Welcome Packets from Nikki Charlson were received and emailed to the Board. If anyone is interested in a printed copy let Kaye Robucci know.

### Reports:

- I. Election Director
- A. Personnel -
    - 1. Sherrie Bonebrake plans to return July 15, 2019
    - 2. Salary proposal – SBE Board approved the 2% increase
  - B. Meetings -
    - 1. EW Manual Committee: Meeting June 20, 2019
      - a) Use of BMD (additional information in New Business);
      - b) Accept Absentee Ballots at polling places & early voting;
      - c) Page Program
        - (1) Optional
        - (2) 14-15 year olds

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- (3) Election Day only
- (4) Each may work 2 x 4 hour shifts
- (5) No pay - only Student Service Learning Hours
- (6) Regulations being written
2. Director's Meeting: June 13, 2019 (discussed during Correspondence)
3. Modernizing Absentee Ballot Opening Procedures: No update
- C. Correspondence
  1. PIA Request from Brennan Center
- D. Trainings
  1. CERA: Barry Jackson & Teresa Morningstar are in Wisconsin for additional classes
- E. Legislative Update:
  1. Automatic Registration took effect July 1, 2019
- F. Registration Statistics for June 2019 were distributed to the Board
- G. Voting System Activities:
  1. Requested additional equipment for 2020. We will be receiving additional Electronic Pollbooks.
  2. Charging of Equipment - completed
- H. Candidate Information:
  1. Filing began February 5, 2019.
    - a) Andi Overton, Mayor, City of Hagerstown
- I. Projects:
  1. Performance Evaluations Completed for Staff
  2. Transition from Outlook to Maryland.gov account
  3. Clean-up of E Drive
  4. Election Workers – letters to veterans workers going out soon
  5. New Workstations with Windows 10 configured and tested
  6. Networking Survey – visit each polling place this summer
  7. Voting Booth Inspection – summer 2019

II. Attorney – no report.

**Old Business:**

- I. New location for the Office, Warehouse, Training and Early Voting – No update
- II. Early Voting Location for 2020 update:

The Board discussed the following potential sites for Early Voting:

- A. Grand Venice Baymont Inn and Conference Center:

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- Facility: 6,500 sq. ft., has not been renovated recently, cost: \$2,100 per election, no sprinkler system, modem signal test was OK, we would require a current mold inspection certificate.
  - Parking lot: In disrepair (cracks, sinkhole).
  - Action Item: Kaye Robucci will contact Mr. Patel regarding our concerns and request a current mold inspection certificate.
- B. Premium Outlets:
- Building #715: 5,700 sq. ft., has 2 entrances, cost: \$3,500 per month, modem signal test was OK. Would candidate signs be permitted?
  - Building #375: 13,500 sq. ft., corner store, cost \$6,000 per month. Would candidate signs be permitted?
  - Action Item: Kaye Robucci will contact Lara Howlett and ask if candidate signs are permitted and if a shorter lease would be considered.
- C. Hagerstown Community College:
- There is not a suitable, accessible facility with parking nearby.
  - The ARCC would not be available for 9 days of early voting.
- D. St. Maria Goretti Gymnasium:
- Facility has several series of steps and would not be conducive for early voting.
- E. The Center:
- The shopping center is being sold in the near future.

The Central Committees have been in contact with the County Commissioners regarding our need for a new facility. Marty Lumm asked Kaye Robucci to find out more information regarding the Premium Outlets.

- III. MOU- Board Attorney – Kaye Robucci said there was nothing to report.
- IV. Networking at Polling Places on Election Day – Waiting for the cell signal tester.
- V. By-Laws – Tammy Downin made motion to approve current by-laws in order to move forward. Jim Schultheis seconded and all were in favor. Tammy Downin and Kaye Robucci will review the By-Laws and report at the August meeting.
- VI. Municipalities – Use of Voting Equipment and Pollbooks – tabled until September meeting.
- VII. Biennial, Thursday, October 17, at the Crowne Plaza in Annapolis. Kaye Robucci will email the confirmations.
- VIII. Summer Picnic (to honor former Board Members and Attorney) will be on Saturday, September 7, at 5:00 at the home of Marty and Vicki Lumm. Marty and Vicki will supply the meat and place settings and we will start a menu for other items.
- IX. FY 20 Budget – Final - Kaye Robucci distributed copies.

### New Business:

- I. State Board Meeting, June 27, 2019. – update

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The State Board determined a new policy regarding the BMD usage for the 2020 elections.

- Permitted to deploy up to (4) BMD's to Early Voting and up to (2) to polling places on Election Day without prior approval.
  - The minimum number of voters that must use the BMD is five by 1pm
  - The statement has been changed from the check-in (Step 1) to ballot distribution (Step 2). The statement is being revised by SBE.
- II. Comprehensive Audit 2020 – All board members were given the Report from SBE. Marty Lumm signed off on the Audit Response. An action plan has been submitted for what we will be addressing and doing differently in the future. Kaye Robucci asked Tracy Hartman at SBE for training on the canvass process.
- III. Table Top Exercise – Kaye Robucci attended the “How to Conduct a Table Top Exercise” at MAEO and would like to start conducting ones with the staff and Board. Connie Mozingo suggested we discuss the process for assisting non-English speaking voters. Kaye Robucci will include a Table Top Exercise on the August Agenda.
- IV. Survey other facilities for District 8-0 – We will be checking out 2 possible facilities to replace District 8-0 Substation. District 8-0 has a large turnout and the current facility is very small per Bill Blazes. Mt Zion Church and Pleasant Valley Baptist Church are the 2 facilities we will be looking at.

### **Members Remarks:**

Jim Schultheis will not be at the August Meeting.

### **Scheduling of Next Meeting:**

The next meeting of the Washington County Board of Elections will be held on Tuesday, August 13, 2019 at 3:00PM. The location is Washington County Board of Elections Office, 35 W. Washington Street, Hagerstown, MD; as pursuant to the Bylaws of the Washington County Board of Elections, Article 3, Section 3.3(A) 8.

### **Distributed Information:**

- I. June Registration Statistics

### **Future Events**

Nothing in the next 30 days

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Executive Session:

Martin Lumm requested the Board move into Executive Session. At 4:15 PM, Jim Schultheis made a motion to adjourn the Regular Board Meeting and convene an Executive Session under State Government Article, § 13-305(b). Bill Blazes seconded the motion.

4:15 PM: Randy Barber, Matt Breeding and Mary Ann Keyser left the meeting.

4:35 PM: Kaye Robucci and Tammi Derr left the meeting.

**PRESIDING OFFICER’S WRITTEN STATEMENT FOR CLOSING A MEETING  
 (“CLOSING STATEMENT”) UNDER THE OPEN MEETINGS ACT  
 (General Provisions Article § 3-305)**

Date: July 9, 2019

Time: 4:15 pm

Location: 35 W. Washington Street, Suite 101, Hagerstown, MD 21740

Motion to close meeting made by: Jim Schultheis Seconded by Bill Blazes

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
Martin Lumm	{ }	{ }	{X}	{ }
Tammy Downin	{X}	{ }	{ }	{ }
William Blazes	{X}	{ }	{ }	{ }
Connie Mozingo	{X}	{ }	{ }	{ }
Jim Schultheis	{X}	{ }	{ }	{ }

Statutory authority to close session (check all provisions that apply):

This meeting will be closed under General Provisions Art. § 3-305(b) only:

- (1) X “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”;
- (2) \_\_\_ “To protect the privacy or reputation of individuals concerning a matter not related to public business”;
- (3) X “To consider the acquisition of real property for a public purpose and matters directly related thereto”;
- (4) \_\_\_ “To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State”;
- (5) \_\_\_ “To consider the investment of public funds”;
- (6) \_\_\_ “To consider the marketing of public securities”;
- (7) \_\_\_ “To consult with counsel to obtain legal advice”;

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- (8)\_\_\_ “To consult with staff, consultants, or other individuals about pending or potential litigation”;
- (9)\_\_\_ “To conduct collective bargaining negotiations or consider matters that relate to the negotiations”;
- (10)\_\_\_ “To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans”;
- (11)\_\_\_ “To prepare, administer, or grade a scholastic, licensing, or qualifying examination”;
- (12)\_\_\_ “To conduct or discuss an investigative proceeding on actual or possible criminal conduct”;
- (13)\_\_\_ “To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter”;
- (14)\_\_\_ “Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.”
- (15)\_\_\_ “To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices.”

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§ 3-305(b) #3 <input checked="" type="checkbox"/>	Potential Combined Facility	The sale has not been completed yet so buyer requested we discuss in Closed Session.
§ 3-305(b) #1 <input checked="" type="checkbox"/>	Evaluation for Election Director	Discuss performance of Kaye Robucci
§ 3-305(b) <input type="checkbox"/>		
§ 3-305(b) <input type="checkbox"/>		
§ 3-305(b) <input type="checkbox"/>		

For each provision checked above, disclosure of the topic to be discussed and the public body’s reason for discussing that topic in closed session.

This statement is made by Mark E. Gorman, Presiding Officer.

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SUMMARY OF CLOSED SESSION HELD ON JULY 9, 2019

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

Time of closed session: 4:15 pm.

Place (location) of closed session: 35 W. Washington Street, Suite 101, Hagerstown, MD 21740.

Purpose of the closed session:

#3: To consider the acquisition of real property for a combined facility. Sale is still pending and buyer requested this be discussed in closed session.

#1: To discuss the performance evaluation of the Election Director, Kaye Robucci.

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

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

Members opposed: None

Abstaining: Martin 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) ( X )** → **Topic #2: § 3-305(b) ( X )** → **Topic #3: § 3-305(b) ( )**  
(add others as needed)

**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: Discuss potential combined facility. The sale has not been completed yet so therefore Closed Session.	Martin Lumm, Tammy Downin, Bill Blazes, Connie Mozingo, Jim Schultheis, Kaye Robucci, Tammi Derr	No Action Taken
#2: Discuss the Performance Evaluation for Kaye Robucci	Martin Lumm, Tammy Downin, Bill Blazes, Connie Mozingo, Jim Schultheis.	No Action Taken



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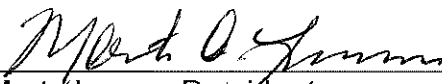
Adjournment:

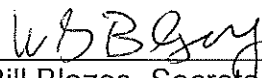
After the discussion was completed, Marty Lumm made the motion to close the Executive Session at 4:59 PM, Jim Schultheis seconded, and the motion passed unanimously.

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. Tammy Downin made this motion at 5:00PM. Jim Schultheis seconded the motion, and it was carried unanimously.

Compiled by Tammi Derr  
Election Data Application Specialist II

Respectfully Submitted,

 9/3/19  
\_\_\_\_\_  
Marty Lumm, President Date

 9-3-19  
\_\_\_\_\_  
Bill Blazes, Secretary Date