



Washington County Board of Elections

REGULAR SESSION MINUTES

WASHINGTON COUNTY BOARD OF ELECTIONS

November 13, 2025

17718 Virginia Avenue

Hagerstown, MD 21740

240-313-2050

Present:

Board:

Tammy Downin, President

Kandace Carpenter, Vice President (3:02pm)

Donna Brightman, Board Secretary

Nancy Armstrong, Assistant Secretary

Claudia Martin, Member

Brian Kane, Counsel

Staff:

Barry Jackson, Election Deputy Director II

Teresa Morningstar, Deputy Director II

Cory Green, Election Program Supervisor I

Absent:

Guest:

Taj Smith

John H. Gundling

Darryl Sword

Kaye Robucci

Cathy Poropatic

Peter Perini

1 Unidentified Caller

President Tammy Downin called the meeting to order at 3:00 pm at the Washington County Election Center, 17718 Virginia Avenue, Hagerstown, MD 21740.

Declaration of Quorum Present:

President Tammy Downin declared that a quorum was present.

Recess and Opening of Executive Session:

President Tammy Downin called for a motion to recess the Regular Board Meeting and open an Executive Session. Nancy Armstrong made a motion at 3:02pm to go into Executive Session. Claudia Martin seconded, and the motion carried unanimously.

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SUMMARY OF CLOSED SESSION HELD ON November 13, 2025

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

Time of closed session: 3:03pm

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

Purpose of the closed session: (7) Consult with counsel to obtain legal advice.

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

Names of members voting aye: Tammy Downin, Kandace Carpenter, Donna Brightman, Nancy Armstrong, and Claudia Martin.

Members opposed: None

Abstaining: None

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) (7) **Topic #2:** § 3-305(b) () **Topic #3:** § 3-305(b) ()

4. Listing of each topic actually discussed, persons present, and each action taken in the session:

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5. Citation (inserted # from above)	Topic We expect to discuss these matters	Reason for closed-session discussion of topic- We are closing the meeting to discuss this topic because:
§ 3-305 (b) (7)	#7: Legal advice from counsel	Legal guidance is confidential to the board and staff.

Reconvene Regular Meeting:

After the discussion was completed, Claudia Martin made a motion to adjourn Executive Session and return to Regular Session with a 10-minute recess reconvening at approximately 4:15pm. Kandance Carpenter seconded, and all parties voted aye.

Approval of Draft Agenda:

Donna Brightman moved to approve the Draft Agenda as presented. Kandace Carpenter seconded, and the agenda was unanimously accepted as presented at 4:16pm.

Approval of Draft Meeting Minutes:

Donna Brightman made a motion to approve the September 9, 2025 public hearing as presented. Nancy Armstrong seconded, and the motion passed unanimously at 4:16pm.

Donna Brightman made a motion to approve the October 14, 2025 regular session minutes as presented. Kandace Carpenter seconded, and the motion passed unanimously at 4:17pm.

Correspondence:

N/A

Reports:

- I. Election Director
 - A. Personnel –
 1. Sarah McAleavy (Training Coordinator) started yesterday (November 12, 2025).
 2. Received list of candidates for IT/Warehouse Clerk position. We are reviewing them to call for interviews.
 3. Outreach Coordinator posting closes on November 17, 2025.
 - B. Meetings:
 1. SBE/LBE Collaboration Meeting:
 - a) Next Meeting: November 20, 2025.
 2. MAEO Meeting in PG County – November 18, 2025

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3. Certified Maryland Election Administrator Program Committee met in Frederick County on October 20, 2025 and again in Carroll County on November 6, 2025.
4. Barry Jackson participated on the Candidacy Filing panel discussion, led by Leadership Washington County on November 4, 2025.

C. Legislative Update: N/A.

D. Voter Registration Activities and Statistics:

1. Registration Statistics for October 2025 were distributed to the Board.

E. Candidate Filings: Candidate Filing for 2026 Gubernatorial Election began February 25, 2025. There have been 17 filings so far:

1. 4 for County Commissioner
2. 1 for Clerk of the Circuit Court
3. 1 for Register of Wills
4. 4 for Democratic Central Committee
5. 2 for Republican Central Committee
6. 2 for Sheriff
7. 2 for States Attorney
8. 1 for Board of Education

Donna Brightman asked what the process is for write in candidate and Barry Jackson explained the process that the candidate has to take and along with what is required of staff for this process.

F. Voting System Activities:

1. All voting equipment ready for Logic and Accuracy Testing
2. We're returning some obsolete equipment to SBE

G. Projects:

1. New Website
2. "I Voted" Sticker Contest
3. Election Management Software and Services
4. Election Operations Center

II. Attorney

N/A

Unfinished Business:

I. 2026 Election Plan

A. Early Voting – discussion of request made by County Commissioners

The board previously approved 3 sites at the last board meeting. The first site was the Downtown Library, second site was the Boonsboro American Legion, and the 3rd site was the Clear Spring American Legion, and the 4th optional site was the Election Center. The county commissioners tabled the approval of the 4th site to the next county commissioner meeting, which is November 18, 2025 to see if the board would reconsider their motion. If the board is not able to reconsider their motion then they would like the board to attend the next meeting to defend their selection sites. The

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county commissioners had a lot of questions about why the board selected the three that were selected before getting to the fourth one.

Donna Brightman wanted to clarify that the county commissioners are aware that they have no say in the 3 sites as required by law and that they should not be on the list to defend. Barry Jackson stated that yes, they are painfully aware that they have no say in the first 3 sites.

Brian Kane clarified the statutory process, stating that the board completed its obligations by voting on the election plan, which includes early voting sites, at October 14th, 2025 board meeting. To undo the prior vote, a motion to rescind is required, which needs a supermajority if no prior notice is given. Brian Kane emphasized the statutory deadline of November 24th for submitting the election plan to the State Board of Elections (SBE), and that a rescinding motion would require a two-week public notice for any subsequent plan change, which may complicate meeting SBE's deadline. Brian Kane further explained the current convoluted landscape due to new regulations, which could affect the process, but would not go into legal effect until November 24th at the earliest, if the State publishes the regulations in the Maryland Register on November 14, 2025 as 10 days is needed for public comments.

Kandace Carpenter made a motion to rescind the Board's 3 early voting sites that were approved on October 14, 2025. Nancy Armstrong seconded at 4:42pm.

Donna Brightman defended the original vote, stating that all considerations, including geographic distribution and historically disadvantaged populations, were considered, resulting in a selection that included the Downtown Library, Boonsboro American Legion, Clear Spring American Legion, and the Election Center as the optional 4th site, which reflected the public input and commissioner Harvey's past requests.

Kandace Carpenter disagreed, arguing that the original decision was inappropriate because selecting the election center as the fourth site, which is near the library, failed to address geographic distribution as required by law for the 4th optional site. Kandace Carpenter advocated for including the Election Center in the first three sites to avoid conflict with commissioners and potential "chaos" for voters who expect to vote at the Election Center.

Donna Brightman brought up two comments that commissioner Derek Harvey made in the past regarding early voting. A statement Mr. Harvey made at the September 9, 2025 public hearing was that he is an advocate for having as many early voting sites as the county can legally have while focusing on inclusion and equitable coverage throughout the county. It's hard to say yes to yes. Donna Brightman stated Mr. Harvey got everything he wanted. Another comment that Derek Harvey made two years ago is that he believes the election center, the building we're in, was funded to be a vote center and would strongly recommend using it because not using it could bring consequences. Nancy Armstrong whole heartly agrees that the board needs to reconsider the motion as the previous motion was a vindictive motion and was not fair to the voters of Washington County.

Kandace Carpenter made a motion to amend her motion for the board to have a special meeting which according to the bylaws, only 3 days' notice is needed under Article 3 section 1E. Barry Jackson stated that election law regarding early voting sites supersede the local by-laws as election law requires two weeks notice when there is any change to an election plan or voting site.

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Kandace Carpenter withdrew the amendment to the original motion and there was no objection.

Tammy Downin asked what is the geographical distribution that Kandace keeps referring to and why was it not taken into effect? Kandace Carpenter stated that because the 4th site is almost a direct overlay of the Downtown Library that the law was not followed.

Barry Jackson asked if there is a motion to rescind and it achieves the supermajority vote needed then must the board wait two weeks for a vote? Brian Kane stated yes that is correct.

Kandace Carpenter asked if there was any provision for the State Board to grant an extension regarding the election plan. Barry Jackson stated that he was sure that an extension could be granted. Kandace Carpenter asked if there was any way the state board could call this to a vote. Barry Jackson stated that he was sure the State administrator could possibly ask for this during their next meeting.

After discussion concluded, Tammy Downin called for a vote on the motion. Kandace Carpenter and Nancy Armstrong voted aye and Donna Brightman and Cludia Martin voted against the motion. Not receiving the required 4 votes, the motion did not pass. The board discussed who could make it to the county commissioner meeting on November 18, 2025. Claudia Martin asked if you could attend virtually, and Barry Jackson stated he was not aware of this option. Kandace Carpenter asked if the time could be amended and Barry Jackson was not sure if it could.

Tammy Downin will find coverage for her office so that she can be present at the county commissioner meeting.

II. Holiday Dinner

December 11, 2025 at Veva's at 6pm.

New Business:

I. None

Members Remarks:

Kandace Carpenter asked if the May 27, 2026 supply verification day was the final due date. Kandace Carpenter will be in Bermuda from May 23 to May 27 and she could attend if the verification occurred prior to May 23.

Nancy Armstrong will attend the meeting to show support for Tammy even though she does not agree with the board's decision on the early voting sites.

Kaye Robucci thanked the board for allowing the opportunity to speak. Kaye Robucci stated that she felt that the county commissioners gave the board a gift to reconsider their motion, and that she really thinks that there is a possibility that the county commissioners will not approve the Election Center as the 4th site. Kaye Robucci stated that she manned the Library as an early voting site in the 2022 election and that the Library has its own unique challenges. Kaye stated it makes her sad or concerned because she'd like to see this board come together when they're deciding things like this for the voters. She's concerned about the voters and stated that Kandace Carpenter hit upon a lot of this already. Kaye stated that she is concerned if the election center

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isn't approved as the fourth site, the staff is going to be spending 8 days telling voters where they need to go vote.

Cathy Porapatic stated she was at the September 9th meeting when arguments for Clear Spring and the Library were heard. She was at the October 14th meeting when the motions were made for the chosen early voting sites. She did not attend the commissioners meeting, but she did catch it on YouTube. The one thing that disturbed her most was that Mr. Jackson was put under the gun by one of the commissioners regarding this same argument that she keeps hearing about how unsafe it is at the Library. Cathy pointed out that the Library is within walking distance to the Maryland Theater, Meritus Ballpark, Hub City Vinyl, a brewery, the Arts Council, several fine restaurants, one directly across from the Library that has been there for decades. We have colleges, and we have Barbara Ingram School. Those who are afraid to walk around there need to get out more. Cathy's feeling from the September 9th meeting was everybody got what they wanted, and she was comfortable with that. If there's not a fourth election site, which would be this building, which is a beautiful place to come, who's going to not let that happen? It's going to be the commissioners, right? It is Cathy's understanding they've already funded a 4th site. So why are we even talking it wouldn't be one of the early voting sites? But if we have the three required and a fourth optional that's already been approved and funded, what is the issue? Cathy is not even sure why the commissioners are coming into play here so much because "you guys are the board of elections." She likes the choices. She thinks it was done in a good way. So, unless there's a reason for it not to happen here, She just doesn't see a problem.

John Gundling was one of the parties in the Harvey versus the State Board of Elections. There were a couple of questions he had that were more of a legal mind. His main question is how the law changed so quickly after the lawsuit was filed, which leads him to question how house bill 259 was ratified through the Maryland legislature. He realizes that that the finding was an agreed to settlement versus a registered finding. So, he'd like to get a clarification within that situation because it was interesting how that came up through the legislature.

Peter Perini asked for clarification on the notice required for a board meeting, specifically when voting on matters affecting voting rights or the election plan. Barry Jackson -SBE- responded that 14 days' notice is required for voting on the election plan, and generally, the Open Meetings Act requires reasonable notice, typically 48 hours

Scheduling of Next Meeting:

The next regular meeting of the Washington County Board of Elections will be held on Tuesday, December 9, 2025 at 3:00pm 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:

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Board Packet

Future Events:

November 18 – County Commissioners Meeting

November 24, 2025 – LBE Election Plans due to SBE

December 11, 2025 – Holiday Dinner

Adjournment:

Tammy Downin called for a motion to adjourn the Regular Board Meeting, Nancy Armstrong made the motion and Claudia Martin seconded. The motion passed and the Regular Meeting concluded at 5:39pm.

Compiled by Cory Green
Election Program Supervisor I

Respectfully Submitted,

Tammy E. Downin 1/13/26

Tammy Downin, President Date

Donna Brightman 1-13-26

Donna Brightman, Secretary Date