



## REGULAR MINUTES

WASHINGTON COUNTY BOARD OF ELECTIONS  
October 10, 2023  
17718 Virginia Avenue  
Hagerstown, MD 21740  
240-313-2050

### Present:

#### Board:

Tammy Downin, President  
Kandace Carpenter, Vice President  
Donna Brightman, Board Secretary  
Nancy Armstrong, Assistant Secretary  
Claudia Martin, Member (by phone)  
Brian Kane, Board Attorney

#### Staff:

Barry Jackson, Election Director II  
Teresa Morningstar, Election Deputy Director II  
Sarah Hall, Election Program Specialist I

#### Absent:

#### Guest:

Donald Donaghue (Virtual)  
Martin Lumm  
Ginger Bigelow

President Tammy Downin called the meeting to order at 2:30 pm at the Washington County Election Center, 17718 Virginia Avenue, Hagerstown, MD 21740. There was a quorum present.

#### 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 the Executive Session. Nancy Armstrong made a motion at 2:34pm to go into executive session. Kandace Carpenter seconded, and the motion carried unanimously.

### SUMMARY OF CLOSED SESSION HELD ON October 10, 2023

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

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Time of closed session: 2:34 pm

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, 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) ( )  
(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: Board Counsel Agreement	Tammy Downin, Donna Brightman, Kandace Carpenter, Nancy Armstrong, Claudia Martin, Barry Jackson, Sarah Hall, Teresa Morningstar, Brian Kane	None

After the discussion was completed, Nancy Armstrong made the motion to adjourn Executive Session and return to Regular Session at 2:53pm. Kandace Carpenter seconded, and all parties voted aye.

Tammy Downin called to reconvene the Regular Meeting at 3:00pm.

**Approval of Draft Agenda:**

Kandace Carpenter moved to accept the agenda, Nancy Armstrong seconded, and the motion was carried unanimously at 3:03pm.

**Approval of Draft Meeting Minutes:**

Donna Brightman moved to table the acceptance of the Minutes for the September 12, 2023 regular board meeting. Kandace Carpenter seconded and the motion was carried unanimously at 3:09pm.

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The September 12, 2023 Special Session Minutes were discussed and Tammy Downin called for a motion to accept the Special Session Minutes as amended. Donna Brightman made the motion to accept the Special Session Minutes as amended. Kandace Carpenter seconded and the motion passed unanimously at 3:11 pm.

The September 19, 2023 Special Session for Public Comments Minutes were discussed. Tammy Downin called for a motion to accept the minutes as amended. Kandace Carpenter made the motion, Donna Brightman seconded, and the motion was unanimously approved at 3:15pm.

### Correspondence:

### Reports:

- I. Election Director
  - A. Personnel –
    1. Election Program Specialist I (Election Judge Coordinator) selected, waiting for SBE to contact successful candidate.
    2. Election Program Assistant I (Cory's old position) packet was sent to SBE HR on September 26<sup>th</sup> and was posted today, October 10, 2023.
  - B. Meetings:
    1. Director's Meetings:
      - a) Highlights of September 21<sup>st</sup> meeting:
        - (1) LBE By-Laws are due to SBE November 1, 2023
        - (2) Reminder that Early Voting Submissions are due Monday, October 16, 2023.
      - b) Next Meeting: No meeting in October, due to Biennial Meeting on October 19, 2023.
  - C. Trainings: Hosted regional voter registration training on September 14, 2023. We will host the next training toward the end of the year.
  - D. Legislative Update: N/A
  - E. Voter Registration Activities and Statistics:
    1. Registration Statistics for September 2023 were distributed to the Board.
  - F. Candidate Filings:
    1. Filing for 2024 Presidential Election began on January 19, 2023. Two filing so far. (Bill McIntire/Mayor, Anthony Williams/Board of Ed)
  - G. Voting System Activities:
    1. Kube Electric completed installing additional power for voting equipment last week.
    2. Charged all voting equipment (except pollbook printers) last week.
    3. Six (6) Ballot Marking Devices being repaired by ES&S today.
    4. Installing EZ Roster software on electronic pollbooks, beginning this week.

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H. Projects:

1. Site Surveys for security camera placement at ballot drop boxes
  - a) Surveyed Keedysville, Boonsboro, Smithsburg, Clear Spring and Hancock last week. Keedysville will not allow us to install a camera on their building.
  - b) Still need to survey Hagerstown City Hall and Williamsport. Should not need to install a camera at the Election Center.
    - (1) Tammy Downin would rather there be consistency in the cameras and install one for the Election Center. Kandace Carpenter and Barry Jackson both agree, but it will have to be presented to the County Commissioners to be approved for budgetary reasons. There is a requirement to keep backups of the video.

II. Attorney

Brian Kane explained the current allegations of conspiracy to commit election fraud in the Ballot Mule case. Brian Kane explained the complications and result of the plaintiff suing Washington County instead of the Washington County Board of Elections in their complaint. The case had been dismissed at the trial level; however, the plaintiff requested extensions and now has until October 31, 2023 to file statements for the court. The Board of Elections is, therefore, still required to preserve the election materials for the 2020 election.

**Unfinished Business:**

I. Early Voting

Barry Jackson requested approval from the County Commissioners this morning for the 3<sup>rd</sup> optional Early Voting Center. It was approved and Barry Jackson stated that the commissioners expressed their appreciation for the Board. Tammy Downin mentioned that the commissioners expressed that the attendance for the Special Session for Public Comments was the best attendance for any county meeting ever. We are awaiting SBE to approve or reject the proposal for the Early Voting Center sites.

II. Polling Place Plan

Barry Jackson and Teresa Morningstar have worked on the polling place paperwork to submit to SBE. It is due by November 14, 2023 and will be submitted soon.

III. By-Laws

Tammy Downin asked for a motion to accept the By-Laws. Kandace Carpenter made the motion and Claudia Martin seconded. The motion was approved unanimously at 3:35pm.

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### IV. Board Counsel Contract

Tammy called for a motion to accept the Board Counsel contract. Nancy Armstrong made the motion, Kandace Carpenter seconded, and the motion was passed unanimously at 3:36pm.

### **New Business:**

#### I. Appointment of Board Counsel

Tammy Downin called for a motion to appoint Brian Kane as Board Counsel. Kandace Carpenter made the motion, Nancy Armstrong seconded, and all voted aye. The motion passed unanimously at 3:38pm.

### **Members Remarks:**

Kandace Carpenter expressed that she was thrilled for the approval of the three sites by the County Commissioners.

No further comments.

### **Guests Remarks:**

### **Confirmation of Next Meeting:**

The next regular meeting of the Washington County Board of Elections will be held on Tuesday, November 14, 2023 at 3:00 pm 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:**

Board Packet

### **Future Events:**

October 19<sup>th</sup> – SBE Biennial Meeting

### **Adjournment:**

Tammy Downin called for a motion to adjourn the Regular Board meeting. Donna Brightman made a motion to adjourn the Regular Board meeting, Kandace Carpenter seconded and the Regular Board meeting concluded at 3:40pm.

Compiled by Sarah Hall  
Election Program Specialist I

Respectfully Submitted,

 11/14/23  
\_\_\_\_\_  
Tammy Downin, President                      Date

 11/14/23  
\_\_\_\_\_  
Donna Brightman, Secretary                      Date