



MINUTES

WASHINGTON COUNTY BOARD OF ELECTIONS

October 30, 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
Brian Kane, Board Attorney

Staff:

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

Absent:

Guest:

List of Public Speakers Attached

President Tammy Downin called the special meeting to order at 4:06 pm at the Washington County Election Center, 17718 Virginia Avenue, Hagerstown, MD 21740. There was a quorum present.

Tammy Downin made opening remarks to state the purpose of the Special Meeting, which was to discuss and receive public comments regarding the October 26, 2023 failure to obtain approval of the Early Voting Center at the Hancock location.

Washington County was asked to return to SBE with an alternate site proposal. The State Board will meet next on November 30, to vote on the approval of the new proposal.

Brian Kane clarified for the public SBE's decision to separate the local board's recommendation into three separate motions and vote on each location individually. The Washington County Election Center was approved as the first Early Voting Center location, and Boonsboro was approved as the third optional site; however, the second location, Hancock, was neither approved nor denied because it did not receive a second for the original motion.

Tammy Downin asked the Board if there was a recommendation on how to proceed. Kandace Carpenter recommended that the Washington County Board of Elections wait

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for the State to vote either for or against the Hancock location before moving forward with any additional recommendations or proposals for the second Early Voting Center. Kandace Carpenter stated that the law requires SBE to vote on the Hancock location. She was adamant that we go no further without their vote.

Donna Brightman would like Tammy Downin to give her recommendation as to whether we should move forward with additional site considerations or wait for SBE to approve or deny the Hancock site. Donna Brightman then recommended that we move ahead with the Public Comment section of the meeting. There will be no debate over additional Early Voting sites at this time. The Board Members agreed and the meeting was open for Public Comments at 4:25pm.

Tammy Downin introduced each speaker in the order they signed in and they were each given 3 minutes to present their comments.

Special meeting to obtain public comment:

1. Cathy Poropatic stated that she supported the continued use of the Hagerstown Library in Hagerstown as an Early Voting Center, as it was vetted by the previous Board of Elections and has met the requirements for an Early Voting Center site. She felt that it was appropriate to use the same site again. As an election judge she was aware of the low voter turnout, but believed it was indicative of a new site. She has always felt safe at the Hagerstown Library and stated that security was readily visible. She said the election judges had received escorts to the parking lot, and there were plenty of available parking spaces. Cathy stated that the greeter area was welcoming and comfortable. She was puzzled by the security issues that were raised by some in the public at previous meetings, because she believes that the presence of other businesses near the location indicated that the general public felt the area was safe to shop, eat, and explore. She stated that the city of Hagerstown has the highest number of minority voters and she would like the Board to ensure there was accessible voting for all voters in the city.
2. Delia Zielinski also supported the Hagerstown Library as an Early Voting Center site for Hagerstown. She said that it was ideal because it is central to most residents. She personally felt the area is safe, hosts many businesses like Barbara Ingram School for the Arts, the new baseball stadium, and the Maryland Theatre, and provides plenty of parking. Delia believes the Hagerstown Library met every law and requirement for SBE and asked for its' approval.
3. James Grossman also supported the Hagerstown Library as an Early Voting Center site. He said he has lived near the Hagerstown Library for 7 years and feels safe and secure at any time of night or day in the area. James said he works with a large population of underserved individuals and denies that the County Commuter would be ample transportation for the downtown population.
4. Brooke Grossman also believes downtown is not unsafe and has spent many hours in the evening downtown and has never felt unsafe. She believes we have an opportunity to have an Early Voting Center site in both the downtown location and a county location since we have 3 potential sites.

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5. Corvos Crump thanked the public for their attendance and comments. Then he also expressed his support for the Hagerstown Library as an Early Voting Center location. He believes the Hagerstown Library would provide an Early Voting Center for the greatest density of registered voters, people, and people who are not able to vote outside of the city limits. He wanted to be sure to advocate for those people who may not have reliable transportation to leave the city. He wanted to ensure that all voices be heard.
6. Brittany Arizmendi advocated for the Hagerstown Library to be the third Early Voting Center location. She stated that veterans and underserved populations primarily reside within the city limits. She stated that the average median income for households in the downtown district is \$25,000/year less than the average median income for households outside of the city limits and that this fact may hinder some downtown voters' ability to obtain reliable transportation. She stated that she believes the elderly and disabled may be unable to use the available public transportation. She noted the rise in investment in the downtown area and public events in regards to the safety of the downtown area.
7. Paul Pittman remarked that the presentation for the previous Public Comments Meeting on September 12th by Barry Jackson was excellent. However, he had listened to the State Board Meeting and felt that the State Board Members had made several valid points. He stated that two Board Members that had "voted" to not proceed with the Hancock Early Voting Center site had made valid points and had raised issues to which he agrees. Paul stated that he felt the intent of the law was to allow all voters an opportunity to vote and wondered if excluding the Hagerstown Library would be viewed as voter suppression and that "nobody in this room wants to be any part of that."
8. Paulette Lee stated that the "perception of reality is reality" and she felt that the actions of the Election Board would be perceived as "political in a racial way." She stated that if you (any Board Members) were to vote to deny access to Early Voting to any demographic or political party then you should ask yourself "what is it you are voting against?"
9. Tom Thorsen noted that the Early Voting Center locations were not only approved by the Local Election Board, but also voted on and approved by the County Commissioners and it is "deeply disheartening that SBE would not defer to the Local Board's wishes, which do cover nearly all of the county." He felt that the rural voters of Washington County will be disenfranchised by moving the proposed Hancock Early Voting site to the Hagerstown Library, within city limits, and effectively excluding the voters that live further out in the county.
10. Lawrence Angle stated that he supported the Hagerstown Library as the appropriate and fair location for an Early Voting Center location.
11. Tina Angle stated that she supported the Hagerstown Library as an Early Voting Center site. She noted that "accessibility is key" and the Hagerstown Library can be reached by walking, bicycles, etc. She stated that the Hagerstown Library location is a well-known location, whereas, the Virginia Avenue Election Center location was not readily known to her. She stated that she has never felt afraid in the downtown area in and around the Hagerstown Library.
12. Susan Layos stated that she also supported the Hagerstown Library as an excellent spot for Early Voting. She lives in the Fairplay area and feels the optional third Early Voting Center location in Boonsboro is too close to the

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potential Early Voting Center location in Fairplay to be able to use both sites as Early Voting Center locations.

13. Matt Breeding thanked the Board Members and Barry Jackson for the work they have put into this Early Voting Center location decision. He said that he admired Kandace Carpenter's adherence to the rule of law and did not want decisions to be made based on feelings/emotions. He stated that the elephant in the room was "Early Voting." He believes that everybody does have the opportunity to vote and it's "right down at the end of your mailbox." He stated that we have 53 voting sites/precincts for Election Day and nobody's right to vote was being suppressed by the placement of Early Voting Center locations. He stated that he was offended that anyone would have accused Barry Jackson or the Board Members of racism and found the idea of it "abhorrent."
14. Thomas Ruhf said that he had cast his vote at the Hagerstown Library for the previous election in 2022. He mentioned that the whole point of having Early Voting and Mail-In Ballot Voting was to expand access to voting and participation in the election process. Speaking as a Christian, he wanted everyone to be taken care of, especially the "least among us," and felt that the Hagerstown Library provided that.
15. William Kesler said that he thought waiting for the State Board to make their decision on Hancock, before deciding to change the proposed locations, was the right way to go. He supported the Hancock Early Voting Center location. He believes the Hagerstown Library and Washington County Election Center on Virginia Avenue are just too close together. He cited the low voter turnout for the Hagerstown Library Early Voting Center in the 2022 elections.
16. Taj Smith, speaking as the President of the local NAACP chapter, stated that "whether you find it abhorrent or not, I am here to advocate for the voting rights of people of color in our county." After reviewing data, she stated that the Hagerstown Library was the only Early Voting Center location that met all State requirements. She said statistically, the Fairplay demographic was 100% white and that people of color residing in the city comprise of 26.3% of the population. The Hagerstown Library, she stated, was the most suitable location for an Early Voting Center because it is nearest the most densely concentrated areas of voters that are elderly or minorities. People of color, she said, do not feel safe in Sharpsburg and other similar locations. In her opinion, if Board Members do not choose the Hagerstown Library location for an Early Voting Center, that would indicate that Washington County wishes to limit the access of the ballot to minorities.
17. Kristin Aleshire stated that of the 53 Washington County Precinct locations for Election Day Voting, 30 of them were within the city limits currently. He wondered if the Board of Elections had not moved to outside the city limits on Virginia Avenue, would we still be asking if the downtown locations were safe and/or appropriate? He wondered if the Virginia Avenue location had an issue with accessibility? He thought it could be possible that the cost of the County Commuter trip would make the Virginia Avenue location not accessible to downtown voters; whereas, in his opinion, the Hagerstown Library was accessible to all.
18. Peter Perini stated that he personally believed the downtown Hagerstown Library was the best location for any Early Voting Center. He said that although the

“letter of the law” may be one thing, he wanted the “intention of the law” to also be considered. He noted that the Election Board should “be careful what you ask for, you might just get it;” in relation to asking the State Board to make a decision on the Hancock Early Voting Center location before moving forward to choose an alternate location. He wanted the decisions to be made now on the Early Voting locations, because he believes the Board would only be delaying the inevitable and this decision would need to be made again in the future. He believes that asking SBE to vote on the Hancock location before we make a decision, is only going to make SBE vote to disapprove the Hancock site anyway. He stated that he disagreed with Kandace Carpenter’s assessment that possibly the County Commissioners’ decision on Early Voting Center locations was conditional.

19. Nancy Allen agreed that we should wait for the State to make a decision on the Hancock location before deciding to pick a new Early Voting Center location. She stated that there are many locations for Election Day Voting already. She would rather the entire county be considered instead of the focus being on just downtown location. She would be in support of a more rural location for an Early Voting Center. She noted the lack of transportation to the Hancock area and other rural communities and felt that should be considered just as important as other factors.
20. Adam Greivell thanked the Board and the community participants. He stated that the “letter of the law” and the “spirit of the law” gives the power to us to decide what locations we find most suitable for Early Voting Centers. He believes the Local Board should be able to make the local decisions and not defer to SBE, who does not know the community. He found the State Board’s actions to be very unfortunate and unintentional. He thinks they froze and made no decision when they should have. He noted that the original public notice sent from the Washington County Board of Elections stated that we will vote this evening on a new site and we have been compelled by the state to make that decision, when in fact, we have not yet been denied the Hancock location.
21. Bianca Pierre thanked the Board for their work regarding the Early Voting Center locations. She stated that the rule of law was important and that is why we have appellate courts and so on, to resolve future legal matters. She stated that the County Commuter does NOT have Sunday service and does not have a reliable service to the Virginia Avenue location. She said “voter suppression is synonymous with racism.” She also wanted to clarify that “racism is not always overt but can affect someone based on the perception of racism.” In her opinion, travelling to Virginia Avenue is unsafe; there are no sidewalks. She also noted that she believes the homeless population at the Hagerstown Library is not unsafe. She asked that the Board Members “step outside of their own perspective and do what is best for the voters.”
22. Denise Horner believes the Hagerstown Library would be best for this election cycle, since she believed it was best for the last election cycle. She stated that millions of dollars have been spent on the downtown area and it should be considered a worthwhile place. She noted that if the downtown area was considered “ok” for baseball, dinner, and the theater, then it was “ok” to vote there. She warned the Board Members to “do not send a bad message to the community by removing the library location.”

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23. Lorraine Blaydes stood in favor of the Hagerstown Library as an Early Voting Center.
24. David Clark mentioned that he did not realize how privileged we, the community, were to have a voice in front of the Board of Elections. He agreed with the Hagerstown Library location and this discussion has only confirmed his support for the location as an Early Voting Center.
25. Seth Wilson noted, by phone, that the Hagerstown Library location as a polling place had very low turnout. He stated that the majority of people even within the Hagerstown Library's district, had gone to the Election Center on Virginia Avenue to vote early. He believes the accessibility to and within the Hagerstown Library was not practical; whereas, the Election Center has a flat surface in the parking lot for accessible parking and entering the building. The voting area is also flat and even for better accessibility. He believes that some voters may actually find it more convenient to catch the bus at the transfer center, rather than voting at the Hagerstown Library.
26. Angela Yamashita stood in support of the Hagerstown Library.
27. Leslie Allen expressed that since we were "blessed" with a larger and growing population, the decision to add an Early Voting Center location had become complicated by the distance "requirements" for the population from the Early Voting Center sites. She also stated that the downtown voters were already registered but were not turning out at any polling place to vote. She wanted the Board to ask themselves why downtown registered voters were not turning out to vote when considering where to place Early Voting Centers.
28. Matt Schindler said that he appreciated all the points of view that were raised today. He stated that although this facility, the Virginia Avenue Election Center, was obviously new and state of the art, the Hagerstown Library location was more practical and accessible to voters. He believes that if you do not have a car, driving any distance to vote would be more than just an inconvenience; it would be a hinderance.
29. Arthur Larue was an Election Judge who worked at the Hagerstown Library during the last election cycle. He believes that any security issue there is just a perception and not reality. He stated that access to the Hagerstown Library from the street or parking lot was made more restricted and secure since a fence was put up behind the building. He felt that the Hagerstown Library location was underused simply because it was new. He believes that people who voted their previously will now vote there again.

Since there were no further Public Comments at this time, Donna Brightman asked Tammy Downin if we will still adjourn the Special Session and then open an Executive Session. Tammy Downin called for a motion to adjourn the Special Meeting and open an Executive Session. Donna Brightman made the motion and Kandace Carpenter seconded and all parties voted aye. The Special Session was adjourned at 5:28 pm.

SUMMARY OF CLOSED SESSION HELD ON October 30, 2023

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

Time of closed session: 5:30 pm

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

Purpose of the closed session: (7) To consult with counsel to obtain legal advice on a legal matter.

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

Names of members voting aye: Tammy Downin, Donna Brightman, Kandace Carpenter, 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: Potential Litigation	Tammy Downin, Kandace Carpenter, Donna Brightman, Nancy Armstrong, Claudia Martin, Brian Kane, Barry Jackson, Sarah Hall, Teresa Morningstar	None

After the discussion was completed, Claudia Martin made the motion to adjourn Executive Session at 6:30 pm. Donna Brightman seconded, and all parties voted aye.

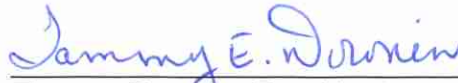
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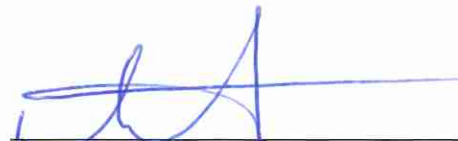
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Compiled by Sarah Hall
Election Program Specialist I

Respectfully Submitted,



Tammy Downin, President 11/14/23
Date



Donna Brightman, Secretary 11/14/23
Date