

FREDERICK COUNTY BOARD OF ELECTIONS

The Bourne Building
355 Montevue Lane, Suite 101
Frederick, MD 21702
Telephone: 301-600-8683 FAX: 301-600-2344

MINUTES of the February 1, 2017 Monthly Meeting of The Frederick County Board of Elections

The meeting was called to order at 12:34 PM, in Room 108 of the Bourne Building at 355 Montevue Lane by the Board President, Mrs. Mary Lou Green.

PRESENT:

Mary Lou Green, President
Mark P. Jeffers, Jr., Vice President
Lawrence C. Hill, Secretary
Carlotta C. Joyner, Board Member
William L. Woodcock, Board Member
Daniel B. Loftus, Board Attorney

Stuart Harvey, Election Director
Noreen L. Schultz, Deputy Director
Marc R. Welch, Election Administrative Assistant
Bud Otis, President, Frederick County Council

ADDITIONS / CHANGES TO AGENDA:

Ms. Joyner requested a review of process for changing voter status in MDVOTERS, which will be discussed in New Business.

APPROVAL OF MINUTES FOR JANUARY 11, 2017 BOARD MEETING:

Mr. Woodcock moved to approve as written the minutes of the January 11, 2017 board meeting. Ms. Joyner seconded the motion, and it passed unanimously.

COUNCIL LIAISON COMMENTS:

Mr. Otis expressed his support of the Board's work in light of recent comments in the national media. He further stated that the proposed legislation which would allow county public schools to remain open on Election Day presents logistical and security problems. Mr. Otis indicated that he was not in favor of changing current law since the existing policy works.

ELECTION DIRECTOR'S REPORT:

Mr. Harvey and the Board discussed the role of the MAEO Legislative Committee. Staff continues work on post-election tasks, including updating voter registration information, processing address changes from USPS mailing labels, as well as packing voted ballots for storage, and performing post-election maintenance on the voting system equipment. Mr. Harvey informed the board that Zach Howe attended a "lessons learned" session on the DS-850 high speed ballot scanner at SBE.

ES&S has picked up all loaner voting system equipment, including the DS-200 precinct scanners and accompanying ballot bins.

OLD BUSINESS

FY 17 BUDGET UPDATE:

Mr. Harvey reports we have expended 58% of our budget for the fiscal year and we are on target for FY17. Mr. Hill asked about the budget impact of adding the new Early Voting center in Middletown. Mr. Harvey said there was an impact on judge salaries, but the Election Day surplus covered the additional expenditure.

Three County temporary employees have begun working reduced 3-day schedules to save money. This may change based on work load and staffing needs for the upcoming City of Frederick Municipal Election. The City will reimburse the County for any additional payroll and overtime expenses.

CITY OF FREDERICK 2017 ELECTIONS:

Work on the Memorandum of Understanding between the Board and City of Frederick continues. Language is being adjusted to accurately current regulations and costs. The City is working on making precinct and polling place adjustments, as well as making a decision on an Early Voting schedule for the Primary and General Elections.

Mr. Woodcock asked if the Board could request a deadline so that there is sufficient time available to prepare staff, equipment, train judges, etc. Counsel advised a clear date should be given. Mr. Harvey will provide same to Mayor, City Attorney, and the City Election Board.

POST ELECTION MAINTENANCE:

Pollbook PEM has been completed, and work is beginning on packing voted ballots for storage. Once ballot packing is complete, work will begin on the DS200 precinct scanners.

LEAGUE OF WOMEN VOTERS POLLING PLACE EVALUATIONS:

A follow up meeting to discuss findings from Early Voting and polling place inspections was held with members of the League of Women Voters on January 24. Copies of the minutes from that session were provided to Board members.

2017 GENERAL ASSEMBLY UPDATE:

Mr. Harvey advised the Board of a proposed bill from Delegate Afzali to require public schools to remain open on Election Day. While six counties are already allowed by law to keep schools open on Election Day, most close. Talbot County is the only one to remain open on Election Day. Mr. Harvey recommended the Board stand opposed to this proposed bill, should it come to fruition, citing security and parking concerns as especially problematic. Mr. Jeffers moved that the Board oppose the introduction of the bill. Ms. Joyner seconded the motion. After brief additional discussion of security, parking, and traffic concerns, the motion passed unanimously. Mr. Harvey will speak to the Frederick County Delegation and convey the Board's opposition.

In addition, Mr. Harvey briefed the Board on the following bills:

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| HB0073 | Election Law - Election Judges - Minimum Age and Minimum Compensation |
| HB0169 (SB0091) | State Board of Elections - Open Meetings - Video Streaming and Recording (State Board of Elections Transparency Act) |
| HB0345 (SB0423) | Elective Franchise - Registration and Voting at Polling Place |

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| HB0353 | Election Law - Change in Administrative Policy Affecting Voting Rights - Notice |
| HB0361 | General Assembly - Special Election to Fill a Vacancy in Office |
| HB0449 | Baltimore County - Election Judges - Compensation |
| HB0619 | Election Law - Campaign Signs at Polling Places |
| HB0622 | Potomac Compact for Fair Representation |
| SB0058 | Election Law - Election Observers |
| SB0064 | Voter Registration - Affiliating With a Party |
| SB0141 | Election Law - Polling Places on College Campuses |
| SB0406 | Election Law - Voting System - Optical Scanners in Prince George's County |
| SJ0004 (HJ0006) | United States Constitution - Amendments Convention - Democracy Amendment |

MAEO ANNUAL CONFERENCE:

The MAEO Annual Conference takes place in Ocean City June 6, 2017 - June 9, 2017. Mr. Harvey will lead the legislative panel discussion on June 7. Mrs. Schultz will make reservations for Board members, Counsel and staff.

NEW BUSINESS

BYLAWS REVIEW:

Mr. Harvey and Mr. Loftus reviewed the existing bylaws of the Frederick County Board of Elections. Mr. Woodcock moved the bylaws be accepted as written. Mr. Jeffers seconded the motion. Ms. Joyner inquired about how Section 4.2 B (5) and (6) applied when a member is not engaged in activities related to their role with the Board. Mr. Loftus explained that while the Bylaws cannot restrict display of signage on a home, or vehicle, the Bylaws can restrict the wearing of campaign paraphernalia by individual Board members so as to avoid the appearance of partisanship. Mr. Jeffers stated that this is a matter of personal discretion, but it is best to avoid such conflicts.

Ms. Joyner asked about how Section 4.2 B (8) applied when a member is not engaged in activities related to their role with the Board. Mr. Loftus stated that Members circulating, or signing

petitions is prohibited in the Bylaws in order to avoid any conflict of interest. The Board unanimously approved the Bylaws as written.

2017 MUNICIPAL ELECTIONS:

In addition to the City of Frederick Municipal Election, six other municipalities in Frederick County will be holding their elections this year as well. Mr. Harvey explained that staff support is generally limited to providing precinct registers prior to each election, and updating voter credit and any changes in the voter's record in MDVOTERS following each municipal election. Additionally, staff will update street files for each municipality based on updated information provided. A schedule of municipal elections was provided to members.

OTHER NEW BUSINESS:

Ms. Joyner requested an overview of voter registration and status change procedures. Mr. Harvey led a discussion of the policies and procedures surrounding voter registration, updates, and changes.

SCHEDULE OF NEXT MEETING: The Board scheduled its next meeting for 1:30 PM on Wednesday March 8, 2017 in Room 108 of the Bourne Building at 355 Montevue Lane.

ADJOURNMENT AND EXECUTIVE SESSION: At 2:35 PM, Mr. Harvey requested that the Board meet in Executive Session in room 108 of the Bourne Building at 355 Montevue Lane. This action is in accordance with the authority granted under the Annotated Code of Maryland, State Government Article, Sections 10-508 (1) (i) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; and 10-508 (a)(7) to consult with counsel to obtain legal advice on a legal matter. Mr. Woodcock moved to adjourn the meeting and proceed to Executive Session. Mr. Hill seconded the motion and it passed unanimously.

Meeting adjourned at 3:35 PM.

Respectfully submitted,

Marc R. Welch
Election Administrative Assistant

Approved by:

Mary Lou Green, Board President

Date