



Frederick County Board of Elections

340A Montevue Lane, Frederick, Maryland 21702
FrederickCountyMD.gov/elections

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MINUTES of the December 07, 2022, Meeting of The Frederick County Board of Elections

The meeting was called to order at 2:04 PM, in person and virtually by Board President, Mary Lou Green.

PRESENT:

Mary Lou Green, President
Shirley McDonald, Vice President
Lawrence C. Hill, Secretary
Mary Costello, Board Member
William Woodcock, Board Member
Daniel B. Loftus, Board Counsel
Barbara Wagner, Election Director
Marc R. Welch, Voting Operations Manager
Theresa Church, Communications Specialist

M. C. Keegan-Ayers, County Council Chair
Mari Lee, Democratic Central Committee
Vicki George, Voter
Barbara Stadler, Voter
Angela McIntosh, Voter
Jill King, Voter
Michael Sowell, Voter
Winston Mann, Voter
Shelley Aloi, Voter

CONVENE BOARD OF CANVASS

Mr. Woodcock made the motion to close the monthly board meeting, Mr. Hill seconded, and the motion passed unanimously. Ms. Costello made the motion to convene the Board of Canvassers, Mr. Hill seconded, and the motion passed unanimously. Mr. Woodcock made a motion to reject the 29 untimely ballots for the Gubernatorial General, Ms. Costello seconded, and the motion passed unanimously. Mr. Woodcock made a motion to approve the 2022 Gubernatorial General MIB2 Canvass Minutes. The motion failed. Mr. Hill made the motion to postpone review of MIB2 minutes until a later date, Mr. Woodcock seconded, and the motion passed unanimously. Mr. Woodcock made the motion to close the session and reopen the monthly meeting, Mr. Hill seconded, and the motion passed unanimously.

APPROVAL OF MINUTES

Ms. Costello made a motion to accept the September 29 meeting minutes. Mr. Woodcock seconded, and the motion passed unanimously.

COUNTY COUNCIL REPORT

Ms. Keegan-Ayers shared that the county council elected Brad Young as the council president and Kavonté Duckett as the vice president. The council will make the liaison to the BOE assignment at the December 20 meeting.

OLD BUSINESS

A. Riverside Five Relocation Update

Ms. Wagner reported that the proposed move to Riverside Five will happen in January. BOE must vacate 340A Montevue Lane by February 1. The move is being coordinated by the Department of Public Works. Furniture left by the previous tenant has been allocated to us. Any excessed furniture from Montevue Lane is being returned to the county to reallocate to other agencies. Ms. Wagner is working with the county and with transportation on extensive signage for the new location.

B. Post-Election and Canvass Review

The format was question and answer.

The following questions were asked by Mr. Woodcock.

1. How did USPS handle the MIB load? The SBE and our office worked with USPS including weekly meetings. The post office complied with every request that was made.
2. Is it possible to increase the number of Ballot Marking Devices? SBE sets the number of BMDs per polling place. We bought 30 more for the 2022 election cycle and will look at purchasing more for 2024 as appropriate.
3. Are the envelopes with MIB that are returned at Early Voting or Election Day polling places marked as timely? During EV, runners return MIBs to the office to be processed daily. On ED, MIBs returned to the polling places are brought back along with the voted ballots from the scanning units. In the future, we will use stamps that indicate where the MIB was returned during EV. Currently MIB returned via Dropbox are stamped with the Dropbox location.
4. During Canvass, would it be more efficient to simply place the MIB ballots directly into the scanning unit rather than having the bi-partisan teams look at every ballot for compatibility? The process is in place because so many MIBs are unable to be processed as is. There would be a backlog of ballots that were rejected.
5. Why are we using the DS200 scanners when the DS850 is faster? The DS850 is faster only under certain conditions. It takes additional time to prepare ballots to be processed by the DS850 and more ballots are rejected.
6. What can the Board do to get pre-Election Day Canvass approved for 2024?? SBE is working with Maryland Association of Election Officials and the Maryland Association of Counties to lobby the state legislature to change the law.

The following questions were from observers at the in-person meeting.

7. Vicki George first complimented the judges at Myersville where she was a poll watcher. She shared that Cybersecurity & Infrastructure Security Agency (CISA) reported that election equipment can be hacked. She asked why Maryland is using ES&S equipment when it is similar to equipment by Dominion Voting and Hart InterCivic. Mr. Welch

explained that the office leadership receive daily reports from CISA along with frequent updates from EI-ISAC and MD-ISAC. He also explained the Logic and Accuracy Testing of all election equipment and the ongoing audits. Ms. Wagner explained how Maryland is a leader in conducting election audits. The way Maryland conducts elections is regulated by the state legislature. She recommended any voter with concerns contact their state legislative representatives.

8. Angela McIntosh asked if college students be registered in more than one state. Maryland was one of the first of the 33 states to join the Electronic Registration Information Center (ERIC). When a voter registers in one of the participant states, the system will notify the state of the original registration. Other states share new voter registrations in other ways. The voter rosters are updated daily throughout the year.
9. Jill King asked if the letter of agency was kept. The oath of assistance is kept with the MIB. She asked if the oaths were available, and she was advised to make the request through the Public Information Act.
10. Winston Mann asked when the manual audit will be conducted. The audit will be conducted in March.
11. Jill King asked if observers could listen to the board discuss the ballots during canvass. The way canvass was conducted was constricted by the size of the room. With more room at the new location, we will be able to restructure the way canvass is conducted.
12. Barbara Stadler asked how to become a canvasser. Canvassers are recruited from the election judges.
13. Mari Lee, FCDCC chair, asked to make a statement. Chair Green approved the request. She shared a three-paragraph statement from the Frederick County Democratic Central Committee thanking the board, staff, and judges for their work. The FCDCC stated their support for the integrity of the canvass.
14. Angela McIntosh said that she applied to be an election judge in 2020 but didn't receive a response. Ms. Wagner said we would investigate it.

The following questions were submitted through Public Comment or email.

15. How is the Board of Canvassers selected? The members of the Board of Canvassers are also the members of the Board of Directors though there is a different oath. The Board members are nominated by the local party central committees and chosen by the governor.
16. Why does the state and local websites not display the number MIB to be canvassed? The information is available on the state website under Press Room.
17. Has Maryland determined if MIB will be accepted up to 10 days after the election day for 2024? Yes, unless the law is changed.
18. Will web delivered ballots be continued in 2024? Yes, unless the law is changed.

19. How are Dropbox locations determined? Director Wagner submits the list of proposed location to SBE for approval. Factors in determining suitability include population density, accessibility, and the ability to place cameras among other considerations. It is anticipated that there will be an additional two Dropboxes for 2024 due to the increased number of registered voters. There have not been any reports of suspicious activity around the boxes in Frederick County.
20. How often are voter rolls cleaned? Updates are done daily using ERIC, voter submissions, court lists, social services, and many other sources. The postal service also provides addresses of returned mail that may indicate a voter has moved or died.
21. Did Frederick County receive grants through CTCL? The BOE did receive a grant in 2020. The money was used to purchase acrylic screens for polling places, laptops to allow staff to work remotely, and PPE for polling places and in the office.

The following question was asked by Mr. Hill.

22. Why was there not a Canvass on November 15 during MIB2? The staff was preparing for the provisional canvass on November 16.

Ms. Green complimented the staff and the judges on how well the election was ran. Ms. Costello said she had several voters approach her with compliments on how professional and smooth the canvass was ran. Mr. Hill shared that several members of his family participate as election judges and canvassers in Washington County. They told him that it was reassuring to know that the elections are being ran properly. He encouraged anyone concerned about the integrity of elections to apply to be an election judge to see it from the inside.

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NEXT MEETING

The Board scheduled the next meeting for January 4, 2023, at 2 pm.

EXECUTIVE SESSION

Mr. Woodcock made the motion to end the regular meeting and move into Executive Session. Mr. Hill seconded, and the motion passed unanimously. and the motion passed unanimously.

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EXECUTIVE SESSION SUMMARY

On December 7, 2022, at 4:06 pm, the Frederick County Board of Elections met in Executive Session in the Office Training Room on Montevue Ln., Frederick, MD. This action was in accordance with the authority granted under the Annotated Code of Maryland, General Provisions Article, Section §3-305. The session discussions pertained to the following subsections under this provision:

- §3-305 (b)(1) 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.

- §3-305(b)(7) to consult with counsel to obtain legal advice.

Present:

Mary Lou Green, President
Shirley McDonald, Vice President (via Webex)
Lawrence C. Hill, Secretary
Mary Costello, Board Member
William Woodcock, Board Member
Daniel B. Loftus, Board Counsel
Barbara Wagner, Election Director

During the executive session, the Board discussed three items: previous session minutes and vote; a legal matter; and a personnel matter.

Meeting adjourned at 4:30 pm.

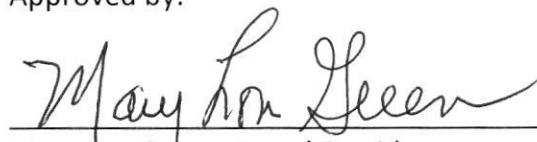
Respectfully submitted by Lawrence C. Hill, Board Secretary.

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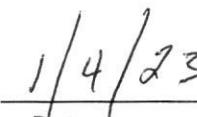
Respectfully submitted,

Theresa Church
Communications Specialist

Approved by:



Mary Lou Green, Board President



Date