

HOWARD COUNTY BOARD OF ELECTIONS

MEETING MINUTES

9770 Patuxent Woods Drive, Suite 200
Columbia, MD 21046

Monday, November 20, 2017 – 4:00 pm

Regular Open Board Meeting

ATTENDEES:

Board Members:

Donna K. Thewes	Board President, Republican Member
Ann M. Balcerzak	Vice President, Democratic Member
Patrick R. Mullinix	Republican Member
Raymond M. Rankin	Democratic Substitute
Diane L. Butler	Republican Substitute
Michael S. Molinaro	Board Counsel

Staff:

Guy C. Mickley	Director
Charlotte B. Davis	Deputy Director
Phyllis A. West	Board Secretary

Absent: None

Visitors: David Zinner

CALL TO ORDER AND DECLARATION OF QUORUM

Board President Donna Thewes called the meeting to order at 4:05 pm with an established quorum present. The Pledge of Allegiance was then given.

WELCOME GUESTS

President Thewes welcomed David Zinner to the meeting and invited him to address the Board. Mr. Zinner discussed several issues, including suggestions for improving the Board of Elections website. One suggestion was adding more Frequently Asked Questions (FAQ's) to the site to help voters. The Board agreed this would be worthwhile and it will be addressed. Mr. Zinner stated he supported the consolidation of polling places which was done this year and requested more communication with judges on election issues. President Thewes thanked him for his input.

APPROVAL OF BOARD MEETING MINUTES

Draft copies of the minutes from the September 25, 2017 meeting were provided to Board members by electronic mail prior to the meeting and a paper copy was made available to each member at the meeting. Members made no changes to the minutes. President Thewes asked for a motion to accept the minutes. Diane Butler motioned to accept the minutes as presented and Ray Rankin seconded the motion.

Action: The September 25, 2017 minutes were unanimously approved.

ADDITIONS OR CHANGES TO THE AGENDA

Board members made no changes or additions to the agenda.

CORRESPONDENCE

Board Secretary Phyllis West distributed a new State of Maryland brochure entitled *Maryland Outdoor Advertising Regulations*. Howard County has the same ban on signs within Highway Right-of-Ways due to safety concerns. Guest Davis Zinner asked if individuals could take down signs that violate the rules and Diane Butler asked what are the rules. Director Guy Mickley indicated the easement is 15' from the edge of the road and 100' from an intersection. He reminded Board members of the signage problems during the last election at Miller Library when candidate signs were posted close to the road, blocking the view of drivers entering and exiting the facility. These had to be removed. Mr. Mickley stated that individuals should not remove signs, but should call the County and let them handle it.

Director Mickley then reported on two Public Information Act (PIA) requests he had received in October from a group called Maryland 20/20 Watch. The first request, received on October 12th, was reviewed and a response was sent, with copies to the Board President and Board Counsel. The second request, which was sent to eight counties in Maryland including Howard, requested additional detailed information. Answers to two of the questions are already provided on the Howard County BOE website. Other questions would require ad hoc reports to be run at an estimated cost of \$50 per report. Mr. Mickley indicated that the \$50 fee per report was the same amount given by all counties. Director Mickley provided this information via email to the organization. As of 11/20/17, he had not received a response. Mr. Mickley indicated that he would email them again within a week if he had not heard back from the group. He stated that he has his response ready if they contact him again.

President Thewes asked if this was being done across the nation. Ann Balcerzak asked what the "overall umbrella" group was, and Donna Thewes indicated she thought it was Judicial Watch. Ann Balcerzak then mentioned that judges might have security concerns if we provided some of the information requested. Guy Mickley indicated that providing this information was approved by the State Board. Ray Rankin said that the Board of Education gets requests for this type of information regularly and salary information is published in the newspaper. Mr. Mickley stated he has concerns that judges will receive phone calls and they might decide to quit. Guest David Zinner, who is a chief judge in Howard County, said judges might ask what

they could say if contacted and he asked if judges would be alerted by the office if the information and reports requested by the group are sent. Donna Thewes said she was uncomfortable with providing such detailed information and wanted to know how we can protect our judges. Guy Mickley indicated he would probably notify judges if we provide the information requested. He stated that we have no control over its use once sent to the group. Mike Molinaro indicated there should be documented written confirmation on usage limitations and there would be recourse in court if misused.

PRESIDENT'S REPORT

President Donna Thewes asked Guy Mickley to discuss a conflict with the December 13th tentative Board meeting date, after which she asked members about their availability to meet on December 12th. All but one could attend on the new date. The Board agreed to change the date to Tuesday, December 12, 2017. Ms. Thewes indicated that the meeting would be cancelled if there was nothing to report.

President Thewes stated that Phyllis West had prepared and distributed to members a final meeting schedule for 2017 as well as a draft Master Schedule for 2018 which includes Board meeting dates, Early Voting, Election Days and Canvass dates for both elections. Potential problem dates for Board meetings are noted so that the Board can discuss them at the next meeting. Guy Mickley noted that the second Primary Canvass date was changed to July 5th by the State due to the regular Canvass date falling on the July 4th holiday. Several Board members indicated this would be a helpful resource as they plan their calendars for 2018.

DIRECTOR'S REPORT

Director Guy Mickley updated the Board on the following issues:

1. General Office Update –

- a. There have been several updates and a reimaging on the voting system server through ES&S that will help it run more efficiently and quickly for the upcoming elections. This will be tested in January during the Pre-Primary Training Program (PPTP) and reported on at the January Board Meeting.
- b. Absentee staff has entered 144 records into the system as of today.
- c. The Judge Department has been busy sending emails to sign up election judges, which was done earlier than in previous years. As of today, 787 people have responded. Staff has already assigned approximately 500 respondents to positions at various precincts. Director Mickley reported that he had asked Bill West and Jeff White to work on an in-house system to assist the Judge Department in automating many of their processes. They have developed a valuable new software system that handles multiple processes (Judge Recruitment, Classroom Attendance and Payroll using web-based tools, email notifications, electronic forms and signature capture, custom reports and relational database technology). Director Mickley gave kudos to the genius and innovation of the individuals in this office that provide the most efficient and effective ways to do business. Ann Balcerzak said she was very impressed with Bill and Jeff's work, and

wanted to know if other staff members, including women, could do these functions. Guy Mickley stated that others can't program from scratch, but are involved in the process at some point, including Nikki and Teresa.

- d. Mr. Mickley reported that the office is currently working with the Board of Education on a Voter Outreach Program at County high schools. Our staff members are in discussions with high schools to plan visits there during lunch periods. Staff will discuss elections with the students, do judge recruiting and voter registration. With the voter registration age now at 16, we can recruit from a large new pool of potential judges. We are awaiting school board approval of our schedule. Patrick Mullinix indicated he is in the high schools regularly as part of his job and he would be happy to assist in this effort.
 - e. Staff has updated and drawn new schematics after revisiting every polling place to ensure that plans are correct and any changes or renovations made by the schools have been incorporated. During these visits, we discovered changes that had not been reported to us -- walls had been removed and electrical outlets were gone. Ann Balcerzak asked how long it takes to do this process. Guy Mickley reported he had set up three teams of two, each of which visited 3-4 polling sites per day. There were about 25 trips made. Changes were made in the old schematics where possible, or new ones were drawn if staff were unable to update the old ones. He estimated the process took 4-5 weeks. Ms. Balcerzak said the process looks simple on paper, but a lot goes into doing this activity. Donna Thewes said she was glad the sites had been revisited and updated.
 - f. Work on the election judge videos continues, with staff currently trying to mesh the video and audio voice-overs together. Staff members are doing the video production work which is reducing our costs.
 - g. Directors from Baltimore and Carroll Counties contacted Guy Mickley to initiate holding inter-county meetings on specific election topics so that staff could discuss how each county does business and garner new ideas from each other along the way. Three meetings have been held to date on topics including judges, training and absentee issues. All have shared useful information and come away with new ideas, some of which are being implemented. It has been a successful exchange. A few other counties have now asked to be included in the next session.
2. **Warehouse Issues** – Director Mickley reported that the warehouse staff continues to prepare for the election, replacing batteries in pollbooks and charging scanners. He discussed the pending warehouse move and selected site, which is in Columbia on Gerwig Lane about one-half mile from the office. He's been told the approval process is just about complete, with final approval by the County Council scheduled at their early December meeting. Modifications can start as early as December. The County's target date is late January to early February for completion of renovations. This will be the first election location in Maryland to be part of the Homeland Security program, which will provide free services to evaluate and recommend security enhancements. Since Elections are now considered part of the country's critical infrastructure, these services are now available to us. Board members were shown the draft schematic done by Jeff White and asked numerous questions. To answer those, Guy Mickley stated that: judges will now pick up

and drop off supplies at the new warehouse location; the traffic pattern works very well; we will have enough police presence and security; there will be enough offices to accommodate staff members assigned there; the print shop will be moved to the warehouse; the entire warehouse will be environmentally controlled with two units being added to provide full coverage; a hydraulic lift is being added; the lease will be for seven years to coincide with the office lease so that hopefully the office and warehouse can be combined at a future date; and we will be able to move the storage shipping container we own to the new location. He also stated that the MDVoters system would be made available for use there. Absentee operations and canvassing will remain at the office location. On election night voting results and provisional bags **only** will be taken to the office; with supplies going to the warehouse. Board members asked when they could tour the facility. Mr. Mickley indicated hopefully sometime in January when most of the work has been done to adapt the building to meet our needs. He will keep them advised on a date. Donna Thewes complimented the Director on a great job done.

3. **Fourth Early Voting Center** – The new Fourth Early Voting Center at the Howard County Fairgrounds location was approved by the State Board at their October Board Meeting. This update has been added to our website along with a map.
4. **New Hires Update** – Director Mickley reported that we held interviews last month and have hired three new staff members as Election Data Application Specialist I's. All have worked here as contingent employees and one is currently a full-time State employee at the Baltimore County Board of Elections. Our new hires are Monica Fields, Jose Morales and Anthony Neafsey. Mr. Mickley also announced that Nikki Shifflett of our staff will be leaving shortly to take a new position and we wish her well.
5. **Disaster Recovery Plan** -- Director Mickley stated that at the State Board of Election's Biennial Conference, it was recommended that all LBE's need a Disaster Recovery Plan. This office has had one in place for years and we are currently updating it to include the new equipment, personnel and office procedures changed since the last update. Since the document is still a work in progress, he told Board members a draft copy was available for their review if they were interested. They would be provided a final copy closer to the election. Donna Thewes asked if the Early Voting Centers would be included along with the polling places, office and warehouse. Director Mickley indicated that they would and that Homeland Security would be involved in the process.
6. **Registration** – The Director reported that registration continues to be typical for an off-election year, with most activity being address changes. He believes most eligible Howard County voters are already registered.
7. **Candidates** – Several people have filed for candidacy in the office since the last Board meeting. A list has been provided of all those who have filed for office in districts and races that Howard County has on the ballot.

BOARD COUNSEL REPORT

Mike Molinaro stated that Deputy Director Charlotte Davis was a witness last week on behalf of the Board of Elections in a federal case. The case involved multiple charges against the individual, including identity theft and voter fraud. Ms. Davis briefly reviewed for the Board the

questions she had been asked and mentioned an article about the case in the Baltimore Sun reporting that the defendant had been found guilty. Mr. Molinaro stated that the press might send a PIA request if they wanted to write a story.

Mr. Molinaro also discussed the state of Virginia's election last week and an issue concerning absentee ballots which were delivered late and rejected. Virginia law states that the Board must be in **possession** of the ballot by closing on Election night, not postmarked.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Guy Mickley reviewed a new State Policy for Conducting Criminal History Record Investigations which includes SBE and the local LBE's. This will include staff and Board members for fingerprinting and background checks. He will check with the state and determine if Board Counsel needs to be included. (This was subsequently done and confirmed.) If this process affects the BOE budget, he will discuss it with the State and County.

He then mentioned that several staff members had recently attended UOCAVA training done by SBE in Baltimore County. As he had discussed previously with the Board, LBE's will now be responsible again for processing overseas and military ballots, rather than the State Board of Elections.

ADJOURNMENT

There being no further business, Donna Thewes asked for a motion to adjourn the Regular Open Board meeting. Diane Butler offered the motion, which was seconded by Ray Rankin.

Action: The Board unanimously voted to adjourn the meeting at 5:53 pm.

NOTE: *The December 2017 meeting of the Howard County Board of Elections was subsequently cancelled. The next regular open meeting of the Howard County Board of Elections will be held in January 2018 and announced after the first of the year.*

Respectfully Submitted,

Phyllis A. West, Board Secretary

Donna K. Thewes, Board President