

HOWARD COUNTY BOARD OF ELECTIONS

MEETING MINUTES

9770 Patuxent Woods Drive, Suite 200
Columbia, MD 21046

Monday, August 27, 2018 – 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 (via Conference call)
Raymond M. Rankin	Democratic Substitute
Diane L. Butler	Republican Substitute
Michael S. Molinaro	Board Counsel

Staff: Guy C. Mickley	Director
Phyllis A. West	Board Secretary

Absent: Charlotte B. Davis	Deputy Director (excused)
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Visitors: Charles T. Davis
Jay Gerarden

CALL TO ORDER AND DECLARATION OF QUORUM

Board President Donna Thewes called the meeting to order at 4:01 pm with an established quorum present. The Pledge of Allegiance was then given.

Ann Balcerzak then asked for a moment of silence to honor the memory and service of Senator John McCain, who passed away last week. Donna Thewes also recognized his outstanding service to our nation and the Board had a moment of silence.

WELCOME GUESTS AND GUEST COMMENTS

Donna Thewes welcomed the guests and indicated they could each have three minutes to speak to the Board. Chuck Davis thanked the Board for allowing him to be here and said he was honored to serve as an election judge. He has served as a Chief Judge twice and loves to do it.

Jay Gerarden indicated he has attended our Board meetings in previous years when he didn't live in Howard County, but now lives here and is interested in the process.

APPROVAL OF BOARD MEETING MINUTES

Draft copies of the minutes from the May 21, 2018 and June 26, 2018 meetings were provided to Board members by electronic mail prior to the meeting and paper copies were distributed at the meeting. President Thewes asked for a motion to approve the May 21st minutes as presented. Ray Rankin motioned to approve the minutes and Diane Butler seconded the motion.

Action: The May 21, 2018 minutes were unanimously approved as presented.

Donna Thewes asked for a motion to approve the June 26th minutes as presented. Ray Rankin offered a motion to approve the minutes and Diane Butler seconded the motion.

Action: The June 26, 2018 minutes were unanimously approved as presented.

ADDITIONS OR CHANGES TO THE AGENDA

Board members made no additions or changes to the agenda.

CORRESPONDENCE

There was no correspondence to discuss.

PRESIDENT'S REPORT

President Thewes had nothing to report and turned the meeting over to Director Guy Mickley.

DIRECTOR'S REPORT

1. Continuing Items

- a. **General Office Update:** Director Mickley reported that the staff has accomplished and will be working on several things as we gear up for the General Election. They are broken down as follows:
 - aa. **Warehouse** -- All scanners and BMDs that encountered issues during the Primary Election have either been fixed or taken out of service and replaced with new machines. Some issues were simply fixed by a good cleaning. Light preventive maintenance has been done on all voting equipment since the Primary. The staff has been packing supplies and redoing signs for the General Election. L&A will start the first week of October. Public L&A will be **October 12, 2018 at 10:00 am**. Board members Ann Balcerzak and Diane Butler plan to attend.
 - bb. **Absentee** – The Absentee Department has entered just shy of 1700 records for the General Election as of today. This number is on par for this time frame for a Gubernatorial General Election.
 - cc. **Voter Outreach** – Dawn Sinclair and others have been tasked with visiting all the high schools throughout the county to garner voter registrations and recruit judges. We will also be visiting the libraries, HCC and any other voter outreach events that we are requested to attend. Staff members Randy Clinton and Roy Smith attended the ARC of Maryland conference in Hunt Valley in late July where there were over 500 attendees.

Also, in late July we participated in a large meeting of the Federation of the Blind in a joint effort between the State, Anne Arundel County and Howard County. Donna Thewes mentioned that we had attended this event once before. Guy Mickley said we are trying to encourage Howard County Libraries to participate in the Outreach Program again.

dd. **Ballots** -- The State Board of Elections is currently working on the ballots and they will be ready for proofing at some point next week. We have already reviewed the polling places (and consolidations), Early Voting Centers, the candidates and "Vote For" numbers in EMS and ElectionWare, so the final check will be the actual ballot layout and styles.

ee. **Rover Assignments** -- Rover districts are currently being looked at and revamped. The same number of rovers will be covering the polling places on Election Day, but the Director is looking to streamline the process. Jeff White is creating new documentation. In 2020, our Rovers will be using some new technology -- a new application that shows where they are at any given time. This will allow the nearest Rover to be sent to a polling place that needs assistance. There will also be additional new items like Chief Judge sign-offs and other items that Rovers will be handling to ensure that they are responsive to our judges' needs. Donna Thewes said this would be very helpful.

ff. **Ballot Questions** -- There will be one question from Howard County on the ballot this election. Board members have the original letter sent to the Director in their handouts. There was some discussion between the State and the County on certain things contained in the question. The State ultimately was able to get the County to agree to the language and composition of the question as it has been used in the past. The new language of "For and Against" is in the email from Donna Duncan provided in your handouts. Mike Molinaro asked if there would be any State ballot questions, and the Director said he is aware of two questions.

gg. **Tabletop Exercises** -- Guy Mickley stated that he put the staff through a tabletop exercise on Tuesday, August 7, to make sure that the Statewide Tabletop Exercise would flow smoothly. Director Mickley was tasked with developing and making all the injects and handouts and helping to conduct the statewide session. A tabletop exercise consists of giving people real-life situations and seeing what they do with it, learning from the items, and making sure if an issue arises on Election Day or any time in the election process, staff knows what to do. The Statewide tabletop exercise was done on August 16, 2018, at Anne Arundel County Offices and was attended by all Directors, Deputies, IT personnel, Vendors, the press and the State Board of Elections. Walter Maddox was Howard County's only participant at the State event, since most of our staff had participated in the local event. Howard County did a great deal of work preparing for and conducting the tabletop exercise for the State and the office. The Board should recognize Sally Chen, James Holton and Jon Holton for their tremendous work assisting me to complete this task for the State of Maryland. Their efforts made an excellent final product that was, in all ways, a tremendous success.

Ann Balcerzak asked how long it took to develop this project. Mr. Mickley discussed what went into the process, how many staff were involved, and said they worked on it over a two and one-half week period. President Thewes asked how Howard County

staff did in the exercise and he indicated they did quite well. He said there had been an after-action review. Also, he informed the Board that they will have a tabletop exercise sometime in the future.

2. **Registration** -- The Director reported that registration continues to be typical for a Gubernatorial General Election. We have seen a small uptick in voter correspondence in the past few months, which will probably be the continuing trend through the General Election. The MVA records are going to be sent to the local boards soon (from the problem in the Primary) so there will be a noticeable uptick in changes to party and address in the next month. He noted after the two databases were bumped against one another, the result was not anywhere close to 80,000 affected records. It was roughly half that number. President Thewes and Ray Rankin asked some general questions, as did the two guests, which the Director answered.
3. **Budget** -- We are now in FY19 budget cycle. We have purchased some additional signage and printed new forms for voters, but other than these small expenditures, we have not spent much of our new budget. We do expect to buy some additional "Vote Here" signs for the polling places in the next few weeks.
4. **Primary Election and Recounts** -- The Director reported that since we were the first recount in the State for the Primary Election and we chose to go above and beyond what was required as far as the sort and tally process. There has been a lot of discussion as to how recounts will be done from this point forward in Maryland. The literature and forms we prepared for our recount was taken and localized by both other counties that had recounts. Recounts will continue to be discussed at many levels in the State of Maryland and expect there to be presentations at MAEO and as well as legislative changes coming in 2019. Director Mickley said that all involved did a good job.
Ann Balcerzak asked the Director to explain the two methods—sort and tally—for the public in attendance, which he did. He explained what was done, which other counties had recounts and used our templates, and more. Mike Molinaro stated he had received a call from the Montgomery County Board Counsel asking how we handled the recount prior to theirs. Both guests had several general questions which he answered, including when was the last recount in Howard County? He said he has never done one. Donna Thewes mentioned we were fortunate to have the new warehouse to conduct the recount.
5. **Petitions** -- The Director reported that we had received several pages of petitions, both for candidates at the State level as well as for a new party (Bread and Roses). However, we did not receive anything on the Charter Amendment that had received an Advanced Determination of Sufficiency.
A petition for candidate Neal Simon garnered him enough signatures to be placed on the ballot as an Independent for U.S. Senator (he needed 10,000 signatures). The Bread and Roses Party petition had not been vetted at the State level as of this meeting, so we don't know if the party got enough signatures to be added to the ballot. To become a new party in the State of Maryland, they must have submitted an initial document containing 25 names of Maryland voters that would become members of the party, and then they would have to encumber enough signatures. Guy Mickley will inform the Board when he is informed about the disposition of the petition.
6. **Judges** -- The Judge Department has transitioned the nearly 90% of judges from the Primary Election that are coming back to the same positions for the General Election and has started filling the vacancies left by those who are not working this upcoming election. The

department is starting to fill the Early Voting slots, which should be completed in the next few weeks. Judges have received notice to sign up for refresher training. Most judge training should be completed in the month of September, whether it is refresher or a new judge class. There will be additional make-up classes and open houses in October.

Ann Balcerzak asked if we are still doing volunteer training classes for voter registration? Mr. Mickley indicated they could be done until the close of registration on October 16, 2018.

BOARD COUNSEL REPORT

Mike Molinaro, Esq., said he had nothing substantive to report. He mentioned that in October, Nikki Charlson from the State Board of Elections will again conduct conference calls for Local BOE Board Attorneys every other week. He asked Board members and the Director to let him know if there were any issues they would like to have him bring up on these calls. Mr. Molinaro also indicated that he would inform the President and Director concerning any issues that arose in these discussions.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

BOARD OF CANVASSERS MEETING

Donna Thewes asked for a motion to recess the Regular Open Board Meeting so that the Board of Canvassers Meeting could be convened to address several Absentee Ballot issues. Ann Balcerzak made a motion to recess the meeting, which was seconded by Patrick Mullinix.

Action: The Board unanimously voted to recess the Regular Open Board Meeting at **4:58 pm**.

At the end of the Board of Canvassers Meeting, President Thewes reconvened the Regular Open Board Meeting at 5:17 pm and reported that seven (7) absentee ballots had been rejected as untimely.

Guest Jay Gerarden said he has seen the news reports about a foreign company owning Maryland's Voting machines and guest Chuck Davis agreed. They are concerned and wanted to know what was being done. Mike Molinaro referred to an August 21st Baltimore Sun news article which stated that Homeland Security will be inspecting Maryland's voting systems. Donna Thewes explained that the local Board job in Howard County is to implement the State's policies, and that the State is handling these statewide security issues.

EXECUTIVE SESSION

With no other issues to discuss, President Thewes requested that a motion be made to close the Regular Open Board Meeting at 5:24 pm so that the Board could meet in Executive Session according to the Open Meetings Act §10-508(a). This was to discuss a personnel matter. Ray Rankin made a motion to recess the meeting, which was seconded by Ann Balcerzak.

Action: The Board unanimously voted to recess the Regular Open Board Meeting at 5:24 pm so that the Board could convene in Executive Session.

At the end of the Executive Session, President Thewes reconvened the Regular Open Board Meeting at **6:33 pm**. She reported that during the Executive Session, the Director had reported on a few issues with Election Judges and the Board discussed what actions were or could be taken to resolve these issues.

ADJOURNMENT

There being no further business, Donna Thewes asked for a motion to adjourn the Regular Open Board Meeting. Diane Butler made a motion to adjourn the meeting, and Ray Rankin seconded the motion.

Action: Board members unanimously voted to adjourn the meeting at 6:33 pm.

The next Regular Open Board Meeting of the Howard County Board of Elections is scheduled for Monday, September 24, 2018 at 4:00 pm. The Canvas Board will be sworn in at that time.

Respectfully Submitted,

Phyllis A. West, Board Secretary

Donna K. Thewes, Board President