

HOWARD COUNTY BOARD OF ELECTIONS

MEETING MINUTES

9770 Patuxent Woods Drive, Suite 200
Columbia, MD 21046

Monday, June 10, 2019 – 4:00 pm

Regular Open Board Meeting

ATTENDEES:

Board Members:

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

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

Absent: None

Visitors: None

CALL TO ORDER AND DECLARATION OF QUORUM

Board President Donna Thewes called the meeting to order at 3:58 pm with an established quorum present. The Pledge of Allegiance was then given.

SWEARING IN OF BOARD MEMBERS FOR NEW TERMS

Wayne Robey, Clerk of the Circuit Court for Howard County, Maryland, was asked to join the meeting so that he could swear in Board Members for their new four-year terms.

Action: Mr. Robey administered and recorded the oath of each member of the Howard County Board of Elections. After all members had signed their Oath of Office, Mr. Robey departed.

ELECTION OF OFFICERS

Ann Balcerzak made a motion that Donna Thewes serve as President of the Howard County Board of Elections. Diane Butler seconded the motion.

Action: Donna K. Thewes was unanimously elected to serve as President of the Board.

Patrick Mullinix then made a motion that Ann Balcerzak serve as Vice President of the of Howard County Board of Elections. Ray Rankin seconded the motion.

Action: Ann M. Balcerzak was unanimously elected to serve as Vice President of the Board.

Patrick Mullinix was then excused and left the meeting.

APPROVAL OF BOARD MEETING MINUTES

A draft copy of the minutes from the April 15, 2019 meeting was provided to Board members by electronic mail prior to the meeting and a paper copy was distributed at the meeting. President Thewes asked for a motion to approve the April minutes as presented. Ray Rankin motioned to approve the minutes as presented and Diane Butler seconded the motion.

Action: The April 15, 2019 minutes were unanimously approved by those members present.

ADDITIONS OR CHANGES TO THE AGENDA

Board members made no additions or changes to the agenda.

CORRESPONDENCE

Director Guy Mickley informed the Board of a letter he received from the Brennan Center for Justice at New York University School of Law dated June 4, 2019. The letter is a Maryland Public Records Request, asking for detailed information from the 2018 election as well as specific budget and early voting information for elections dating back as far as 2004. He informed the Board that we do not collect all the data requested--some is done by the State Board of Elections (SBE). Mr. Mickley also indicated he only has budget records from 2012 to the present and has contacted the County Budget Office to determine if they have the earlier budget data requested. He then asked Board Counsel Mike Molinaro if this request should be made under the Federal Freedom of Information Act, and Mr. Molinaro said no. Director Mickley has spoken with colleagues in other Maryland counties, and all have received this request. Ann Balcerzak asked, and the Director confirmed, that we are only required to keep election data for 22 months after an election. Mr. Mickley stated he will provide the information he can for the first three sections in the letter and the SBE will have to respond to the data request in the fourth section.

PRESIDENT'S REPORT

Donna Thewes discussed this year's MAEO Conference. She felt it was very educational and said it was good being able to interact with members of other local election boards. Board members reported on some of the breakout sessions they attended. Several went to the Legislative Update session, which they will discuss further at the next Board meeting. President Thewes and Diane Butler attended the Hands Only CPR Certification training, and both felt it was very well done. The Leadership breakout session presented by Liz Weber was attended by Donna Thewes and Guy Mickley, who both felt it was a good presentation. Mr. Mickley said if anyone was interested in either of Ms. Weber's books, she gave him a copy of each. President

Thewes also discussed an Absentee Ballot Referral form reviewed in a breakout session that she believes could be useful in our Canvasses (handout provided). Anne Arundel County uses it to refer ballots to their Board during canvasses. It provides detailed information on the ballot, canvass team and reason for referral to the Board. It also has a section to note what Board Action was taken. Board members reviewed the sample form and agreed it would be useful. Guy Mickley indicated he would have one ready for their use in the 2020 Canvasses.

Donna Thewes then stated that SBE had just forwarded a new bylaws template to all LBE's the day before this meeting. Therefore, the draft bylaws Phyllis West had edited and distributed as a handout would have to be redone to use the new template. Ms. West stated that the State has made some changes and has now separated the bylaws into two documents. One is the model bylaws and the other shows the assignment of duties and responsibilities of the Board, the Election Director and Staff, which will be attached to and referenced in the Bylaws. She indicated that copies of these documents and the cover memo from SBE were included in their handouts. Ms. West told the Board she will prepare an updated revised version of the Bylaws and forward it via email for their review and input prior to the next meeting.

DIRECTOR'S REPORT

1. Continuing Items

a. *General Office Update:* Guy Mickley reported on what has been accomplished and will be worked on in the near term to close out the past election and gear up for the upcoming election. They include:

aa. *Committee Reports* – The *Voter Outreach Committee* has been very busy making a second Voter Outreach Board and planning an event for the National Voter Registration Day in September. They are leading the effort at the office and have reached out to other organizations on the Howard County Social Services Campus to have what will amount to a Community Resource Festival on the parking lot this September. We already have buy-in from many of these County agencies and he expects more to sign on. We are also contacting the police concerning traffic management if needed, and Ray Rankin was contacted to pass this on to the auxiliary division. Director Mickley may also ask the County Executive if he will attend. The Director said more plans will be forthcoming. President Thewes and other members indicated their support of this effort.

The *Polling Place and Early Voting Committee* will be ramping up in the next month to visit and check polling place locations to ensure that no work has been done to polling rooms since the past election, since this could change our requirements. They will prepare new schematics if needed. Ray Rankin asked Mr. Mickley to have them check outlets at Long Reach High School for any issues, which he will do.

bb. *Budget* – Director Mickley reported that the BOE Budget was approved as presented by both the County Executive and the County Council.

cc. *Warehouse* – The Director stated that the warehouse staff is working on cleaning the inside of the voting equipment carts and checking all locks. They will then be visiting each of our 90 separate polling place locations to test signal strength for connectivity to determine which of the four major carriers has the best signal at each site. This will determine which will be used for Same Day Registration on Election Day. The Board discussed the challenges and potential backup options in the event of any issues. Donna Thewes reported that MVA is closing on June 29th to update their computers and asked if this would be a problem for the office. Guy Mickley indicated it would not, since we should get any MVA work the following day. Board members then discussed the “Real ID” drivers licenses and related issues. Citizenship issues were discussed, and Mr. Mickley responded to an inquiry from Diane Butler that vetting for citizenship is done for Real ID driver’s licenses, but these licenses are *not* a requirement for voting.

dd. Director Mickley reported that, as is done in every off-election year, staff is going through the street database and ensuring that all the streets are in the correct precincts and that the segments are correct. This process will be done during the months of June and July. This is important, since it will be the last one done prior to redistricting after the Census.

2. **Registration** – Registration continues to be typical for after a Gubernatorial General election. We have leveled off for the summer as usually happens in an off-election year. An interesting statistic is that registration in Howard County has nearly doubled since 2002. Board members asked about universal registration and how other state agencies will handle the process. The Director explained that it would be an “opt out” registration process, there will be a learning curve and probably more work in the office when this gets underway. He will keep the Board informed as the processes are established.
3. **Candidate Filing for 2020** – The Director reported that a few candidates have begun to file for the 2020 election. A list of those who have filed to date was provided as a handout.
4. **Staff Evaluations** – Director Mickley reported that PEPs will be done for all employees during late June and early July.
5. **Special Staff Recognition** – The Director gave special recognition to three members of the staff– Jim Holton, Jon Holton and Sally Chen–and asked the Board to recognize them and thank them for their hard work when they could. These three helped him and the State to conduct another well received Tabletop exercise at the MAEO Conference. Jim, Jon and Sally have become an integral part of that process. The Director plans to utilize them again for organization of the October event at the State Biennial Conference.
6. **MAEO Conference & SBE Biennial** – Director Mickley felt that this year’s Conference was very informative and useful for the majority of those that attended. He then told the Board that the State Biennial Conference will be held on Thursday, October 17, 2019. Although the Board will not take part in SBE’s tabletop event in October, he may have a “trial run” for

them prior to that meeting so they can experience the event. He mentioned he had also suggested to SBE that they consider getting a national speaker who presented at a Conference he attended earlier this year in Denver concerning cybersecurity. Donna Thewes asked for an agenda, and he indicated he would send it to the Board as soon as it was available.

Director Mickley informed the Board that two staff members from the Baltimore City Board of Elections have been working here one day per week while the city is restoring service and systems due to their IT issues.

BOARD COUNSEL REPORT

Michael Molinaro, Esq., stated that he had nothing new to report. As the Board was aware, he was one of three panelists at the MAEO Conference Board for the Maryland Open Meetings Act breakout session. Patrick Mullinix and Ray Rankin attended the session. Mr. Molinaro indicated that based discussions there, it seems that several Boards are dealing with this issue. Donna Thewes thanked him for his participation.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Donna Thewes briefly reviewed two items that needed to be addressed at a Board meeting this summer – the Board’s review and update of the Bylaws and the Director’s evaluation. She asked Board members and the Director about their availability for the July and August meetings. After discussion, the Board decided to cancel the July 22nd meeting. The next regularly scheduled Board meeting will held be on Monday, August 26, 2019.

ADJOURNMENT

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

Action: Board members present unanimously voted to adjourn the meeting at 5:28 pm.

The next Open Board Meeting of the Howard County Board of Elections will be held on Monday, August 26, 2019 at 4:00 pm.

Respectfully Submitted,

Phyllis A. West, Board Secretary

Donna K. Thewes, Board President