

HOWARD COUNTY BOARD OF ELECTIONS MEETING MINUTES

9770 Patuxent Woods Drive, Suite 200
Columbia, MD 21046

Monday, May 18, 2020 – 4:00 pm

Note: *This meeting was held by Conference Call due to the current COVID-19 restrictions and the Governor’s directives concerning limiting in-person gatherings & meetings.*

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
Timothy J. Mummert	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

Guests: Jay Gerarden	Public
Emily Opilo	Baltimore Sun

CALL TO ORDER AND DECLARATION OF QUORUM

Board President Donna Thewes called the meeting to order at 4:04 pm with an established quorum present. Since members were in different locations without flags available, the President indicated the Pledge of Allegiance would not be given for this meeting.

WELCOME GUESTS

President Donna Thewes welcomed the guests to the meeting and asked if they wished to make any remarks. They had none.

APPROVAL OF BOARD MEETING MINUTES

Copies of the March 23, 2020 Board meeting minutes and the April 10, 2020 Emergency Board meeting minutes were provided to Board members by electronic mail prior to the meeting. After review by Board members, President Thewes asked for a motion to approve the March 23, 2020 Board meeting minutes as presented. Diane Butler motioned to approve the minutes as presented and Tim Mummert seconded the motion.

Action: The March 23, 2020 Board Meeting minutes were unanimously approved as presented.

President Thewes then asked for a motion to approve the April 10, 2020 Emergency Board Meeting minutes as presented. Diane Butler motioned to approve the minutes as presented and Tim Mummert seconded the motion.

Action: The April 10, 2020 Emergency Board Meeting minutes were unanimously approved as presented.

ADDITIONS OR CHANGES TO THE AGENDA

Board members made no additions or changes to the agenda.

CORRESPONDENCE

Phyllis West mentioned that Board members should have received a letter from State Board of Elections Administrator Linda Lamone. Donna Thewes summarized briefly that it outlined the changes being made to the Canvasses due to COVID-19 as well as changes to the roles of the Board of Canvassers at the local level.

PRESIDENT'S REPORT

President Thewes stated that this election has been a challenge due to the COVID-19 Pandemic and the many new rules instituted to keep voters and elections staff safe. She said she was proud of our staff and that of all three counties involved in the Special General Election and felt that the Board and staff had learned a lot in preparation for the Vote by Mail Presidential Primary in June. She then turned the meeting over to Director Guy Mickley

DIRECTOR'S REPORT

1. Continuing Items

- a. General Office Update: Guy Mickley reported on what has been accomplished and what the staff will be working on in the office and the warehouse as the office winds down from the Congressional 7 Special Vote by Mail General Election and continues to work right into Presidential Primary Vote by Mail cycle. The items are broken down as follows:

- aa. Primary Election -- The Presidential Primary Election will be held as a primarily Vote-By-Mail election on June 2, 2020.

1. Director Mickley reported that there will be two Vote Centers open on June 2 for Howard County voters. They are the Bain Center in Columbia and the Meadowbrook Athletic Complex in Ellicott City. Each site will have social distancing guidelines in place including the use of PPE for judges and voters, spacing guidelines for equipment, and set capacity for how many voters will be allowed in the room at any

given time. Drop boxes for ballots are at each site as well as the office as of today. As soon as the security cameras are running tonight, the boxes will be open for business and accessible to the public 24/7 until June 2 at 8:00 PM. We will be regularly picking up the ballots from the boxes.

2. Guy Mickley stated that the canvass process and the Logic and Accuracy testing on the voting equipment for June 2nd is complete. Public Logic and Accuracy will take place on Wednesday, May 20, 2020 at 9:00 am. This will be another remote session of Public L and A and available on the Howard County Board of Elections website. It will be held through Google Meet.
3. The Director stated that most registered voters have already received their ballots in the mail. We have heard of some instances of voters not receiving their ballots. The State Board is working to get ballots to these voters. Staff is also working with individual voters who contact the office.
4. Mr. Mickley stated that we currently have approximately 15,000 returned ballots in the office to process the first day of the canvass, which will be held on May 21, 2020. We will most likely open the Canvass on that day for ballot processing and then scan ballots on Friday, May 22nd. This process worked very well in the Special General Election. He believes we will end up with at least the same amount (around 30,000) if not more ballots than we had in our first canvass of the Special General Election for this first canvass for the Presidential Primary.
5. Director Mickley stated that canvassing procedures will be the same as those for the Special General Election Canvass. All information for the canvass and access to the cameras has been posted to our website. He has scheduled several dates for canvassing and has already scheduled eight days that the Canvass Board and staff will not be canvassing so that the schedule has less changes this election. The Director stated that we may have to add a day or two to the canvass if ballots returned are higher than anticipated.
6. The office has been very active on Facebook and Twitter posting reminders about the election for the voters. The staff has constantly updated the website throughout the process, often at the spur of a moment, and he appreciated this immensely.

bb. *Congressional 7 Special General Election* -- The election was certified by the State Board last Monday, May 11, 2020.

2. **Registration** – Registration numbers continue to slowly rise. The books have reopened following the Congressional 7 Special Election and the first Voter Notification Cards have been sent out post-election. Staff continues to do a good job of cleaning up the last election and getting new registrations and changes made on a continuing basis. The current situation in Maryland will result in a slowing down of registrations, as the MVA and most

other State and County agencies are closed to the public due to COVID-19 restrictions.

- 3. Budget** -- Guy Mickley reported that the FY2020 budget will be hit again because of the mail-in ballot costs of the Vote by Mail in the Presidential Primary, and the substantial amount of overtime needed on the backend of the process to accomplish things in a timely fashion. For the Congressional 7 Special Elections, he had asked the County for the addition of \$440,000 to the budget, which will cover the majority of the overage. This was a “moving forward estimate”. However, this will not cover everything, and he has alerted the County budget office. Fortunately judge pay for FY2020 is considerably lower than it would have been, and these funds should cover a majority of the additional costs associated with the postage portion of the Vote by Mail ballots.
- 4. Staff Work Schedules** -- Director Mickley stated that for calendar year 2020, unless something drastically improves, the staff will continue to work where they are currently assigned, maintaining social distancing guidelines and keeping the staff separated. He stated that we cannot afford to go into the largest election we have ever managed without the office being intact to govern the process. He said the office must have continuity of operations. Mr. Mickley stated the staff will resume a partial telework schedule after the Presidential Primary is finished to continue socially distancing as much as possible and keep them healthy going into the general election. He will have the staff come in on a more regular basis as work dictates. If the state does move to a Vote by Mail election for November, we will have a realistic schedule due to past experience managing the process-- twice in the past 30 days.
- 5. Staff Performance** -- Director Mickley reported that the staff has been tremendous during the elections--adaptable, flexible and understanding throughout this entire process and ultimately, handling three elections in four months. These employees have kept democracy going in Howard County through COVID-19 and two Vote by Mail elections in 5 weeks amid constantly moving targets and changing processes throughout. He indicated how proud he is of the work the staff does day in and day out and asked Board members to recognize the volume of work done in an extremely tight timeframe by our employees for the voters of Howard County. He also asked the Board to please thank staff members whenever they get the chance.

President Donna Thewes agreed that Howard County has great staff, and everyone stepped up to meet the needs of the office. She also agreed with the Director that it was wise to keep the social distancing of staff and assignments between two locations. All Board members thanked the staff for their outstanding efforts.

Board members then discussed the issues such as voters not getting their ballots and how the office is dealing with that, voters changing their addresses and the process to ensure they get a

ballot at the correct address, and the process to “cure” an unsigned ballot being used by the staff.

Finally, Guy Mickley briefly reported that the MAEO Conference is tentatively rescheduled for August 23-25, 2020. He said our staff will probably not be attending unless there is a significant change in the current situation with COVID-19.

BOARD COUNSEL REPORT

Michael Molinaro, Esq., reported that the State Board held a conference call with local board counsels on May 12th, and a good discussion ensued regarding the Congressional 7 Special General Election process. He concurs with the Director that due to that experience, Howard County is ahead of the curve in preparing for the vote by mail Presidential Primary Election. There was discussion concerning voter’s not wanting their signatures on the outside of the ballot envelope. SBE suggested some options, one of which was that the voter could include their signature inside the envelope rather than sign the outside of the envelope. Mr. Molinaro stated there will be one more call with SBE next week and this will be discussed again.

Ray Rankin said that during the canvass briefing, canvassers should be made aware that there may be a signature inside rather than outside the envelope, so that the ballots are not automatically rejected. Board members agreed.

After Board Counsel’s report, Donna Thewes asked if information such as Zero Reports could be posted on the website. Director Mickley said he would check with the State Board on what details could be posted. President Thewes wanted to ensure that Howard County is transparent and in compliance with all new requirements. Director Mickley stated that Ballot Scanner machine Opening and Closing Reports will be posted daily on the website similar to the process used during Early Voting.

BOARD OF CANVASSERS MEETING

President Donna Thewes asked for a motion to recess the Regular Open Board Meeting so that the Board of Canvassers could convene. Diane Butler moved to recess the meeting and Tim Mummert seconded the motion.

Action: The Board voted unanimously to recess the meeting at 5:01 pm to meet as the Board of Canvassers.

The Regular Board meeting reconvened at 5:51 pm. Donna Thewes reported that the Board of Canvassers for the Congressional 7 Special Primary Election had rejected 218 ballots as untimely. The Board also discussed the draft canvass minutes for this election. After discussion, it was decided that Canvass Secretary Ann Balcerzak would finalize the minutes and present them at the June 22 Canvass Board meeting.

EXECUTIVE SESSION

President Thewes asked for a motion to recess the Regular Open Board Meeting so that the Board could meet in Executive Session according the Open Meetings Act General Provisions.

This was to discuss renewal of the Board Counsel's contract and approval of the previous Executive Session Minutes. Diane Butler offered the motion, which was seconded by Tim Mummert.

Action: Board members unanimously voted to recess the Regular Open Board Meeting at 5:53 pm so that the Board could convene in Executive Session.

At the end of the Executive Session, President Donna Thewes reconvened the Regular Open Board Meeting at 6:09 pm. She reported that the minutes of the Executive Session held on February 24, 2020 were approved and that the Board Counsel's contract has been approved and renewed for one year.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business

ADJOURNMENT

Donna Thewes asked for a motion to adjourn the Regular Open Board Meeting. Ray Rankin made a motion to adjourn the meeting and Tim Mummert seconded the motion.

Action: Board members unanimously voted to adjourn the meeting at 6:09 pm.

The next regular Open Board Meeting of the Howard County Board of Elections will be held on Monday, June 22, 2020 at 4:00 pm. Donna Thewes reminded Board members that the first Presidential Primary Canvass Board meeting will be held on Thursday, May 21, 2020 at 9:00 am.

Respectfully Submitted,

Phyllis A. West, Board Secretary

Donna K. Thewes, Board President