

Board of Elections
Office

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Carroll County Board of Elections
Board Minutes
March 17, 2017

Present:

Board

Griffith Manahan, President
Laura O'Callaghan, Vice President
Harvey Tegeler, Secretary
Larry Shipley, Member

Staff

Katherine Berry, Election Director
Paula Troxell, Deputy Director

Attorney

Terry Berger, Attorney (by telephone)

Absent

Samuel Foster, Member

Call to Order & Welcome:

Mr. Manahan, President called the meeting to order at 10:05 a.m. A quorum was present.

Approval of Minutes:

The Board approved the minutes from the December 21, 2016 meeting, on a motion from Mr. Shipley, seconded by Ms. O'Callaghan. The motion carried unanimously.

Attorney Report:

None

Staff Report:

Ms. Berry reported that Lydia Trester began on January 4, 2017, and has completed 90-days of her 180-day probationary period. Her 90-day evaluation was performed and she is doing well. Vince Powers' last day was January 20, 2017. Mr. Powers was offered a full-time job in the private sector.

Ms. Berry is pleased to inform the Board that Sean Seibel has rescinded his resignation and has decided to continue his employment with the state.

The office will be closed on Good Friday, April 14, 2017. Since the county has closed county office buildings our office will be closed.

Ms. Berry reminded the Board that their State ethics are due by April 30, 2017.

Ms. Berry explained that the Department of Budget and Management (DBM) sent a new anti-bullying policy that the Board must review with her. Once the Board reviews the policy with Ms. Berry an anti-bullying policy acknowledgment form must be signed by all Board members and Ms. Berry. The completed form will then be returned to SBE Personnel.

The staff attended a refresher training for accepting candidate filings on February 17, 2017.

Ms. Berry and Ms. Troxell attended a Director's meeting on March 16, 2017.

Ms. Berry informed the Board that she was invited to the GOP breakfast, but declined the invitation.

Ms. Berry and Ms. Troxell will be attending a meeting on March 21, 2017, in Howard County to discuss "best practices" for processes used to identify voters who vote more than once.

On March 28, 2017, Ms. Berry will attend the MAEO meeting being held at the Baltimore County Board of Elections. Ms. Berry shared a copy of the newly created MAEO newsletter. She wanted to know if the Board would be interested in receiving a copy of the newsletter each time one is released. The Board agreed they would like to continue to receive future newsletters, but they would prefer it be distributed electronically.

Ms. Berry requested permission to allow the staff to attend the MAEO conference instead of the Board members. The MAEO agenda is tailored for staff members. A discussion occurred regarding the MAEO conference agenda and the need for the Board to attend the conference. After the discussion, the Board agreed to send the staff to the conference.

Ms. Berry stated that the Biennial conference will be held on October 23, 2017, from 9:00 a.m. until 5:00 p.m. at the Doubletree Hotel in Annapolis. If a Board member is unable to attend the conference a written explanation must be sent to Linda Lamone, State Administrator.

Ms. Berry provided a copy of the quarterly budget expenditure report.

On April 4, 2017, Ms. Berry will be meeting with two Commissioners to explain her budget request for a second IT position. Once the budget has been finalized a copy will be provided to Board members.

The basement renovation will begin after July, 2017 (FY18). The renovations will include a room to use for training and canvasses, new floors, painting, electrical outlets and locks for all the doors. CHANGE, Inc. is scheduled to move from the basement area by June 30, 2017.

SBE has sent surveys for the local offices to complete regarding the 2016 election. Once SBE has compiled the information they will provide feedback to the LBE offices. Some of the findings may be discussed at the biennial conference in October.

Ms. Berry reported that the office has received new phones and is in the process of learning how the new phone system works.

Mr. Seibel is conducting post-election maintenance and quarterly charging of the voting equipment and pollbooks. The post-election maintenance will be completed in the next couple of weeks. Software upgrades to the voting equipment and pollbooks will be completed in the coming months. Mr. Seibel is also preparing the basement area for the renovation.

Ms. Berry provided a copy of the Monthly Statistical Report for review. She alerted the Board that the number of active registered voters is nearing 125,000. If the active number of registered voters reaches 125,000 by October 2017, it would mean three early voting centers for Carroll County. She is monitoring the registration numbers closely. The budget does include a request for a second early voting site for the 2018 election.

Mr. Manahan asked the process for handling non-citizens that are received from the jury commissioner and MVA. Ms. Berry explained that MVA does have processes in place to identify non-citizens and does not transmit information to SBE for these individuals. If information is received from the jury commissioner indicating that an individual is not a citizen and the individual is a registered voter the office follows procedures provided by SBE to cancel their voter registration. Mr. Manahan asked if the list we receive from the jury commissioner contains many individuals that are not a citizen. Ms. Berry said there have been a few, but they have not been a registered voter. A lengthy discussion occurred regarding the procedures the office follows when an individual is a not a citizen.

Ms. Berry reported that Ms. Bartholow has begun election judge recruitment. She is attending workgroup meetings for lessons learned from the 2016 election. Because Ms. Bartholow is participating in the workgroup, she is able to use what she is learning from the meeting to improve the offices processes and practices for recruiting election judges.

Ms. Jones is preparing a FAQ brochure that nursing home facilities can add to their "Welcome Packet". She will be visiting each nursing home coordinator to share the brochure and to meet them in-person.

Ms. Berry stated that the office plans on attending the "Senior on the Go" expo on April 5, 2017, if space is available. She is waiting on the coordinator to contact her.

Municipal elections will be occurring in May. City of Taneytown, Town of Hampstead and the Town of Manchester are using the State's voting equipment to conduct their election.

Ms. Berry reported that Ray Prokop, Director of School Facilities, contacted her to inform her that repairs were made at Liberty High School in the parking lot where voters had fallen in the 2016 General Election. He stated that they will continue to maintain their facilities as best as they can with what is provided in the budget. Mr. Prokop also stated that there is not an ADA requirement for "push-button" doors as had been challenged at Westminster Elementary and Northwest Middle. There have been interior and exterior "push-button" doors installed to accommodate specific student or staff needs, but there is not a system wide installation plan.

Candidate filing began on February 28, 2017, and the office has accepted three filings. Sheriff Jim DeWees for Sheriff, Mary Kowalski for Board of Education, and Commissioner C. Richard Weaver for County Commissioner. The website has been updated to include the filing requirements for each office along with the required filing forms.

Ms. Berry spoke about Commissioner term-limits. Ms. Berry said she had contacted SBE about the Commissioner term-limits including the term-limits for the Board of Education. Her question to SBE was if the current sitting Commissioners or Board of Education members that were in office when term-limits were passed and have already served two-terms could file for the 2018 election. The Attorney General's office wrote an opinion that said that they were not eligible to file because they have already served two-terms. The question that has been raised is whether the law applies to the elected officials that were in office at the time the law passed. Generally, the law would be effective with the newly elected officials. Mr. Manahan used the analogy of increasing the election board members' salaries. He explained if the Board voted to increase their salaries the increase would not be effective until the next board is appointed. Ms. Berry explained that she has contacted SBE to ask how the office should handle an individual that tries to file for an office they have already served two-terms in. SBE has forwarded her question to the Attorney General's office for an opinion. A discussion continued regarding term-limits and accepting candidate filings.

Ms. Berry explained that the Democratic Central Committee will no longer elect their members by districts. 6 females and 6 males will be elected at-large.

Sine die is April 11, 2017, and Ms. Berry discussed the following bills:

HB73 – allows for election officials to hire 16 year olds as election judges.

HB169 – requires the State Board of Elections to make an audio recording of each of its open meetings.

HB619 – changes the time of when campaign signs can be placed at the polling places and at early voting. Campaign signs can now be placed at the polling locations beginning at 5:00 p.m.

HB406 – allows for two scanning units per polling place pending county funding and SBE allocation requirements. The bill also contains language requiring that, following each primary and general election, SBE conducts a statewide independent automated software audit of ballot images.

Discussion was held about making a request to the county to purchase additional scanning units so that all precincts have a minimum of two scanning units. Ms. Berry stated that there are 21 precincts that have only one scanning unit. Mr. Tegeler suggested that the request be made in increments of five rather than requesting funding for 21 scanning units. A motion was made by Mr. Tegeler to request funding to purchase 5 scanning units along with the additional items needed to use the unit, seconded by Ms. O’Callaghan. The motion carried unanimously.

SB423 – Constitutional Amendment - allows for qualified individuals to register and vote at the polling place on Election Day. Question will appear on the 2018 ballot.

Ms. Berry reported that a discussion was held at yesterday’s Election Director meeting at SBE regarding the use of paper versus ballot marking devices (BMDs) for the 2018 election. There are many issues with using either method of voting. SBE took a vote from the Election Directors’ to determine what their preference is. Ms. Berry explained that she voted to use paper ballots to conduct early voting. A further discussion was held as to why using paper was Ms. Berry’s decision and the concerns other Election Directors’ have regarding using BMDs or paper ballots at early voting.

Beginning in May, Ms. Berry will be participating in the election judge workgroup to begin reviewing the election judge manual.

SBE has designed a video to assist voters who may encounter a problem while using the on-line voter registration system (OLVR). The video will also be available to the staff so that they can see how the OLVR system works. The video will also provide support to the staff if the individual calls the office because they are having a problem with the system.

Ms. Berry reported that the Election Assistance Commission (EAC) is being eliminated which means that there is no federal agency to test and certify voting equipment. She stated that Ms. Lamone is very concerned about the agency being eliminated.

Ms. Berry stated that March 27, 2018, is the deadline for creating or changing polling places.

Carroll Lutheran Village has requested changes to the Memorandum of Understanding (MOU). They are requesting additional language be added regarding electioneering and placement of campaign signs. Mr. Berger is currently working on drafting a new agreement for them.

Mr. Shipley asked when the Board would discuss Pleasant Valley Fire Hall as a polling place. Ms. Berry said she will be discussing this polling place and others in the very near future. She needs to review the polling places before discussing with the Board.

Mr. Shipley also stated that he made suggestions on the early voting polling place evaluation form regarding the flow of voters within the room. Ms. Berry said she would review the polling place evaluation to review his suggestions. She reminded everyone how difficult it is to find early voting sites that meet the requirements outlined by SBE. A brief discussion occurred regarding early voting sites.

Board Members Political Activities:

Mr. Shipley donated \$30.00 to the Carroll County Republican Legislative Breakfast.

Mr. Manahan paid \$30.00 to attend the Carroll County Republican Legislative Breakfast.

Unfinished Business:

None

New Business:

None

Scheduling of Next Meeting:

The next meeting is scheduled for Wednesday, April 19, 2017 at 10:00 a.m.

Adjournment:

The meeting was adjourned on a motion by Mr. Shipley; seconded by Mr. Tegeler to adjourn the meeting at 11:37 a.m. The motion passed unanimously.

Board of Canvassers:

Mr. Manahan motioned to open the meeting, seconded by Ms. O'Callaghan. The motion carried unanimously.

Approval of Minutes:

The Board approved the canvass minutes from December 21, 2016, on a motion from Ms. O'Callaghan, seconded by Mr. Tegeler. The motion carried unanimously.

Adjournment:

A motion was made by Mr. Shipley, seconded by Mr. Tegeler to adjourn the meeting at 11:39 a.m.