



Carroll County Board of Elections  
Board Minutes  
May 16, 2017

**Present:**

*Board*

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

*Staff*

Katherine Berry, Election Director  
Paula Troxell, Deputy Director

*Attorney*

Terry Berger, Attorney

**Call to Order & Welcome:**

Mr. Manahan, President called the meeting to order at 1:01 p.m. A quorum was present.

**Approval of Minutes:**

The Board approved the minutes from the April 19, 2017 meeting, on a motion from Mr. Foster, seconded by Mr. Shipley. The motion carried unanimously.

**Attorney Report:**

Mr. Berger explained the difference between a Memorandum of Understanding (MOU) and an Agreement (or Contract). The MOU is not enforceable in a court of law and, as an example, could be used between government agencies. An Agreement is a legally binding document and enforceable by a court. The document Mr. Berger would draft to secure a polling place at a private facility would be an Agreement.

Mr. Berger reported that Carroll Lutheran wants to limit placement of electioneering signs to the area directly surrounding the polling room. Mr. Berger explained that political speech is the broadest speech there is. He said that Carroll Lutheran cannot broadly limit placement of electioneering signs if they allow the facility to be used as a polling place. Mr. Berger believes that Carroll Lutheran may think that the Board would enforce Carroll Lutheran's sign placement policies and that is not the

case. The office is not responsible for monitoring electioneering signs. He stated he will prepare the Agreement to include general language about electioneering signs; something to the effect of "Carroll Lutheran may place reasonable restrictions on signage (placement and size) as long as Carroll Lutheran provides sufficient opportunities for electioneering, including signs. The Board is not responsible for monitoring any political signs nor will the Board act, in any way, to enforce Carroll Lutheran's policies."

Mr. Berger surmised that Carroll Lutheran may not like the Agreement as it will be written so the office may need to find a new polling place.

**Staff Report:**

Ms. Berry provided the members of the board with the budget expenditure report.

Ms. Berry reported that the FY18 budget is to be approved on May 31, 2017. She stated that nothing has been removed from the budget since receiving the recommended budget. Ms. Berry was happy to report that the second IT position was approved. She explained that on the day the Commissioners were going to discuss the agencies' request for positions she reached out to the Commissioners by sending an email, as well as attending the meeting. She wanted the Commissioners to understand how important this position was to the office. Ms. Berry stated that the position will be posted in July with a start date in September.

HB353 (Change in Administrative Policy Affecting Voting Rights – Notice) will be reviewed by SBE. SBE will then notify the LBE offices with procedures to implement this bill.

Ms. Berry said that she reached out to the county to ask if she could provide input to the construction of the new Charles Carroll building so that the office could use the building as a polling location. Mr. Moser said that they welcomed her input and asked her to serve on the committee.

Gamber Fire Company had a Board of Director's meeting last night. Ms. Berry tried calling her contact to see if her request to use the facility was approved. She is waiting on her contact to call her with their decision.

Ms. Berry said she has been reviewing voter statistics and is concerned about Northwest Middle School in Taneytown. Since June of last year there have been 300 voters added to that precinct. Ms. Berry acknowledged that at the last meeting she stated that she would not be making changes to polling places, but the increase of voters' at Northwest Middle is a concern. She said that she is considering moving 1,500 to 2,000 voters from the polling place. Ms. Berry spoke to Mr. Foster about using Carroll Vista as a polling place. Mr. Foster stated he did not believe that the facility would meet the needs of a polling place. One issue is the facility does not have a room that locks to keep the voting equipment secure. A discussion was held about the amount of voters at Northwest and other facilities in the area to use as a polling place.

Packets were provided to each member of the board that contain information on the two sites under review to be used as a second early voting site in the South Carroll area. The packet contained regulations in COMAR for early voting, a 5 and 10 mile radius map, chart of the facilities contacted that include the pros and cons of each facility, a signal test for the South Carroll Senior Center and the South Carroll Swim Club, and a polling place layout of the facilities under consideration. Since Mr. Shipley and Ms. O'Callaghan attended the site visits Ms. Berry asked them to provide their thoughts on the two sites. A lengthy discussion occurred about the visits and the pros and cons of each facility. Ms. Berry explained that the packets must be reviewed before the June meeting so that a decision can be made on the facility that will be used for an early voting site.

Ms. Berry and Ms. Bartholow attended a Lions Club meeting on May 8, 2017, to do voter outreach and to recruit election judges. On May 4, 2017, Ms. Bartholow conducted election judge recruitment at BERL's job fair.

Ms. Berry attended an election judge manual meeting. The meetings will be held bi-weekly to hopefully have the manual and all forms completed by October and in time for the mock election to be held in January of 2018. Ms. Berry and Ms. Bartholow attended a MAEO election judge meeting. Ms. Berry reported that she and Ms. Bartholow will be participating in a best practices session to discuss the office's VAC accounting process at the MAEO Conference. Ms. Berry and Ms. Troxell attended a MAEO meeting.

SBE held a Director's conference call. There will be voting system upgrades coming in the next few months. A new inventory system is being created. SBE will be visiting each LBE to complete the inventory process. The inventory process consist of scanning the barcodes on the voting equipment and it is estimated to take two days to complete.

Ms. Berry reported that she was copied on a letter addressed to the City of Taneytown with questions regarding the election results. Ms. Berry explained the details of the letter. She also reported that she recently learned that the LBE offices are not obligated to offer the voting equipment to the municipalities. Ms. Berry stated that for future municipal elections the voting equipment will not be offered to the municipalities.

The basement area will be available on June 14<sup>th</sup> after CHANGE, Inc. moves out.

Ms. Berry responded to questions asked by Mr. Manahan regarding the State audit. Mr. Manahan's questions were in regard to ERIC reports and absentee ballots. Ms. Berry explained how ERIC reports are processed. Mr. Manahan asked if SBE is doing anything to tighten up the absentee ballot request process. Ms. Berry said that they are changing the absentee ballot application, but she is not aware of anything specific.

SBE conducts post-election audits for each LBE office. Ms. Berry shared the results of that audit for the 2016 Primary and General elections.

Mr. Manahan asked if there were any additional candidate filings. Ms. Berry reported the number of candidates that have filed for each office. Ms. Troxell reminded the Board that the candidates are listed on our website.

Ms. Berry reminded the members of the board that if they are unable to attend the biennial conference on Monday, October 23, 2017, they are required to send a letter to the State Administrator. She stated that all of the staff will be attending the meeting also.

**Board Members Political Activities:**

Ms. O'Callaghan made an in-kind contribution of \$60.00 to the Carroll County Democratic Central Committee.

**Unfinished Business:**

None

**New Business:**

None

**Scheduling of Next Meeting:**

The next meeting is scheduled for Wednesday, June 21, 2017 at 10:00 a.m.

**Adjournment:**

The meeting was adjourned on a motion by Mr. Shipley; seconded by Mr. Foster to adjourn the meeting at 2:10 p.m. The motion passed unanimously.