

HOWARD COUNTY BOARD OF ELECTIONS

MEETING MINUTES

9770 Patuxent Woods Drive, Suite 200
Columbia, MD 21046

Monday, February 26, 2018 – 4:00 pm

Regular Open Board Meeting

ATTENDEES:

Board Members:

Donna K. Thewes	Board President, Republican Member
Raymond M. Rankin	Democratic Substitute
Diane L. Butler	Republican Substitute
Michael S. Molinaro	Board Counsel

Staff:

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

Absent: Ann M. Balcerzak	Vice President, Democratic Member (excused)
Patrick R. Mullinix	Republican Member (excused)

Visitors: None

CALL TO ORDER AND DECLARATION OF QUORUM

Board President Donna Thewes called the meeting to order at 4:18 pm with an established quorum present. The Pledge of Allegiance was then given.

APPROVAL OF BOARD MEETING MINUTES

Draft copies of the minutes from the January 22, 2018 meeting were provided to Board members by electronic mail prior to the meeting and a paper copy with minor format corrections was distributed at the meeting. Members made no changes to the minutes. President Thewes asked for a motion to accept the minutes. Ray Rankin motioned to accept the minutes as presented and Diane Butler seconded the motion.

Action: The January 22, 2018 minutes were unanimously approved by those in attendance.

ADDITIONS OR CHANGES TO THE AGENDA

Board members made no changes or additions to the agenda.

CORRESPONDENCE

There was no correspondence to discuss.

PRESIDENT'S REPORT

Donna Thewes reminded Board members to complete and file their financial disclosure statements if they have not already done so. Board Counsel Mike Molinaro emphasized the importance of reviewing their completed forms for accuracy and completeness before submitting them to the State.

DIRECTOR'S REPORT

Director Guy Mickley reported on the following issues:

1. Continuing Items

General Office Update: We have accomplished and will be working on several things as we gear up for the election. They are broken down as follows:

aa. Pollbook Software Testing – We have conducted a second test of the new pollbook software and only encountered some very small issues that should not present a problem for the election. There will be a small additional test this week to review these issues to try to resolve anything residual. The address search delay issue will not be resolved before the 2018 elections, but it does work. We expect to get the new upgrade from the State by April to install before the Primary Election.

bb. Absentee Ballots – The Absentee Department has entered 227 records for the Primary Election as of Friday.

cc. Voter Outreach – We have continued our aggressive Voter Outreach schedule with the school system in all the High Schools in Howard County. Staff has also attended functions such as Black History Expo at Long Reach High School on February 17, and Seniors Together at the Bain Center last Friday. They have been registering voters, taking names for election judges and answering general questions. We visit each high school multiple times. To date, staff has garnered over 200 registrations and over 100 election judges. We will wind this process down this week with our last two visits as we prepare for the Primary Election.

dd. State Acceptance Testing – Several members of our staff have been assisting the State with acceptance testing of DS200s and BMDs at the State warehouse over the last week and a half. This not only helps the State but provides our staff with invaluable knowledge of the voting system – inside and out.

ee. Office Overhaul – The makeshift cubicles in the office outside the break room are gone and have been replaced with nicer furniture we were able to obtain at no cost. That is one of several updates we have made to the office since last month. Also, new cubicles have been installed in the back room for the Election Judge Department. Other office moves may occur as we relocate staff to work at the warehouse. Bill, Jeff and Roy will all be at the warehouse, which will open some needed space for staff and processes here in the office.

ff. Cybersecurity Training Event – Guy Mickley informed the Board that he will be representing the State of Maryland as the Local Board representative in Cambridge, MA

at Harvard University's Belfer Center Election Cybersecurity and Training Event on March 26-28, 2018. This is a unique opportunity that will help not only the State but this office in dealing with cybersecurity attacks on elections. This also means that he will be unable to attend the March 26th Board meeting.

2. **Warehouse Move Status** – The warehouse will be ready for occupancy on March 1, 2018. Staff will be building cubicles for those that will reside there and moving equipment that can be moved from the office later this week. The bulk of the equipment from the old warehouse will be moved into the new warehouse on March 5-7, 2018. We expect to be up and running with minimal impact by early the following week.
3. **Registration** – Registration continues to be typical for a Gubernatorial Primary Election. We have seen a small uptick in voter correspondence in the new year.
4. **Budget** – There have been some changes to the FY19 budget since the Board last met. Raises for the staff have been pushed to FY20 by the MAEO Personnel Committee. In addition, the State will be buying not only new pollbooks, but new printers as well. The good news is that they have worked out a deal for financing to the local level so that LBE budgets will not be impacted as much in one fiscal year. The financing will now be across five fiscal years.
Mr. Mickley met with the Howard County Budget Department on February 8 to review the budget. They had no questions and scheduled him to meet with the County Executive's team on February 9. Both meetings were successful and resulted in our budget staying intact as submitted.
5. **Candidates** – We have had a multitude of candidates come into the office over the past few weeks. A full list of all candidates that will appear on Howard County ballots was made available for Board members to review. Candidate filing closes February 27, 2018 at 9:00 PM. We have placed a link on the website to view the list of candidates for Howard County.
6. **Judges** – The Judge Department has been working very diligently and has nearly filled every position for the election and early voting in Howard County. They will continue to recruit individuals to place as Alternate Judges once all positions have been filled so that we have a pool of judges to replace judges who decide they can't work the election. A handout with judge counts was provided to Board members. Mr. Mickley reminded the Board that judge classes start in just over a month. He also stated that the videos for judge training are ready to go. There will be a link on our website before April 1st that takes the judges to YouTube, where the videos are posted under our account. He will advise the Board when they are ready to be viewed.
7. **Legislation** – President Thewes discussed testimony on proposed legislation given on behalf of MAEO members and the lack of advance notification when a position change/testimony is being presented. She and other Board members stated that there should be something showing that there was a vote by MAEO to agree to testify for or against proposed legislation before any testimony is given. She also feels that all local boards should be included in the notification concerning this information. She asked that the Director write a letter regarding this issue to MAEO. Guy Mickley said he will ask Stuart Harvey, MAEO's legislative contact, if he would be available to speak to

Donna Thewes and interested Board members at the MAEO Conference regarding this issue.

Director Mickley stated that three proposed bills would affect elections and have the most impact on the office, although nothing has moved between the two houses yet:

- A. **SB594/HB53 2** – This would allow the Maryland General Assembly to have the power to allow same day registration and voting on Election Day. This bill would have to go to the voters as a Constitutional Amendment. This would result in a very high fiscal note. Donna Thewes and Diane Butler asked if this would affect security and Mr. Mickley said no, it would not be connected to the State’s server. However, it would have a huge fiscal impact and cause potential issues with judge training. Donna Thewes asked if MAEO had taken a position and he stated they had only as to the cost. Board members discussed the issue and its potential impact, including on Early Voting and the increased demands on staff time to process more provisional ballots.
- B. **SB333** – This would change multiple processes and procedures with the canvasses as well as with Absentee Ballots. A copy of the bill was distributed to Board members. If a voter casts an Absentee Ballot as well as a Provisional Ballot, the Provisional Ballot will be counted. Members discussed the proposed changes and potential impacts.
- C. **SB1061/HB280** – This bill would allow a voter to change party affiliation any time there is Same Day Registration being held. Guy Mickley stated this would cause problems with ballot ordering at the local level. Board members concurred.

There are a multitude of other bills that Mr. Mickley said he will keep following as things progress through the next few months. He will contact the Board if there is anything he feels needs to be discussed. Members asked about tracking proposed legislation and Mr. Mickley provided the Maryland General Assembly website: mgaleg.maryland.gov.

- 8. **MAEO Conference** – Director Mickley reminded Board members that the MAEO Conference will be held from March 13-16, 2018 at the Clarion Resort in Ocean City. He is on the agenda to as part of a panel to talk about the DHS Risk and Vulnerability Assessments. Room confirmation have been distributed to those attending. Ray Rankin suggested that perhaps Board members could split up and attend the other sessions, then cover what was presented at the next Board meeting. Donna Thewes concurred and said many of the sessions should be interesting.

BOARD COUNSEL REPORT

Mike Molinaro, Esq., made note that in SB333 part of the proposed bill takes effect June 1, 2018 and another part on July 1, 2018, which could cause confusion. He said he was looking forward to the attorney’s session as well as the canvassing session on for Board members and attorneys at the MAEO Conference. Mr. Molinaro then stated that in late November 2017 there were minor changes made to COMAR Regulations, but nothing substantive. Guy Mickley indicated this was to “clean up” and correct minor issues in the regulations.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Guy Mickley informed the Board that the new Assistant Attorney General for the State of Maryland is Andrea W. Trento, who replaced Jeff Darsie.

ADJOURNMENT

There being no further business, Donna Thewes asked for a motion to adjourn the Regular Open Board Meeting. Ray Rankin offered the motion, which was seconded by Diane Butler.

Action: Board members in attendance unanimously voted to adjourn the meeting at 5:15 pm.

The next Regular Open Board Meeting of the Howard County Board of Elections is scheduled for Monday, March 26, 2018 at 4:00 pm.

Respectfully Submitted,

Phyllis A. West, Board Secretary

Donna K. Thewes, Board President