

Minutes

Talbot County Board of Elections
215 Bay Street
Easton, MD 21601
October 21, 2105

Present:

Board

Joseph H. Secrist, President (R)
Susan MacKinnon (D)
Richard B. Bulman (R)
John F. Hall (R)

Staff

Patricia L. Mitchell, Election Director

Board Attorney

Philip Cronan

Guests

Mary-beth Goll
Eugene Goll

A meeting of the Talbot County Board of Elections was held on October 21, 2015 in Conference Room # 1 at the Board office indicated above. Mr. Black's absence, to attend the funeral of a family member, was excused. Mr. Secrist called the meeting of October 21, 2015 to order at 9:30 a.m.

Approval of Minutes of September 16, 2015

Mr. Secrist asked if the Board had any corrections or additions to the minutes of the meeting of September 16, 2015, a corrected copy of which had been forwarded to the Board Members by email in advance of the meeting. Mrs. MacKinnon again reminded Mr. Hall to include the time that the meeting adjourned, and Mr. Hall said he would do so. Mr. Bulman moved the approval of the minutes and Mr. Hall seconded. The motion to approve was carried unanimously.

Addition/Changes to the Agenda

Mr. Bulman asked that the agenda be changed by the addition of two additional matters, viz.: (1) an update of the Election Director's job description, under Old

Business; and (2) consideration of whom should be responsible for signing the Election Director's time sheet, under New Business. Mr. Secrist also asked that the agenda be changed to include a discussion of the training needed to address those matters set out in the State audit of the 2014 primary and general elections, under Old Business. There was no objection to the proposed revisions.

Public Comment

Mr. Secrist asked if the members of the public present wished to make any comments. There was no response.

Reports

Mrs. Mitchell provided her report in writing, a copy of which is attached hereto as Exhibit A. Mr. Bulman asked whether the Mock Election was being conducted. Mrs. Mitchell stated that the State Election Board had not been prepared by the scheduled date (October 19 - 23) and postponed the Mock Election. She added that the State Board hoped that the Mock Election could be held the first week in December.

Regarding the minutes of the October 1 Election Directors' meeting, which Mrs. Mitchell had forwarded by email, Mr. Bulman asked for an explanation of the entry for Maryland Charity boxes. Mrs. Mitchell explained that it referred to a plan for a payroll deduction available to all employees by which charitable donations might be funded.

Mr. Bulman also asked whether Mrs. Mitchell's attendance was through the call center. Mrs. Mitchell replied that it was.

Mr. Secrist inquired whether this office used the 2016 Communications Toolkit. Mrs. Mitchell responded that it did not.

Mr. Secrist asked for an explanation of the training session held in St. Michaels. Mrs. Mitchell stated that she had attended training on the new voter software in Dorchester County and thus had no reason to attend the session held in St. Michaels.

Mr. Secrist asked Mrs. Mitchell to print out the new regulations that were referred to the October 16 County Bulletin and she agreed to do so. Mrs. Mitchell stated that the new regulations dealt with accommodation of disabled voters. Mr. Hall said that he preferred to view them online.

Mr. Secrist asked Mrs. Mitchell to forward each County Bulletin when she received it, in order to reduce the volume of materials that are received just prior to each meeting. Mrs. Mitchell agreed to do so.

Attorney's Report

Mr. Cronan noted that, at the September meeting of this Board, the Board had discussed whether it was necessary to amend the budget to more accurately reflect certain costs, including legal fees. He said that he had made an estimate of what might be required and had concluded that an appropriate figure (rather than \$2,000 in the budget) was \$5,175. Mr. Bulman suggested that the budget be amended to project \$6,000. He asked (1) if any cost other than legal fees was included under the entry for contractual services; and (2) if there were any other items in the budget which could be reduced to partially offset the budget increase for legal services. Mrs. Mitchell responded that there were no other costs projected for contractual services, and noted that the fee paid for the services of James Butts was included under the cost of leased equipment, a separate budget item.

Mr. Secrist noted that the line item for the payment to alternate members had been carried forward on this year's budget and would not be incurred, due to the increase in regular membership and the elimination of alternate membership. Accordingly, the increase in contractual services could be partially offset by eliminating that item.

Mr. Bulman asked how this Board went about amending its budget. Mrs. Mitchell responded that the proposed change would be presented to the County Council. The County Council might ask someone from the Board to be present at a Council meeting to justify the change.

Old Business

Mr. Secrist asked if an alternate site for early voting had been selected and approved. Mrs. Mitchell responded that 142 North Harrison Street (the former location of this Board's office) had been selected and would be presented the State Board at its October meeting.

Regarding the invoices, copies of which had been provided by Mrs. Mitchell, Mr. Hall inquired about the late payment of the Verizon bill for T-1 service, noting that the address on the bill was 142 North Harrison Street. Mrs. Mitchell stated that the address had been changed to the County Manager's office at 11 North Washington Street. That office forwarded the invoice to the Board office. Mr. Hall stated that he felt that the invoice was being handled too many times; instead, it should come to the Board office for approval and then submission to the County.

Mr. Secrist noted that, from July 16, through September 25, seven entries of \$716.66 each had been incurred for "Dues and Associations" and asked for an

explanation. Mrs. Mitchell stated that she would contact Mrs. Asche at the County finance office for an explanation. Mr. Bulman inquired as to what was included under "Forms." Mrs. Mitchell explained that item was for State Election forms and recommended that no change be made to it.

The Board decided to delay the request for an amendment to the budget until the November meeting, so that other changes might be identified.

Mrs. Mitchell stated that the voting equipment would be stored at 142 North Harrison Street, Easton. The site is somewhat crowded, but she hoped it would become less crowded once the equipment was removed from ~~for~~ its container boxes. Nevertheless, the condition of the lease for that equipment was that the equipment be returned in its original containers, so those would have to be stored in addition to the voting equipment.

Mr. Hall asked if the County did not intend to sell 142 North Harrison Street. Mrs. Mitchell explained that the property is in the Town's Historic District and that the County was asking the Town to remove it from such designation so that it could be more readily marketed. She projected that the site would be available through the 2016 General Election, but the selection of a new site would have to be addressed in the future.

Website Corrections.

Mr. Secrist asked that the website be changed to include information as to the location of the early voting site, the 9:00 p.m. closing for candidate filing and for a change of registration, and the additional open spot for the Board of Education.

He stated that he had attempted to click through one item on the website and got only a message that said "Server Error." Mrs. Mitchell asked him to identify the disabled selection so that she might report the need for correction to the County webmaster.

Mock Election.

Mr. Bulman asked whether the Mock Election was being conducted. Mrs. Mitchell stated that the State Election Board was not ready by the scheduled date (October 19 - 23) and postponed the Mock Election. For instance, no poll books were available. She added that the State Board hoped that the Mock Election could be held the first week in December. One of the things to be tested was same-day registration.

In the meantime, the local board would practice feeding the ballots through the scanning machine and uploading the results to the State Election Board. The State Election Board would then provide feedback as to what results were received by it, such that submissions which were not received could be identified and addressed. The State

Board stated that, for the present, it did not want anyone other than employees of the local boards to participate in the practice with the new equipment.

Mr. Bulman asked if a high speed connection were available at 142 North Harrison Street for such trial runs. Mrs. Mitchell stated that, at present, everything had to be downloaded to a thumb drive and brought back to the Board office to be uploaded. She said that the availability of a high speed connection for the Mock Election was a goal.

Mrs. Mitchell gave an explanation of how the new voting equipment worked and introduced a new acronym "BMD," that is, "ballot marking device.". She explained that those participating in early voting would use touchscreen BMD's to save the expense of printing ballots that contain different lists of candidates due to district boundaries, etc. She also explained that a voter on Election Day would have the opportunity to correct his or her paper ballot (by obtaining up to two new ones for marking) because the scanner would only read the final document submitted by the voter.

In response to a question from Mrs. MacKinnon, Mrs. Mitchell stated that a voter will see his or her selection on the BMD. Then, he or she will see it again on the ballot. When the ballot is inserted in the scanner, the message "Your vote has been counted" will be displayed.

She also explained that the Election-Day voters would take their respective ballots to the scanner in a sleeve to preserve privacy. While an election judge from each party would be present at the scanner, the ballot would be inserted in the scanner by the voter.

The new touchscreen BMD's would be different in that the voter inserts the paper ballot in the front and wait for the ballot to be displayed. When that was done, the voter could cast his or her ballot.

The Election Day voting process requires two printers, one for the voter authorization card and one for the ballot. But each precinct will have only one scanner (thus, there would be two at the fire house).

Mr. Bulman suggested that, when Mock Elections were actually held, some of the local service clubs might be encouraged to participate. His goal was to test the public's ability to use the equipment.

Mr. Secrist referred to the handout regarding demonstrations of the new voting system in Harford County. The handout indicated that the Harford County local election board would be doing five demonstrations of the new system at various libraries and activities in Harford County.

Mrs. MacKinnon asked whether the State Board has made an estimate of the average time that it would take a voter to vote the new equipment, both in absolute terms and as compared to the time required for the equipment most recently phased out. Mrs. Mitchell said that any such estimate would be very difficult, especially since the difference in the length of the ballot, which varied from precinct to precinct, and because of the need to fill in the oval indicating the voter's selection.

Mr. Bulman asked if any provision were made for backup in case the scanner were to jam. Mrs. Mitchell said that there was none, but that, in testing the equipment, once the problem of removing the packing foam was properly dealt with, no jams had been experienced.

Office Evaluation Process.

Prior to the meeting, Mr. Bulman had circulated an email in which he provided the results of his research into how feedback on the performance of this Board's office (as requested on the State Board's evaluation form) might be obtained, and gave his recommendation that this Board ask the members of the boards of neighboring counties how they review the Election Director, particularly as to the Behavior Elements on the Performance Evaluation form. As an alternative, this Board could develop a questionnaire to randomly survey peers, customers, Election Judges, and possibly subordinates. A discussion ensued regarding how to develop such a questionnaire, what questions should be included, how the questionnaire would be circulated, and whether a model questionnaire might be available. The discussion also recognized that every State agency might register people to vote, so that the public's contact might not be through this Board. Further, it was recognized that feedback tends to be skewed toward those who were dissatisfied with their experience, because such people would be motivated to respond to a questionnaire.

The consensus was that the Board members would circulate thoughts as to what should be included in the questionnaire before the next meeting, and the discussion would continue, then.

Election Director's job description.

Several Board members reiterated their belief that the job description needed to be updated, if for no other reason that the absence of any requirement for computer skills. Mr. Hall stated that the job description contained in the State personnel regulations seemed to be too brief to be of any use other than establishing a salary and benefits range. He said that he would try to locate the job solicitation used when Cecil County needed to hire an election director and circulate it by email.

Training relating to matters identified in State Audit.

Mr. Secrist asked Mrs. Mitchell if training regarding those deficiencies identified in the State Audit of the 2014 primary and general elections. Mrs. Mitchell stated that there had been training on same-day registration. Mr. Secrist asked if Mrs. Fishell would soon be reinstated for access to MDVOTE. Mrs. Mitchell said that it depended on how the training went.

Mr. Hall inquired regarding the directed training for spreadsheets. Mrs. Mitchell stated that she had spoken with Sherry Thomas of the County office about the next available spreadsheet training. As yet, there was nothing definite.

Mr. Secrist then provided the other Board members with his letter to Mrs. Mitchell in which he summarized the results of the evaluation. Mrs. MacKinnon stated that the results should have been discussed when the evaluation was completed and objected to the letter. Mr. Secrist stated that he met with Mrs. Mitchell following the completion of the evaluation and that she said she wanted time to read the evaluation form. By the time of the next meeting, rather than discussing the results of the evaluation, Mrs. Mitchell simply signed the form and submitted it to the State. The purpose of the letter was to serve as a reminder, in summary form, of the results of the evaluation. Mrs. MacKinnon repeated her objection to the issuance of the letter. Mr. Bulman stated that the procedural variation was Mrs. Mitchell's choice. Mr. Hall said that he was satisfied with Mr. Secrist's explanation.

New Business

Mr. Secrist directed Mrs. Mitchell to the requirement in the State evaluation form that she prepare a list of goals and objective. He suggested that an immediate goal be to acquaint the voting public with the new voting method. Mrs. Mitchell stated that the State Board had reapplied to the Board of Public Works for funding to introduce the public to the new equipment. The matter should be before the BPW at its October meeting.

Mrs. Mitchell encouraged each Board member to participate in the Mock Election so that they would be able to answer questions from the voting public about the new voting system.

Mr. Bulman stated that the question of who signs the Election Director's time sheet should be reexamined. He stated that the current system of having a subordinate sign a superior's time sheet presented the subordinate with a conflict of interest.

Mrs. MacKinnon pointed out that Mr. Secrist, who, as president of the Board, was not present at the office full time and could not validate the accuracy of Mrs. Mitchell's

time sheet. Mr. Bulman suggested that the Board purchase a time clock for the employees to use so that Mr. Secrist might have some basis for signing the time sheet. Mr. Hall pointed out that (Mrs. Michelle Holland, a staff member of the State Board), had circulated an email in December 2014 stating that it was inappropriate for a subordinate to sign the Election Director's time sheet. Mrs. MacKinnon stated that Mrs. Holland had been present at this Board's meeting when the decision to have Mrs. Goode perform that task was made.

Mr. Secrist stated that he thought the matter should be deferred until Mr. Black could be present and the Board was able to review Ms. Holland's email. Accordingly, the matter was tabled.

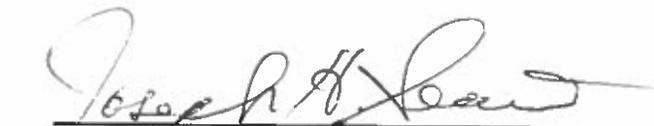
The president announced that the next meeting would be held November 18, 2015, beginning at 7:00 p.m.

Mrs. MacKinnon asked that the record reflect that she had attended the Kennedy-King Dinner on October 19, 2015.

Upon motion duly made and seconded, the meeting was adjourned at 11:04 a.m.

Attested,

Respectfully submitted,



Joseph H. Secrist, President



John F. Hall, recorder

NVSR Update

On Monday mornings each week, I participate in a phone meeting with every county and the NVSR team. This is when everyone is brought up to date on what has happened in the workgroups. We have received our new server and computer equipment and it is now set up in the office. The county has now found us warehouse space. Our warehouse is now located at 142 N. Harrison Street. All of the new voting equipment has been delivered and we are now in the process of unpacking everything.

Voter Registration

Attached is a copy of the Monthly Statistical Report

Daily Data Entry

The office staff has completed their daily data entry each day. Each Tuesday one staff member goes to MVA and picks up the weekly work that they have and mails it to the appropriate county.

Critical Oversight Report

For the month of August, the Director audited Somerset County. This month there was a new format of doing the critical oversight report. We are now exporting them into Excel.

ERIC Reports

We are currently working on the Eric Reports for September. These reports are sent by SBE and consist of Out of State and In State Registrations. We receive death notices from other states and send out correspondence for more information and the same for In-State Duplicates and Cross-State Changes and correspondence.

Meetings

Electionware Training - September 24 and 25, 2015 @ the Hyatt in Cambridge.

Same Day Registration Meeting - September 29, 2015 - Caroline County.

In-Person Directors Meeting - October 1, 2015 - State Board Office - See Attachment

Staff Trainings - Trainings have been scheduled for the entire office. Mary Jo Waite and Roger Stitt will be coming to the office and doing trainings in MDVoters. Each staff member has been asked to give topics that need to be focused on. This is going to be ongoing until the next audit is done.

Mock Election

We have been preparing for the Mock Election that is going to take place the week of October 19 - 23, 2015. We are going to conduct ours at the warehouse location. Attached is the schedule for the mock election.

Exh. A