

## **Minutes**

Talbot County Board of Elections  
215 Bay Street, Easton, MD 21601  
Conference Room 1

Wednesday, June 18, 2025

### **Present:**

#### Board

Susan J. MacKinnon, President  
Denise Lovelady, Vice President  
Gugy Irving, III, Secretary  
Walter W. Black, Member  
Barbara H. Perry, Member

#### Staff

Tammy Stafford, Election Director  
Donna Kegley-Hacker, Election Program Manager II

#### Board Attorney

Lyndsey Ryan

#### Members of the Public

Mark Harrison, Citizen  
Gary Judy, Citizen  
Terrence Bernard, Self  
Shari Wilcoxon, Self  
Jane Murphy, Self  
Kate Tillman, Self  
Mary Jordan, Self  
Susan Frank, Citizen

Ms. Stafford announced that the Board meeting would be streaming on the TCLBE YouTube channel. She added that the meeting is being recorded and if anyone in attendance was not in favor of being recorded they should leave the meeting.

### **CALL TO ORDER & DECLARATION OF QUORUM PRESENT**

Ms. MacKinnon called the meeting to order at 9:30 a.m. (Ms. Stafford stopped her briefly to turn on the live stream.) She welcomed the public, announced that a sign-in sheet and copies of

the agenda were available, and reviewed key elements of the Public Comment protocols, which are also listed in the next to the last paragraph on the agenda.

With all members in attendance, Ms. MacKinnon declared that a quorum was present. She then announced the Pledge of Allegiance.

#### **APPROVAL OF OPEN MINUTES- 05/21/2025**

Minutes from the Open Meetings held 05/21/2025 were mailed in Board packets to members, allowing for review prior to this meeting. Ms. MacKinnon called for any corrections to the minutes. There were none. Mr. Black motioned to accept the minutes as written. The motion was seconded by Ms. Lovelady. The motion passed unanimously by all members present.

#### **CHANGES TO THE AGENDA**

Ms. MacKinnon asked if there were any changes to the agenda. There were none.

#### **APPROVAL OF THE AGENDA**

Ms. MacKinnon asked if there was a motion to approve the agenda. Mr. Irving motioned to approve the agenda. Ms. Perry seconded the motion. The motion passed unanimously by all members present.

#### **PUBLIC COMMENTS**

Ms. MacKinnon opened the floor for public comments. Four members of the public spoke.

1. Mr. Judy stated that he attended the Board work session on 06/09/25 and that all who attended were very alarmed. He added that it appears the Board wants to censor free speech by stating that public meetings are for the public to observe, and comments must be related to the agenda. He stated that he commended the Board member who asked what would happen if a member of the public wanted to comment on a topic that never appeared on a meeting agenda. He ended by stating that the LBE is just using the excuse that this is how others do (public comment).
2. Mr. Harrison commented that he attended the Board work session on 06/09/25. He stated that now that the Board must live stream the meetings, it now wants to censor the public. He added that this was a violation of his free speech and asked the Board what it is afraid of.
3. Mr. Bernard commented that the Board is overriding the ability for the public to speak. He added that at the work session it was stated that public comments slow down the meetings. Mr. Bernard stated that this is reaching beyond the public's ability to speak; and is reaching to limit or screen public comments.
4. Ms. Wilcoxon stated that she was very glad the meetings were being live streamed as minutes in the past were not always reflective of what occurred in the meetings. She added that the laws changed but were not followed and now the Board's plan is to

censor our speech. Ms. Wilcoxon stated that she has asked repeatedly that the public comments segment be moved to the end of the meeting agenda so that the public can comment on what occurred during the meeting. She ended by stating that the Board is doing public comments very differently from everyone else in the county.

#### **ELECTION DIRECTOR'S REPORT**

Ms. Stafford's written report which was mailed in the Board packets for review prior to the meeting is attached to these minutes. Ms. Stafford highlighted all key areas of the report. When discussing Other Projects, Ms. Stafford added live streaming of open meetings.

Mr. Black asked if under Precinct and Polling Issues there was an error in the day or date. Ms. Stafford replied that it should have stated Friday (not Thursday), June 20, 2025.

#### **BOARD ATTORNEY'S REPORT**

Ms. MacKinnon announced that since the Board Attorney was not yet present the Board Attorney's Report would be moved to later in the meeting and thanked everyone for their patience with this change.

#### **OLD BUSINESS**

A. Facility for the Election Office

Ms. Stafford reported that she recently met with the County Manager but has no updates on the facility at this time.

B. FY 2026 Budget

Ms. Stafford stated that the FY 2026 budget request was approved.

C. Streaming Meetings

Ms. MacKinnon stated that this topic would be held until the Board Attorney arrived.

Ms. MacKinnon added that the work session on 06/09/25 was a sharing of ideas. The Board Attorney has drafted a document using the information shared and the discussion. Ms. Ryan will present this when she arrives.

Ms. Lovelady asked if the Board would be voting on this today.

Ms. MacKinnon stated that the Board would not be voting on Public Comment policy or protocols at this meeting. The discussion is not over and she thinks the Board membership needs time to review the document that Ms. Ryan has drafted.

Ms. MacKinnon apologized for not following the meeting agenda in order of items.

## **NEW BUSINESS**

### **A. Ethics Training**

All Board members received an email from the State with date options of upcoming Ethics Training.

Mr. Irving asked if the training was the same for each date.

Ms. MacKinnon stated yes; each Board member should select the date that best fits their schedule.

Ms. Stafford stated that she received a question from a Board member that should she not be able to view on her home equipment, could she come into the office to take it.

Ms. Perry added that if she just needs to view it, she would be fine. If she needs a mic to participate or respond then she would not be able to complete the training at home. She questioned how the State would know she had completed it.

Ms. Stafford stated that she would look into this and do some follow up.

Ms. Lovelady asked if this training was the same as the training she had to do as a new Board member.

Ms. Stafford stated that there was some interest expressed at the MAEO Conference for additional Ethics Training.

Ms. MacKinnon added that according to the email, the training was specific to Board members.

Ms. Stafford asked Board members to supply a copy of their completion certificate if one is awarded.

### **B. Open Meetings Act Training**

Ms. Stafford recommended that Board members complete Open Meetings Act Training again as there may have been some updates.

Ms. Perry asked if it was still available by visiting the Attorney General's website; Ms. Stafford answered yes.

Ms. MacKinnon added that upon completion a certificate would be issued.

By this time Ms. Ryan, Board Attorney arrived. Ms. MacKinnon quickly updated Ms. Ryan on the status of the agenda.

Ms. Ryan apologized for being late; she was unexpectedly delayed in court.

(The following relates to agenda item 10. **OLD BUSINESS**, C. Streaming Meetings, 1. Public Comment Policy.)

Ms. Ryan handed out a document detailing a DRAFT Public Comment Policy. She read portions out loud & summarized some key points. She highlighted that this policy is an attempt to balance disruptive behavior vs. right to free speech. Ms. Ryan emphasized that the Board needed to review the document and offer feedback.

Ms. MacKinnon stated that this is a lot of information and the Board would not be voting on it at this meeting.

Ms. Lovelady stated that she had a problem related to public comment needing to be related to agenda items, adding that the agenda is pretty generic. Ms. Lovelady suggested that maybe they could consider anything election office related.

Ms. Ryan stated that could be considered in the draft item #7.

Ms. MacKinnon added that in terms of oral comment or written statement, whatever the policy is, it needs to apply equally to everyone.

Ms. Ryan stated that that is correct.

Ms. MacKinnon stated that it appears that the big question before the Board is whether the Board wants public comment to be prescheduled and preapproved. She asked the members to take this into account as they review the draft document that Ms. Ryan has provided because a consensus is needed.

Ms. MacKinnon added that currently the Bylaws state that public comment is to be prescheduled and preapproved with the President able to override. She added that in her years on the Board she did not recall public comment being prescheduled or preapproved.

Ms. Perry asked that should the Board not wish to require preapproval or prescheduling of public comments, would the Bylaws need to be revised.

Ms. MacKinnon stated no. Ms. Ryan agreed with Ms. MacKinnon, adding that the policy the Board adopts would be how the Board is handling preapproval and prescheduling.

Ms. MacKinnon added that the sign in sheet at the meeting could be considered prescheduling.

Ms. Ryan stated that that if the public wishes to have their statement be part of the Board packet the written testimony must be submitted at least 48 hours in advance per the new Election Law.

Ms. MacKinnon expressed concern about the approval/disapproval process should the Board decide to require that public comment be prescheduled and preapproved.

Ms. Ryan stated that if someone submits written testimony it would be included as part of the Board packet; it does not have to be read or discussed at the meeting.

Ms. Ryan added that if the Board accepts verbal public comment the Board Chair can control this.

Ms. Perry asked if the Board could accept both, verbal and written. Ms. Ryan replied yes.

Ms. Lovelady then asked about the order of the agenda, specifically where public comment is located, and whether that is part of the Bylaws.

Ms. MacKinnon replied yes and that the Board had already discussed this at previous meetings.

Ms. Ryan added that she thought that posting the agenda and meeting materials at least 48 hours in advance will help the public respond to the agenda.

Ms. MacKinnon stated that if you (Ms. Lovelady) think that it is important to have another discussion about this you can request to have it added to a meeting agenda.

Ms. Lovelady stated that she does but does not think she will win favor of the Board. Ms. Lovelady did not request that it be added.

Ms. MacKinnon again reminded the membership that it is important to read very carefully the draft document provided by Ms. Ryan. She asked that each be prepared to come to the next meeting with thoughts, especially pertaining to prescheduling and preapproval and current practices.

Mr. Black asked if the Board would be able to vote on this at the next meeting.

Ms. Ryan said yes and asked that members email her with comments or suggestions for amendments. She will then try to compile them into one or two additional drafts and have all versions prepared to post with the Board packet for the July meeting.

Ms. MacKinnon asked that all members communicate any suggestions for amendments to Ms. Ryan.

Ms. Ryan added that she would track the changes.

With this discussion completed, Ms. MacKinnon then asked Ms. Ryan if she had a Board Attorney's Report (item 9 on the agenda).

#### **BOARD ATTORNEY'S REPORT**

Ms. Ryan announced that while attending the MAEO Conference in May 2025 she received correspondence from the Open Meeting Compliance Board about alleged violations related to not posting Canvass Minutes and Open Meeting minutes from Board meetings earlier this year. Ms. Ryan replied within the required thirty (30) days and is now awaiting the response from the Compliance Board.

#### **DISCLOSURES**

Ms. MacKinnon stated that she sent her disclosure/s to the members; they verbally verified receipt. No other disclosures were announced.

#### **CONFIRMATION OF NEXT MEETING**

Ms. MacKinnon announced that the next regular meeting of the Board would be held on Wednesday, July 16, 2025, at 9:30 a.m.

#### **CLOSED SESSION**

Ms. Perry motioned to recess the meeting and go into Closed Session to discuss a personnel matter. Mr. Irving second the motion which then passed unanimously by all members present.

The Board met in Closed Session from 10:14 a.m. to 11:11 a.m.

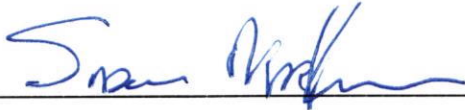
#### **ADJOURNMENT**

From Closed Session, Mr. Black motioned to adjourn the meeting. The motion was seconded by Ms. Perry. The motion passed unanimously by all members present. The meeting was adjourned at 11:11 a.m.

Minutes prepared by: Donna Kegley-Hacker

Attested,

Reviewed and submitted,



Susan J. MacKinnon, President



Gudy Irving III, Secretary



**TALBOT COUNTY BOARD OF ELECTIONS**  
**ELECTION DIRECTOR'S REPORT**

June 18, 2025

**Notice and Distribution of Materials**

Meeting materials were prepared and mailed to Board Members, June 10, 2025.

The Agenda for the June meeting was posted on the Board of Elections web page the entrance to the office, and entrances of the building at 215 Bay Street 4, June 10, 2025.

**Personnel:**

Nothing to report at this time.

**Meetings Attended:**

For June, I attended monthly meetings with SBE and MAEO.

I will be attending the iGO Conference in Kansas City, MO next week.

**Correspondence:**

Nothing to report at this time.

**Voter Registration Activities:**

**Monthly Statistical Report-** The Report was distributed to board members in the monthly packet. As of June 1, 2025, there were 28,781 active registered voters in Talbot County.

**Voting System Activities:**

Nothing to report at this time.

**Candidate Filing:**

Candidate filing began February 25, 2025 for the 2026 Gubernatorial Election cycle. The deadline to file is February 24, 2026. The list of local races can be found on our website.

**Precinct and Polling Issues:**

Polling place agreements will be sent out Thursday June 20, 2025.

**Budget:**

A report documenting Board of Elections Expenditures for FY2025 was included in your board packet.

The County Council approved the FY2026 Budget for the Board of Elections without changes.

**Other projects:**

We are updating our webpage with assistance from the Sarah Kilmon. You will see changes in the webpage over the next month.

**Upcoming Meetings/Events:**

The office will be closed June 19, 2025 in observance of Juneteenth. It will re-open at 8:00 a.m. Friday June 20, 2025.

State Board of Elections Meeting, Thursday, June 24, 2025 at 2:00 p.m.

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")**  
**UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**  
*with Instructions*

**Instructions to presiding officer:** To meet in a closed session under the Act, the public body must first meet in open session, after providing proper notice. Make sure that the open session is attended by a member designated to receive open meetings training. If a designated member cannot attend, complete the Compliance Checklist.<sup>1</sup> If the public body has never designated a member for training, it must do so **before closing the session**.

Before closing the session, take two steps: (1) conduct a recorded vote on a motion to close; and (2) make a written "closing" statement. If the public body might return to open session afterwards, be sure to tell the public that. During the closed session, keep the discussion topics within the confines of the closing statement. After the closed session, the events of the closed session must be disclosed in the next open-session minutes.

The top part of this form is a model closing statement. **It has two sides. Before closing the open session, complete items 1 through 4 on this form or in any writing with the same information.** If someone pre-prepared the form for you, make sure it reflects the public body's own intended topics and reasons for closing the meeting. A member of the public may inspect the closing statement at the time of the closing and may object to the decision to close the meeting. Once the meeting is closed, the closing statement sets the agenda and may not be changed.

The bottom part of the form is a worksheet that provides a checklist of the disclosures that must be made in the next open-session minutes. The worksheet is not part of the closing statement.

**1. Recorded vote to close the meeting:** Date: 6/18/25; Time: 10:14; Location: 215 Bay St.; Motion to close meeting made by: Perry; Seconded by Irving; Members in favor: Perry, Irving, Lovelady, Black, Mackinnon; Opposed: 0; Abstaining: 0; Absent: 0

**2. Statutory authority to close session (check all provisions that apply):**

**This meeting will only be closed under the provision or provisions checked below, all from General Provisions Art. § 3-305(b):**

- (1) ☒ "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2) ☐ "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3) ☐ "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4) ☐ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5) ☐ "To consider the investment of public funds"; (6) ☐ "To consider the marketing of public securities"; (7) ☐ "To consult with counsel to obtain legal advice"; (8) ☐ "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9) ☐ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10) ☐ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11) ☐ "To prepare, administer, or grade a scholastic, licensing, or qualifying

<sup>1</sup> [http://www.marylandattorneygeneral.gov/OpenGov%20Documents/Openmeetings/COMPLIANCE\\_CHECKLIST%20.pdf](http://www.marylandattorneygeneral.gov/OpenGov%20Documents/Openmeetings/COMPLIANCE_CHECKLIST%20.pdf)



examination”; (12)\_\_\_ “To conduct or discuss an investigative proceeding on actual or possible criminal conduct”; (13)\_\_\_ “To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter”; (14)\_\_\_ “Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, *if* public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process”; (15)\_\_\_ “To discuss cybersecurity, *if* the public body determines that public discussion would constitute a risk to” (i) “security assessments or deployments relating to information resources technology”; (ii) “network security information,” such as information that is related to passwords, personal ID numbers, access codes, encryption, security devices, or vulnerability assessments or that a governmental entity collects or maintains to prevent, detect, or investigate criminal activity; or (iii) “deployments or implementation of security personnel, critical infrastructure, or security devices.”

3. For *each* provision checked above, the corresponding topic to be discussed and the public body’s reason for discussing that topic in closed session, in as much detail as possible without disclosing the information that may be discussed behind closed doors:

Citation (insert # from above)	Topic <i>We expect to discuss these matters:</i>	Reason for closed-session discussion of topic - <i>We are closing the meeting to discuss this topic because:</i>
§ 3-305(b)( )	Director performance evaluation	Disclosure prohibited by GP 4-310 + 4-34
§ 3-305(b)( )		
§ 3-305(b)( )		
§ 3-305(b)( )		

4. This statement is made by , Presiding Officer.

*Susan Mackinnon*

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**WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION THAT MUST BE  
DISCLOSED IN THE MINUTES OF THE NEXT OPEN SESSION (§ 3-306)(c)(2) or § 3-104**

**For meetings closed under an exception, as disclosed above:**

Time of closed session: \_\_\_\_\_ Place: \_\_\_\_\_

Purpose(s): \_\_\_\_\_

Members who voted to meet in closed session: \_\_\_\_\_

Persons attending closed session: \_\_\_\_\_

Authority under § 3-305 for the closed session (see chart above): \_\_\_\_\_

Topics actually discussed: \_\_\_\_\_

Each action Taken: \_\_\_\_\_