



**Board of Supervisors of Elections
Minutes
Diamondback Conference Room
Tuesday, July 11, 2019 6:00 p.m.**

Boardmembers Present: Chair Lois Neuman, Graham Johnson, Stephen Weiner, Robert Kurnick Sofya Orlosky

City Staff Present: City Attorney Debra Daniel, City Clerk/Director of Council Operations Sara Taylor-Ferrell, Election Specialist Judy Penny, Director of Communications Marylou Berg, Web and Digital Manager Tatum Walker, IT End User Services Manager Janet Hare; Election Consultant Jessica Newby, Election Consultant, Janet Ross

Convene and Welcome

Chair Neuman convened the meeting at 6:05 p.m. and welcomed all those present.

Approval of Minutes

Motion: To approve minutes for June 18, 2019 as amended.

Moved by Boardmember Weiner, seconded by Boardmember Kurnick, and approved.
4 -0-1 abstained (Boardmember Sofya Orlosky)

Motion: To approve minutes for June 20, 2019 as amended.

Moved by Boardmember Weiner, seconded by Boardmember Johnson, and approved.
4-0-1 abstained (Boardmember Sofya Orlosky)

Questions to the Board

Question: Email dated July 8, 2019 from Joseph Jordan to the Board of Supervisors of Elections with the question: "once a candidate for office has received an electronic copy of the voter database, will that candidate receive updates automatically and how often will the database be updated?"

Answer: No, the City will provide the database, a maximum of two times, only if requested in writing using the official Voter Database Request Form. The database is obtained from the County in June and October after close of registration during the election cycle.

Question: Email dated July 8, 2019 from Joseph Jordan to the Board of Supervisors of Elections with the question: "There is considerable talk across the City today about something called "ballot harvesting". This is a practice where it is legal for anyone - including candidates, candidate campaign staff or designees, etc. - to form teams, knock on doors and offer to bring people's ballots to City Hall. This could lead to people actually guiding people on how to vote if ballots aren't already filled out, losing ballots, not actually turning them in, etc. is the City making this practice legal, and if not, what plans are in place to alert City residences to be wary of the practice and not to give their ballots to anyone who offers to take it or assist in filling it out. If it will be legal, who will be authorized to do it, and what will be the penalty for anyone caught violating any policy set forth by the City."

Answer: The City Attorney's Office has researched and discussed the differences between ballot harvesting and voter fraud. The City Attorney's Office and City Clerk's Office will disseminate their findings. Information regarding their findings will be included in the 2019 Election Voter Guide distributed by the Communications Department. The City Attorney's Office will work with the City Clerk's Office and present an Ordinance to the Mayor and Council at their September 9, 2019 meeting.

Question: Email dated July 8, 2019 from Joseph Jordan to the Board of Supervisors of Elections with the question: "how will people voting on November 5th be able to cast their ballots. Will it be in a drop box only or will there be actual voting booths similar to what was used in the 2018 mid-term election. If there will be booths, how many will there be, and what provisions will be made for traffic and parking."

Answer: Voters may cast their ballot by using either a Ballot Marking Device or one of several secure voting booths located at the Vote Center inside of City Hall or by depositing their ballot into the official election ballot drop box located in the parking lot of City Hall. Parking spaces will be cordoned off at City Hall for traffic control on Election Day only.

Question: Email dated July 8, 2019 from Joseph Jordan to the Board of Supervisors of Elections with the question: "will there be a return address printed on ballot return envelopes?"

Answer: Yes.

Question: Email dated July 8, 2019 from Joseph Jordan to the Board of Supervisors of Elections with the question: "it is now legal for City employees to support or oppose candidates running for Mayor or City Council. This can only be done outside business hours, when not wearing City uniforms, etc. Understanding this is City, not Board of Supervisors of Elections policy, should not the City let the public know of the new policy and emphasize the City is not endorsing any candidate. I also am concerned with the optics of those overseeing the election actually supporting or opposing candidates."

Answer: It is important for City employees to know that they may freely participate in any political activity and express any political opinion so long as it is not done while on the job, nor done while utilizing City resources. This means engaging in any political activity during work hours and wearing City-issued uniforms while conducting political activity are prohibited. During work hours and non-work hours, other City resources, such as personnel, City vehicles, equipment, postage, City letterhead or official stationary and funding, cannot be used for promotion of or opposition to any candidate for political office, political party, or slate of candidates for any office.

Questions: Email dated July 8, 2019 from Joseph Jordan to the Board of Supervisors of Elections with the question: "when Vote by Mail mailers are returned by the post office, it looks like the returned mailers are taken to the County BoE and the County voter database gets updated. Is this a one-time operation after each mailer cycle, and how often is the city getting an updated database? Are there updates available from either the city or the county between June and October?"

Answer: Return mailers are delivered to the Montgomery County Board of Elections weekly. The City will provide the voter database, a maximum of two time, only if requested in writing using the official Voter Database Form. Otherwise candidates may request copies of the voter database from the County for a fee.

Motion: Board directed Chair Newman to work with staff to prepare email response to Joseph Jordan.

Moved by Boardmember Johnson, seconded by Boardmember Orlosky, and approved unanimously.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections

with the question: "The Rockville City code notes that the mailers should have the times for in person voting listed for Election Day. Can that be added to future mailers?"

Answer: Vote Center time listing on Election Day is scheduled for the 4th mailer.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the question: "there is an FAQ posted on the city website and can be found through search. Can the FAQs be updated and included on the main voting and elections page <https://www.rockvillemd.gov/DocumentCenter/View/34882/Vote-By-Mail-FAQ>."

Answer: Yes.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the question: "regarding Voter Registration Awareness: I noticed that the voter registration forms that are normally placed at the front of some of the Rockville libraries during national elections are not there for our city elections. Would it be possible to have a small sign and registration forms put at all of the public Rockville libraries? I can also follow-up with our libraries about this but wanted to follow-up with you in case the request needs to come through official Rockville channels."

Answer: Election signs for the City election are in both the Rockville and Twinbrook libraries and the two Rockville sign boxes located in Rockville Town center. Voter registration forms that are stocked in Montgomery County libraries are the responsibility of Montgomery County Board of Elections.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the question: "what should I do if I lose my ballot?"

Answer: Come to the Vote Center at City Hall for a replacement.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the question: "ballots could be received as early as mid-October. Where will ballots that have been cast/received be stored?" How will they be kept secure?"

Answer: Ballots will be stored in a secured room/area at the Montgomery County Board of Elections. Certain employees will be issued a key card for access.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the question: "once a voter completes their ballot and they want to place it in the mail, where will their ballot be mailed to? Is this address printed on the ballot?"

Answer: Their ballots will be mailed to City Hall Post Office Box in Rockville. No, the address is printed on the envelope.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the question: "what return address will be on the ballots? Should I add my return address to the outside envelope of my ballot?"

Answer: No return address is printed on the Ballot; the return address is preprinted on the envelope.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the question: "my grandmother has trouble with her vision. What is needed for me to assist her? (I know that there is language in the Rockville City code about this, but can we can we put information about this on the main site as well? <https://www.rockvillemd.gov/415/Voting-Elections>"

Answer: A Ballot Marking Device will be located at the Vote Center at City Hall to assist those who have any impairments. If you are physically assisting a person to vote a ballot, a Voter Assistance form is available at the Vote Center and must be completed.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the question: “is there a version of the vote by mail ballot for the visually impaired?”

Answer: A Ballot Marking Device will be located at the Vote Center at City Hall to assist those who have any impairments.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the “question is there a voting booth with assisted technology for those with disabilities?”

Answer: A Ballot Marking Device will be located at the Vote Center at City Hall to assist those who have any impairments.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the question: “my teenager will be in college. How is that handled if she is away at school? Would it be possible for her to do an absentee vote?”

Answer: Your daughter may request an Application for Alternative Address Ballot Delivery and return it to City Hall.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the question: “If I come to City Hall on Election Day and I do not have my ballot, can I still vote?” “What is the process?”

Answer: Yes. Check in with an election worker and you will be given a replacement ballot.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the “question what parking will be available for those who vote at the Rockville City Hall Vote Center on Election Day?”

Answer: Parking spaces will be cordoned off at City Hall for election day only.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the question: “What ballots will be counted as Provisional Ballots?”

Answer: Same day registration voters will cast Provisional Ballots.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the question: “When will Provisional Ballots be counted?”

Answer: Within 24 hours.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the question: “The Ballot Drop Box is being placed in the middle of the City Hall Visitor Parking Lot. Will the employee side of the City Hall Vinson Street Parking Lot be open 24 x 7, including business hours, so that people dropping off their ballots do not have to turn around in the Visitor Parking Lot?”

Answer: The Ballot Drop Box will be placed on the sidewalk with the blue awing overhang located in the visitor’s parking lot. Voters will enter through the visitors parking lot, pull up to the drop box, place their ballots in the drop box and exit through the employee parking lot.

Question: Email dated July 8, 2019 from Monique Ashton to the Board of Supervisors of Elections with the question: “I had heard the Ballot Drop Box was going to be placed on Vinson Street near the bicycle racks, where there is a security camera, and people could easily drive by and drop off their ballot. Why did this change? Is there a security camera for the new location of the Ballot Drop Box?”

Answer: It was determined that installing the box on Vinson Street would cause traffic concerns. Also, the voter would not be able to insert their ballot directly from their car into the drop box if it were located on Vinson Street. They would have to park their car and walk to the drop box.

It was decided that placing the drop box on the sidewalk in the Visitor's parking lot was more efficient. The placement is directly under the security camera and drivers may pull up to the box and deposit their ballot directly into the box. No need to exit their car.

Motion: Board directed Chair Newman to work with staff to prepare email response to Monique Ashton.

Moved by Boardmember Weiner, seconded by Boardmember Johnson, and approved unanimously.

Question: Email dated July 8, 2019 from Councilmember Feinberg to the Board of Supervisors of Elections with the question: that "she is unable to wrap text in cell on Schedule 1, Section 2 and Schedule 3, Item 14."

Answer: Staff will research and forward instructions.

Question: Email dated July 8, 2019 from Councilmember Feinberg to the Board of Supervisors of Elections with the question: that "she is unable to insert actual dated from 2015 on Schedule 3."

Answer: Staff will research and forward instructions.

Question: Email dated July 8, 2019 from Councilmember Feinberg to the Board of Supervisors of Elections with the question: that "she is unable to forward balances from prior reports."

Answer: Staff will research and forward instructions.

Motion: Board directed Chair Newman to work with staff to prepare email response to Councilmember Feinberg.

Moved by Boardmember Weiner, seconded by Boardmember Kurnick, and approved unanimously.

Question: Email dated July 3, 2019 from Councilmember Pierzchala to the Board of Supervisors of Elections with the question: "on Schedule 2, Column A, I cannot fill in any date prior to 5/1/2019. I have expenditures from January 2019."

Answer: Staff will research and forward instructions.

Question: Email dated July 3, 2019 from Councilmember Pierzchala to the Board of Supervisors of Elections with the question: "on the same schedule, under the expenditures section, I cannot insert more rows. I will have many more rows than are provided. This issue may apply to other columns."

Answer: Staff will research and forward instructions.

Question: Email dated July 3, 2019 from Councilmember Pierzchala to the Board of Supervisors of Elections with the question: "I made some expenditures on behalf of Friends of Virginia Onley but was reimbursed from that campaign. I have accounted for this by entering these as expenditures, with a note that it was for Friends of Virginia Onley. I marked the expenditure under the category Transfer to another Treasurer, then on the reimbursement, I put that in the contributions with a like notation. It all adds up; is this the way I should have done it?"

Answer: Staff will research and forward instructions.

Motion: Board directed Chair Newman to work with staff to prepare email response to Councilmember Pierzchala.

Moved by Boardmember Weiner, seconded by Boardmember Orlosky, and approved unanimously.

Question: The Board received a question regarding information on the Voter Database file. Voter History information is missing from the file.

Answer: Providing voter history is a customized request and normally not provided to the Candidate unless specifically requested.

Motion: Board directed Chair Newman to work with staff to prepare email response.

Moved by Boardmember Weiner, seconded by Boardmember Johnson, and approved unanimously.

Work Plan – Communication

The Communication Department presented alternative ways to communicate information to registered Rockville voters; Geofencing, short codes, Nextdoor.

Work Plan – Outreach

There was no discussion regarding outreach.

2019 Election Update

A second Candidate and Treasurer Campaign Finance Forms training is scheduled for Tuesday, July 30, 2019 from 7:00 p.m. – 9:00 p.m. Invitations will be sent out from the City Clerk's Office.

Certification of 2019 Election Candidates

Motion: to certify the candidacy of Bridget Donnell Newton for Mayor.

Moved by Boardmember Kurnick, seconded by Boardmember Johnson, and approved unanimously.

Motion: to certify the candidacy of Kuan Lee for Councilmember.

Moved by Boardmember Johnson, seconded by Boardmember Kurnick, and approved unanimously.

Motion: to certify the candidacy of Suzan Pitman for Councilmember.

Moved by Boardmember Johnson, seconded by Boardmember Orlosky, and approved unanimously.

Motion: to certify the candidacy of Monique Ashton for Councilmember.

Moved by Boardmember Johnson, seconded by Boardmember Weiner, and approved unanimously.

Old/New Business

Chair Newman asked for reconsideration of motion when to put the names of certificated candidates on the City's website.

Motion: Discussion was tabled for a future meeting.

Moved by Boardmember Kurnick, seconded by Boardmember Weiner, and approved unanimously.

Future Meeting

July 23, 2019 – (6:00 p.m. - 8:00 p.m.)

August 6, 2019 – (8:30 a.m. – 10:30 a.m.)

August 22, 2019 – (6:00 p.m. – 8:00 p.m.)

September 6, 2019 – (7:00 p.m. – 9:00 p.m.)

Adjournment

There being no further business, the meeting adjourned at 9:45 p.m.

Motion: to adjourn.

Motion to adjourn was moved by Boardmember Johnson, seconded by Boardmember Weiner, and approved unanimously.