



**REGULAR SESSION
MINUTES**

**WASHINGTON COUNTY BOARD OF ELECTIONS
July 9, 2024
17718 Virginia Avenue
Hagerstown, MD 21740
240-313-2050**

Present:

Board:

Tammy Downin, President
Kandace Carpenter, Vice President
Donna Brightman, Secretary
Nancy Armstrong, Assistant Secretary
Claudia Martin, Member
Brian Kane, Board Attorney

Staff:

Barry Jackson, Election Director II
Teresa Morningstar, Election Deputy Director II
Sarah Hall, Election Program Specialist I

Absent:

Guest:

President Tammy Downin called the meeting to order at 5:00pm at the Washington County Election Center, 17718 Virginia Avenue, Hagerstown, MD 21740.

Declaration of Quorum Present:

President Tammy Downin declared that a quorum was present.

Recess and Opening of Executive Session:

President Tammy Downin called for a motion to recess the Regular Board Meeting and open an Executive Session. Kandace Carpenter made a motion at 5:02 pm to go into Executive Session. Nancy Armstrong seconded, and the motion carried unanimously.

SUMMARY OF CLOSED SESSION HELD ON July 9, 2024

1. *Statement of the time, place, and purpose of the closed session:*

Time of closed session: 5:02 pm

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Place (location) of closed session: Election Center 17718 Virginia Avenue, Hagerstown, MD 21740.

Purpose of the closed session: (1) to discuss (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; and (13) comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

2. Record of the vote of each member as to closing the session:

Names of members voting aye: Tammy Downin, Kandace Carpenter, Donna Brightman, Nancy Armstrong, Claudia Martin

Members opposed: None

Abstaining: None

3. Statutory authority to close session:

This meeting was closed under the following provisions of General Provisions Art. § 3-305(b):

Topic #1: § 3-305(b) (1) **Topic #2:** § 3-305(b) (13) **Topic #3:** § 3-305(b) ()
(add others as needed)

4. Listing of each topic actually discussed, persons present, and each action taken in the session:

Topic description	Persons present for discussion	Action Taken/Each Recorded Vote
#1: Director's Performance Evaluation	Tammy Downin, Kandace Carpenter, Donna Brightman, Nancy Armstrong, Claudia Martin	None
#2: Confidential Voter	Tammy Downin, Kandace Carpenter, Donna Brightman, Nancy Armstrong, Claudia Martin, Barry Jackson, Teresa Morningstar, Sarah Hall, Brian Kane	None

After the discussion was completed, Claudia Martin made a motion to adjourn Executive Session and return to Regular Session at 6:15pm. Kandace Carpenter seconded, and all parties voted aye.

Tammy Downin called to reconvene the Regular Meeting at 6:15pm.

Approval of Draft Agenda:

Donna Brightman moved to accept the Draft Agenda and Nancy Armstrong seconded. Barry Jackson requested the following additions: to add reason number (13) to the

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Executive Minutes and to add to New Business:

- I. Confidential Voter
- II. MAEO Annual Conference

Tammy Downin raised a question about the ability to amend the By-Laws in regards to the time of the meetings. Donna Brightman recommended we table the By-Laws discussion until the August meeting to give Barry Jackson more time to receive notification from the State Board regarding the By-Laws.

The vote carried unanimously to accept the Agenda as amended at 6:21pm.

Approval of Draft Meeting Minutes:

Donna Brightman made a motion to accept the Regular Minutes for June 11, 2024 as presented. Kandace Carpenter seconded. Tammy Downin asked if it was necessary to list "consensus on recommendations" in the action taken of the June 11 Minutes? After some discussion and amendments, the motion passed unanimously to accept the Regular Minutes as amended at 6:25pm.

Donna Brightman made a motion to accept the Executive Minutes for June 11, 2024. Claudia Martin seconded, and the motion passed unanimously at 6:26pm.

Correspondence:

None.

Reports:

- I. Election Director
 - I. Personnel
 1. The George Award
 2. Telework Policy
 - a) The telework policy was signed and submitted. Carl Dayley is working on the VPN and working with the County to provide teleworking as an option. The minimum requirements to be able to telework are being explored.
 - II. Meetings:
 1. Director's Meetings:
 - a) Highlights of June 20th meeting:
 - (1) MEI v. SBE – Federal district court dismissed case, appealed to 4th circuit. Briefing this summer, decision by early next year?
 - (2) PEPs are due no later than July 30.
 - (3) New Pollbook Project – RFI submitted, responses received.
 - (4) New Voting System – RFP development underway.
 - (5) New Campaign Reporting Information System – RFP released, awaiting proposals.
 - (6) Petitions coming in the summer for Forward Party and Green Party.

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- (7) Petition for RFK, Jr.
 - b) Next Meeting: Thursday, July 25, 2024
 2. CISA TTX in McLean, VA on June 27, 2024
 3. Election Security Briefing to CWA on July 16, 2024
- III. Legislative Update: None
- IV. Voter Registration Activities and Statistics:
1. Registration Statistics for June 2024 were distributed to the Board.
- V. Candidate Filings: N/A
- VI. Voting System Activities:
1. Post Election Maintenance currently underway.
 2. Shred event of unvoted ballots and old provisional applications.
- VII. Projects:
1. Ballot Drop Box Security Camera installations finally completed on July 2nd with Keedysville.
 - a) Tammy Downin asked if an incident were to occur would there be notifications or monitoring from the new camera? Barry Jackson reported that there would be no notification of an incident, but all recordings will be saved daily for review if needed. The camera for Keedysville is uniquely attached to the drop box, whereas, all other drop box cameras are attached to the building nearby. The Keedysville camera will be reinstalled on the drop box once the drop box is delivered for the General Election.
 2. Comprehensive Audit
 3. Election Board Night at Meritus Park!
 - a) The night was a success for the current election judges and for recruiting purposes. The Board received positive feedback from many election judges and would consider the event again in the future.

Barry Jackson asked, per the discussion at the last board meeting, "Who has been successful in creating a .gov email address?" Kandace Carpenter asked if it was necessary or can the offer to have the email address be declined? Brian Kane noted that with a .gov email account, Public Information Act concerns may arise. There was a general consensus that the .gov email was unnecessary for the board members.

II. Attorney

Brian Kane stated that currently the only case that involved Washington County specifically had been dismissed by the trial court and is pending in the 4th Circuit Court on appeal.

Unfinished Business:

I. Recap of 2024 Primary Election

Donna Brightman asked if any Board members had notes to share from their election day experiences. The personnel issues were discussed and the actions that had been taken regarding them.

Tammy Downin requested that the most relevant topics concerning deadlines, appointments, meetings, etc. be as up to date as possible and given to the Board members with more advanced notice. Tammy Downin also requested as much advance notice as possible for anything pertinent to the Board that might be coming from the State.

Donna Brightman's notes from election day included that several election judges had requested the ability to work in shifts for election day, instead of working a full day. Some election judges felt that a 14-hour shift was too long.

It was also noted that election judges had expressed concern about waiting several months to be paid for their election related work, but this concern has since been remedied.

Kandace Carpenter asked Barry Jackson to state the issue(s) concerning election judges working in shifts and if it was even a possibility as far as the State is concerned. Barry Jackson responded that one of the issues with shift work on election day would be having enough employees to fill the shifts.

Donna Brightman asked for clarification on the process of assigning election judges to Early Voting locations and dates. It was reported to her by election judges that election judges who had requested to work several early voting days were only able to secure work for one day and were told that he/she could not be scheduled for more due to county payroll restrictions. Several other board members had also heard from election judges that they too had wanted to work additional early voting days, but did not receive the assignments. Barry and Teresa replied that there are different levels of "payroll," and each election judge falls into a specific category. The election judge's payroll category may cap his/her potential earnings. The election judges had received a raise this year which meant that the cap on potential earnings would be met with only a few days of work for the year. Brian Kane wondered if the cap on earnings and tax withholding was a County policy or a federal requirement?

Kandace Carpenter asked if it would be in the best interests of the Board to allow all election workers to be included in the highest bracket and treat everyone the same? The possibilities concerning payroll will be further researched.

Barry Jackson noted that the process of signing up for early voting days which allowed some election judges to see that others had been signed up for multiple days is being revised.

Donna Brightman reported that she had seen a scanning unit judge at Pleasant Valley Baptist Church that appeared to not be following the training protocol for his position. She asked if it was important to call attention to these things when board members do witness them? Barry Jackson said that it was important to address any issues with the chief judge at the location.

Donna Brightman also reported that election workers had requested more ballot marking devices at each polling place. Barry Jackson responded that the supply of ballot marking devices is limited by the State and Washington County received permission by SBE to send out more than the maximum allowed to each polling

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place. One polling place location, according to Donna Brightman, had a ballot marking device on a couple of shaky tables and really needed additional ADA tables. She also mentioned that Downsville did not have a provisional judge table. It was reported that the Downsville polling place also had police surveillance that did not appear to be requested. Brian Kane wondered if the sheriff's office could be contacted and made aware that the appearance of the increased police presence may be intimidating.

Donna Brightman mentioned that the Sharpsburg polling place had confusing signage both outside and inside the polling place; none of the tables had signs on them. Barry Jackson replied that the poles for the signs marking each step of the voting process were going to be reinstated as part of the chief judge's equipment for the General Election in the fall.

Parking was an issue for several locations, including schools that appeared to have many voters, but the cars belonged to teachers that were present for in-service learning.

Donna Brightman noted that it would be helpful to have backup phone numbers for each polling place, in the event that staff may need to re-enter a polling place to retrieve election related material on election night.

II. Summer Family Picnic

Kandace Carpenter requested, for planning purposes, a definite number of attendees for the upcoming picnic. The office will put a google sheet together and share it with the board members. The sign-up sheet may include each dish or supply needed for the event.

III. Christmas Dinner

Several locations for the Christmas Dinner were discussed. Cost and availability excluded both *Runways* and *Bistro 11* for the Christmas Dinner. *Fireside* was available and could accommodate the group that would be attending. *Fratelli's* received a positive response and was available to host the Christmas Dinner. *Jimmy Joy's* was also suggested as a possibility. The possible dates for the event are either December 5th or December 12th. More information is needed for a final decision.

New Business:

I. Confidential Voter

Barry Jackson requested the approval of the confidential voter's request, which was discussed in closed session. Kandace Carpenter made a motion to accept the approval for the confidential voter. Nancy Armstrong seconded, and the motion passed unanimously at 7:29pm.

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II. MAEO Annual Conference

The MAEO Annual Conference is August 20, 2024, beginning at 9:00am. Attendance is not required. The meeting may be attended in-person or virtually. During the meeting the results of the MAEO Board members election will be announced. Some of the office staff will be attending in-person and others will be attending virtually.

Members Remarks:

Tammy Downin requested that, in regards to "Future Events," the Agenda should list any events (i.e. MAEO Conference) or deadlines that directly impact the Board members. Any out-of-town dates that are not pertinent to the Board members themselves do not need to be included.

Tammy Downin requested clarification of the Board members' schedule for October canvass dates. Barry Jackson responded that the schedule for the fall has not yet been finalized. However, October 15th and 21st are likely MIB canvass dates. October 15th is the earliest date, set by the State, for a MIB canvass. November 1 was another canvass date that the Board members were asked to keep available.

Confirmation of Next Meeting:

There will be a Special Meeting, in closed session, July 23, 2024 at 3:00pm. The next Regular Meeting of the Washington County Board of Elections will be held on Tuesday, August 13, 2024 at 5:00 pm. The location is Washington County Election Center, 17718 Virginia Avenue, Hagerstown, MD; as pursuant to the Bylaws of the Washington County Board of Elections, Article 3, Section 3.3(A) 8.

Distributed Information:

Board Packet

Future Events:

July 16 – Barry speaking at CWA meeting

July 18-24 – iGO Annual Conference

August 17 – Family picnic at Kandace's house (4:00pm)

Adjournment:

Tammy Downin called for a motion to adjourn the Regular Board Meeting. Nancy Armstrong made the motion to adjourn the Regular Meeting. Claudia Martin seconded. The motion passed unanimously and the Regular Meeting concluded at 7:46pm.

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Compiled by Sarah Hall
Election Program Specialist I

Respectfully Submitted,

Tammy E. Downin 8/13/24
Tammy Downin, President Date

Donna Brightman August 13, 2024
Donna Brightman, Secretary Date