

**Village of Martin's Additions**  
**7013 Brookville Road, Suite B, Chevy Chase, MD 20815**

**Election Committee Meeting Minutes**  
**April 29, 2021**  
**7:30PM**

**VIA ZOOM CONFERENCE CALL**

**Election Committee Members Present:** Tiffany Cissna; George McAleese; Anna Meenan. **Village Manager:** Niles Anderegg. **Village Attorney:** Ron Bolt. **Residents and any other Attendees:** There were about 45 devices logged-in to the Zoom call.

**7:31PM Call to Order: Cissna**

Mrs. Cissna notified the candidates and other participants that questions had been raised relating to recording of the meeting. Recording is typically allowed under the Open Meetings Act because there is generally no reasonable expectation of privacy at a public meeting. Since the Committee had been notified by one of the candidates that they may record the meeting, the announcement was made to inform attendees so they may decide whether to turn their cameras or microphones on or off.

**Resident Comments**

Mrs. Cissna invited residents to comment on the 2021 election vote counting procedures. Residents discussed voter roll issues and the possibility of extending the May 20, 2021 deadline. The Committee asked the Village attorney to review whether the 2021 Election Plan requires ballots postmarked by the stated "postmarked by" deadline of May 13, 2021 to be counted without regard to when they are received.

**Committee discussion regarding vote counting procedures: Cissna**

Mrs. Cissna reviewed the 2021 election vote counting procedures. For background, the Committee started with the informal procedures used by last year's Committee to count the all mail-in votes as an initial basis. Then, the Committee drafted the procedures for this year's all mail-in vote counting. For the most part, the process will be largely similar to the processes for last year's all mail-in election vote count with the same vendor. Broadly speaking, the process starts with the professional election services provider (i.e., ELECTEC) sorting the ballot return envelopes into conforming and nonconforming stacks, and then the Committee adjudicates the non-conforming return envelopes on a case-by-case basis. Then, the ballot return envelopes are removed and sequestered before the secrecy envelopes are opened and the ballots fed into the tallying computer. Then, the Committee reviews all machine-identified non-conforming ballots and all ballots with a write-in candidate(s) and adjudicates on a case-by-case basis any non-conforming ballots. The Committee and the vendor will both track any challenges, decisions, and objections from the candidates/observers.

There are two significant differences this year. First, one observer per candidate will be permitted to be present for the entire vote count and may raise an objection to (1) the acceptance of a ballot from a voter who has submitted more than one ballot; (2) a Committee decision to not accept a ballot return envelope; and/or (3) a Committee adjudication concerning a ballot rejected by the tallying computer. Objections must be raised immediately. Second, the Committee will not certify the results until after receiving written confirmation of the final tally from the vendor following their own routine, independent, internal verification process.

### **Resident Comments**

Mrs. Cissna again invited residents to comment on vote counting procedures for 2021. Residents discussed recording the undervotes and providing the audiovisual recording from ELECTEC to all candidates after the election. The Committee agreed to see if ELECTEC would provide their recording to the Village for dissemination. The Committee and Village Attorney did not see an issue, but noted that staff will need to inquire whether the vendor would raise proprietary or similar concerns. Candidates and residents also discussed the procedures for a recount requested by a candidate or named observer. Mr. Bolt explained that the Village does not have written procedures in place that have been approved by the Council, and so post-election review may require judicial action as it does under State law.

### **Committee vote on sending vote counting procedure to Council:**

Mr. McAleese proposed adding an amendment to the vote counting procedures report to include numbers of undervotes. The Committee also discussed that ELECTEC and the Committee should both maintain a record of any challenges and their outcomes. Mr. McAleese moved that the Committee should submit the 2021 voting procedures to Council with the two amendments. Mrs. Meenan seconded the motion. All voted in favor.

### **Closed Session: Cissna**

Mr. McAleese moved that the open meeting move to a closed session to seek legal counsel in accordance with Section 3-305(b) of the Open Meetings Act (Maryland Code, General Provisions Article). Mrs. Meenan seconded the motion. All voted in favor. The meeting moved to a closed meeting at approximately 9:00 PM.

### **Adjournment:**

The meeting adjourned at approximately 10:10 PM.