

Election Committee Meeting  
3-6-23 at 7:30PM

This meeting will be held on Zoom.

Agenda:

1. Call to Order
2. Resident Comment
3. Review and Approval of Minutes
4. Celebration on the Sidewalk Discussion
5. Instructions for Vendor
6. Voter Roll Development Procedures
7. Candidate Forum Planning
8. Ballot Packet/Instructions Draft
9. Request Tracking Plan
10. Communications Planning
11. Resident Comment
12. Closing

Village of Martin's Additions is inviting you to a scheduled Zoom meeting.

Topic: Election Committee Meeting

Join Zoom Meeting

<https://us02web.zoom.us/j/89731935548?pwd=ZEloQUd3UWRqMFFVRHNRZm1CZDVhQT09>

Meeting ID: 897 3193 5548

Passcode: 876670

Dial by your location

+1 301 715 8592

1 VMA Election Committee Meeting Minutes

2 February 2<sup>nd</sup>, 2023

3 Members: George McAleese; Alison Price; Eric Shaw (Ben Dunford not present)

4 7:06: Opening

- 5 • George McAleese called the meeting to order.

6 7:07: Welcome

- 7 • The Committee agreed that meetings would be recorded.

8 7:08: Approval of December 13<sup>th</sup> Committee minutes

- 9 • George moved to accept the draft December 13<sup>th</sup>, 2022 Committee meeting minutes.  
10 ○ Eric seconded.  
11 ○ **Motion PASSES (Vote 3-0)**

12 7:09: Resident Comments

- 13 • Susan Kahn expressed appreciation to the Committee and Council for their work and the  
14 2023 Election Plan. Discussion was held relating to the chat function during meetings on  
15 Zoom.  
16 • Marty Langelan asked a question relating to the election contract. She asked a question  
17 relating to name rotation on the ballot. She asked a question relating to the handling of  
18 information on nominees and addressing issues relating to candidate materials. She asked  
19 a question relating to the length of candidate statements.  
20 • Susan Kahn expressed comments relating to the schedule of the election plan.  
21

22 7:31: Administrative Issues

- 23 • Timing of Meeting Scheduling  
24 • Taking Minutes  
25 • Access to the mailbox/Sharedrive  
26 • Use of the box during the election period for communicating with candidates  
27 • Maryland Open Meetings Act training  
28 • Ethics Training  
29

30 7:40: Reviewing the Timeline

- 31 • Understanding Key Dates & Product Development  
32 ○ Discussion of additional communications if there are fewer candidates than open  
33 spots one week prior to nominations deadline  
34 ■ George motions to have additional communications if we have fewer  
35 candidates than open spots one week prior to nominations deadline  
36 ■ Eric seconds

- 37                   ▪ **Committee APPROVES (3-0)**
- 38           ○ Discussion of instructions to election service provider
- 39                   ▪ Eric will take lead on developing initial language
- 40           ○ Discussion of process for developing plan for developing the voter roll
- 41                   ▪ Alison will take lead on developing draft plan
- 42           ○ Development of language for opening of nominations period and nominations
- 43                   requirements
- 44                   ▪ George will take lead on draft language
- 45           ○ Discussion on development of products and processes
- 46                   ▪ Candidate forum process/tools
- 47                   ▪ Development/mailing of election packet
- 48                   ▪ Development of ballot packet
- 49                   ▪ Vote counting procedures
- 50                   ▪ Processes relating to ballot box procedures
- 51                   ▪ Election Day processes
- 52                   ▪ Election Report
- 53           ○ Discussion of Vote Counting Night Procedures
- 54           ● Discussion of state and county ballot curing processes
- 55                   ○ Need for future conversations with Village Attorney to get clarification on those
- 56                   procedures
- 57                   ○ Michael will reach out to Ron about the ballot curing process
- 58           ● Discussion of submitting COI forms to Ethics Committee for review
- 59                   ○ Lorie Mitchell provided information on updated conflict of interest form and
- 60                   promised to let Committee know if the Ethics Committee will request forms for
- 61                   review again
- 62                   ○ George proposed including notice to candidates that COI forms may be shared
- 63                   with Ethics Committee
- 64                   ▪ Lorie added information that COI forms are public documents and could
- 65                   be requested by any member of the public
- 66                   ▪ It is on the COI Form and on the Village rules
- 67                   ▪ Lorie added that declared conflicts of interest are not disqualifying, but are
- 68                   informational
- 69                   ▪ Committee will include information that COI forms are public document
- 70           ● Discussion on public ability to request access to anything sent to the inbox
- 71           ● Discussion of vote counting processes
- 72                   ○ Done via Zoom
- 73                   ○ Noting of raising challenges to the ballots or the curing process
- 74                   ○ Village Attorney will be present for the vote counting evening
- 75           ● Michael expressed that he hopes plans and processes can be done in an evergreen manner
- 76                   to be able to be reused.
- 77           ● Discussion of formatting requirements for Constant Contact/printing requirements for
- 78                   candidate statements
- 79                   ○ Michael will review and share with the Committee

81 8:23: Communications Calendar

- 82 • Creation and use of communications calendar  
83

84 825: Election Service Provider Contract Language

- 85 • Eric feels the process for the providers is a bit of a black box and would like additional  
86 information clarified and laid out  
87 • Discussion of the process for choosing a vendor  
88 • Discussion of integrating requirements and expectations into the contract  
89

90 8:37: Resident Comments

- 91 • Peter Kahn provided resident comment relating to the voter roll procedures. He provided  
92 additional comment relating to the instructions to the vendor. He provided additional  
93 comment relating to the communications plan.  
94 • Marty Langelan provided resident comment relating to the communications plan. She  
95 provided additional comment relating to the COI forms. She asked question relating to  
96 “uncontested” elections. She provided additional comment relating to the ballot curing  
97 process.  
98 • Susan Kahn provided resident comment relating to existing processes, including the voter  
99 roll development process. She provided additional comment relating to communications  
100 plan. She provided additional comment relating to ballot curing processes.  
101 • Marty Langelan provided resident comment relating to the ballot curing process. She  
102 provided additional comment relating to the Candidate Forum.  
103 • Peter Kahn provided resident comment relating to the ballot curing process.

104 9:05 Closing

- 105 • Eric moves to adjourn.  
106 ○ George seconds.  
107 ○ **Motion PASSES (3-0)**  
108

## **FEB 2023 DRAFT: INSTRUCTIONS FOR THE ELECTION SERVICE CONTRACTOR**

**Voter roll:** The VMA Election Committee will verify and certify the VMA voter roll before sending it to the mail-vote service contractor in April. Voter roll changes after the roll has been certified: The Committee will instruct the contractor in writing, by email, (a) to add new voters through May 10, once the Committee has verified their status; (b) to cancel the previously assigned ballot security number before sending a voter a replacement ballot; and (c) to cancel the voter's ballot security number if the Committee removes a voter from active status. The Committee and the contractor will each keep a complete written record of all instructions and actions re: the list of voters and issuance of ballots.

**Mailing date for the ballot packets:** Election Day is May 10. The contractor must mail the ballot packets to the voters after the candidate forum in late April. Completed ballot envelopes must be received at the contractor's P.O. Box by 5 pm on May 23. The Committee requires the contractor to mail early ballot packets to a the Election Committee Members for review prior to the general mailing to Village residents. The Committee will have 24 hours to review and approve the packet.

### **Specifications for the ballot packet:**

1. Please provide the draft ballot packet (including the voting instructions, ballot format, and envelopes) to the Committee for review at least two weeks before the planned mailing date. The Committee will check the content, format, clarity and accuracy of the draft documents and vote to approve the packet before authorizing the contractor to send it to the voters.
2. Rotate the candidates' names on the ballot format to prevent positional bias.
3. Include the blank lines on the ballot for the write-in votes.
4. Provide postage-paid ballot return envelopes, and the inner envelope to protect voting privacy.
5. Assign a random 6-digit security control number to each voter, and print that number on the voter's ballot return envelope.
6. Print the affidavit/affirmation form on the back of the return envelopes.
7. Put USPS tracking codes on both the incoming ballot packets and the return ballot envelopes.

### **Ballot return envelopes and vote counting:**

1. Make arrangements with VMA staff for the Committee, the candidates and their representatives, and residents to view the envelope-adjudication and vote-counting process by Zoom or other remote means.
2. Count all ballot return envelopes that are received by 5 pm on May 23. Inform the Committee about the number of ballot envelopes that are still in postal transit as of 5 pm on May 23, prior to the vote counting.
3. On May 24, before opening the ballot return envelopes, set aside any non-conforming envelopes and present them for Committee adjudication. A return envelope that is unsealed, was not issued by the contractor, does not have a valid control number, or does not have a signed affidavit, is non-conforming. The Committee will promptly contact voters to correct any curable ballot envelope problems. If voters within the same household have merely switched their return envelopes, those envelopes are valid.
4. On the Committee's instructions, open the valid envelopes and tally the votes by machine count. Present any non-machine-readable ballots for Committee adjudication, to complete the preliminary vote count. Work with the Committee to resolve any remaining questions about the final vote count.
5. Within 24 hours, provide the Committee with a complete certified Official Count of Ballot Report on all votes received, including the name and number of votes for each write-in candidate, the number of envelopes, ballots and/or votes that were disqualified, and the reasons for the disqualifications. If candidates or their representatives raise objections during the envelope-adjudication and vote counting process, the Committee will resolve such objections in an open meeting before certifying the final vote count for the Village.

**Election materials:** Securely return all ballots, envelopes, and other election materials to the VMA office by mail or courier. Thank you.

## **VMA Elections Committee – 2023 Election: Voter Roll Procedures**

### **I. Voter Eligibility?**

- a. Charter Section 301, defines "Qualified Voter" as "any person who owns property or any resident of Martin's Additions who is eighteen years of age or over."
- b. Charter Section 301 defines "Resident" as any person who resides in Martin's Additions."
- c. Anyone, including a student who is eighteen years of age or over and resides elsewhere during the school year, who maintains a permanent address in Martin's Additions is deemed a resident and entitled to vote in the Village Council election.
- d. Voters in Martin's Additions need not be registered to vote in Montgomery County or in the State of Maryland and need not be U.S. citizens.
- e. Where a property is rented, both the renters and the owners over the age of eighteen may vote.
- f. Qualified voters must be natural persons

### **II. Timing: Voter Roll**

- a. The Voter Roll shall be prepared annually during the first week of April and submitted to the designated election vendor to allow time for the printing and mailing of ballots.

### **III. Voter Roll Process**

- a. The Voter Roll must be reviewed and updated annually.
- b. Processes for providing updates and relevant information relating to the Voter Roll may include, but are not limited to:
  - i. Conducting a review of notifications of move-ins/move-outs in the Village;
  - ii. Conducting a data merge between the county voter list for VMA's precincts and the most recent version of the Voter Roll;
  - iii. Conducting a check against relevant property records to address questions relating to property ownership; and/or
  - iv. Conducting a query of public records databases to identify potential ownership, residency, or occupancy information;
- c. In preparation for the submission of the Voter Roll to the designated election vendor, the Village Manager will provide the following information to the Election Chair and the Election Committee:
  - i. The current Village Voter Roll;
  - ii. Any identified issues or areas of concern with the Voter Roll;, and
  - iii. Any data sources for updates to the previous year's Voter Roll.
- d. The Election Committee will review the information provided by the Village Manager, the relevant records, and the Voter Roll, identifying any names and addresses for which (1) owners or residents cannot be verified; (2) conflicting information has been identified during the review of the Voter Roll, the Village directory, or county voter records; or (3) issues have been identified by the Village Manager..
- e. The Election Committee will then vote to either (1) begin a review of any name and address identified as having an outstanding issue or (2) decline

to conduct further review and leave the status unchanged. Where the Election Committee votes to continue review, the review process is as follows:

- i. The Election Committee Chair will designate member(s) of the Committee who will utilize the most recent electronically available contact information from the Village Office to reach out to the potential voter by email and a phone call to (1) communicate the issue that has arisen as to voter eligibility and (2) to gather additional information.  
Simultaneously, the designated member shall coordinate with the Village Manager to send a written notification via mail to the potential voter at their listed address. The outreach should inform the potential voter that a question has arisen related to their eligibility to vote in the upcoming election and request that the individual in question reach out to the Committee or the Village Office to resolve the question.
- ii. Where the Committee and/or Village Office receives additional information on outstanding issues within a reasonable time, the Committee will proceed as follows:
  1. If the outstanding issue relates to a potential voter, and the additional information confirms the individual is eligible to vote and would like to be added to the Voter Roll, the Committee will coordinate between the qualified voter and the Village Manager to ensure the voter is added to the Voter Roll.
  2. If the issue relates to a previously qualified voter who is already listed on the Voter Roll, and additional information confirms the individual remains eligible to vote, the Committee will add notes to a single document tracking the name of that voter along with the steps taken to confirm eligibility, which information will be provided to the Village Manager.
  3. If the outstanding issue relates to a previously qualified voter and additional information demonstrates the person is no longer eligible to vote in the Village Election, the Committee from the Voter Roll will maintain a file noting the name and address of the ineligible individual to ensure no ballot is mailed to them, or any ballot envelopes mailed to them are voided, and document the steps taken to confirm ineligibility.
    - a. If it is not possible for the individual to be removed from the Voter Roll prior to Election Day, the Committee will vote, based on the evidence before it, on designating the individual as “Not Qualified”.
- iii. If there is no response to outreach efforts within a reasonable period of time, the Committee may vote to declare the individual

- “Not Qualified” and remove them from the list of qualified voters receiving a mailed ballot.
- f. The Committee and Village Manager, working in coordination, will develop a list of individuals deemed “Not Qualified” who will not be mailed ballots nor included on the version of the Voter Roll submitted to the Election Vendor.
    - i. The Committee and Village Office will work to provide notice of the Committee’s vote, where possible, to any individuals designated as “Not Qualified”, as well as information relating to the Challenge process set forth below.
  - g. The Committee and Village Manager will review the updated Voter Roll and compare it to the list of “Not Qualified” individuals, and will ensure that the updated Voter Roll reflects the designations set forth by the Committee in its decisions to mark individuals as “Not Qualified”.
  - h. The Committee will provide notice through the Village communications reminding residents and qualified voters that they can reach out to the Village Office if they have a question relating to their status on the Voter Roll or if they have undergone a change in status (such as turning 18 or recently moving to the Village) making them eligible for inclusion on the Voter Roll.

**IV. Transmitting the Voter Roll to the Vendor**

- a. Upon conclusion of the process delineated in Section III, the Committee will vote to authorize the Village Manager to send the Voter Roll to the election contractor.
  - i. This version will not include any individuals designated as “Not Qualified” through the Committee process outlined above.
- b. Authorization of the transmission of the Voter Roll to the vendor may be addressed administratively between the Committee members.
- c. The copy of the Voter Roll designated by the Committee for transmission to the election vendor will be duly marked and recorded with the time and date of its approval.

**V. Adding to the Voter Roll**

- a. Pursuant to the Election Plan, new voters may request to be added to the voter roll up to 12:00 PM on Election Day, May 10, which is the ballot drop-off deadline.
- b. Voters seeking to be added to the voter roll should be prepared to show a driver’s license, a utility bill, or other documentation acceptable to the Committee in its sole discretion, showing the voter’s Martin’s Additions address.
- c. If a new voter provides the required documentation after the transmission of the voter roll to the vendor, the Committee Chair will coordinate with the Village Manager to direct the contractor to send a ballot to the new voter, in time for that ballot to be voted and returned prior to the deadline for ballot receipt on May 23.

**VI. Cancellation of Ballots & Removal from the Voter Roll**

- a. If, following the transmission of the voter roll to the election vendor, an individual identifies that they are no longer a qualified voter or requests to be taken off of the voter roll, the Village Manager and the Election Chair will communicate with the election vendor to cancel any outstanding ballot control numbers related to that individual and provide appropriate notice to the Committee.

**VII. Challenges**

a. Challenge to a Removal from the Voter Roll

- i. If an individual has a good faith belief that they were improperly removed from the Voter Roll, they may file a challenge by notifying the Committee via its email inbox.
- ii. This challenge may only be brought by the individual removed from the Voter Roll or their duly designated representative.
- iii. Challenges should be raised no later than 12:00 PM on May 10<sup>th</sup>, Election Day.
- iv. The challenging party will have a reasonable opportunity to present or share evidence with the Committee relating to why a previous decision declaring them to be “Not Qualified” is improper, inaccurate, or otherwise in need of reconsideration.
- v. Based on the totality of the evidence, the Committee will vote to determine if the individual should be restored to the Voter Roll and list of “qualified voters”.
- vi. If the individual is successful in their challenge, the Committee will coordinate with the Village Manager to work with the election vendor in order to have a ballot mailed to the individual with sufficient time to allow for the ballot to be returned prior to the vote return deadline of 5:00 PM on May 23<sup>rd</sup>.

b. Challenge to Remove Individual from Voter Roll

- i. A resident or qualified voter may raise a challenge relating to inclusion of a name on the Voter Roll that the challenging party has a good faith belief is no longer a qualified voter.
- ii. The challenge must be raised no later than 12:00 PM on Monday, May 2<sup>nd</sup>.
- iii. The challenging party must provide notification to the Committee via its inbox of a challenge, including the name and address of the voter whose place on the Voter Roll is being challenged, along with any evidence that they believe supports their challenge.
- iv. The Committee will review the evidence and vote on advancing consideration of the challenge. If the Committee votes in favor of advancing the challenge, the Committee will follow the process laid out in Section III (e) to gather additional information relating to the voter’s qualification and eligibility.
- v. The individual whose eligibility is being challenge will have opportunity to present any relevant information to the Committee to support its decision-making.

- vi. After conclusion of the process described above, the Committee will vote on a determination that the voter is qualified or not qualified. A determination of “not qualified” will warrant following the relevant processes for cancelling any outstanding ballots or removing the name from the list of people being mailed ballots.

**VIII. Certification and Record-Keeping**

- a. After the conclusion of the deadline for changes to the Voter Roll, the Committee Chair will review the current copy of the Voter Roll to review that it reflects any updated information. The Chair will then certify the Voter Roll by signing and dating a copy of the updated Voter Roll, initialing and dating the pages, and completing and signing the form attesting that it is the final version being used for the 2022 VMA Council Election.

DRAFT