

**Election Committee Meeting
November 30, 2023, 7:45 PM**

Agenda

7:45 Call to order. Welcome to all participants.

7:50 Review the Committee's main duties and timetable:

- Set the dates for election day and the other 2024 election components - *done*.
- Review the election rules and procedures, and submit the proposed 2024 election ordinance to the Council before the December 2023 Council meeting - *now in progress*.
- Begin to verify the voter roll for 2024, starting in January.
- Open the nomination period in February...

7:55 Approve the minutes from the Committee meeting on November 13. Set the schedule for the next two Committee meetings. Review the election comments in the 2023 Village survey. Discuss distribution of the Committee's RFP, which the Council approved on November 16.

8:05 Residents' comments, questions, and suggestions.

8:10 **ACTION ITEMS** at this meeting:

This is the fourth public working session to review the 2023 election documents that the Committee is using as the basis for 2024: the rules and procedures ordinance, the voter roll verification procedure, the instructions for the mail-vote contractor, the forum procedure, the vote-counting procedure, and the contract. The Committee has been updating the documents to (1) incorporate the new definition of "qualified voter" that the Council adopted in September 2023, (2) consolidate the procedural documents and make them long-term standard procedures by replacing the 2023 dates with the appropriate generic language, and (3) ensure that the resulting procedural documents are clear and complete. Community input is welcome.

A. Review and vote on the third draft of the consolidated rules and procedures document.

B. Review and vote on the second draft of the updated voter roll verification process.

C. Discuss the draft public explanation of the ordinance, per the Council's SOP for introducing ordinances.

9:00 Discussion of any other procedural election issues.

9:05 Residents' comments, questions, and suggestions.

9:10 Committee task assignments.

9:15 Adjourn.

Join Zoom Meeting:

<https://us02web.zoom.us/j/89731935548?pwd=ZEloQUd3UWRqMFFVRHNrZm1CZDVhQT09>

Meeting ID: 897 3193 5548

Passcode: 876670

Dial-in: (301) 715-8592

Election Committee Minutes from the November 13th 2023 meeting

The 2024 Election Committee held its fourth meeting on November 13th by Zoom.

In attendance: Katie Howard, Council liaison, and Arthur Alexander, Council chair. Michael Silliman, Village manager. Committee members Marty Langelan, Jen Bergeron, Naomi Naierman, Paul Weller and John Sharrow. Village resident Larry Wasson also participated throughout the meeting.

Marty, the committee chair, called the meeting to order at 7:47 PM. The committee confirmed its next two meeting dates for November 30 and December 6 at 7:45 PM. The committee approved the minutes from the November 1st meeting.

The committee discussed the draft RFP for a short-term contractor to verify the 2024 voter roll, and unanimously approved the RFP and specifications document, to present for Council approval at the November 16 Council meeting.

The committee inquired of Michael, if the VMA mail-vote contractor Electec could provide the expertise for the Voter Roll Verification RFP. Michael said he would ask Electec. Larry Wasson raised the issue of voter roll integrity due to the new VMA definition of “qualified voter” and concerns that the voter roll had jumped from 625 to 747 voters in the 2023 election cycle. The committee discussed whether the 2024 verification should start from scratch or from the previous election year. The Committee decision was to use the 2023 data as the starting point for the 2024 voter verification process.

John asked if the Village attorney could review the draft 2024 Rules and Procedures document before the committee submits it to the Council in December. John noted that the consolidated document allows the election committee some management discretion in some areas, to adjust some elements of the election mechanics if needed. The committee agreed that it would be helpful to have the attorney provide us with comments on the next draft of the document. Marty will ask Katie, the liaison, to arrange for that.

The committee then turned to its review and discussion of the Election Rules and Procedures. Each committee member had a copy of the Second Mark-up of the proposed overall ordinance, with the prior approved changes. The committee reviewed and discussed each portion of the draft, to ensure that the document was clear, logical, and complete, to firm up the standard procedures for future election cycles.

The committee held a series of specific votes to approve the draft document section by section. All votes were unanimously in favor.

The draft is based on the 2023 election procedures that the Council approved. The committee confirmed the following changes for 2024:

- Keep the procedures and election timetable but remove the specific 2023 dates, so future committees will not have to revise the ordinance every year. The standard election procedures should not change from year to year.
- Consolidate all five of the 2023 procedural documents into a single overall ordinance for 2024.
- Have the “purpose” statement say fair and independent elections.
- Move the Charter references up to the opening portion of the document, and reconstruct the paragraphs there to put the information regarding the VMA Council in the first paragraph and the election committee information in the following paragraph. Specify five members for the committee.

- Set a firm period for election day to be held between May 1st and May 15th each year, to make the structural timing of the rest of the election cycle clear and workable.
- Incorporate the Council's new definition of "qualified voters." Add the new provision based on that definition, to allow non-resident owners who are temporarily away from VMA to request a ballot by filing a standard form. Increase the proposed maximum time away from VMA for non-resident owners from 5 to 7 years (people may sometimes have two 3-year foreign service assignments back-to-back).
- Clarify that new VMA voters (those who are not on the County voter roll) must provide some documentation, such as a driver's license, for the committee to add them to the VMA voter roll.
- Simplify the nomination process, with a single candidate filing date 45 days prior to election day.
- Increase the allowable length of the candidate statements to 1000 words, from 700 last year, to provide more free speech and flexibility for the candidates and more information for the voters.
- Make the due date for ballot receipt the same as the vote-counting date so that all ballots that arrive in time for the vote counting will be included.
- Clarify the time period for the ballot-curing process.

The final remaining piece of the overall 2024 ordinance is the voter roll verification procedure, which Jen and Marty are working on. That was a separate document in 2023 and will be Appendix A in the 2024 ordinance. The committee briefly discussed the multi-step voter verification process and the required documentation. There is a mandatory notification process before anyone can be removed from the VMA voter roll, and a right to appeal. The committee is committed to protect the right to vote, for all qualified VMA voters. The committee will review and vote on the proposed verification procedure document at its next meeting.

The committee meeting adjourned at 9:25 PM.

Respectfully submitted by John Sharrow.

DRAFT

November 25, 2023

Formatted: Font: 14 pt, Font color: Red

Formatted: Font color: Red

**THIRD DRAFT – CONSOLIDATED ELECTION ORDINANCE
per the second draft approved by the Committee on November 13, 2023**

Based on the 2023 Election Rules and Procedures
as adopted by the Council on 1-19-2023

VMA ELECTION ORDINANCE

I. Purpose

The purpose of this Ordinance is to provide for fair and independent elections in the Village of Martin's Additions and to ensure that all qualified voters are able to freely exercise their right to vote.

II. The Village Council Election Process

The Village of Martin's Additions ("VMA") is governed by a municipal Charter that provides for a five-member elected Village Council ("Council"). Per Charter Section 602, Council members are elected to terms of two years. The number of seats open on the Council alternates between two and three seats every other year. Vacancies are filled per Section 408. Charter Section 301 defines the residents who are qualified to vote.

The Council appoints an Election Committee ("Committee") that operates according to rules and procedures adopted by the Council, in accordance with the Village Charter and this Ordinance. The Committee is the municipal government body that verifies and certifies the voter roll, accepts nominations of candidates for the Village Council, and conducts the annual elections. The Committee shall consist of no fewer than five qualified voter volunteers appointed by the Council. The Council may appoint additional qualified voters as short-term assistant Election Committee members, as needed. Committee members complete an Oath of Office and a conflicts of interest disclosure statement, as provided by the Village. To maintain independent, impartial elections, the Charter requires that the VMA elections be managed by the Election Committee, not by the Council or Village staff. The Committee issues the election notices, authorizes the ballots, coordinates the electoral process with the election service contractor, conducts the vote counting, and certifies the election results.

III. General Provisions

1. The Election Committee shall set the date of Election Day between May 1 and May 15, on a date determined from year to year in accordance with Section 602 of the Charter.
2. Each year the official election notices and details of the election cycle for that year shall be published in the Village newsletter and in the Village election information packet that is mailed to the Village households.
3. No later than seventy-five (75) days prior to Election Day, the Committee shall open the nomination period by public notice and request that declarations of candidacy and nominations of candidates be submitted in writing to the Committee. Any qualified voter may declare their candidacy or be nominated by another qualified voter.

Commented [ML1]: Reorganized this section to be clearer, per a request from a resident at the Nov 1 meeting.

Formatted: No underline

Commented [ML2]: Moved the reference to qualified voters (Sec 301) up here from a footnote in the 2023 ordinance, to put the Charter citations up front.

Commented [ML3]: "Conducts" is clearer here than "manages." We also use the term "managed by" later in this paragraph.

Commented [ML4]: This previously said a minimum of three members and "preferably five." The workload requires five people, and the way the OMA restricts communication on 3-person committees makes the job unmanageable. The regs should say five members here.

Deleted: manages

Formatted: Underline

Formatted: Underline

Formatted: Underline

Formatted: No underline

Formatted: No underline

Formatted: No underline

Formatted: No underline

Formatted: No underline

Formatted: No underline

Formatted: No underline

Formatted: No underline

Commented [ML5]: Not new in terms of substance -- this sentence quotes the Charter language about all elections being managed by the Committee -- but a resident strongly suggested that we should add some specifics here because it is important to be very clear about the roles and boundaries.

Formatted: No underline

Commented [ML6]: This is the long-standing actual practice in VMA. Election Day needs to be May 1 - 15 for the rest of the election timing structure to work.

4. To be placed on the ballot, no later than forty-five (45) days prior to Election Day each candidate shall submit (a) a statement of interest and qualifications and (b) a conflicts of interest disclosure statement in a form specified by the Village, by email to the Election Committee.
5. The Committee shall publish and mail the official Village election information packet to all VMA households no later than two (2) weeks after the candidate filing date, with the written statements of the candidates for office, the official election and forum notices, and general voting instructions.
6. The Committee shall establish a format, date, and time for an election forum for residents to hear from the candidates and ask questions. The forum shall be moderated by the Committee in accordance with the Forum Procedure specified herein.
7. Pursuant to the Charter and this Ordinance, each qualified voter may cast a mail-in ballot provided by the Committee in accordance with the schedule publicly announced by the Committee.
8. Blank lines shall be placed on the ballot for the purpose of adding write-in candidates at the time of the election. A successful write-in candidate shall be required to submit a conflicts of interest disclosure statement no later than seven (7) business days following the election.
9. In the event that two or more candidates receive the same number of votes where only one can be elected, the Committee shall initiate a runoff election within two weeks after the announcement of the election results. Runoff elections shall be held by mail. If the margin between the winning and losing candidates is fewer than ten (10) votes, a losing candidate may request a recount by notifying the Committee no later than three (3) calendar days after the election results are announced.
10. VMA elections may include referendum questions, in accordance with Maryland election law.

Commented [ML7]: Establishes a single date for the candidate filing, per residents' requests to simplify the process.

Commented [ML8]: Clarification that VMA does allow recounts, in response to residents' questions. VMA could always do recounts but previous ordinance did not say so. This is a simplified version of the MD state law on recounts.

Commented [ML9]: Clarification in response to residents' questions. VMA could always include referendums but previous ordinance did not say so. This just says that MD state law applies.

Commented [ML10]: This is the new definition of qualified voters and residence the Council adopted in Sept 2023.

Commented [ML11]: No change in substance -- just adding this line about renters back in, to be consistent with the 2023 ordinance.

Formatted: No underline

IV. Qualified Voters: Who Can Vote?

Pursuant to Charter Section 301, a "qualified voter" is any natural person whose residence is in Martin's Additions and who is eighteen years of age or over, as of Election Day. As used in the Charter, "residence" means the location deemed one's primary residence (or "permanent abode" according to case law) and single domicile in the United States for voting purposes, and where one intends to return after a temporary residence elsewhere.

Students aged 18 or older who reside elsewhere during the school year but who maintain their primary residence in Martin's Additions are deemed residents and are entitled to vote in the Village Council election. Caregivers who reside within a household in Martin's Additions are eligible to vote if VMA is their primary residence. [Where a property is rented, the renters may vote if VMA is their primary residence.](#)

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.

Property ownership does not confer voting rights in VMA. However, property owners who are temporarily residing elsewhere for work or other reasons may maintain their residential right to vote in the next annual Village election by providing the Election Committee with a completed federal FPCA standard form 76, or a signed and dated declaration that states (a) that VMA is their primary residence and sole U.S. residence for

voting purposes and (b) that they intend to return to VMA. Non-resident property owners may submit such signed forms or declarations annually for a maximum of seven (7) consecutive years.

Commented [ML12]: New provision, needed in order to implement the Council's new definitions.

Residents who are temporarily deployed on military service in other locations retain their residential right to vote in Martin's Additions, and can receive a ballot by providing the Election Committee with a completed federal FPCA standard form 76, or a signed and dated declaration that states (a) that VMA is their primary residence and sole U.S. residence for voting purposes and (b) that they intend to return to VMA.

Commented [ML13]: MD state law requires this -- previous ordinance did not address the issue of military service because non-resident owners could automatically vote under the old VMA rules.

V. Village Voter Roll

The Committee shall develop, verify, and certify the annual voter roll in accordance with the Voter Roll Verification Procedure in Appendix A, which is hereby attached to and made an integral part of this Election Ordinance. The Committee shall utilize the most recent electronically available Village resident contact information, the County voter roll, and other appropriate sources to verify the names and addresses of the qualified voters for each annual election.

New voters may contact the Committee to request to be added to the voter roll up until 8 PM on Election Day. To be eligible to receive a mail ballot, a new voter must show a driver's license or other documentation acceptable to the Committee in its sole discretion, showing the voter's full name and current address in Martin's Additions. The Committee may also require documentation of a voter's date of birth.

Commented [ML14]: The previous language was less clear, just said "should be prepared to show." Documentation is required. If a new voter has not registered on the State/County voter roll at their VMA address, they must show ID to be added to the VMA voter roll.

The Committee is responsible for verifying and adding new voters, and is likewise responsible for removing from the voter roll the names of those who are no longer qualified voters, in accordance with the process specified in the Voter Roll Verification Procedure. The Committee shall confirm that the verified voter roll is used in operating the election, and shall certify the final official voter roll for that year on Election Day.

Commented [ML15]: Clarification, not a new requirement.

VI. Procedure for Voting

VMA's elections shall be held entirely by mail. The Committee shall utilize the services of a mail-vote election contractor. There shall be no in-person voting. To protect election security, the VMA election contractor shall mail the ballots directly to the voters. Voters will mail their completed ballots back to the election contractor in the postage-paid envelopes issued by the contractor. To ensure that their ballot will be counted, voters must sign the brief affidavit form on the back of the official ballot return envelope.

Formatted: No underline

Formatted: No underline

Commented [ML16]: The 2023 doc left this sentence out -- it just started talking about the election service contractor, out of the blue, without establishing that VMA would be using one.

The Committee shall instruct the contractor to deliver the ballot packets to the voters shortly after the Election Forum. The contractor shall mail via first class U.S. post (a) a ballot, (b) voting instructions prepared by the Committee in consultation with the election contractor, (c) an inner voting privacy envelope, and (d) a postage-paid ballot return envelope, to each voter listed on the voter roll at their address of record.

Commented [ML17]: The 2023 regs didn't make this clear. It is a state law, for mail-vote ballots.

Traditional absentee ballots will not be necessary, because every person on VMA's voting roll will automatically receive a ballot packet by mail. The Committee will work with the election contractor to identify the projected dates when ballots will begin arriving and shall provide notice to the Village.

On Election Day, the Committee shall also provide an opportunity for voters to drop off completed ballot envelopes in a secure, accessible ballot drop-box directly supervised by the Committee. Voters may come to the Committee table in front of the Village Office to deposit their sealed ballot envelopes, containing a voted ballot and bearing a completed affidavit, in the Election Committee ballot drop-box between the hours of 5:00 PM and 8:00 PM on Election Day.

Commented [ML18]: Added the word "accessible." State/County regs say drop-boxes should be ADA/wheelchair-accessible. Future committees can't put the drop-box up in the VMA Office.

Promptly after 8:00 PM, the Election Committee shall open the drop-box, count the number of ballot return envelopes in the box, and ensure a secure Committee chain-of-custody procedure to promptly convey those completed ballot envelopes directly to the mail-vote contractor. VMA Council members and staff are not permitted to handle the ballots or ballot envelopes. The election contractor shall hold all ballot envelopes received until the date for vote counting.

If voters are planning not to be at their VMA address during the voting process, they may elect to receive a ballot by mail at a different location by so informing the Committee no later than 8:00 PM on Election Day. No one may vote two ballots at two different addresses.

Voters may also request early ballots by notifying the Committee if they will out of the country or otherwise unable to receive a ballot by mail during the regular voting period. The Committee shall instruct the contractor to mail early ballots to such voters.

Voters whose ballots have been lost, damaged, spoiled, or are otherwise unable to be voted may request a replacement ballot by contacting the Committee no later than one week after Election Day. On receipt of such requests, the Committee shall instruct the contractor to cancel the previous ballot sent to that voter and mail the replacement ballot. The contractor must void the original ballot before a second ballot is issued to a voter.

All completed ballot envelopes must be received by the mail-vote contractor no later than 5:00 PM on the day of the vote counting session. The Election Committee shall post reminders for all qualified voters to return ballots by mail sufficiently early to ensure that the ballot envelopes arrive by the vote counting date.

VII. **Nominations and Candidate Filing Process**

The Committee shall issue a public call for candidates no less than seventy-five (75) days prior to Election Day. Any qualified voter may run for office. Qualified voters may nominate themselves or be nominated by another resident, in writing. Nominations may be made only by qualified voters; anonymous nominations are not permitted. Qualified voters who nominate themselves must submit an affirmative written statement or email stating that they wish to run for office. Qualified voters who nominate candidates other than themselves must include an email or signed written statement from the proposed candidates expressing their consent to be nominated.

To be placed on the official ballot, each candidate shall submit their filing materials to the Election Committee by email no later than forty-five (45) days before Election Day. Submissions are due by 6:00 PM on the filing date; a thirty-minute grace period will be allowed for email submissions to arrive in the Committee's email inbox. The required candidate filing materials are (a) a Candidate Statement of up to approximately 1000 words, including their qualifications as well as any other information they deem relevant, and (b) a signed and completed conflicts of interest disclosure statement. The Election Committee shall specify the form of both documents when the nomination period opens. The Election Committee may specify standard formatting for the candidate statements and any standard questions to which all candidates are requested to respond.

The Committee shall maintain a record of the date and time when nominations and candidate filing materials are received, and shall review the submissions. The Committee shall not edit the content of any candidate's statement; the candidate statements must be published as submitted. If a candidate's conflicts of interest form is incomplete, the Committee shall notify the candidate by email, and the candidate shall have 24 hours to correct the problem.

Commented [ML19]: Replaces the five-day time period (May 18 date) in the previous ordinance.

Commented [ML20]: This is the change Katie recommended, so all ballots that are on hand in time will be counted. Last year, 4 voters were disqualified -- their ballots did arrive in time to be counted but the due date was the day before the vote counting, so they were excluded. It's easy to prevent that problem by having the due date be the vote counting day.

Commented [ML21]: Was 700 words in the 2023 ordinance. The length limit could be seen as a restriction on the candidates' free speech. VMA has had much longer candidate statements in the past. 1000 words provides more space for all candidates to address policy issues and gives new candidates space to introduce themselves when they are not as well known as the incumbents.

Formatted: No underline

Commented [ML22]: Clarification of the provision from last year.

Formatted: No underline

VIII. Announcement of Candidates

The Committee shall promptly notify the Village of the candidates for office by email announcement, by posting on the Village website, in the Village newsletter, and in the official election information packet that is mailed to all VMA households. The information will also be available for review in the Village Office throughout the election period. The Committee shall provide election updates and additional Information in the Village newsletters, the Friday Village wrap-up emails, and other email communications.

IX. Election Forum

The Committee shall host an Election Forum between April 15 and April 30 each year, at least ten (10) days before Election Day on a date agreed upon by the Committee and candidates, to allow qualified voters and residents to hear from candidates and ask the candidates questions. The Committee shall ensure that the forum is impartial, and shall conduct the forum in accordance with the Forum Procedure in Appendix B, which is hereby attached to and made an integral part of this Election Ordinance. The Committee shall ensure that the official Village election packet containing the candidate statements is mailed to the residents in time to be received before the forum.

Commented [ML23]: No change from last year, but more specific to show the dates, in response to a resident's suggestion. The timing of the forum is important to ensure election fairness. The forum also needs to be at least 10 days before Election Day to allow time for the ballots to arrive before the committee sets up the drop-box on the sidewalk.

Formatted: No underline

Candidates and residents will be afforded the ability to participate remotely. Residents may ask questions directly at the forum when called on and are encouraged to send their questions for the candidates to the Committee in advance by email or any other means that is convenient for the residents. The Committee shall provide a mechanism for residents to submit forum questions anonymously.

Commented [ML24]: Last year's committee had a similar forum procedure but did not make it a public document. Since all election regulations should be public docs, we're now making it an Appendix here, to be part of the ordinance.

X. Instructions for the Mail-vote Election Service Contractor

The Village Manager issues the contract. The Election Committee manages the election process, and the mail-vote service contractor reports to the Committee.

Commented [ML25]: Clarifies the operational roles and the electoral boundary, per the VMA Charter, and protects the village staff from getting inappropriately involved in the day-to-day election management work.

Election schedule: The Committee shall notify the contractor of the date for Election Day, and shall determine the date for the vote counting session in consultation with the contractor. The vote counting shall take place approximately two weeks after Election Day.

Mailing date for the ballot packets and final received-by date for the completed ballots: The contractor shall mail the ballot packets to the voters on the Committee's instructions, after the VMA election forum in late April. To be included in the vote count, completed ballot envelopes must be received at the contractor's designated location by 5 PM on the date of the vote counting.

Commented [ML26]: Previous ordinance said "P.O. Box" but the location could be a street address for some contractors.

Formatted: No underline

Voter roll: The Election Committee shall send the verified voter roll to the mail-vote contractor in early April.

Approval of ballot packet: The contractor shall 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 general mailing date. The Committee shall 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.

Specifications for the ballot packet and equipment on Election Day: The contractor shall:

1. Rotate the candidates' names on the ballot format to prevent positional bias.
2. Include the blank lines on the ballot for the write-in votes.
3. Provide postage-paid ballot return envelopes, and the inner envelope to protect voting privacy.
4. Assign a random 6-digit security control number to each voter, and print that number on the voter's ballot return envelope.

5. Print the affidavit/affirmation form on the back of the return envelopes.
6. Put USPS tracking codes on both the incoming ballot packets and the return ballot envelopes.
7. Send a test mailing to the Committee members before the general mailing to the Village.
8. Provide a small secure election drop-box on site in Martin's Additions on the afternoon and evening of Election Day for the completed ballot return envelopes, and provide a secure means to promptly convey those completed ballot return envelopes to the contractor's location for the subsequent vote counting session. The Election Committee shall supervise the drop-box.

Early ballots: The Committee may instruct the contractor to mail early ballot packets to voters who will be out of the country or otherwise unable to receive mail during the general mailing to the Village.

Formatted: No underline

Voter roll changes: Pursuant to this Ordinance, the Committee may add or remove voters until 8 PM on Election Day. The Committee shall instruct the contractor in writing, by email, to add new voters as warranted, or to void a voter's ballot security number if the Committee determines that a ballot was sent to someone who is no longer a qualified voter.

Replacement ballots: The Committee may instruct the contractor to issue replacement ballots up to seven (7) days after Election Day. The contractor shall cancel the original assigned ballot security number before sending a voter a replacement ballot.

Commented [ML27]: Replaces the May 18 date in the 2023 document.

Ballot records: The Committee shall send all ballot instructions to the election service contractor in writing, via email. The contractor cannot issue ballots without the Committee's written instructions. The contractor and the Committee shall each keep a record of all ballots issued, all ballots voided, all replacement ballots sent, and all emails received, to maintain a complete record that can be audited and verified.

XI. Vote counting procedure

1. The Committee and contractor shall schedule the vote counting session to be held about two weeks after Election Day. The contractor shall make arrangements with the Martin's Additions Village Manager for the Committee, the candidates and/or their representatives, and residents to view the vote counting process by Zoom or other remote means, and shall record the vote counting session.
2. The contractor shall include all ballot return envelopes that are received by 5 PM on the date of the vote counting. Prior to the start of the vote counting, the contractor shall inform the Committee about the total number of ballot envelopes received and the number that are still in postal transit as of 5 PM on that date.
3. On the Committee's instructions, the contractor shall begin the vote counting session by presenting any non-conforming envelopes 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. If voters within the same household have merely switched their return envelopes, those envelopes are valid. The contractor shall set aside, unopened, any ballot return envelopes the Committee determines to be non-conforming. The Committee shall contact the individual voters to give them a chance to "cure" those envelopes, after the initial vote counting session.
4. On the Committee's instructions, the contractor shall:
 - Open the valid envelopes and tally the votes by machine count.
 - Present any non-machine-readable ballots for Committee adjudication, to complete the initial vote count.

Commented [ML28]: No change in substance, just a clarification of the process.

- Provide the Committee with the preliminary tally of the votes for each listed candidate, 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.
 - Work with the Committee to resolve any questions about the initial vote count.
5. Candidates or their designated representative(s) — only one per candidate — may observe the tallying, review, and adjudication process, and may raise objections during the process. The candidate or designated representative must identify the challenge at the time of vote counting. Other qualified voters may also observe the process, but they may not raise objections, participate in, or disrupt the counting of the ballots.
 6. If candidates or their representatives raise objections during the envelope adjudication or ballot review process, the Committee shall resolve such objections by Committee vote during the session and instruct the contractor to include or set aside the envelope, or include or disqualify the ballot or vote, accordingly.
 7. If a voter subsequently cures a non-conforming ballot envelope, the Committee shall instruct the contractor in writing to open that envelope and include those votes in the final tally. The Committee shall notify the contractor about any cured ballot envelopes within five (5) business days after the initial vote counting.
 8. At the conclusion of the ballot-curing process, the contractor shall within 24 hours provide the Committee with the complete certified Official Count of Ballot Report on all votes received, including the number of votes for each listed candidate, the name and number of votes for each write-in candidate, the total number of ballot envelopes that were received, the number of envelopes, ballots and/or votes that were disqualified, and the reasons for the disqualifications.
 9. The Election Committee may specify additional instructions for the contractor as necessary to ensure a fair, inclusive, and accurate election.
 10. The contractor shall securely return all ballots, envelopes, and other election materials to the Martin’s Additions Village Office by mail or courier.

Commented [ML29]: Clarification of the process and the timing for the ballot curing.

Formatted: No underline

Commented [ML30]: Not new in substance but a clarification from last year -- the committee needs some flexibility to manage unexpected situations.

XII. Election Interference

The Maryland Code of Election Law (§16–205) prohibits interference with election officials in the performance of their official duties. The Committee shall document any interference and promptly report it to the Council.

Commented [ML31]: Clarification, not a new requirement -- has always been true. To be clear and complete, the ordinance should just state this here.

XIII. Electioneering

1. Residents may distribute candidates’ information to Village residents, provided that such distribution complies with applicable laws, including Sections 7-208 and 9-106 of the Village Code and the United States postal service regulations (for example, no unstamped non-postal material may be placed in residents’ mailboxes).
2. All candidates’ brochures and election materials must prominently state that they have been paid for by, or on behalf of, the candidates.

3. Use of the Village logo and/or letterhead on election campaign materials is prohibited. Candidates' materials shall not imply, suggest, or give the impression of any official endorsement by the Village of Martin's Additions.
4. Candidates' campaigns may give residents token gifts that display candidate information, provided that such gifts do not exceed \$1 in fair market value.
5. On Election Day, the Committee shall set and enforce a reasonable "No Electioneering Zone" around the election table where voters may place their ballot envelopes in the Election Committee ballot drop-box. That zone shall prohibit electioneering within a 50 foot radius of the election table. Sound amplification systems such as bullhorns will not be permitted.

Formatted: No underline

Commented [ML32]: Removed the confusing wording about "a max of 100 feet." This paragraph just needs to stipulate the distance from the election table.

XIV. Election Committee Meetings and Public Comments

All Election Committee meetings shall comply with the Open Meetings Act. VMA elections are voter-friendly, and all VMA election procedures are public documents, available on request. The Committee shall provide public mark-ups to show proposed regulatory changes and shall allow a reasonable opportunity for public comments on each meeting agenda item before the Committee makes its decisions. Voters have the right to receive timely, accurate election information and provide public comments about the VMA election rules and regulations.

Commented [ML33]: New provision, to ensure transparent election committee meetings and access to public election information. The lack of mark-ups and public info, and the restrictions on resident comments during the meetings in recent years, caused a lot of community tension.

XV. Election Records

All election records, including nominations, candidate statements, ballots, envelopes, and all materials pertaining to voter rolls and the voting process, shall be securely stored at the Village Office, in accordance with the Village's Document Retention Schedule.

[ATTACH THE VOTER ROLL VERIFICATION PROCEDURE HERE AS APPENDIX A.]

APPENDIX B: ELECTION FORUM PROCEDURE

1. The election forum shall be held between April 16 and April 30 each year, at least ten (10) days before Election Day. The Election Committee shall finalize the date, time, and details for the forum after consulting with the candidates about their preferences and availability. The forum shall run for at least ninety (90) minutes, and may run for up to two hours at the moderator's discretion. The Committee shall conduct the forum by Zoom or other remote means, to ensure that the forum is readily accessible for the candidates and residents. The Committee may hold more than one forum after April 16.
2. The election forum shall be strictly impartial: (a) the forum must cover a broad range of issues, with questions applicable to all candidates; (b) all candidates must have equal time to present their views; and (c) the moderator and Committee members must remain neutral and in no way indicate or imply approval or disapproval of any candidate.
3. One member of the Election Committee shall moderate the forum; a second member shall serve as the timekeeper. The VMA staff shall assist the committee in setting up the technical logistics.

Formatted: No underline

4. All VMA residents are welcome to participate directly (by Zoom, or via a call-in number). Residents may email questions to the Committee in advance at VMAelections@martinsadditions.org or submit questions to the Committee by other means. Residents may submit forum questions anonymously, and may ask live questions during the forum. No candidate is permitted to see the questions prior to the forum. The Committee shall compile the advance questions from residents and provide the list to the forum moderator.

5. VMA forum structure:

- A 1-minute welcome and introduction from the moderator or Committee chair.
- A 2-minute opening statement from each candidate.
- Residents' questions:
 - 1 minute for each question from a resident.
 - A 2-minute answer from each candidate.
 - Each candidate is allowed a 1-minute follow-up round on each question if a candidate wants to respond.
- A 2-minute closing statement from each candidate.
- The moderator thanks the candidates and residents for participating and closes the forum.

The Election Committee may revise these format and timing elements at its discretion, provided that all candidates shall have equal time to respond to each question.

The moderator:

- shall rotate the order of calling on the candidates to respond to the residents' questions.
- shall include both live questions from residents and the questions submitted in advance.
- shall keep the time balanced fairly among all the candidates to maintain a level playing field.
- shall have discretion to choose which questions to ask.

The timekeeper shall hold up "15 SECONDS" and "TIME" cards, as needed, for the candidates, the moderator, and the residents to see. The timekeeper may also use a bell or other means to signal when time is up.

6. The VMA staff shall record the forum and post the audio and video on the VMA website, to be readily accessible to VMA residents.

7. Public notice: The Election Committee shall publish the formal notice about the date, time, Zoom link and call-in number for the forum by email via the Village Office public communication channels, in the VMA newsletter, and in the official VMA election information packet that is sent by mail to all VMA households. The Committee shall post an additional forum notice two days in advance, and again on the morning of the forum. The Committee may also post informal reminders on the village listserv.

APPENDIX A: Voter Roll Verification Procedure

The Election Committee shall implement this procedure to verify the Village residents who are “qualified voters” as defined by the Charter and this Ordinance. The Committee shall update and certify the voter roll for each annual Village Council election, consistent with Maryland Code, Elections Article, Section 3-403, and the Village Charter and Code of Ordinances. The VMA voter roll is an official government document. The Committee must have a clear, auditable factual basis for its decisions about who receives a ballot.

The Election Committee shall send all instructions about the VMA voter roll to the mail-vote contractor in writing (by email), to provide a documented public record. The mail-vote contractor sends the ballots directly to the qualified voters.

The VMA staff assists the Committee by posting the Committee’s notices and communications to residents, hiring election service contractors, and providing the standard electronic government data: (1) the current Village Office List of VMA residents, (2) the certified VMA voter rolls from prior years, and (3) the current County voter roll for the addresses in Martin’s Additions. The VMA staff does not verify the voters, make decisions about who shall receive a ballot, or manage the election process; the Village staff members are employees of the Council, including the incumbent candidates, which can create a potential conflict of interest. Pursuant to Charter Section 602, the Election Committee is responsible for the voter roll and the election process.

I. Voter Eligibility

1. Charter Section 301 defines a “Qualified Voter” as any natural person whose residence is in Martin’s Additions and who is 18 or older by election day.
2. As used in Charter Section 301, “residence” means the location deemed one’s primary residence (or “permanent abode” according to case law) and single domicile in the United States for voting purposes, and where one intends to return after a temporary residence elsewhere. The address shown on the resident’s driver’s license, used to file personal income taxes, and used for other official purposes is generally considered the person’s primary residence.
3. 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.
4. A student who is eighteen years of age or over and resides elsewhere during the school year but maintains a primary residence in Martin’s Additions is deemed a resident and is entitled to vote in the Village Council election.
5. A caregiver whose primary residence is in Martin’s Additions is deemed a resident and is entitled to vote in the Village Council election.
6. Where a property is rented, the renters may vote.
7. Residence determines voting rights in Martin’s Additions; property ownership alone does not confer voting rights. However, property owners who are temporarily residing elsewhere for work or other reasons may maintain their residential right to vote in the next annual Village election by providing the Election Committee with a completed federal FPCA standard form 76 or a signed and dated declaration that states (a) that VMA is their primary residence and sole U.S. residence for voting purposes and (b) that they intend to return to VMA. Non-resident property owners may submit such signed forms or declarations annually for a maximum of seven (7) consecutive years. Such forms or declarations must be received by the Election Committee by 8:00 PM on Election Day.

8. Property owners and other residents who are temporarily deployed on military service retain their residential right to vote in Martin's Additions, and can receive a ballot by providing the Election Committee with an annual completed federal FPCA standard form 76 or a signed and dated declaration that states (a) that VMA is their primary residence and sole U.S. residence for voting purposes and (b) that they intend to return to VMA. Such forms or declarations must be received by the Election Committee by 8:00 PM on Election Day.

II. Timing

The Committee shall certify the updated voter roll by a Committee vote no later than April 7 each year and submit it electronically to the designated mail-vote contractor to allow time for the printing and mailing of ballots to the qualified voters.

III. Voter Roll Verification Process

1. The Committee may utilize the services of a temporary contractor to assist in the voter roll verification process.
2. Acknowledging that there is no single, perfect way to update and verify a voter roll, the Committee shall update the VMA voter roll by using the following procedures, and consulting other sources of relevant information the Committee deems appropriate:
 - a. Compare the prior year's VMA voter roll with the VMA Office List of current residents and notifications of move-ins/move-outs in the Village, and resolve discrepancies by verifying current residency as defined in the Village Charter;
 - b. Compare the County voter roll for VMA's addresses, as provided to the Committee by the VMA Office, with the prior year's VMA voter roll, and resolve discrepancies by verifying current residency as defined in the Village Charter;
 - c. Conduct a check of relevant property records and other public records as necessary to resolve questions of current residency and property ownership;
 - e. Conduct an inquiry in person or in writing with the occupants of any given property to resolve questions of residency;
 - f. Distribute to all VMA households information regarding the procedure to sign up to vote in VMA, and inform residents and qualified voters that they should contact the Committee if they have a question relating to their status on the voter roll, or if they or other members of their household have undergone a change in status affecting their eligibility to vote in VMA;
 - g. Check the working draft of the VMA voter roll to delete duplicate names.
3. Based upon the review conducted in Section III.(2) above, the Committee will identify any names and addresses for which (a) owners or residents cannot be verified; (b) conflicting information has been identified during the review of the voter roll, the Village Office List of residents, or County voter records; or (c) issues have been identified by the Village Office.
4. The Election Committee will then vote to either (a) begin a further review of any name and address identified as having an outstanding issue or (b) decline to conduct further review and leave the status unchanged. Where the Election Committee votes to continue review, the review process is as follows:

The Election Committee will contact the potential voter, utilizing the most recent electronic contact information from the Village Office to communicate the issue that has arisen as to voter eligibility and to gather additional information. If there is no response, the Committee will send a written notification via U.S. mail to the potential voter that a question has arisen related to their eligibility and requesting that the individual contact the Committee to resolve the question.

- a. If the issue concerns a person who is not on the VMA voter roll and the additional information confirms the individual is eligible to vote and would like to be included on the voter roll, the Committee shall add the person to the voter roll upon receiving prior to 8:00 PM on Election Day a written request from the individual that includes documentation as provided in V.2 below.
- b. If the issue concerns a previously qualified voter who is already listed on the VMA voter roll, and additional information confirms the individual remains eligible to vote, the Committee will add notes to the voter roll detailing the steps taken to confirm eligibility.
- c. If the 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 will take the following action:
 - i) If the person does not appear on the County voter roll, the Committee will remove the person from the VMA voter roll upon receiving written confirmation from the person concerned verifying that they are no longer an eligible voter in VMA.
 - ii) If the person appears on the County voter roll, and confirms in writing to the Election Committee that they are no longer an eligible voter in VMA, the Committee will request that the Village Manager inform the County, as required by state law, that the individual is no longer a resident of VMA so that the County can remove the person from its voter roll. If and when the County notifies VMA that the person has been removed, the Election Committee will remove the person from the VMA voter roll. If it is not possible for the individual to be removed from the voter roll prior to Election Day, the Committee will vote to designate the individual as "Not Qualified."
 - iii) If there is no response to outreach efforts within a reasonable period of time (60 days) (30 days?), the Committee may vote to declare the individual "Not Qualified" and remove them from the list of qualified voters receiving a mailed ballot. Any voter removed from the voter roll shall be notified in writing. Individuals deemed "Not Qualified" will not be mailed ballots nor included on the version of the voter roll submitted to the election service contractor. The Committee will mail notice of the Committee's vote to the last known address of the voter, as well as information relating to the challenge process set forth below.

IV. Transmitting the Voter Roll to the Contractor

Upon conclusion of the process delineated in Section III, the Committee will vote to approve and send the verified voter roll to the election contractor. The Committee will duly mark the copy of the verified voter roll designated by the Committee for transmission to the election contractor and record the time and date of its approval.

V. Adding to the Voter Roll

1. New voters may contact the Committee to request to be added to the voter roll up to 8:00 PM on Election Day.
2. Voters who are not on the County voter roll and are seeking to be added to the VMA voter roll must show a driver's license, a recent utility bill, or other documentation acceptable to the Committee in its sole discretion, showing the voter's name and current Martin's Additions address. The Committee may also require documentation of the voter's date of birth.
3. If a new voter provides the required documentation after the transmission of the voter roll to the contractor, the Committee will provide written instructions by email directing the election 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.

VI. Cancellation of Ballots and Removal from the Voter Roll

If, following the transmission of the voter roll to the election contractor, (1) an individual identifies that they are no longer a qualified voter or requests to be taken off of the voter roll, or (2) the Committee obtains documentation to confirm that a voter has died or moved out of Martin's Additions, the Committee will instruct the election contractor to cancel the ballot control number related to that individual and void the ballot.

1. Challenges to Removal from the Voter Roll

- a. Whenever any voter is removed for any reason from the VMA voter roll or declared "Not Qualified," the Committee shall send a notice of this action and the reason for the action to the last known address of the voter. The voter shall be given at least 15 days [30 days?] to respond to indicate whether the voter wishes to remain on the voter roll. If the voter wishes to remain on the roll and can document that they continue to be qualified under the Village's requirements, the Committee shall reinstate the voter's name to the voter roll upon written request of the voter.
- b. Individuals may indicate their wish to remain on the voter roll and challenge their removal by notifying the Committee via its email inbox, or by certified mail addressed to the Election Committee at the Village Office.
- c. This challenge may only be brought by the individual removed from the voter roll or their legally designated representative.
- d. Challenges must be raised no later than 8:00 PM on Election Day.
- e. The challenging party will have a reasonable opportunity [how long?] to present evidence to the Committee relating to why a previous decision removing them from the VMA voter roll or declaring them to be "Not Qualified" is improper, inaccurate, or otherwise in need of reconsideration.
- f. Based on the totality of the evidence, the Committee will vote to determine if the individual should be restored to the voter roll.
- g. If the individual is restored to the voter roll, the Committee will instruct the election services contractor to mail a ballot to the individual with sufficient time to return it prior to that year's deadline for receipt of ballots.

2. Challenges to the Inclusion of a Voter on the Voter Roll.

- a. A resident or qualified voter may raise a challenge relating to inclusion of a name on the voter roll prior to 8:00 PM on Election Day.
- b. The challenging party must provide notification to the Committee via its email inbox, or by certified mail addressed to the Election Committee at the Village Office, 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 the challenge.
- c. The Committee will review the evidence and vote on whether to advance 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 to gather additional information relating to the voter's eligibility.
- d. The individual whose eligibility is being challenged will have the opportunity to present any relevant information to the Committee to support its decision-making.
- e. After conclusion of the process described above, the Committee will vote on whether the individual will remain "qualified," or be removed from the voter roll or designated "Not Qualified." A voter removed from the voter roll or designated "Not Qualified" will be notified, per the challenge process set forth above.

VII. Certification and Record-Keeping

After the conclusion of the deadline for changes to the voter roll, the Committee Chair [and Vice-chair?] will review the current copy of the voter roll to confirm that it reflects any updated information and present the roll to the full Committee for a vote to certify. 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 that year's VMA Council Election. Voting records will be preserved according to the Village's approved Document Retention Schedule.

LAST YEAR'S VERIFICATION DOCUMENT, FOR COMPARISON

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

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;
 - iv. Conducting an inquiry at and with the residents of any given property; and/or
 - v. 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 additional 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 8:00 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 will provide written instructions by email directing the election vendor 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, 5 PM.

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 8:00 PM on May 10th, 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 23rd.
- 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 8:00 PM on Monday, May 10th.
 - 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 2023 VMA Council Election.

ELECTION COMMITTEE GUIDELINES

The VMA election committee is the official government body that is legally responsible for conducting fair, independent Village elections. As public officials, committee members sign an oath of office and a conflict-of-interest disclosure form. Committee members are subject to the Open Meetings Act, the Maryland Public Information Act, the Village election ordinance, state election laws, and the recent VMA ethics ordinance regarding bias and conflicts of interest.

There are some specific election ethics guidelines that have been a standard practice in VMA, for many of our elections. The election committee usually reviews and confirms the basic guidelines at its first meeting each year.

1. The committee will faithfully carry out the approved election procedures; ensure ballot security, voter privacy, and election integrity; verify and certify the annual VMA voter roll; conduct a fair and accurate vote count; certify the election results; and report the complete voting results to the community. VMA elections should be transparent and voter-friendly.
2. Per the Village Charter, the election committee, not the Council or staff, manages the election process. Council members and staff are not permitted to alter public election notices, issue or handle ballots, get involved in the vote-counting, or otherwise interfere with the independent management of the election. The committee has an obligation to document any election interference and report it to the Council.
3. The committee welcomes all nominees equally and provides the same information and impartial administrative assistance to every candidate (e.g., all the candidates receive a copy of the election rules and procedures). The committee will provide a fair, level playing field for all the candidates to compete.
4. Committee members are not allowed to solicit or recruit any particular individuals to run for the Council. To prevent any perception of favoritism, the committee is limited to general public notices that encourage all eligible residents to run for office.
5. Committee members cannot sponsor a candidate campaign event, distribute campaign flyers, or otherwise give the appearance of supporting any specific candidate. Election committee members who have a family connection, a business connection, or a close personal friendship with a candidate must notify the committee chair as soon as the nominations are received, and may be asked to step off the committee to avoid the perception of bias. Committee members cannot recommend any specific candidates, even in private conversations with neighbors.
6. Any two committee members can talk to each other, but all substantive election discussions that involve three or more committee members must take place in a public committee meeting, to comply with the Open Meetings Act. The committee does not make election decisions by text or email or in private conversations.
7. Any procedural requests from candidates must be openly and impartially considered on the basis of objective merit, fairness, and potential benefit to the voters, without regard as to which candidate made the request.
8. The VMA election regulations are public documents, available on request. There are no secret election procedures. The committee will provide public mark-ups to show all proposed election changes, and the committee meetings should allow a reasonable opportunity for public input before the committee makes its decisions.
9. The official VMA election information packet includes the candidates' statements. Those are published as submitted. No one on the Council, staff, or election committee can edit the content of any candidate's statement.
10. The committee will be impartial in conducting the election forum. None of the candidates can see the questions in advance, and all the candidates will have an equal opportunity to respond to the questions, per the committee's written forum procedure. The moderator and committee members will not engage in any personal comments or body language that might indicate approval or disapproval of any candidate's answers.
11. The fundamental principle of election law is that all valid votes will be counted. No VMA voters, ballots, or votes will be unnecessarily disqualified. Candidates and residents are allowed to observe the vote-counting session, per the vote-counting procedures policy.
12. Council members who are up for re-election should not serve as the liaison to the election committee that year. Former Council members should take a break of at least one year before serving on the election committee.

ADOPTED BY UNANIMOUS VOTE OF THE 2024 VMA ELECTION COMMITTEE AT ITS PUBLIC MEETING ON 10/4/2023.