

AGENDA for the Election Committee Meeting, 7:45 pm, November 13, 2023

- 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 1. Set the schedule for the next two Committee meetings.
- 8:00 Residents' comments, questions, and suggestions.

8:10 ACTION ITEMS at this meeting:

This is the third 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 will mark up the documents to (1) incorporate the new definition of "qualified voter" that the Council adopted in September 2023, (2) make these documents 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 second mark-up on the main rules and procedures document.
 - B. Review draft of the updated voter roll verification process.
 - C. Review draft of the specifications for the proposed RFP/contractor job announcement to assist the Committee with the task of verifying the voter roll this year.
- 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

Election Committee Minutes from the Meeting on November 1, 2023

The 2024 VMA Election Committee held its third meeting on November 1, 2023, by Zoom. In attendance: Council liaison Katie Howard. Committee members Marty Langelan, Jen Bergeron, Naomi Naierman, John Sharrow and Paul Weller. Village Manager Michael Silliman. Village Resident Susan Kahn joined the meeting partway through.

Committee chair Marty Langelan called the meeting to order at 7:47 pm, with full attendance. Marty shared that the Committee was making good progress in its review of 2023 election documents and anticipated being in a position to finalize the draft ordinance and the voter roll verification procedures at the following meeting.

The Committee voted unanimously to approve the minutes from the 18 October meeting. At the next meeting on 13 November, John Sharrow agreed to draft the meeting minutes.

Two Committee members were able to access the VMA Committee e-mail. Michael Silliman pledged to assist those who had difficulty. The committee had a short discussion about data retention in the e-mail inbox, noting that future committees could benefit from seeing previous discussions, particularly when material changes have been made to voter eligibility or procedures. Acknowledging that the Village sets data retention policies, the Committee voted 5-0 to ask the Village to keep e-mails in the Election Committee inbox for two years, to allow incoming Committees access to the emails and data from the two prior years.

The Committee decided that its next meetings would take place on 13 November and 30 November at 7:45 pm.

The Committee turned to the Documents it was reviewing:

Draft Election Services Contract

The Committee acknowledged the draft contract changes, removing two paragraphs which do not apply to the VMA as there are no voting booths, and the addition of a drop box provision. The Committee voted 5-0 to approve the draft Election Services Contract.

Forum Procedure

The Committee noted that the Forum Procedure document will be folded into the Main Ordinance on Elections. John asked whether the Village attorney had any concerns about the Committee having discretion to revise the timing elements and format of the Forum. Katie clarified that the documents and processes adopted by the committee and outlined in the Forum Procedure are subject to a Council vote prior to being fully adopted. Marty noted that there is precedent for the Committee having full discretion. Recognizing that during the projected 13 November discussion of the draft main ordinance, there would be another chance to discuss this issue, the Committee voted 5-0 to adopt the draft Forum Procedure.

Instructions for Contractor and Vote Counting

Marty complimented John and Paul for the work both had done to combine both documents in the interim following the previous meeting. Marty also clarified that the work that was done had been one on one involving John and Paul and John and Marty or Paul and Marty at separate times and therefore it was compliant with the Open Meetings Act, since there had not been a quorum at any time. Marty hoped the Committee would agree to approve the draft and noted that this document

would also be part of the main ordinance. The Committee voted 5-0 to adopt the Instructions for the Contractor and the Vote Counting and move the text of both to the main ordinance.

There was a short discussion of the Committee's responsibility to visually supervise the election drop box from 5-8 pm on 7 May 2024 (Election Day). At least two members need to be present. At 8 pm, the Committee will open the drop box and count the number of sealed ballots. The Committee expressed a unanimous preference to turn over the ballots to the Election Services Contractor on the evening of 7 May, rather than having to put them in a locked drawer (inaccessible to the VMA management or the sitting Council members) and return the next day to open the drawer and count the ballots a second time in order to turn them over to the Contractor.

Rules and Procedures Document

The Committee Chair sought permission from the Committee to reorganize and edit the document somewhat to ensure the sections are clear, efficient and logical. The Committee agreed. The Committee voted 5-0 to have Marty re-arrange and edit the Rules and Procedures document. Marty will provide a revised draft prior to the Committee's next meeting on 13 November.

The Committee discussed whether a need existed to have the document available in other languages to accommodate VMA residents who were not proficient in English. Michael Silliman informed the group that no other VMA documents have versions in other languages. Citing the possibility that caregivers and au pairs resident in the Village who are eligible to vote if they meet the residence requirement, Marty agreed to contact the County Board of Elections to see if there is a best practice that the Committee could use to guide its work.

Voter Verification Procedure

The Voter Roll Verification Procedure will be attached as Appendix A to the Rules and Procedures document. Discussion covered whether it would be feasible to start from scratch in revalidating the voter roll, due to the new definitions of "qualified voters" and "residence" adopted by the Council in September. The Committee also noted that, given community concerns about the large change in the number of eligible voters in 2023, it is important to remove any question about the accuracy of the 2024 voter list and establish a sound basis for future elections.

The Committee believes that verifying the voter roll for VMA this year is a job that is beyond the ability of the Committee, which consists of volunteers with full time jobs, to do by itself. There was discussion about whether a company could be hired (via RFP) to take on this task or whether a temporary staffer, accountable to the Committee, could be hired. Marty shared the results of her outreach to Montgomery County, which indicated that there are full time employees who verify the County voter rolls and that this is normally a professional job.

Katie clarified that the Council would have to approve the Committee's request to either hire a contract firm or a staffer and advised the Committee to be as specific as possible regarding the job description because hiring an outside party had never been done previously for this purpose. The Council would not be willing to support a "blank check for a mystery job." Michael Silliman shared the RFP process and the timelines involved. This led the Committee to conclude that finding a company via an RFP process was unlikely to succeed by 1 April.

The Committee then discussed hiring a temporary, part time staffer to work for three months for the Committee to take on the Voter Roll Verification task. The Committee agreed that this was likely the only workable approach from a cost and timeliness standpoint. Marty and Naomi agreed to draft job specifications for this position to be reviewed on 13 November and if adopted, proposed

to the VMA Council at its 15 November meeting. The Committee voted 5-0 to authorize their work on this proposal.

The Committee also agreed, after discussion, that it would be infeasible to start from scratch and re-register all eligible voters, based on its assessment that the response rate would not be high enough to provide an accurate roll. Susan Kahn shared the perspective that she was concerned about the Committee starting from scratch on any voter roll verification procedure because she did not want any residents disenfranchised. The Committee wants to prioritize avoiding unintentionally disqualifying any eligible voters. Thus, the Committee agreed to start with the 2023 voter roll and systematically verify all individuals, taking care to follow state voter roll maintenance regulations. Jen and Marty plan to draft the language of the updated voter roll procedure document, with the goal of helping future committees to clarify and manage this task.

Lastly, Marty asked the Committee to include in the main ordinance some brief clarifying language that recounts are allowed as well as referendums. The committee voted 5-0 in favor.

The next meetings will be on November 13 and 30 at 7:45 pm.

At 9:31, the Chair moved to adjourn the meeting and the Committee voted 5-0 in favor.

SECOND MARK-UP – ELECTION ORDINANCE – WITH CHANGES APPROVED BY COMMITTEE ON NOV 1, 2023

**Based on the 2023 Election Rules and Procedures
As adopted 1-19-2023**

VMA ELECTION ORDINANCE

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.

I. 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"). The Council appoints an Election Committee ("Committee") that operates according to rules and procedures adopted by the Council, pursuant to Section 602 of the Village Charter and this Ordinance. The Committee verifies and certifies the voter roll, accepts nominations of candidates for the Village Council, and conducts the annual elections. Charter Section 301 defines the qualified voters.

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 of the Charter. All elections are managed by the Committee. 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 shall complete an Oath of Office and a conflicts of interest disclosure statement, as provided by the Village.

II. General Provisions

1. The 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 details of the election cycle for that year shall be published in the Village newsletter and in the standard 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.
4. To be placed on the ballot, 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, no later than forty-five (45) days prior to Election Day.
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 notice and forum notice, 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 below.
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.

III. 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.

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.

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.

Property ownership alone does not convey 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.

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 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.

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.

IV. Procedure for Voting

VMA's elections shall be held entirely by mail. There shall be no in-person voting. To protect election security, the VMA mail-vote 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 and complete the brief affidavit form on the back of the official ballot return envelope.

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.

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.

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 ballots 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 not be able 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 in writing to void the previous ballot sent to that voter before mailing the replacement ballot.

The Committee shall send all ballot instructions to the election service contractor in writing, via email, in order to keep a complete VMA election record that can be audited and verified. The contractor cannot issue ballots without the Committee's written instructions, and 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.

V. Nominations and Candidate Filing Process

The Committee shall issue a call for candidates no less than seventy-five days prior to Election Day. Any qualified voter may run for office. Qualified voters may nominate themselves or be nominated by another qualified voter, 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 residents 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, all candidates must submit their filing materials by email to the Election Committee by 6 PM, no later than 45 days before Election Day. 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 brief Candidate Statement of up to approximately 1000 words, including their qualifications as well as any other information they deem relevant, and (b) their signed and completed Conflicts of Interest Disclosure Statement. The Election Committee will specify the form of both documents when the nomination period opens. The Committee will maintain a record of the date and time when nominations and candidate filing materials are received.

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 review the submissions and identify any conflicts-of-interest forms that are incomplete. The Committee will notify the candidate, and the candidate will have 24 hours to correct the problem.

VI. Candidate Announcement

The Committee shall promptly notify the Village of the candidates for office and publish the election information and candidate statements by email, by posting on the Village's website, and in the official Village election information packet that is mailed to all VMA households. Information will also be included in the

Village's Friday wrap-up emails and newsletters and will be available for review in the Village Office throughout the election period.

VII. Election Forum

The Committee shall host an Election Forum during the last fifteen (15) days of April, 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. Candidates and residents will be afforded the ability to attend and participate remotely. The Committee shall ensure that the Village election packet containing the candidate statements is mailed to the voters in time to be received before the forum.

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.

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.

VIII. Instructions for the Election Service Contractor

The Election Committee is the government body responsible for managing the election process. The election service contractor reports to the Committee.

Election schedule and voter roll: The Election Committee shall verify the voter roll before sending it to the mail-vote service contractor in early April. 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 completed ballots: The contractor shall mail the ballot packets to the voters on the Committee's instructions, after the election forum in late April. To be included in the vote count, completed ballot envelopes must be received at the contractor's P.O. Box by 5 PM on the date of the vote counting.

The Committee may instruct the contractor to mail early ballot packets to voters who will be out of the country during the general mailing to the Village.

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

1. 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 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.
8. Send a test mailing to the Committee members before the general mailing to the Village.

9. 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.

Subsequent voter roll changes: The Committee may add or remove voters until 8 PM on Election Day, and may instruct the contractor to issue replacement ballots up to seven days after Election Day. The Committee shall instruct the contractor in writing, by email, to add new voters as appropriate or to void the voter's ballot security number if the Committee determines that a ballot was sent to someone who is no longer a qualified voter. The Committee shall instruct the contractor in writing, by email, to cancel the original assigned ballot security number before sending a voter a replacement ballot. The contractor and the Committee shall each keep a complete 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.

IX. 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 designated for 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 follow up with the individual voters to "cure" those envelopes if possible, 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.
- 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 and/or vote counting 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 number of envelopes, ballots and/or votes that were disqualified, and the reasons for the disqualifications.

Additional instructions: The Election Committee is authorized to specify additional instructions for the contractor as necessary to ensure a fair and accurate election.

Return of election materials: The contractor shall securely return all ballots, envelopes, and other election materials to the Martin’s Additions Village Office by mail or courier.

X. 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.

XI. 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.

XII. 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 ballots 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.

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

APPENDIX B: ELECTION FORUM PROCEDURE

1. The election forum shall be held during the second half of April. 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 15.
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.
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.

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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 on Constant Contact, 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 on Constant Contact two days in advance, and again on the morning of the forum. The Committee may also post informal reminders on the village listserv.

November 12, 2023

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Based on the 2023 Election Rules and Procedures
As adopted 1-19-2023

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1. The 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 details of the election cycle for that year shall be published in the Village newsletter and in the standard 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.
4. To be placed on the ballot, 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, no later than forty-five (45) days prior to Election Day.
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 notice and forum notice, and general voting instructions.

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The Village Council Election Process

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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 below.

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.

III. 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.

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.

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.

Property ownership alone does not convey 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.

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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 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.

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.

IV. Procedure for Voting

VMA's elections shall be held entirely by mail. There shall be no in-person voting. To protect election security, the VMA mail-vote 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 and complete the brief affidavit form on the back of the official return envelope.

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 return ballot envelope, to each voter listed on the voter roll at their address of record.

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.

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 ballots received until the date for ballot 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.

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Voters may also request early ballots by notifying the Committee if they will not be able 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 in writing to void the previous ballot sent to that voter before mailing the replacement ballot.

The Committee shall send all ballot instructions to the election service contractor in writing, via email, in order to keep a complete VMA election record that can be audited and verified. The contractor cannot issue ballots without the Committee's written instructions, and 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.

V. Nominations and Candidate Filing Process

The Committee shall issue a call for candidates no less than seventy-five days prior to Election Day. Any qualified voter may run for office. Qualified voters may nominate themselves or be nominated by another qualified voter, 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 residents 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, all candidates must submit their filing materials by email to the Election Committee by 6 PM, no later than 45 days before Election Day. 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 brief Candidate Statement of up to approximately 1000 words, including their qualifications as well as any other information they deem relevant, and (b) their signed and completed Conflicts of Interest Disclosure Statement. The Election Committee will specify the form of both documents when the nomination period opens. The Committee will maintain a record of the date and time when nominations and candidate filing materials are received.

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 review the submissions and identify any conflicts-of-interest forms that are incomplete. The Committee will notify the candidate, and the candidate will have 24 hours to correct the problem.

VI. Candidate Announcement

The Committee shall promptly notify the Village of the candidates for office and publish the election information and candidate statements by email, by posting on the Village's website, and in the official Village

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election information packet that is mailed to all VMA households. Information will also be included in the Village's Friday wrap-up emails and newsletters and will be available for review in the Village Office throughout the election period.

VII. Election Forum

The Committee shall host an Election Forum during the last fifteen (15) days of April, 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. Candidates and residents will be afforded the ability to attend and participate remotely. The Committee shall ensure that the Village election packet containing the candidate statements is mailed to the voters in time to be received before the forum.

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.

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.

VIII. Instructions for the Election Service Contractor

The Election Committee is the government body responsible for managing the election process. The election service contractor reports to the Committee.

Election schedule and voter roll: The Election Committee shall verify the voter roll before sending it to the mail-vote service contractor in early April. 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 completed ballots: The contractor shall mail the ballot packets to the voters on the Committee's instructions, after the election forum in late April. To be included in the vote count, completed ballot envelopes must be received at the contractor's P.O. Box by 5 pm on the date of the vote counting.

The Committee may instruct the contractor to mail early ballot packets to voters who will be out of the country during the general mailing to the Village.

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

1. 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 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.

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INSTRUCTIONS FOR THE ELECTION SERVICE PROVIDER¶

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Pursuant to the Charter and these rules and procedures, each qualified voter may cast a ballot, according to the following vote-by-mail procedures. ¶

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7. Put USPS tracking codes on both the incoming ballot packets and the return ballot envelopes.
8. Send a test mailing to the Committee members before the general mailing to the Village.
9. 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.

Subsequent voter roll changes: The Committee may add or remove voters until 8 pm on Election Day, and may instruct the contractor to issue replacement ballots up to seven days after Election Day. The Committee shall instruct the contractor in writing, by email, to add new voters as appropriate or to void the voter's ballot security number if the Committee determines that a ballot was sent to someone who is no longer a qualified voter. The Committee shall instruct the contractor in writing, by email, to cancel the original assigned ballot security number before sending a voter a replacement ballot. The contractor and the Committee shall each keep a complete 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.

JX. 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 designated for the vote counting. Prior to the start of the vote counting, 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 follow up with the individual voters to "cure" those envelopes if possible, 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.
 - 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.

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c. The Committee will work with the election service provider to identify projected dates when ballots will begin arriving and shall provide notice to the Village. ¶

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The VMA Election Committee shall post reminders for all qualified voters to return ballots by mail sufficiently early to ensure the ballot envelopes arrive at the offices of the election service provider by the vote counting date. ¶

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4) For voters' convenience, the Election Committee will also provide a secure ballot drop-box, supervised by the Committee, to collect completed ballot envelopes on the evening of Election Day, May 10, 2023. Voters may 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 p.m. and 8:00 p.m. on Election Day. Promptly after 8:00 p.m., the Election Committee shall

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6. If candidates or their representatives raise objections during the envelope-adjudication and/or vote counting 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.

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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 number of envelopes, ballots and/or votes that were disqualified, and the reasons for the disqualifications.

Additional instructions: The Election Committee is authorized to specify additional instructions for the contractor as necessary to ensure a fair and accurate election.

Return of election materials: The contractor shall securely return all ballots, envelopes, and other election materials to the Martin's Additions Village Office by mail or courier.

X. Election Interference

The Maryland Code of Election Law (§16–205) prohibits interference with election officials in the performance of their official duties. VMA Council members and staff shall not alter or delay election notices, issue ballots, be involved in the vote counting process, or otherwise interfere with the management of the election process. The Committee shall document any interference and promptly report it to the Council.

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XI. 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.

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XII. 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).

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2. All candidates' brochures and election materials must prominently state that they have been paid for by, or on behalf of, the candidates.

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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.

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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 ballots 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.

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

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APPENDIX B: ELECTION FORUM PROCEDURE

1. The election forum shall be held during the second half of April. 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 15.
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.
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 on Constant Contact, 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 on Constant Contact two days in advance, and again on the morning of the forum. The Committee may also post informal reminders on the village listserv.

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APPENDIX A: Voter Roll Verification and Certification Procedure

The Election Committee shall implement this procedure to verify the Village residents who are “qualified voters” and update and certify the voter roll for each annual Village Council election. The VMA voter roll is an official government document. The Committee must have a clear, auditable factual basis for its decisions.

The Village staff members are employees of the Council members, including the incumbent candidates. The VMA staff shall not verify voters or make decisions about who shall receive a ballot. The VMA staff shall assist the Committee by providing the standard government data, posting the Committee notices and communications to residents, and hiring the election service contractor(s). The VMA staff shall provide the Committee with the electronic data for the current Village Office List of VMA residents, the certified VMA voter rolls from prior years as requested, and the current County voter roll for the addresses in Martin’s Additions.

I. Voter Eligibility

- a. 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.**
- b. **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/or used for other official purposes is generally considered the resident’s primary residence.
- c. 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.
- b. 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.
- c. A caregiver whose primary residence is in Martin’s Additions is deemed a resident and is entitled to vote in the Village Council election.
- d. Where a property is rented, the renters may vote.
- e. 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.
- f. 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 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.

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II. Timing

The Committee shall certify the updated voter roll by a Committee vote in the first week of April 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

- a. The Committee may utilize the services of a temporary contractor to assist in the voter roll verification process.
- b. Acknowledging that there is no single, perfect way to update and verify a voter roll, the Committee shall update the VMA Voter Roll by undertaking the following procedure:
 - 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 with the residents of any given property in person or in writing;
 - v. Conducting a query of public records databases to identify potential ownership, residency, or occupancy information;
 - vi. Providing notice through the Village communications informing 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 have undergone a change in status making them eligible for inclusion on the Voter Roll;
 - vii. Asking street captains to distribute Committee flyers with information regarding the procedure to sign up to vote in VMA;
 - viii. Obtaining public data on deaths to provide a basis for removing former residents of VMA;
 - ix. Obtaining data from the Election Services Contractor regarding prior year voters to use as a basis to verify residential status;
 - x. Checking the working draft of the VMA voter roll for possible duplicate names to avoid duplicate ballots being sent to a single voter.
- c. 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.

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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:¶

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Any identified issues or areas of concern with the Voter Roll;

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Any additional data sources for updates to the previous year's Voter Roll. ¶

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d. 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 will contact the potential voter utilizing the most recent electronic contact information from the Village Office to (1) communicate the issue that has arisen as to voter eligibility and (2) to gather additional information. Simultaneously, the Committee will coordinate with the VMA Manager to send a written notification via U.S. mail to the potential voter at their listed address informing the potential voter that a question has arisen related to their eligibility and requesting that the individual in question reach out to the Committee to resolve the question.

ii. Where the Committee receives additional information on outstanding issues before the deadline for voter registration, the Committee will proceed as follows:

1. If the additional information confirms the individual is eligible to vote and would like to be added to the Voter Roll, the Committee will 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 the Voter Roll detailing the steps taken to confirm eligibility.
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 will remove the name from the Voter Roll and maintain a file detailed steps taken to verify 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 to designate the individual as "Not Qualified".

iii. If there is no response to outreach efforts within a reasonable period of time (60 days), the Committee may vote to declare the individual "Not Qualified" and remove them from the list of qualified voters receiving a mailed ballot.

e. Individuals deemed "Not Qualified" will not be mailed ballots nor included on the version of the Voter Roll submitted to the Election Services Contractor.

i. The Committee will coordinate with the Village Office 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.

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What is role of Village Manager here? Just safeguarding the list from the Committee?

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.

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- b. 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.

Deleted: This version will not include any individuals designated as "Not Qualified" through the Committee process outlined above.

Deleted: Authorization of the transmission of the Voter the vendor may be addressed administratively between the Committee members.

V. Adding to the Voter Roll

- a. New voters may request to be added to the voter roll up to 8:00 PM on Election Day 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 e-mail 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, 14 days after election day by 5 pm.

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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 Election Chair, in coordination with the Village Manager, will communicate with the election vendor to cancel any outstanding ballot control numbers related to that individual and provide appropriate notice to the Committee.

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VII. Challenges to Removal from the Voter Roll

- a.
 - i. Individuals may challenge their removal from the Voter Roll 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 legally designated representative.
 - iii. Challenges must be raised no later than 8:00 PM on 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.
- vi. If the individual is restored to the Voter Roll, the Committee will work with the election services contractor to have a ballot mailed to the individual with sufficient time to return it prior to that year’s deadline for receipt of ballots.

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b. Challenges to Remove an Individual from Voter Roll

c.

- i. A resident or qualified voter may raise a challenge relating to inclusion of a name on the Voter Roll prior to.
- ii. 8:00 PM on Election Day.
- 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 the challenge.
- iv. 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 (c) to gather additional information relating to the voter’s eligibility.
- v. The individual whose eligibility is being challenged d 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 whether the individual will remain “qualified” or be designated “not qualified.”

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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 that at year’s VMA Council Election.

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DRAFT SPECIFICATIONS FOR THE VOTER ROLL VERIFICATION CONTRACTOR

The Village of Martin's Additions in Chevy Chase, Maryland, is seeking a short-term contractor to assist the Village Election Committee in updating and verifying the Village election roll.

Scope of Work:

The Village Council recently changed the definitions of "qualified voter" and "residence." The contractor will apply the municipal voter verification procedures specified in the Village Election Ordinance and use various appropriate data sources to (a) verify the correct voting status of each person on the existing Village voter list, (b) identify the persons on the existing list who are no longer qualified voters, and (c) identify the residents who are eligible to be added as new voters. The Village has between 1000 and 1100 residents and the voter roll currently includes about 750 names. At an average of eight to ten minutes per voter, this verification project may require an estimated time of 100 to 125 hours. The Election Committee will supervise the work and rely on the results to finalize the official voter roll for the municipal election to be held in May 2024.

Time Period:

This verification project will begin in January 2024 and must be completed no later than March 31, 2024.

Work Product to be Delivered:

The contractor will produce a complete, accurate, annotated electronic spreadsheet showing (a) the name and address of each resident who is a verified "qualified voter" in the Village of Martin's Additions as of March 2024, (b) the names and addresses of the persons previously listed who no longer qualify as voters, and (c) the names and addresses of the residents who are eligible to be added to the 2024 voter roll. The annotated spreadsheet will indicate the data sources and procedures the contractor used to document each person's voting status. The spreadsheet will include all 330 addresses in the Village.

The contractor will provide brief biweekly written progress reports to the Election Committee, including a copy of the interim work product at each stage.

Selection Criteria:

The contractor must provide meticulous attention to detail and have previous experience with the production of detailed electronic spreadsheets. Knowledge of the Maryland state voter roll maintenance procedures is desirable. Prior experience in verifying municipal or county voter rolls is a plus.

Contract and Payment for Services:

The Village Manager will provide the contract for this project after approval by the Village Council. The rate of hourly payment is negotiable. The contractor will submit monthly invoices to the Village Manager with a copy to the Election Committee, documenting the hours worked and attaching a copy of the updated interim work product with each invoice.



VILLAGE OF MARTIN'S ADDITIONS

7013 Brookville Road (Suite B, 2nd floor)
Chevy Chase, MD 20815-3263
Phone (301) 656-4112 Fax (301) 656-0030
www.martinsadditions.org

REQUEST FOR PROPOSAL Voter Roll Verification Services Village of Martin's Additions

INTRODUCTION

The Village of Martin's Additions (VMA) hereby solicits proposals from individuals or firms with experience in developing detailed, annotated electronic spreadsheets and verifying municipal voter rolls. The successful bidder should be prepared to meet with the VMA Election Committee as needed. VMA expects that the successful bidder will begin immediately following the contract award.

BACKGROUND

The VMA is a small municipality of approximately 1000-1100 residents and 750 voters. The Village Council recently adopted a new definition of "qualified voters" and "residence."

SCOPE OF WORK

The successful bidder would be engaged part-time for a three-month period from January through March 2024. Proposals should include the following:

The contractor will apply the municipal voter verification procedures specified in the Village Election Ordinance and use various appropriate data sources to (a) verify the correct voting status of each person on the existing Village voter list, (b) identify the persons on the existing list who are no longer qualified voters, and (c) identify the residents who are eligible to be added as new voters. The contractor will produce a complete, accurate, annotated electronic spreadsheet showing the name and address of each resident who is a verified "qualified voter" in the Village of Martin's Additions as of March 2024, the names and addresses of the persons previously listed who no longer qualify as voters, and the names and addresses of the residents who are eligible to be added to the 2024 voter roll. The annotated spreadsheet will indicate the data sources and procedures the contractor used to document each person's voting status. The spreadsheet will include all 330 addresses in the Village.

The contractor will provide brief biweekly written progress reports to the Election Committee, including a copy of the interim work product at each stage. At an average of eight to ten minutes per voter, this verification project may require an estimated time of 100 to 125 hours. The Election Committee will supervise the work and rely on the results to finalize the official voter roll for the municipal election to be held in May 2024.

This verification project will begin in January 2024. The accurate, annotated spreadsheet must be completed no later than March 31, 2024.

This will be a three-month contract with an option to extend for up to one month.

SUBMITTAL REQUIREMENTS

Proposals must include the following:

- A transmittal letter introducing you or your firm and general approach to this work.
- The qualifications of your company to perform the scope of work.
- The name(s) of the designated project manager(s).
- Cost information, including rates and any additional expenses for undertaking this work.
- Two (2) references with contact information.

The successful proposer will be required to execute affidavits of non-collusion, non-conviction, and non-suspension/disbarment (Md. Code, State Finance and Procurement Art. Sec. 16-311(a) and (b)) (Appendixes B and C), and a written contract in a form approved by the Village. [*Omit this sentence?* The successful proposer must be qualified and registered to do business in Maryland (Md. Code, Corps. Art. Sec. 7-201).]

The successful proposer must be an equal opportunity employer and all qualified applicants for employment with the proposer must receive consideration for employment without regard to race, color, religion, sex, national origin, disability status, protected veteran status, or any other characteristic protected by law.

SUBMITTING PROPOSALS

If you wish to provide a proposal, the required information should be submitted to:

Village of Martin's Additions
Attn: Voter Roll Verification Services
7013 Brookville Road (Suite B, 2nd floor)
Chevy Chase, MD 20815-3263

Or

Manager@martinsadditions.org

Proposals must be received no later than 5:00 pm on _____. Proposals received after the deadline will not be considered. Proposals sent via mail should be submitted with one original and one copy. VMA reserves the right to reject any and all proposals in part or in full and to waive formalities as may best serve the interests of VMA.

The Village of Martin's Additions is a municipality of approximately 330 houses in the Chevy Chase area of Maryland's Montgomery County. A five-person elected Council governs the Village and it hires a Village Manager to which it delegates duties consistent with the Village Charter and ordinances.

Appendix A

The Village of Martin's Additions

B

Bradley Lane (3408-3525)

C

Chestnut Street (7200-7223)

Cummings Lane (3405-3521)

D

Delfield Street (7200-7320)

M

Melville Place (6700-6709)

O

Oxford Street (202-209)

Q

Quincy Street (101-163)

R

Raymond Street (3406-3529)

S

Shepherd Street (3404-3519)

Summit Avenue (7200-7405)

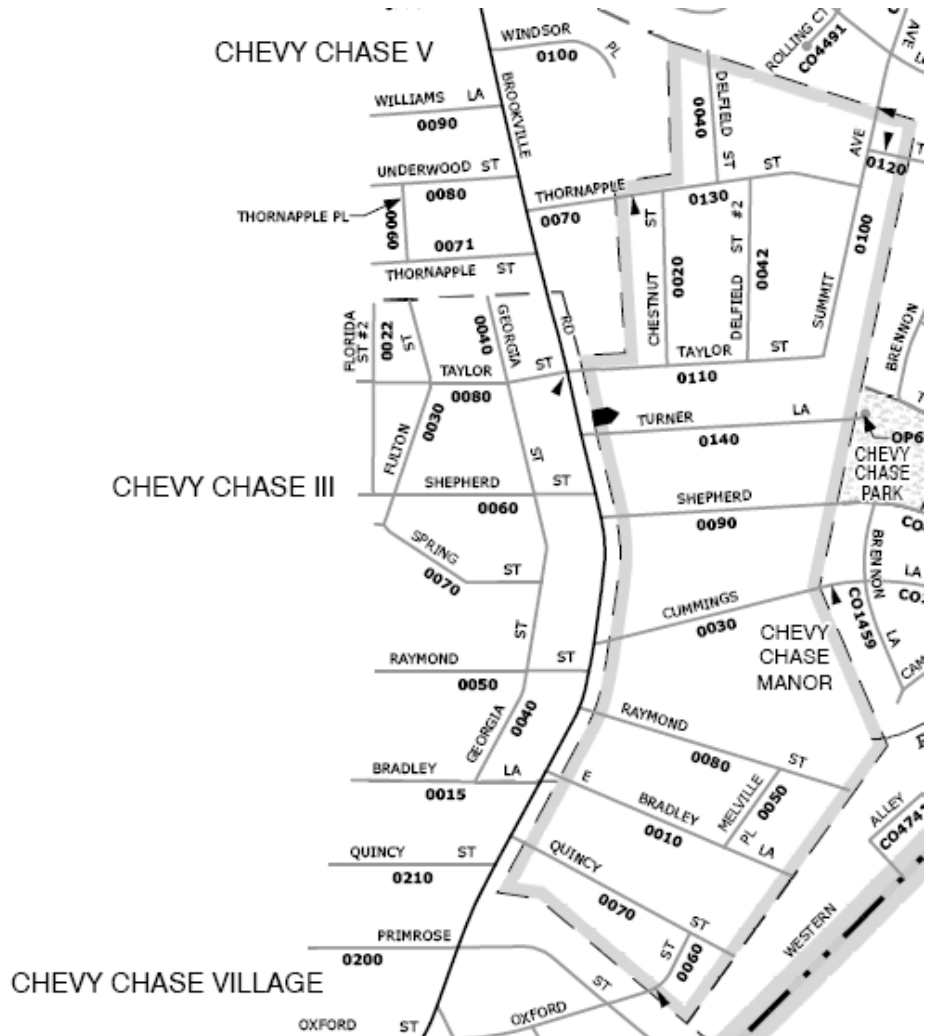
T

Taylor Street (3404-3518)

Thornapple Street

(3219-3503)

Turner Lane (3402-3519)



Appendix B

Non-Collusion Affidavit

I hereby affirm that:

I am the _____ (title) and duly authorized representative of the firm of _____ (name of Corporation) whose address is _____ and that I possess the legal authority to make this affidavit on behalf of myself and the firm for which I am acting. I further affirm:

1. I am fully informed respecting the preparation and contents of the attached bid or and all of the pertinent circumstances respecting such bid:

2. Such bid is genuine and is not a collusive or sham bid:

3. Neither the said bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interests, including this affidavit, has in any way colluded, conspired, connived or agreed, directly or indirectly with any other bidder, firm or person to submit a collusive or sham bid in connection with the Contract for which the attached bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner directly or indirectly, sought by agreement or collusion or communication or conference with any other bidder, firm or person to fix the price or prices in the attached bid or of any other bidder, or to fix any overhead, profit or cost element of the bid price or the bid price of any other bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the Village of Martin's Additions or any person interested in the proposed Contract; and

4. The price or prices quoted in the attached bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affidavit.

I do solemnly declare and affirm under the penalties of perjury that the contents of this affidavit are true and correct.

Name of Firm: _____

Signature and Title: _____

Printed Name: _____

Date: _____

Appendix C

Affidavit of Non-Conviction

I hereby affirm that:

I am the _____ (title) and duly authorized representative of _____ name of business entity) whose address is _____ and that I possess the legal authority to make this affidavit on behalf of myself and the firm for which I am acting. I further affirm:

1. Except as described in paragraph 2 below, neither I nor the above business entity, nor to the best of my knowledge, any of its controlling stockholders, officers, directors, or partners, performing contracts with any public body (the State or any unit thereof, or any local governmental entity in the State, including any bi-county or multi-county entity) has:

A. been convicted under the laws of the State of Maryland, any other state, or the United States of any of the following: (1) bribery, attempted bribery, or conspiracy to bribe; (2) a criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract; (3) fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property; (4) a criminal violation of an anti-trust statute; (5) a violation of the Racketeer Influenced and Corrupt Organization Act, or the Mail Fraud Act, for acts in connection with the submission of bids or proposals for a public or private contract; (6) a violation of State Finance and Procurement Article of the Annotated Code of Maryland; or (7) conspiracy to commit any of the foregoing;

B. pled *nolo contendere* to, or received probation before verdict for, a charge of any offense set forth in subsection A of this paragraph;

C. been found civilly liable under an anti-trust statute of the State of Maryland, another state or the United States for acts or omissions in connection with the submission of bids or proposals for a public or private contract; or

D. during the course of an official investigation or other proceeding, admitted, in writing or under oath, an act or omission that would constitute grounds for conviction or liability under any law or statute described in subsection A or C of this paragraph;

2. State "none" or, as appropriate, list on a separate sheet any conviction, plea or admission described in paragraph 2 above, with the date, court, official or administrative body, the individuals involved and their position with the firm, and the sentence or disposition, if any. _____

3. I further affirm that neither I nor the above business entity shall knowingly enter into such a contract with the Village of Martin's Additions under which a person or business debarred or suspended from contracting with a public body under Title 16 of the State Finance and Procurement Article of the Annotated Code of Maryland, will provide, directly or indirectly,

supplies, services, architectural services, construction related services, leases of real property or construction.

I acknowledge that this affidavit is given pursuant to Maryland Code, Finance and Procurement Article, Section 16-311. I acknowledge that, if the representations set forth in this affidavit are not true and correct, the Village of Martin's Additions may terminate any contract awarded and take any other appropriate actions. I further acknowledge that I am executing this affidavit in compliance with Section 16-309 of the State Finance and Procurement Article which ordains that any person convicted of bribery (upon acts committed after July 1, 1977) in furtherance of obtaining a contract from the State or any subdivision of the State of Maryland shall be disqualified from entering into a contract with the Village of Martin's Additions.

I do solemnly declare and affirm under the penalties of perjury that the contents of this affidavit are true and correct.

Name of Business Entity: _____

Signature and Title: _____

Printed Name: _____

Date: _____