



**Board of Supervisors of Elections
Minutes
Blue Crab Conference Room
WebEx Board Meeting
March 9, 2023
6:00 PM**

Boardmembers Present: Robert Kurnick, Stephen Fisher, Linda Silversmith, and Joe Williams

Absent: Stephen Weiner

Staff: City Clerk/Director of Council Operations Sara Taylor-Ferrell, and Executive Assistant Judy Penny

Convene and Welcome

Chair Kurnick convened the meeting at 6:10 pm and welcomed all those in attendance.

Approval of Minutes

Motion: To approve the minutes of February 16, 2023 as submitted.

Moved by Boardmember Silversmith, seconded by Boardmember Fisher, and approved unanimously.

Questions to the Board

City Clerk/Director of Council Operations Sara Taylor-Ferrell reported that there were no questions for the Board.

Report on February 24, 2023 Meeting with MCBOE

Chair Kurnick reported on the meeting that he and City Clerk/Director of Council Operations and staff had with the Montgomery County Board of Elections staff. The purpose of the meeting was to review the City's request for assistance with the 2023 municipal elections. Discussion included locations for vote centers and drop boxes; design of ballot return envelopes; use of outside vendors to prepare and mail ballot packets; tracking of ballot packets; the need for additional election workers at the vote centers; and daily clearing of the election drop boxes.

Report on February 27, 2023 Meeting of the Mayor and Council

Chair Kurnick described the Mayor and Council responses to the BSE's several recommendations to amend Chapter 8 of the City Code:

- 1) Section 8.1 – M&C agreed to change the definition of campaign materials to include electronic communications.
- 2) Section 8.41(a) – M&C agreed to establish a second vote center and place additional drop boxes. M&C, however, stated their desire to specify the locations of the additional vote center and drop boxes.
- 3) Section 8.41(c) – M&C rejected the recommendation to eliminate one of the four required mailers.
- 4) Section 8.45 – M&C agreed to prohibit electioneering within 50 ft. of a drop box.
- 5) Section 8.72 – M&C rejected the recommendation to prohibit slates from operating as continuing political committees.
- 6) Section 8.74(a) – M&C agreed that a committee should be permitted to make expenditures by using credit cards, debit cards, or other electronic means.
- 7) Section 8.77 – M&C agreed that this section should be clarified to say that loans made by a candidate to a slate would require the written consent of all slate members.
- 8) Section 8.78 – M&C referred to the City Attorney the question whether the aggregate contribution limit should be deleted.
- 9) Section 8.81 – M&C agreed that all campaign finance reports should be filed electronically but wanted to add a provision permitting the BSE to waive that requirement if technical issues prevent such filing.
- 10) Section 8.101 – M&C agreed that all campaign materials should include clear and conspicuous disclaimers stating who paid for the material and whether it has been authorized by a candidate.

Motion: Chair Kurnick will follow-up with an email to the City and City Staff Attorney with a copy of the U.S. Supreme Court’s decision on aggregate contribution limits for review and reconsideration.

Moved by Boardmember Williams, seconded by Boardmember Fisher, and approved unanimously.

Ballot Questions for 2023 Elections

The Mayor and Council voted to add 5 referenda questions to the 2023 ballot. The BSE prepared draft language for the City Attorney’s consideration.

Motion: To submit the proposed language to the City Attorney with a recommendation to add to each question a descriptive header.

Moved by Boardmember Fisher, seconded by Boardmember Silversmith, and approved unanimously.

Other CRC Recommendations

Chair Kurnick described some of the Charter Review Commission’s recommendations that might affect the BSE, including recommendations to increase the size of the BSE from 5 to 7 and to clarify the appointment process for BSE members.

Ballot Tracking

The City Clerk/Director of Council Operations office will provide information on ballot tracking as the contract with the vendor is prepared and finalized.

Ballot Curing

Chair Kurnick reviewed and explained the ballot curing process. A more detailed discussion will take place at a future meeting.

Outreach Events:

Boardmember Williams reported that he spoke with the Community Empowerment/Public Information Office for Montgomery County Board of Elections, Dr. Gilberto Zelaya (Dr. Z). Dr. Z asked the following questions and made the following comments:

- 1) When will training start for the student poll workers? Answer: That training will coincide with the training of other election judges.
- 2) Will the City consider raising the stipend for bi-lingual volunteers? Answer: No.
- 3) Because school will be in session on Election Day, Dr. Z recommended recruiting adult volunteers.
- 4) Dr. Z recommended that student volunteers work in shifts of 7:30 am to 1:30 pm and 1:30 pm to 8:00 pm.
- 5) Will volunteers be limited to Rockville residents? Answer: No. We will reach out to County residents.

Old/New Business

Motion: To approve the 1st Election post card mailer as presented with dark blue background, white lettering, and landscape format.

Moved by Boardmember Williams, seconded by Boardmember Fisher, and approved unanimously.

The 2023 Candidate Information Election Packet will be reviewed at the April 27 meeting.

Future Meetings

In-person/hybrid meetings will be conducted on Thursday, April 6, Thursday, April 20, and Thursday, April 27, 6:00 pm in the Black-Eyed Susan Conference Room. Proof of vaccination and face masks optional.

Adjournment

There being no further business, the meeting was adjourned at 7:36 p.m.

Motion: To adjourn.

Moved by Boardmember Fisher, seconded by Boardmember Silversmith, and approved unanimously.