



Board of Elections Supervisors Meeting Agenda

Berlin Town Hall
10 William Street
Tuesday, September 8, 2020
5:30 PM

SPECIAL NOTICE: Until further notice public attendance at Town meetings is prohibited due to gathering-size restrictions. Meetings will be streamed live on Facebook during this time. Your patience and understanding as we work to meet the restrictions on gathering size, while still conducting Town business is truly appreciated.

- Written questions will be accepted until 12:00 PM/NOON on the day of the meeting. Submit to:
 - Email: mbohlen@berlinmd.gov; please use Meeting Questions as your subject
 - Fax to: 410-641-2316
 - Mail to: Berlin Town Hall, Attn: Meeting Questions, 10 Williams St., Berlin, MD 21811. Mail should be posted no later close of business on the Friday before the meeting to help ensure delivery.
 - Drop off in one of the two drop boxes at Town Hall – one is at the rear of the building behind the stair tower, and the other is at the corner of Bay and Williams Street on the building.

To access the Meeting via live stream on Facebook, please click on the blue Facebook icon at the top of any page on the Town website, www.berlinmd.gov, or type @berlinmd in the Facebook search bar.

Submitted questions/comments will be read aloud and responses given as appropriate during the meeting. No response will be given to questions and comments submitted via Facebook during a regular meeting.



BOARD OF ELECTIONS SUPERVISORS AGENDA

September 8, 2020, 5:30 PM
Town Hall Council Chambers

1. Selection of Chair
2. Approval of Minutes of July 14, 2020
3. Review of 2020 Election Schedule:
 - a) September 4, 2020 – Deadlines for Voter Registration and Regular Candidate Filing, Begin accepting Absentee Voting Applications
 - b) September 29, 2020 – Deadline for Absentee Applications by mail, Write-In Candidate Filing, Withdrawal of Candidacy
 - c) October 1, 2020 – Deadline for mailing Absentee Ballots
 - d) October 2, 2020 – Deadline for Submission of Absentee Application in person
 - e) October 6, 2020, 7 AM-7 PM – Election Day
4. Review/Certification of Candidates
5. Discussion – Election Day procedures
6. Discussion – Next Meeting time
7. General Discussion

Upcoming Meeting Schedule:

Tuesday, September 29, 2020, 5:30 PM

ELECTION DAY: Tuesday, October 6, 2020, 6:30 AM (Polls open 7 AM – 7 PM)

**TOWN HALL
10 WILLIAM STREET
2nd FLOOR COUNCIL CHAMBERS**

Board of Elections Supervisors
July 14, 2020

A Meeting of the Board of Elections Supervisors was held on Tuesday, July 14, 2020 at 5:30 PM. Board members Anthony (Tony) Bowen, Linda Bowen, Nicky Chavis, Steve Frene and Preston Whaley, as well as Deputy Town Administrator Mary Bohlen, Town Administrator Jeff Fleetwood and Managing Director Kelsey Jensen.

Ms. Bohlen asked the members to introduce themselves and suggested that, because the members were not necessarily familiar with each other, the first agenda item to select a Chair be tabled to the next meeting.

Ms. Bohlen provided copies of the Election Guidebook and reviewed the Election schedule, noting that most items were action items for her to perform. She specifically reviewed the pertinent deadlines for candidate filing, voter registration, and absentee application submission. She noted that Absentee Voting applications could not be accepted before September 4, 2020, but that the form would be posted on the webpage on or about September 1, 2020.

Mr. Bowen asked Ms. Bohlen if Board members could assist with candidate's campaigns. Ms. Bohlen indicated that they could not.¹

Ms. Bohlen reviewed the Guidebook, noting that the portions of Section 1 "Guide to Elections" that addressed the more specific information regarding the actual election would be addressed at a later date; examples of the various documents for election day would not be available until a later date for review. She suggested that the Board members review those sections to begin to familiarize themselves with the process.

Ms. Bohlen indicated that Town staff was working to address the ongoing concerns surround the Covid-19 pandemic. Social Distancing measures and face coverings would be enforced, and voters would be encouraged to vote by absentee.

Mr. Fleetwood asked the Board members who had worked a Town election in the past if there were any notable experiences in past elections that they could share. Ms. Bowen noted that it was a long day and Ms. Bohlen agreed, reminding the Board members that the day would start at 6:30 AM, with polls open from 7:00 AM to 7:00 PM, that they were not permitted to leave the polling place for the entirety of the day and that they would need to bring food for the day, or have it brought to them. Mr. Fleetwood asked that the Board members let Ms. Bohlen know if the Town could provide anything for the day. Ms. Chavis asked about the number of Board members; Ms. Bohlen confirmed that there were five Board members, but that additional workers would be on site and Ms. Bohlen, Mr. Fleetwood and Ms. Jensen would also be available to provide reasonable

¹ A review of Article VI §C6-1 through 5 does not specify that Board members cannot work on a candidate's campaign, however, such action would likely constitute an ethics violation.

assistance. Mr. Bowen asked whether they could have music and Ms. Bohlen indicated that she didn't believe that that would be a problem.

Ms. Bohlen noted that, while Town staff would provide assistance, potential conflict of interest concerns meant that staff maintain an "arms-length" separation from the actual election process; decisions and actions were ultimately up to the Board members. She also noted that issues encountered in the past tended to be related to voters being at the wrong polling place, or not understanding why their assigned polling place was not the one closer to their home.

Ms. Bohlen noted the list of Board members in Section 2 of the Guidebook and asked that Board members update their contact information as needed. She also noted that the checklist reviewed earlier was in that section and that the third item, Appendix A-3 "Election Materials" would be added closer to Election Day. She also noted that, as she had indicated earlier, Section 4 regarding paper ballot instruction would be completed closer to the election.

Section 4 consisted of street listings for Districts and a district map. Section 5 was the various candidates' forms and absentee voting forms. Sections 6 and 7 were the pertinent sections of the Town Code and Charter and Section 8 would contain copies of the legal advertising and would be filled as completed.

Ms. Bohlen then provided copies of the Candidates' filing documents submitted to date. She noted that she had checked each for the minimum filing requirements, noting that the Financial Disclosure Form was reviewed by the Ethics Commission; the Board of Elections only certified that it was submitted as required. Following the Board's review, a Certification of Candidates form was executed by the Board members.

While the Board reviewed the filing documents, Ms. Chavis asked why the Town didn't hold their elections on the same day as the National Election. Ms. Bohlen noted that the Town elections were completely separate and that the County Board of Elections would not conduct the Town's elections. Ms. Chavis asked if the Town elections could be held at the same polling place, though separately as she believed that would increase turn out. Ms. Bohlen noted that she thought that Ocean City had done that in the past, but that the County, State, and Federal voting districts were geographically different, and it would be very difficult to coordinate the polling places.

Ms. Chavis also indicated that the State of Maryland allowed voter registration the date of the election and asked why the Town did not. Ms. Bohlen stated that she did not believe that was the case; while voter registration might be allowed on Election Day, she did not think that those voters could also vote that same day.² Discussion continued and Ms. Bohlen again noted that the Town's Election process was completely separate and that the Town's voter roll was provided through Worcester County Board of

² Upon researching the matter further, Ms. Bohlen found that voter registration and voting in the Presidential Election was allowed on the same date, however, there was a voter registration deadline several weeks ahead of Election Day for all other Elections held on the traditional national election day.

Elections handled the registration of voters; even if we were to accept the form on Election Day, it would still need to go to the County Board for processing.

In response to a question from Ms. Jensen, Ms. Bohlen noted that, should additional candidates file between now and the deadline for filing, they would be certified for candidacy at the next meeting.

In a follow-up to Ms. Chavis' earlier questions, Ms. Bohlen reminded the Board members that as a Board of the Town, part of their function would be to approach the Mayor and Council with any suggestions or proposals for procedure or policy changes regarding the election process.

The Board continued their review of the candidates' filing documents; all candidates were approved for inclusion on the October 6, 2020 ballot.

Ms. Bohlen also reminded the Board that, as the Board of Supervisors of Elections, they could call into question campaign materials or signage that did not include the required language, or signs placed outside the allowed time frame or in an inappropriate location.

Ms. Bohlen provided the Board members with copies of the Preliminary Voter Roll and explained that one of their tasks in preparation for the Election was to review the roll to determine if any specific voters needed to be noted as deceased or having moved, ostensibly for the purpose of purging the rolls. She asked the Board members to highlight the name, write the reason, and flag the page and then to return their copy to Ms. Bohlen by July 29, 2020. At that time, she would combine the information into one document to inform the County.

Ms. Chavis asked if there was any information regarding the roll of the Board and Ms. Bohlen indicated that, as she had noted earlier, the first section of the Guidebook, as well as sections of the Town Code and Charter, which were also included in the Guidebook, did explain the function of the Board. She reiterated her suggestion that the Board members read through Section 1 of the Guidebook. She would also provide more specific instruction closer to the actual Election date.

Hearing no further questions or discussion, Ms. Bohlen noted that the next meeting would be Tuesday, September 8, 2020.

Without formal motion or vote the Meeting adjourned at approximately 6:15 PM.

Respectfully submitted,



Mary T. Bohlen
Administrative Services Director