



Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

BOARD OF SUPERVISORS OF ELECTIONS MEETING

January 21, 2022– 6:00 p.m.

AGENDA

This meeting will be conducted via Zoom Video Teleconference. As the Town Hall remains closed to the public at this time, citizens may participate by video or phone
Meeting ID: 897 6576 3158; Passcode 886910; Dial-in only: 301-715-8592

<https://uppermarboromd-gov.zoom.us/j/89765763158?pwd=QmZpVXU5RTVEYndRRVRrOTVZRjBNQT09>

6:00 PM Call to Order

- Roll Call
- Review of the agenda
- Review of the schedule for a Feb 22nd election
- Review of any forms that need to be updated
- Review of any notices / mailings or similar
- Review of the “Elections Procedures” document current draft at
https://docs.google.com/document/d/1qdDmSKpRQUB87d3NVYxauISmZ6B_uei-pvMMreBncvo/
- Discussion of absentee ballots (who is available, review of supplies)
- Discussion of election day issues
- How to manage the 14+ hour day
- Pandemic precautions
- Adjournment

Town of Upper Marlboro, Maryland

2022 Special Town Election Schedule

Note:

BoSE = Board of Supervisors of Elections (Town)

"Board of Elections" is the County

[T-x] / [T+x] dates relative to the **election date** (T-: before, T+: after)

[??] : not sure how it's calculated, basing it off the 2020 special election

(but we moved from a Monday to a Tuesday, so it's +/- 1 day)

[x] : using the date that was posted on the Town's website, even though it may be wrong

Date	Action	Assignee	Status
Tuesday, September 14, 2021	Start of the BoSE Term [second Tues in September, odd years]	Town	Complete
Monday, December 13, 2021	Commissioner Pennoyer declined to be sworn in. (election must occur 30-45 days from this date)	Pennoyer	Complete
Tuesday, January 18, 2022	Deadline to submit public notice in newspaper for Voter Registration & Candidate Filing deadlines [tues before thurs before notice deadline]	John H	
Saturday, January 22, 2022	Deadline to review/update absentee ballot forms [T-31 days]	BoSE	
Sunday, January 23, 2022	Earliest date that qualified voters can request an Absentee Ballot (so deadline to post forms online?) [T-30 days](note: website claims Jan 12th)	Voters	
Sunday, January 23, 2022	Voter Registration Deadline (w/ County) [x]"in accordance with state law"]	Votes	
Monday, January 24, 2022	Deadline for public notice in newspaper for Voter Registration & Candidate Filing deadlines [2 weeks before earliest deadline]	John H	
Tuesday, February 01, 2022	Deadline to submit public notice in newspaper for election date, time, and location [tues before thurs before T-14]	John H	
Monday, February 07, 2022	Candidate Filing Deadline [x]"second Monday in October" (usually 4 weeks before for 2020)	BoSE	
Tuesday, February 08, 2022	Board of Commissioners Work Session	Commissione	
Saturday, February 12, 2022	Voter Registration Deadline (w/Town) [T-10 days]	Voters	
Saturday, February 12, 2022	Last day to request an Absentee Ballot [x][T-10 days](but there are exceptions and we're no longer allowed to ask why)	Voters	
Wednesday, February 16, 2022	Deadline to post the Sample Ballot at the Town Hall [T-4 days](business or calendar)	Joe	
Saturday, February 19, 2022	Deadline to submit a poll watcher [T-3 days]	Candidates	
Monday, February 21, 2022	Polling place setup ???	BoSE	
Monday, February 21, 2022	President's Day (Town offices closed)	--	
Tuesday, February 22, 2022	SPECIAL ELECTION DAY (polls open 7am-8pm) [30-45 days from vacancy]	BoSE	
Tuesday, February 22, 2022	Town Regular Meeting ?	Commission	
Wednesday, February 23, 2022	Post election results at Town Hall entrance. Notify MML, Board of Elections, etc. [T-4 days]	John H	
Thursday, February 24, 2022	Deadline for BoSE to certify election results [Thurs after election @ noon]	BoSE	
Tuesday, March 08, 2022	Deadline to destroy all leftover blank "surplus" ballots [??][? T+14 days?]	BoSE	
Monday, March 14, 2022	New commissioner takes office [2nd Monday of the month following the election]	--	
Tuesday, March 15, 2022	Deadline for a run-off election [T+21 days]	--	
???	BoSE paid for their work	Town	
Monday, August 22, 2022	Earliest that ballots (& recordings of votes) can be destroyed [T+6 months]	BoSE	
Tuesday, September 12, 2023	End of the BoSE term [second Tues in Sept, odd years]	Town	

Procedures for Town of Upper Marlboro Elections

This is an attempt to document the procedures as used by the Board of Elections for the Town of Upper Marlboro to run elections, to ensure that elections run smoothly and that all voters are treated fairly.

The official requirements for running of the elections are detailed in the Town Charter and Ordinance 2001-2, which election judges should also read, as the procedures attempt to comply with the requirements (and occasionally reference them), but are not a replacement for them.

References to the Town Charter are given as [82-##] such as [82-30] for "Town Charter section 82-30", and as [II.A.##] for "Ordinance 2001-2 section II.A.##". [References to Maryland State Election Law are given as \[S##-###\].](#)

This document focuses on the needs the day of the election and immediately afterwards, and does not cover other actions that must be taken ahead of the election (posting notices, absentee ballots, drafting / printing ballots, collecting materials from the County Board of Elections, etc.)

“SHALL” in this document indicates a requirement, not a suggestion.

Commented [1]: In discussion today w/ Donna Duncan (MD State Elections), she said that their group has no jurisdiction over municipal elections (which is like a county in state legislation). So does state law even apply to us?

Commented [2]: This will no longer be true once I add the new sections.

Election Preparations

Election Schedule

The Town Clerk shall prepare an election schedule that includes significant dates including any deadlines, Town meetings, and Town Office closures known at the time. The Board of Election Supervisors shall review the document to ensure it complies with the Town Charter, Town Ordinances, and any other election laws.

Important Dates

Election Day

Deadlines:

Candidate Registration

Voter Registration (both county & town)

Absentee Ballot Request

When the above deadlines must appear in the newspaper

When notices must be given to the newspaper so they will appear in time

Posting of the sample ballot

When election materials must be disposed of

Vacancy that triggered the election (if a Special Election)

Town meetings & work sessions

Town holidays (or other reasons the Town offices may be closed)

When voters may begin requesting absentee ballots
Anything else that may affect the election

Calculation of Important Dates

If a deadline for members of the public is given in ‘days’, it will be considered to be ‘calendar days’, to give the public as long as possible before they need to respond.

If a deadline for the Board of Special Elections is given in ‘days’, and it is less than 7 days, it will be considered to be in ‘business days’, to ensure the public is given sufficient notice.

If a deadline for members of the public occurs on a weekend, holiday, or other day that the Town Office is closed, it shall occur on the next day that the Town Office will be open. If a deadline for the Town to provide notice shall occur on a known day that the Town Office will be closed, the deadline will be the day before the closure.

If a date is given relative to a given month of the year, the Board of Election Supervisors will attempt to come up with an appropriate equivalent for special elections given the compressed schedule, with an attempt to give the public as much notice as can be accommodated without creating an undue burden in running the election. [82-29]

Dates Set by Ordinance or Charter

All registration days & elections must be published two weeks before in a newspaper [82-23]

2nd Tuesday in Sept, **even** years : deadline to appoint new Board of Supervisors [82-20]

2nd Monday in Oct. preceding election : deadline to register as a candidate [82-26]

1st Tuesday in November, odd years : town elections [82-27]

Special elections must occur 30-45 days after the vacancy [82-29]

??? “in accordance with state law” : deadline to register w/ County to vote [82-24]

T-30 days : voters may begin requesting absentee ballots [II.A.10]

T-14 days : deadline for notice of election in newspaper [82-23]

T-10 days : absentee ballot request deadline [II.A.10], but see footnote 5.

T-10 days : deadline to register w/ Town to vote [82-24]

T-4 days : deadline to post the sample ballot [II.A.6]

T-3 days : deadline for selection of poll watchers [II.A.4]

T0 : the day of the election

T+2 days (noon on Thurs following) : deadline for certification [82-30]

T+7 days : deadline to publish notice of a runoff election [II.A.8]

T+10 days : deadline to destroy surplus (unvoted) ballots [II.A.14]

T+21 days : deadline to hold a runoff election [II.A.8]

T+6 months : earliest we can destroy voted ballots [82-31]

Commented [3]: it was flipped from odd years to even years in 2021 ... which is likely a mistake.

2nd Tuesday in Sept, ~~even~~ years : end of Board of Supervisors' term [82-20]

Commented [4]: it was flipped from odd years to even years in 2021 ... which is likely a mistake.

Notifications

The Town Clerk shall notify the County Board of Elections annually about any planned elections. This shall be done by replying to the form that the county sends out towards the end of each calendar year.

The Town Clerk shall notify the Board of Election Supervisors and the County Board of Elections as early as possible about vacancies that would trigger a special election. The Clerk may notify them before the vacancy actually occurs, such as in the case of a Commissioner giving a resignation that would be effective at some time in the future. A meeting of the Board of Election Supervisors shall be scheduled as soon as practical after knowledge of the need for a special election. The Town Clerk shall also notify the Board of Election Supervisors if there is mention in any public meeting or work session that a vacancy may be created.

The Town Clerk shall notify the County Board of Elections about any changes to streets and addresses that fall within the Town's boundaries as early as possible after those changes occur. This includes the changing of the town boundaries such as through annexation, construction of new roads, or renumbering of existing roads.

The Town Clerk shall draft notices for both a newspaper of general circulation in the town, and for social media to inform the public about upcoming deadlines. The Board of Election Supervisors shall be given the opportunity to review the drafts to ensure that the notices are accurate and complete before they are posted, but they may be posted to the newspaper without approval if necessary to ensure that the required two weeks notice before the Candidate Registration deadline is given.

The Town Clerk shall draft an update to the Town's website with the schedule changes for the upcoming election, and any other relevant or significant changes to election procedures. The Board of Election Supervisors shall review the draft before it is posted.

Whoever is handling the procurement of the ballots shall inform the printer of the election schedule as early as possible to ensure that they have the necessary materials on hand to begin printing as soon as the ballots are finalized.

Election Forms

Forms shall be updated by the Town Clerk before any election to modify any dates mentioned on them are accurate for the upcoming election. The Board of Supervisors of Elections shall review these forms for any other changes as early as possible in the election planning process.

These forms shall include:

Candidate Registration / Signature Collection

[Absentee Ballot Request](#)
[Emergency Absentee Ballot Request](#)
[Absentee Ballot Instructions / Affidavit](#)
[Election Agent Affidavit](#)
[Town Voter Cards](#)
[Town Emergency Voter Cards](#)
[Election Certification](#)
[Ballot Tracking Sheet](#)
[Absentee Ballot List](#)

Commented [5]: We currently use the county ones, but they stopped printing them in red with language that's affirming the person acknowledges that this could be voter fraud

Commented [6]: Doesn't currently exist -- something to make sure we have recorded the number of ballots that came back from the printer, how many are spoiled, voted, rejected, etc. (and how many we print in-house for absentees)

Election Ballots

Ballot Design and Printing

Ballots shall be printed on heavy weight paper (at least 60lb bond or equivalent), to ensure that marks cannot be easily seen through the reverse side of the ballot.

To ensure that sufficient ballots will be available for voters, there should be printed at least twice as many ballots as the maximum as have been cast in an election in the past 20 years. If there has been a recent annexation or other significant increase in population, the number of ballots should be adjusted accordingly.

Commented [7]: 50%? Should this be different for contested vs. uncontested elections?

The printer for the ballots shall be contacted as soon as possible before the election to ensure that they have the supplies necessary to begin printing as soon as the ballot is finalized, which should be no more than two days after the candidate deadline. Make sure to talk to the printer what requirements they might have, such as file formats and margins (both to the paper edge and for the perforation).

Ballots should have information about the election on one side (the name of the town, the date of the election, and the list of election supervisors), with the ballot instructions (eg 'vote for no more than 5'), a list of candidates in alphabetical order by last name [82-28] with a place to mark voter's choices beside them, and blank lines for write-in candidates on the reverse side.

Regular ballots shall have a perforated tab that on the information side includes space for the voter's name, ballot number, and issuing judge's initials. The tab shall be blank on the other side.

Ballots shall be an appropriate size to accommodate the number of candidates. If possible, all text shall be a minimum of 14pt (approx 1/8") to accommodate low vision voters. They have typically been printed either as "2-up" (two per letter sized page; 8.5" x 5.5") or "4-up" (5.5" x 4.25") with a 1" perforated tab.

When ballots come back from the printer, the ballots shall be counted and recorded so there is a record of how many total ballots there should be. Ballots should be examined on both sides to ensure that there are no significant variations in ink density or stray

marks that might be used to distinguish one ballot from another. Any such ballots shall be counted and recorded

Absentee Ballots

Absentee ballots may be identical to the regular ballots, or may be printed in-house if there is not sufficient time for the printer to turn them around. If printing in-house, the ballots should not include the information that would be printed on the tab.

If using the same ballot as the regular ballots, the tab shall be removed, filled out by the person preparing the packet (numbered as ‘A1’, ‘A2’, etc.)

For each Absentee Ballot Request form, the person processing the requests shall:

1. Verify that the form has been filled out completely (and they signed it)
2. Verify that the voter is registered with the county or town. If not, they will need to either register with the town, or sign an “Emergency Voter Card” if that deadline has passed. The absentee ballot packet can be created for them, with the Emergency Voter Card attached to it for them to pick up from the Town Office.
3. Prepare an absentee ballot packet:
 - a. An Absentee Ballot Instruction / Affidavit Form. The person preparing the absentee ballot packet may put the person’s name and address on this form (either by hand or by sticker)
 - b. An Absentee Ballot
 - c. A privacy envelope that can fit the ballot inside. This must be completely blank on the outside, and of sufficient weight and/or color to mask any markings on the enclosed ballot
 - d. An Agent Affidavit, if required¹
 - e. A return envelope, stamped with postage and addressed to the Town Office or Town’s PO Box. The person preparing the absentee ballot packet may put the person’s name and address as the return address (either by hand or by sticker). Postage should be calculated on the weight of the items that need to be returned.²
 - f. Place all of the above materials in an envelope addressed to the voter, and add postage to it if the voter has requested the ballot should be mailed back to them.
4. If the person has indicated that they will pick up their absentee ballot, give the packet to the Town Clerk.

Commented [8]: should?

Commented [9]: should?

¹ It’s required if someone other than the voter is going to be handling the marked ballot. This would include someone helping them mark the ballot, assemble the return envelope, or hand carrying the absentee ballot to the Town Hall. It is not necessary if someone is picking up their blank absentee ballot.

² Which would be this item plus all of the items above it in the list. (one of which is optional)

5. Make a note on the back of the Absentee Ballot Request of when the packet has prepared, the absentee voter number assigned, if it is being mailed or held for pickup, any phone calls or other contacts with the voter, and any other notes³. All notes should be dated and initialed.
6. If the person has indicated that the ballot shall be mailed (and there aren't any issues that would require a signature or similar), take the packet to the post office, dropping it off at the 'metered mail' slot inside the lobby.

An Election Supervisor should be prepared to visit the Town Hall every day between the when absentee ballots packets can be made⁴ until the absentee ballot request deadline⁵. This may be the same person each day, or different people if schedules do not accommodate it being a single person responsible for absentee ballots.

Ballot Security / Auditing

Ballots shall be kept secured when not in the control of an Election Supervisor. There shall be an Election Safe with at least a 1 hour UL fire certification for storage of election documents.

Returned absentee ballots shall be placed in a secured location under the control of the Town Clerk, to be delivered to the Supervisors of Elections on the day of the election.

Voted ballots should be kept secured after the election in the Election Safe, and should not be removed from the safe without at least two Election Supervisors present.

If there is a need for a recount because of a challenge to the election count, then it shall be scheduled as a public meeting of the Board of Election Supervisors so that the public may witness the recount.

Commented [10]: There were some years when the Town Clerk coordinated the printing of the ballots, assembled the absentee ballot packets, and placed returned absentee ballots in the safe. Should we allow this?

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Election Judges

There are three main responsibilities for election judges when the polls are opened during the course of the election:

- Judge #1 : distributing voter cards and ballots
- Judge #2 : maintains election register(s) and collects the signed voter cards
- Judge #3 : oversees the ballot box & collects ballot stubs

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³ Such as issues that came up (rejected because the person didn't live in town; the person declined to sign the Emergency Voter Card; they didn't sign the form), when they were notified about the problem, etc.

⁴ No earlier than the day after the candidate deadline if printed in house

⁵ 10 days before the election [II.A.10], but there are also special cases in [II.A.10] that qualify as an 'emergency', which we're not allowed to ask about per state law. So in practical terms, the Wednesday before the election, so we have time to mail the packets back to people.

These are roles, not people, and so roles may shift through the day, such as if an election judge needs a bathroom break. Although historically the election judges are the members of the Board of Supervisors of Elections, this is not required as the Supervisors may delegate responsibilities to the Town Clerk or other staff. [82-22]

At no time while the polls are open may there be less than two election judges in the election room, barring extreme emergencies.⁶

Voting Materials

The following materials should be collected from the County Board of Elections, which on the day of the election are likely in the custody of the Town Clerk:

- Voter Cards
- Emergency Voter Cards
- Voter Registry (county)
- "I voted" stickers
- Voting Screens

The following materials or information should be collected from the Town Clerk. Some of this material is stored in the ballot box or the town safe.

- Ballot box(es) with their associated locks and keys
- A metal spike on a stand
- A map of the town, showing the municipal boundary
- Voter Registry (town)
- Ballots
- [Security seals](#)
- Pens
- Two envelopes (for spoiled & rejected ballots). [II.A.15]
- List of absentee voters
- The number of registered poll watchers [II.A.4]
- Blank "Upper Marlboro Voter's Authorization Cards"
- A pad of lined paper
- Something to push ballots down in the box (see ballot box table setup)
- Candidate statements or similar coverage of any questions

Voting Room Setup

The following locations must be set up: the registration table, voting enclosures (aka "voting booths"), the ballot box table. There must also be a poll watcher area if there are any watchers registered.

⁶ Extreme emergencies are those with a potential for loss of life or injury, such as a fire. If the judges determine that such an event is occurring, they shall attempt to secure the ballots, election box(es), voter cards, and registries and move as a group to a safe location until they can safely resume the election.

Registration table

The registration table should be set near the entrance to the room, and have space for two election judges:

Judge #1 is in charge of the voter registration cards & ballots:

If there are any voters in the town registry and not the county registry, fill out an "Upper Marlboro Voter's Authorization Card" for them.

The voter cards are then sorted and merged together⁷

If any voters have requested absentee ballots, their card shall be removed from the box, marked "ABSENTEE", initialed, and given to Judge #2.

This judge should have a copy of the town map, a supply of pens, and the ballots.

The judge should mark the envelopes "spoiled and not voted" and "rejected" [II.A.15]

Judge #2 is in charge of the voter registers and signed voter cards

Judge #2 marks the register(s) for any citizen who requested an absentee ballot, even if they did not return the absentee ballot.

The judge shall place the cards for the absentee voters in the location to store signed voter cards.

The judge should have a pad of lined paper to record voter's names for the town record.

The judges shall (collectively or individually) flag voter cards if they believe the information in the registry may no longer be accurate or may disqualify a person from voting.⁸

There should be a location near the registration table for people to sign their cards without bending over; typically the podium is used.

Voting enclosures

Screens shall be set up to give voters privacy while voting. If voters will have their backs to the windows, adjust the blinds to prevent people from seeing in. [II.A.12]

⁷ The County provides multiple stacks of cards:

White cards : current voters

Blue cards : county voters who haven't voted in a while

Green cards : recently registered voters

Pink cards : blank "Emergency Voter Registration" cards

There are also the blank Town cards, which have in the past been either yellow or white.

⁸ This is to comply with [82-24] which states "It shall be the duty of the Board of Supervisors of Elections to keep the registration lists up to date by striking from the lists persons known to have died, to have moved out of the Town, who have failed to vote in three successive general elections held in said Town, or who have become otherwise disqualified." As the County Board of Elections has informed municipalities that they consider municipal boards of election to be the public and that the public are not allowed to trigger the process for names to be removed from the county register (making the process spelled out in [II.A.2] insufficient to maintain the list per [82-24])

This shall include people in the county register who have mailing addresses that are not within the town.

If using the county-supplied screens, turn them so the instructions are on the outside, as their instructions to fill in the oval conflict do not apply to our ballots.

There should be at least one location that allows people to vote without bending over or sitting down. There should be at least one location at sitting height for people in wheelchairs.

Typically three screens is sufficient, but more may be needed if there are questions along with the ballot. If this is the case, also provide chairs at the voting booths.

Ballot box table

This table must be set so the ballot box(es) are in clear view of all election judges and poll watchers.

Judge #3 is in charge of the ballot box and collecting the stubs from the ballots.

The judge should have the ballot box(es) with their associated locks and keys, the "I voted" stickers, a metal spike on a stand, and something to push down ballots that might block the slot (currently a small American flag).

Poll watcher area

Chairs shall be placed for any registered poll watchers that have a clear view of the room, the judges, and the ballot box(es), but is not behind any of the voting booths and does not obstruct the flow of voters. Preferably, they would be near the entry door across from the registration table. [II.A.5]

The area for poll watchers should be separate and distinct from the areas used by election judges.

Election Day Operations

Opening the polls

Shortly before the opening of the polls, all judges and poll watchers shall inspect (each) ballot box to ensure that it is empty

Judge #3 shall lock the box(es) and place them where all judges and poll watchers can easily see them

Judge #3 shall give the keys to some other election judge, preferably the Chief Judge if they are not Judge #3.

Judge #3 shall affix a security seal to (each) ballot box, and at least three election judges present shall record the number of the seal.

Commented [11]: We likely need to have some sort of form for tracking security tags -- when they're removed / replaced, why, who was present to witness it, etc.

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Voter Check-in

For each prospective voter⁹ that enters the voting room:

Judge #1 asks the person their name, and retrieves their card from the box.

If no card is found, Judge #1 should ask them how to spell their name or if they might be listed under some other name.

If still no card is found, Judge #1 shall ask them where they live

If the judge is unfamiliar with the address, Judge #1 shall ask them to point to it on the map

If the address is outside of the town limits, Judge #1 shall thank them for their attempt to do their civic duty and explain that they are not within in the municipal limits of the town, although they may be part of the "Greater Upper Marlboro Area". If there's no line, the judges may perform civic outreach by discussing the town and its history with the person, or mention HOAs or civic associations that the person may fall under. Prospective voter will not be issued a ballot.

If the address is within the town, Judge #1 shall check the absentee voter list

If an absentee ballot was requested, they may not vote in person [II.A.10] and so will not be issued a ballot, and instead should be directed to the Town Clerk to get a replacement absentee ballot.¹⁰

Judge #1 shall inquire if they have lived at that residence for the last 30 days [82-19]

If they haven't, then thank them for attempting to do their civic duty, but inform them they're not yet eligible to vote, and will have to wait until the next election. Prospective voter will not be issued a ballot.

If the prospective voter asserts they have lived there for 30 days, Judge #1 shall ask to confirm the other voter eligibility requirements (US citizen, over 18) [82-19]

If they affirm their eligibility, Judge #1 shall give the prospective voter an emergency voter card to fill out and sign.

Judge #1 should remind the citizen to verify / update their information with the County Board of Elections

All judges shall then hope and/or pray that the margin of victory is greater than the number of people filling out emergency voter cards

⁹ Although this document says "prospective voter", "voter" and "person", this may be two people, if the prospective voter has an agent and has a completed agent authorization form, available from the Town Clerk. [II.A.11]

¹⁰ We currently have no procedures for a case where someone fraudulently requested an absentee ballot in someone else's name. We recommend that the Town Clerk confirm the person's identity ([to determine if an 'agent' document is required](#)), and compare the person's signature to the ones on record as requesting and submitting the absentee ballot. If they are not similar, we recommend that the Town Clerk challenge the absentee ballot [II.A.10, second to last paragraph], and issue the person a new absentee ballot.

I would assume Supervisors of Elections should investigate the incident and may report the incident to relevant authorities (County Board of Elections, Town Chief of Police)

Once the judge has found the appropriate voter card, if it has been flagged [see footnote 3], the judge shall ask the prospective voter to confirm their eligibility.

If the voter does not confirm their eligibility, they shall not be issued a ballot.

The judge shall mark on the voter card the assigned voter number and the judge's initials, then give it to the prospective voter and ask them to verify the information and sign it.

If the voter has an issue with the information, ask them to make a note of it on the card, but to also contact the County Board of Elections if it's a county-generated card. [If the Town has contracted with the County Board of Elections to be available during the election, an election judge shall call the County Board to inform them of the changes needed during the next available lull in voters.](#)

If the voter does not confirm their eligibility by signing the card, they shall not be issued a ballot.

The judge shall collect the signed card, then write the voter's name and assigned number on stub of a ballot¹¹, give it to the voter, and instruct them on the procedure for voting:

Go to one of the available voting booths, vote for up to three candidates (unless a special election), any supplemental/referendum questions, and to take the ballot when done to Judge #3

If there is a line growing, Judge #2 may give the voter instructions

Judge #1 passes the signed card to Judge #2

Judge #2 records that the person has voted in the appropriate register (town or county)

If a person is in both registers, only the county register is marked.

Judge #2 records the voter's number and name on their supplemental list

Ballot submission

For each voter [see footnote 4]:

Judge #3 shall instruct the voter to tear off the ballot stub, and hand them the stub

The judge shall spear the stub onto the metal spike

The judge shall instruct the voter to place the ballot in the box (and to fold it if necessary)

The judge shall instruct the voter to place the questionnaire in the second box, if there is one for this election.

The judge should offer an "I voted" sticker to the voter

The judge should thank the voter for coming out to vote

The judge may use the small American flag to shove ballots or questionnaires deeper into the box / away from the slot.

The judge may give advice on how best to insert the ballot or questionnaires into the box (eg, corner first to catch the slot).

The judge may physically assist a voter having difficulty inserting a ballot or questionnaire, although it should be avoided if at all possible.

¹¹ Election judge may pre-number the ballots, to ~~can~~ keep track of what the next number to be assigned is. Judges may also fold the ballots at the perforation to make them easier for the voters to tear off the stub.

Closing of the polls

Just before the polls close, the Town Clerk shall deliver the absentee ballots to the election room.

For each absentee ballot:

The election judges shall open the outer signed and sealed envelope, verify the absentee forms, then remove the unmarked inner envelope, and deposit the inner envelope into the ballot box.

If any judge believes there is a problem with the absentee ballot, they should challenge the ballot [II.A.10, second to last paragraph] ¹²

At the time posted for the closing of the polls (typically 8pm), all prospective voters currently in the voting room, or in line to vote shall be processed and given the opportunity to vote if they are qualified.

Tallying the Votes

Once all voters have finished voting, candidates and members of the public may enter the voting room to witness the counting of the ballots. [II.A.9]

Tables used as voting booths may be moved out of the way to give more space for chairs, as needed for the number of witnesses.

The registration table should be cleared of any unvoted / spoiled ballots, or other materials that might obstruct the view of the witnesses, and each judge should have a piece of paper and a writing implement to perform their tally.

The Town Clerk or an election judge shall announce the following portion of Ordinance 2001-2 section II.A.9:

"Once the counting begins, the door to the polling room will be closed and no one will be allowed to enter until the votes have been tallied. Once inside the room, anyone wishing to leave will not be readmitted until the counting has concluded. The use of cell phones, pagers and beepers will not be permitted in the polling room during the counting of the votes. Anyone who violates the restrictions set forth herein may be, at the discretion of the election judges, ejected from the proceedings."

¹² [II.A.15] Requires that we move spoiled and "not voted" ballots to an envelope marked "spoiled and not voted" after writing "Spoiled" or "Not Voted" on the back of the ballot and initialing it. But they also designate an envelope for "rejected" ballots (which must be marked "Rejected").

Per the US Election Admission Commission:

Rejected Ballot: A ballot which has been cast but cannot be counted due to a defect or ineligibility of the voter; Spoiled Ballot: A ballot which has been mistakenly marked or altered by a voter. A spoiled ballot is not cast, and the voter may request a new ballot to mark correctly. Abandoned Ballot: Ballot that the voter did not place in the ballot box or record as cast on a direct electronic recording device (DRE) before leaving the polling place, and never explain what is the difference between "spoiled" and "rejected". To maintain consistency, any ballot that not accepted because of the voter, such as challenges such as per [II.A.10] and found invalid will be considered "rejected". Any ballot that cannot be counted because of markings on the ballot (such as voting for too many candidates) will be considered "spoiled".

... and then the door to the voting area shall be closed.

Judge #3 retrieves the key(s) to the ballot boxes

For each set (ballots vs. questionnaires, if on separate pieces of paper), the Election Supervisors~~judges~~ shall:

Verify that the seal on the ballot boxes matches the number of the seal that was applied at the opening of the polls

Unlock the box and remove the ballots

For each absentee ballot:

Open the envelope and ensure that there is only one ballot within ~~in~~ it. [II.A.9]

If there is more than one, they are ~~rejected~~considered spoiled [see footnote 7]

Election Supervisors~~Judges~~ may flatten ballots out and/or attempt to stack the ballots so they're all facing the same way before the start of the counting.

Any ballots that have voted for more candidates than available in that election (3 in a regular election, 1 in a special election) shall be ~~rejected~~considered spoiled [see footnote 7]

Any ballots that are unclear as to their marking shall be evaluated by the election judges. If the judges can't reach a unanimous decision of how to consider it voted, or they unanimously agree that it's invalid, then it shall be ~~rejected~~considered spoiled [see footnote 7]

Election Supervisors~~Judges~~ may group similarly voted ballots to (attempt to) speed up the tally

An Election Supervisor~~election judge~~ shall read the voted names clearly¹³ [see footnote 8], with a count of that group of ballots.

The Election Supervisor~~election judges~~ shall each maintain their own tally of the votes

Each Election Supervisor~~judge~~ shall add up the votes for each candidate (or question)

If the counts are not in total agreement, Election Supervisors~~judges~~ shall look through their tally for any arithmetic mistakes

If the counts are still not in total agreement, the ballots shall be read out loud again

Any Election Supervisor may request a 'checkpoint' during the count, in which all Election Supervisors will count up their tallies and compare to see if all are in agreement. Ballots will be grouped to track which were before or after a checkpoint, should counts get out of sync.

Commented [12]: what if we know they voted for 2, but can't be sure about a third mark?

Commented [13]: I don't know why this is indented like it is. It might have been some sort of grouping, but why twice?

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¹³ Only read out the names of the people who were voted for. When there are three people running, DO NOT say "A and B but not C" unless you want to be there all night because you have to do a re-count.

If there is a tie, a run-off election must be scheduled [II.A.8]

Certification of the Results

The Town Clerk shall give the Board of Elections a document to fill out to certify the election results. [II.A.13]

An election judge shall record:

- the total number of votes cast in the election
- the number of votes cast for each candidate
- the number of invalid (spoiled) ballots
- a certification of the names of the candidates elected
- those candidates who must participate in a runoff election
- approval/disapproval of each referendum question

Each election judge shall sign the document and it shall be delivered to the Town Clerk by noon on the Thursday after the election. [82-30]

Cleanup & Record Keeping

Town & emergency voter cards shall be separated out from the stack of signed cards and *not* given to the County Board of Elections.

The county register is to be returned to the County Board of Elections along with the voter cards for those who voted. Requesting an absentee ballot counts as voting, even if the ballot wasn't returned.

All voted ballots and "recording of votes" must be maintained for six months. [82-31]

As it's unclear if this is just the official certification, or the election judges' tallies, the individual tallies should be initialed by the judge and collected with the other materials.

All voted, spoiled, and rejected ballots shall be placed into a box and a security seal applied and recorded. Election judge's individual tally sheets, and the town's list of voters shall be copied, with the original documents, ballot tabs, and absentee ballot documents being placed into a separate box with a security seal applied and recorded. The two sealed boxes shall be placed into Town Elections safe, and the safe locked.

All spoiled, "non voted", and rejected ballots must be kept for six months. [II.A.15]

All other records related to the election, such as absentee ballot requests or agent authorization forms should also be kept for six months.

Surplus (unvoted) ballots should be destroyed ten days after the election, if the town isn't notified that someone is contesting the election within that time. [II.A.14]

Other Policies

Poll watchers may not speak with the voting public. [II.A.5] This applies through the duration of the election, even if the poll watcher leaves the room (such as on a bathroom break), although they may speak with town staff, their family, friends, or candidate to coordinate arrangements for dinner.

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Electioneering is forbidden in the polling place and within 300 feet of any entrance or exit. [II.A.3] This includes canvassing, posting, or distributing campaign literature.

No one in the polling place may ask anyone how they intend to vote or have voted, to include indirect attempts at ascertaining a person's vote.

No person in addition to the voter may be in a voting booth at a time, unless that person has a valid agent authorization form or is under 18 years of age.

Election judges may be social, and chat with voters. This includes asking people to predict how many voters will show up, talking about current or local events, but should not include any discussion of candidates or any issues on which they are campaigning. They may not chat with voters in voting booths.

If voters ask questions about how they should vote, if available, election judges may direct them to the candidate statements or coverage of questions to ensure a well-educated voter, but shall avoid any attempts to discuss issues or otherwise influence voters.

If there are no voters in the room, election judges and poll watchers may chat among themselves. They may not discuss candidates or campaign issues unless all people in the room have already voted, and must stop discussing these topics should any prospective voters arrive.

Election judges may mention the importance of referendums or "non binding questions" to voters to try to make sure they answer the questions, but must avoid campaigning for any specific response to the questions

Judges should avoid discussing the context / history of the questions, to avoid influencing voters.

Judges may answer pointed questions about the questionnaire before the voter goes back to the voting booth, but judges should be aware of their potential bias, and the possibility of questions to the judges to be used as electioneering such as by raising issues intended to be heard by other voters.

People may not linger outside the polling place, other than election staff and police. [II.A.3].

An exception will be made the last 15 minutes of the posted election time, for voters who wish to gather to witness the election count. Town staff in their offices or otherwise going about their business shall not be considered "lingering", nor will inquiries by town staff as to how many people have voted so far.

Any election judge who witnesses a violation of these policies shall give the violator a warning. If the person shall violate the same policy that they were warned again a second time, the election judges shall ask them to leave. If they refuse to leave, the election judges may request the assistance of the Town Police to remove the person or if a violation of Ordinance 2001-02, to charge them.

[Police officers will be discouraged from being at the Town Hall unless their presence is requested, to avoid issues related to Maryland State Election Law §16-903. \(Election judges have the power to direct police officers \[§10-304\(a\)\(1\)\]\)](#)

After The Election

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Certification of the Results

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If the results have not been certified on the night of the election, the document must be signed by all members of the Board of Supervisors of Elections by noon on Thursday after the election [82-30]

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If there is a tie vote that would affect the outcome of the election, a run-off election must be scheduled within 21 days, and notices of the run-off election must be published within one week from the original election date [II.A.8]

Commented [15]: I assume "within one week of the election date" refers to the election in which there was a tie, and not the run-off election. (because "within one week" of the run-off election would mean you could publish the notice the day before)

Return of Materials

The Voter Cards for anyone who was issued a ballot that was not an Emergency Voter Card or a Town Voter Card shall be returned to the County Board of Elections along with the Voter List supplied by the County and any election materials that were borrowed from the County.

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Records Disposal

Surplus (unvoted) ballots should be destroyed ten days after the election, if the Town hasn't been notified that someone is contesting the election within that time. [II.A.14]

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Marked ballots (including spoiled and rejected) shall be destroyed six months after the election. [82-31]

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2020 Special Election Procedures

Due to the current pandemic, the state, county & the town have policies in place that may limit voters from entering the polling room, or the number of witnesses during the vote tally.

To ensure public participation while complying with those policies, the following procedures will be used for the 2020 Special Elections:

1. People will be screened for high-temperatures before being allowed to enter the building. Anyone with a temperature above _____°F, refusing to wear a mask, or with other signs of illness will not be allowed to enter. If this occurs, town staff performing the screening will move the person to a voting station set up outside the building, and will contact the election judges so they can bring the necessary materials outside.
2. Pens will be distributed at the voter registration table for people to sign their user card and mark their ballot. Pens will be collected at the ballot box table and then cleaned before being distributed again. If people are required to sign into the building, pen distribution will be moved to the temperature screening station.
3. Hand sanitizer will be made available to people as they enter & leave the polling area to reduce transmission.
4. If a voter has suddenly taken ill, injured, or otherwise cannot come to the polling place, but has not already requested an absentee ballot, a neighbor or family member may request an absentee ballot as their agent. The Town Clerk shall give them the "emergency absentee ballot request" form and any other necessary materials and instructions. Absentee ballots must be returned by the close of the polls to be counted.
5. Voters must maintain a distance of 6 feet from people not a part of their household.
6. The number of people in the voting room will be limited to 10 people. If too many voters arrive at once, they will be queued outside until other voters have left the room.
7. If the number of witnesses for the vote tally would require more than 10 people in the polling room, the "polling room" shall be considered to be the public space of the Town Hall, to include the lobby area, meeting room, and the hallway between them. The cameras & broadcasting equipment shall be used to display the ballot counting on the TV in the lobby area.