

State of Maryland 

State Board of Elections – August 22, 2019 Meeting

Attendees: Michael R. Cogan, Chair
Patrick J. Hogan, Vice Chair
William G. Voelp, Member
Kelley A. Howells, Member
Malcolm L. Funn, Member
Linda Lamone, Administrator
Nikki Charlson, Deputy Administrator
Adam Snyder, Assistant Attorney General
Donna Duncan, Assistant Deputy, Election Policy
Keith Ross, Assistant Deputy, Project Management
Jared DeMarinis, Director, Candidacy and Campaign Finance
Erin Perrone, Director, Election Reform and Management
Mary Wagner, Director, Voter Registration
Sarah Thornton, Technical Writer, Project Management Office

Also Present: Anne White, Anne Arundel County
Ruie Lavoie, Cecil County Board of Elections
Allison McCord, Harford County Board of Elections
Cindy Remmey, Harford County Board of Elections
Margaret Jurgensen, Montgomery County Board of Elections
Alysoun McLaughlin, Montgomery County Board of Elections
Jessica Newby, Montgomery County Board of Elections
Alisha Alexander, Prince George’s County Board of Elections
Kelly Madigan, Office of the State Prosecutor
Rebecca Wilson, Save Our Votes
Nicole Hanson, Democratic Party Voter Protection Committee

DECLARATION OF QUORUM PRESENT

Mr. Cogan called the meeting to order at 2:04 pm and stated that there was a quorum present. Mr. Cogan stated that the meeting was being recorded.

RATIFICATION OF MINUTES FROM JULY 2019 MEETING

Mr. Funn made a motion to ratify the approved minutes from the July 27, 2019 meeting, and Ms. Howells seconded the motion. The motion passed unanimously.

ADDITIONS TO THE AGENDA

There were no additions to the agenda.

ADMINISTRATOR’S REPORT

Mr. DeMarinis introduced Kelly Madigan, the new Acting State Prosecutor.

1. Announcements & Important Meetings

National Conference of State Legislatures - Legislative Summit

From August 5th - 8th, Mary Cramer Wagner attended the National Conference of State Legislatures’ Legislative Summit in Nashville, Tennessee. Seminar topics covered the 2020 Census and redistricting, cybersecurity in elections and rank choice voting. Voter registration topics included revisiting “motor voter” and the National Voter Registration Act (NVRA), automatic

registration, and the challenges for the elderly, individuals with disabilities, and Native Americans face in registering and casting a ballot.

Election GEO Summit

On August 14th, Nikia Wilbon-Turner attended the Elections GEO Summit (converting addresses into geographic coordinates) in Washington, D.C. The summit was filled with information on the future of GIS, examples of best practices and a lengthy presentation on a Geo-enabled pilot program which included Kansas, Minnesota, Nebraska, Pennsylvania, Kentucky, and West Virginia.

2. Election Reform and Management

Comprehensive Audit: Reports from 2018 Elections and Planning for 2020 Elections

Tracey Hartman has completed the comprehensive audit of the 2018 elections. All local boards have responded to the preliminary reports and all responses from SBE have been issued. Moving forward to the comprehensive audit of the 2020 elections, Ms. Hartman and other SBE staff members will review the guidelines and feedback from local boards during the 2018 process, identify ways to improve the audit process, review what is being audited, how often, and the methods for collecting and reporting data.

Post-Election Automated Audit - 2020 Elections

At its meeting on August 14th, the Board of Public Works approved a contract with The Clear Ballot Group to perform the post-election automated audit of the 2020 elections, with an option to exercise the contract for the 2022 elections. The contract for the 2020 election cycle starts on October 1, 2019.

New Social Media Account

We are happy to welcome the Carroll County Board of Elections to Twitter. Cortnee Bryant is working with the Carroll County Board of Elections and representatives from Twitter to get the new account verified.

2020 Election Judges' Manual

The Election Judge Workgroup has completed its review of chapters 5 through 9 of the Election Judges' Manual. Chapters 10 through 13 and the election judge forms are being revised and will be reviewed with the workgroup in the coming weeks. Chapters 1 through 4 have been submitted to the Assistant Attorney General for his review.

Ballot Stubs

The topic of ballot stubs will be discussed at the in-person Election Directors' meeting scheduled for 10 am on August 22nd. A summary of the discussion was provided at the State Board meeting.

Ballot Marking Device Statement - Review by University of Baltimore

The new ballot marking device statement was submitted for review to Dr. Kathryn Summers at the University of Baltimore. She replied that the statement is "so much better" and "this will make it easier to choose the BMD, which is really more usable for folks with lower literacy skills."

3. Voter Registration

MDVOTERS

A Joint Application Design (JAD) session was held to discuss enhancements to the Geographic

Information Systems (GIS) module in MDVOTERS. Currently, Carroll, Howard and Wicomico County Boards of Elections are working with their counties' GIS departments to identify any additional enhancements.

MVA Transactions

During the month of July, MVA collected the following voter registration transactions:

New Registration - 11,153	Residential Address Changes - 24,195
Last name changes - 3,189	Political Party Changes - 6,346

Non-Citizens - July 2019 Information

Submitted to the Office of the State Prosecutor - 10

Removal of non-citizens - 10

Removal of non-citizens who voted - 2

Removal of non-citizens who voted multiple times - 0

Non-citizens reported by Immigration & Customs Enforcement - 0

Change in status from Office of the State Prosecutor - 0

4. Candidacy and Campaign Finance (CCF) Division

Candidacy

Currently, 29 candidates have filed at SBE for the 2020 election cycle. SBE has filed 11 Baltimore City Candidates.

Campaign Finance

The CCF division is still working with numerous political committees to reconcile discrepancies between the bank and cash on hand balances found during the audit. This is a time intensive endeavor depending on how long the political committees have been active. Most political committees welcome our assistance in resolving these issues.

Enforcement Actions

The CCF Division received the payments for the following civil penalties:

1. The committee for Henderson, Tonya (Watonia) for Circuit Court Clerk paid a civil penalty of \$100.00 on July 17, 2019, for making a cash disbursement greater than \$25.00.
2. The committee for Bardack, Paul, for Working Families and Seniors paid a civil penalty of \$850.00 on August 9, 2019, for failing to maintain account books and records and record contributions and expenditures.

5. Project Management office (PMO)

Inventory Management

August 15th and September 15th are the due dates for the Department of General Services (DGS) annual reports. The August 15th first reporting requirement was submitted to DGS.

SBE continues to dispose of equipment via the State's disposal process that included auctioning, recycling, transferring, or trashing the items.

Additional Space and Painting and Carpeting Projects

The PMO continued its coordination, logistics, and scheduling of work with the additional office

space working with the Department of General Services (DGS) and the landlord.

The construction of the new space is complete with the major remaining tasks are the delivery and installation of the cubicle system and the standalone furniture ordered from the Maryland Correctional Enterprise. Those items will be delivered and installed on September 6th. The landlord will then arrange for the City of Annapolis to come out and conduct the Use and Occupancy permit inspection.

The painting and carpeting project was delayed due to issues employees encountered with the fumes. SBE is working with DGS and the landlord to resolve the issues so that the project can resume. DGS had an air quality test performed by a contractor. When the project resumes, the painting and carpeting work will take place at night as opposed to during the day. In addition, a number of other steps are being taken to ensure there is minimal impact on employees.

The upgraded alarm and monitoring systems installations are complete. The upgraded installation of the access pad system is near complete.

Procurements

The PMO continued to work on several procurements. The pre-proposal conference for the Election Project and Other Staffing Task Order Request for Proposal (TORFP) will be held on August 23rd. Procurement work also took place for additional precinct voting booths, privacy sleeves, black carts and the initiation of the new pollbook project for 2022.

6. Voting System

Electronic Pollbooks

SBE continues to work with ES&S on the software update for the implementation of same day registration on election day. We expect to have a testable version of the updated software in September 2019. SBE is in the process of finalizing a statewide test plan for the new software release. The test is expected to begin the first full week of October 2019.

At the August 14th meeting of the Board of Public Works, SBE presented for approval the procurement of 410 Seiko MP-A40 printers. These printers will be used with the electronic pollbook to print the voter authority cards and are being procured to provide an adequate amount of printers to the LBEs for the upcoming 2020 elections. The procurement for the printers was approved.

Voting System Upgrade

SBE continues the planning process for a possible software and firmware upgrade that will include all components of the voting system. SBE is working with ES&S to schedule an on-site demonstration of the updated software utilizing the proposed computer hardware in September 2019. The Voting System Testing Laboratory continues to test the voting system software for federal certification. ES&S continues to report that certification is expected by October 31, 2019.

At the August 14th meeting of the Board of Public Works, SBE presented for approval a voting system contract modification. The modification allows for the procurement of additional voting equipment in preparation for the 2020 elections and funding for the potential upgrade of the voting system software. The contract modification was approved.

ASSISTANT ATTORNEY GENERAL'S REPORT

Mr. Snyder provided the following report.

1. *Fusaro v. Davitt et al.*, No: 1:17-cv-03582 (U.S. District Court, D. Md.). Plaintiff Dennis Fusaro brought a complaint in federal court alleging that Maryland violates the First and Fourteenth Amendments by limiting access to the voter list to Maryland voters and only for purposes related to the electoral process. On September 4, 2018, the State defendants' motion to dismiss the complaint was granted, and the plaintiff appealed. On July 12, 2019, the Fourth Circuit vacated the dismissal order, and remanded the case for further proceedings. The Fourth Circuit concluded that Mr. Fusaro had pled a cognizable claim under the First Amendment, but that the State would be entitled to a relaxed level of scrutiny as to whether the limitations violate Mr. Fusaro's rights on remand. A conference call with the U.S. District Court has been scheduled for August 27, 2019, to discuss further proceedings in the case.
2. *Johnson v. Prince George's County Board of Elections*, No. CAL16-42799 (Cir. Ct. Prince Georges Cnty.). No change from the last update. This case involves a challenge under the U.S. Constitution and Maryland Constitution and Declaration of Rights to the SBE's alleged failure to provide information and access to voter registration and voting resources to eligible voters detained by the Prince Georges County Department of Correction during the 2016 election. The case had been originally filed in the Circuit Court for Prince Georges County but was removed on the basis of the federal claims asserted by the Plaintiffs. On February 27, 2018, the U.S. District Court for the District of Maryland granted SBE's motion to dismiss the Plaintiffs' federal claims, declined to exercise jurisdiction over the state claims, and remanded the case to the Circuit Court for further proceedings. The parties are awaiting further direction from the court.
3. *Barber v. Maryland Board of Elections*, No. C-02-CV-17-001691 (Cir. Ct. Anne Arundel Cnty.), *on appeal at* No. CSA-REG-2238-2017 (Md. App.) On January 25, 2018 Ms. Barber appealed from the Circuit Court's January 11, 2018 dismissal of her complaint. Ms. Barber sought damages and judicial review of, among other things, the State Board's decision not to issue a declaratory ruling permitting her to use campaign funds to pay for litigation costs she incurred in her unsuccessful attempt to retain her position as an administrative law judge in the District of Columbia. Ms. Barber was ruled ineligible for that position due to her candidacy in 2016 for Judge of the Circuit Court for Prince George's County, Maryland. On July 26, 2019, the Court of Special Appeals affirmed the dismissal of Ms. Barber's complaint.
4. *Judicial Watch v. Lamone*, No. 1:17-cv-02006-ELH (U.S. District Court, D. Md.). This case involves the denial of access to Maryland's voter registration database. Under Maryland law, access to the voter registration list is limited to Maryland registered voters and only for non-commercial, election-related uses. Judicial Watch—an elections watchdog group located in Tennessee—requested Maryland's voter registration "database" and was denied because it was not a Maryland registered voter. Judicial Watch filed suit, arguing that the database was required to be disclosed under the federal National Voter Registration Act. On April 24, 2019, Judicial Watch filed a reply in support of its motion for summary judgment. On May 8, 2019, the defendants filed a reply in support of their cross-motion

for summary judgment. An August 8, 2019, the District Court awarded summary judgment to the plaintiffs, but requested further briefing on the issue of whether the State Board of Elections should be compelled to produce the dates of birth of voters along with the other voter information available on Maryland's voter registration lists. The court has asked for a proposed briefing schedule to be submitted by August 22, 2019

5. *The Washington Post, et al. v. McManus, et al.*, No. 1:18-cv-02527 (U.S. District Court, D. Md.), *on appeal at* No. 19-1132 (U.S.C.A., 4th Cir.). This case presents a First Amendment challenge by a coalition of newspaper publishers that maintain an online presence to certain provisions of the recently-passed Online Electioneering Transparency and Accountability Act (the "Act"). On January 4, 2019, the district court granted the plaintiffs' motion for preliminary injunction on the ground that the plaintiffs' "as applied" constitutional challenge to the statute was likely to succeed. On February 2, 2019, the defendants appealed that ruling to the Fourth Circuit. On April 12, 2019, the defendants filed their opening appellate brief. On April 19, 2019, the Campaign Legal Center and Brennan Center for Justice filed *amicus curiae* briefs in support of the appellants. On May 31, 2019, the plaintiffs filed their response brief. On June 7, 2019, *amicus curiae* briefs in support of the plaintiffs were filed by the Institute for Free Speech, the National Association of Broadcasters and NCTA – The Internet & Television Association, and the News Media Alliance together with 16 other media organizations. On July 3, 2019, the defendants filed their reply brief. The Court has tentatively scheduled oral argument to take place during the week of October 29, 2019.
6. *Johnston, et al., v. Lamone*, No. 18-cv-3988-ADC (U.S. District Court, D. Md.), *on appeal at* No. 19-1783 (U.S.C.A., 4th Cir.). On December 28, 2018, the Libertarian Party of Maryland (the "Party") and its Chairman, Robert Johnston, filed a lawsuit alleging that the statutory scheme governing the official recognition of minor parties in Maryland, as applied to the Party, was unconstitutional in at least two ways. They alleged that the scheme violates their First Amendment speech and association rights by requiring the Party to undertake the petition process to re-obtain formal recognition under State law, when there are already over 22,000 Maryland voters currently registered as Libertarians. They also alleged that the standard by which Maryland verifies petition signatures is unconstitutionally strict, in that it requires the rejection of signatures of known Maryland voters due to technical noncompliance with the statutory standard. Plaintiffs moved for a preliminary injunction, which was denied at a hearing on January 31, 2019. Subsequently, the defendant filed a motion to dismiss. On July 11, 2019, the district court granted the motion dismiss, concluding that the requirement that the Libertarian Party re-petition for recognition did not violate the party's or its members' constitutional rights, and that the challenge to Maryland's signature standard was not ripe in the absence of a filed petition. On July 24, 2019, the plaintiffs filed a notice of appeal, and on August 9, 2019, filed a motion to expedite the appeal. That motion was granted, and the plaintiffs' opening brief is due September 11, 2019.
7. *Phukan v. Maryland State Board of Elections*, No. C-2-CV-19-000192 (Cir. Ct. Anne Arundel Cnty.). On January 23, 2019, Anjali Reed Phukan, who was the Republican nominee for Comptroller in the 2018 election, filed a lawsuit against the State Board of Elections seeking a writ of mandamus directing the State Board of Elections to decertify Comptroller

Peter Franchot's campaign committee, an injunction requiring Mr. Franchot and his campaign committee to file corrected campaign finance reports, a declaratory judgment that Ms. Phukan is entitled to examine the documentation supporting any corrected campaign finance reports that Mr. Franchot or his committee files, and a declaratory judgment that Ms. Phukan be issued the oath of office as Comptroller and be awarded back pay and the costs of suit, should Mr. Franchot or his committee fail to file corrected campaign finance reports. On April 15, 2019, the court granted the defendant's motion to dismiss and dismissed the complaint with prejudice. On May 22, 2019, the court denied the plaintiff's motion to vacate the judgment and motion for a new trial. On May 29, 2019, the plaintiff filed a notice for in banc review by the circuit court, and filed her memorandum for in banc review on June 21, 2019. The defendant filed its response memorandum on July 19, 2019. The Court has scheduled argument before the in banc panel for December 30, 2019.

8. *National Federation of the Blind, Inc., et al. v. Lamone et al.*, No. 1:19-CV-02228-ELH (U.S. District Court, D. Md.). On August 1, 2019, the National Federation of the Blind ("NFB"), NFB's Maryland chapter, and three individual plaintiffs filed a lawsuit against the State Administrator and the individual members of the State Board of Elections alleging that SBE's BMD policy has, in practice, violated the rights of voters with disabilities "to an equal opportunity vote in person by a secret ballot," in violation of Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. Specifically, plaintiffs allege that the policy relegates voters with disabilities to a "lesser used system" that amounts to "an inferior voting option for those who must use the BMD to vote independently." For that reason, plaintiffs assert that the changes to the policy recently adopted by the State Board are insufficient to remedy the violations they have alleged. Instead, they seek an order requiring the State Board "in all future elections to offer BMDs to every in-person voter as the default method of voting, with paper ballots offered only to those voters who affirmatively opt out of using the BMD or in cases where there are long lines of people waiting to vote." The defendants' response to the Complaint, either by way of answer or motion to dismiss, is currently due August 27, 2019, but defendants have requested a 1-week extension of that deadline (to which plaintiffs have consented) from the Court.

APPROVAL OF PROPOSED REGULATIONS FOR PUBLICATION: SUBTITLES 02 (MEETING AND TRAINING – ELECTION DAY PAGE PROGRAM) AND 11 (ABSENTEE)

Ms. Perrone presented regulations for publication on Subtitles 02 and 11. In response to a question from Mr. Cogan, Ms. Perrone clarified that the request was for the board to approve the regulations for public opinion.

Ms. Howells proposed adding language about homeschooled students in addition to local schools to COMAR 33.02.04.05.B(1). In response to a question from Ms. Howells regarding COMAR 33.02.04.05.B(2), Ms. Perrone clarified that a local school system representative could be a guidance counselor and an election director designee could be a staff person at the local board of elections. Ms. Howells stated that COMAR 33.02.04.05.C should include homeschools (*e.g.* principal or administrator) and "system" should be removed.

In response to a question from Ms. Howells regarding required signatures, Ms. Perrone stated that she modeled the form for the Election Day Page Program after Montgomery County's requirements.

Mr. Cogan expressed that he does not feel it is necessary to require the signature of the election director and that the signature of the chief judge should be enough. Mr. Voelp stated that he likes the election director or designee signature requirement because it verifies that the volunteer attended training. Ms. Perrone stated that volunteers do get credit for training hours as well.

Mr. Voelp made a motion to approve the Election Day Page Program regulations as amended and Mr. Hogan seconded the motion. The motion passed unanimously.

Ms. Perrone presented the amended Subtitle 11 (Absentee) regulations and stated that the State Board is able to define the timely submission of absentee ballots as the close of polls on election day at 8:00 PM.

In response to a question from Ms. Howells, Ms. Wagner explained that delegate Cain noted issues with absentee ballot drop-off, so SBE decided to address this topic in the regulations. In response to a question from Mr. Cogan, Ms. Perrone stated that voters do indeed bring absentee ballots to polling places on election day. Mr. Voelp communicated that in his experience with canvassing in Anne Arundel County, a substantial number of absentee ballots were brought to polling places on election day, despite the fact that voters were told they could not submit absentee ballots at election day polling places.

Mr. Funn made a motion to approve the amended absentee regulations and Mr. Hogan seconded the motion. The motion passed unanimously.

APPROVAL OF DEPARTMENTAL LEGISLATIVE PROPOSALS

Mr. DeMarinis presented three requests for departmental bill approvals. Summaries of the bills were provided in a memo in the board meeting folder.

Summary of Bill #1:

1. Limits when a campaign finance entity is required file a final campaign finance report and terminate to certain dates. The payment of a final debt associated creates too much uncertainty for enforcement actions. (13-310)
2. Requires the State Board to send out notices prior to the termination of the committee.

Summary of Bill #2

1. Protecting contributors from solicitations by a commercial vendor using campaign finance report for their information.
2. Allowing for the publication of the contribution information if the primary purpose is not a commercial solicitation.

Summary of Bill #3

1. Changes the statute of limitations from three to five years. (Courts and Judicial Proceedings §5-106)
2. Updates the code with new enforcement provision for issuance of civil penalties.

Mr. DeMarinis stated that Assistant Attorney General, Andrea Trento, will need to review departmental bill #2 to ensure constitutionality, but he wanted to present it at the August board meeting because of the approval process timeline for departmental legislation. He explained that the departmental legislative proposals need to go to the Office of the Governor by September 4 and must then be sent to committee chairs to determine if they accept the proposals. The process needs to be completed by November.

Mr. DeMarinis stated that bill #3 mirrors other provisions in the election law article and that it gives the state prosecutor room to enforce election laws. In response to a question from Mr. Voelp, Mr. DeMarinis clarified that bill #2 functions more like a warning or red flag.

Mr. Hogan made a motion to approve departmental bill #1, and Mr. Funn seconded the motion. The motion passed unanimously.

Mr. Hogan made a motion to approve departmental bill #2, with approval contingent on legal review of the bill, and Mr. Voelp seconded the motion. The motion passed unanimously.

Mr. Hogan made a motion to approve departmental bill #3, and Ms. Howells seconded the motion. The motion passed unanimously.

USE OF BALLOT MARKING DEVICES – 2020 ELECTIONS – REQUESTS FOR WAIVERS

Ms. Perrone presented a request for an exemption from Alisha Alexander, the Election Director for the Prince George's County Board of Elections, regarding where the BMD statement is given. The Prince George's County Board of Elections would like to continue giving the BMD statement to the voter at the check-in table, as it has worked well for them.

In response to a question from Mr. Voelp, Ms. Perrone clarified that SBE designated that the BMD statement should be given at the ballot issuance table and the local boards of elections must request an exemption if they wish to give the statement elsewhere. Mr. Voelp stated that he is inclined to defer to the local boards on these types of issues. The board members expressed that Prince George's County has some of the highest rates of BMD use, so their methods must be working.

Mr. Voelp made a motion to approve the request for an exemption regarding where the BMD statement is given, and Ms. Howells seconded the motion. The motion passed unanimously.

APPROVAL OF BY-LAWS OF THE LOCAL BOARDS OF ELECTIONS

SBE recommended approving the proposed by-laws of the local boards of elections for Calvert, Carroll, and St. Mary's Counties.

Mr. Funn made a motion to approve the by-laws for the Calvert County Board of Elections and Mr. Hogan seconded the motion. The motion passed unanimously.

Mr. Voelp made a motion to approve the by-laws for the Carroll County Board of Elections and Mr. Hogan seconded the motion. The motion passed unanimously.

Mr. Hogan made a motion to approve the by-laws for the St. Mary's County Board of Elections and Mr. Voelp seconded the motion. The motion passed unanimously.

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

Public Comment

Nicole Hanson, a representative from the Democratic Party Voter Protection Committee, presented to the State Board concerns regarding voters' access to the ballot. Ms. Hanson expressed that she felt voter registration forms have been confusing to formerly incarcerated individuals. She stated that the eligibility requirements on these forms are unclear and requested that the language about a past criminal record be removed because it can deter eligible voters from registering to vote. Ms. Hanson recommended that the language be changed to say you are only ineligible to vote if you are convicted of a felony and are currently incarcerated.

Ms. Hanson stated that individuals who are incarcerated on a misdemeanor, awaiting pre-trial, or formerly incarcerated are eligible to vote. She expressed that she feels it is the job of the local boards of elections to give eligible voters access to the ballot, but she does not think the local boards have been adequately engaging incarcerated or formerly incarcerated individuals.

Mr. Hogan requested that Ms. Hanson provide the board with the 2015 letter sent to voters from SBE that she claimed created confusion regarding voting eligibility and Ms. Hanson agreed to do so.

In response to a comment made by Ms. Hanson, Ms. Wagner clarified that during the last legislative session, the responsibility was placed on the corrections facilities to register eligible incarcerated voters and those facilities expressed that it was not their job; Ms. Wagner stated that it was not the election community that refused to register these voters. Ms. Hanson stated that she believes it should be the responsibility of the election community to give incarcerated individuals access to the ballot because they are a neutral party, while correctional officers are not.

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Mr. Hogan disclosed a contribution of \$50 to Sheree Sample Hughes. No other Board members had any contributions to report.

SCHEDULE NEXT MEETING

The next meeting is scheduled for Thursday, September 26, 2019, at 2:00 pm.

ADJOURNMENT

Mr. Hogan made a motion to adjourn the open meeting, and Mr. Voelp seconded the motion. The motion passed unanimously. Mr. Cogan adjourned the meeting at 3:24 pm. The State Board reconvened at 3:24 pm to hear a public comment (see New Business above).

After hearing the public comment, Mr. Voelp made a motion to adjourn the open meeting, and Mr. Hogan seconded the motion. The motion passed unanimously. Mr. Cogan adjourned the meeting at 3:40 pm.