

Attendees (via conference call):

Michael R. Cogan, Chair
Patrick J. Hogan, Vice Chair
William G. Voelp, Member
Kelley A. Howells, Member
Malcolm L. Funn, Member
Linda Lamone, Administrator
Andrea Trento, Assistant Attorney General
Nikki Charlson, Deputy Administrator
Donna Duncan, Assistant Deputy, Election Policy
Fred Brechbiel, Chief Information Officer
Art Treichel, Chief Information Security Advisor
Erin Perrone, Director, Election Reform and Management
Keith Ross, Director of Project Management
Tracey Hartman, Director of Special Projects

Attendees (at SBE Office): David Walker, IT Division

DECLARATION OF QUORUM PRESENT

Mr. Cogan called the meeting to order at 2:02 pm. After taking roll, he stated that all members were present and that there was a quorum. He stated that the meeting was being livestreamed.

ADDITIONS TO THE AGENDA

Mr. Cogan stated that there were no additions to the agenda. In response to a question from Mr. Hogan, Mr. Cogan stated that canvassing would be discussed under agenda item 3, Review of the Special General Election in the 7th Congressional District.

**REVIEW OF THE SPECIAL GENERAL ELECTION FOR THE 7TH CONGRESSIONAL DISTRICT
(April 28, 2020)**

Ms. Charlson presented the following review of the Special General Election for the 7th Congressional District:

Election Data

Turnout by jurisdiction: 32%

- Baltimore City: 58,142 (25.0%)
- Baltimore County: 52,095 (38.1%)
- Howard County: 46,786 (38.5%)

In-person turnout: 1,004 voters

- Baltimore City: 453
- Baltimore County: 322
- Howard County: 229

Ms. Charlson stated that the turnout for this election was higher than a typical special election. The last special election for Congress, she stated, was the 2008 Special General Election in the 4th Congressional District, which had an overall turnout of around 8%.

Same day registration: 5 individuals

- Baltimore City: 4
- Baltimore County: 1
- Howard County: 0

Undeliverable ballots: 28,608

- Baltimore City: 20,367
- Baltimore County: 4,355
- Howard County: 3,886

Ms. Charlson stated that SBE defines undeliverable ballots as ballots that were returned by the Post Office to the local board of elections as undeliverable, which can be for a number of reasons identified by the Post Office.

Rejected ballots (Percentage based on total number of rejected ballots by county)

- Baltimore City: 2,172
 - 1,687 ballots were rejected for being late (78%)
 - 313 ballots were rejected for no signature (14%)
- Baltimore County: 1,503
 - 1,186 ballots were rejected for being late (79%)
 - 225 ballots were rejected for no signature (8%)
- Howard County: 1,460
 - 1,278 ballots were rejected for being late (87%)
 - 122 ballots were rejected for no signature (8%)

Ms. Charlson stated that rejected ballots are ballots that were returned by the voter, but for one of many reasons, were rejected. The two most common rejection reasons in every election, including this one, are ballots that were returned late or returned without a signature. Late ballots are either mailed late or received late. Ballots that were postmarked after April 28th or received after May 8th were considered late.

There were at least five voters at each vote center that used the ballot marking device to make their selections.

Voter Outreach & Education

- Message was seen or heard over 5.5 million times over 6 days
- Digital Media Strategy included Google Display, Facebook, and Instagram and targeted users 18-65+ living in the zip codes for the 7th Congressional District.
 - Google Display: We displayed ads when users were browsing websites, like blogs and news sites. This effort reached 2.8 million users during 7 days, with almost 3 times as many views as Facebook/Instagram. Users aged 25-34 garnered the most views, followed by users 65+
 - Facebook/Instagram: We displayed video and static image ads. Instagram delivered more impressions (57%) than Facebook, and static ads had more impressions than videos. This click-through-rate (users who clicked the ad and ended up on SBE's website) with Facebook and Instagram was twice that of Google Display.
- Radio and Baltimore Sun included a mix of stations to reach a diverse audience while focusing on an older demographic and BaltimoreSun.com. The result of the radio buys was over 1.5 million estimated impressions for \$17,000. The stations on which the ads ran were WLIF (101.9), WMMX (106.5), WBAL-AM, WOLB-AM, and WWIN (95.9). Rotating ads were placed on BaltimoreSun.com over five days and received over 213,000 views.

Ms. Charlson explained static images of some of the advertisements and a picture of a ballot drop off box, which were included in a handout to the Board.

Lessons Learned

1. Mature absentee voting process can be expanded to a vote-by-mail process.
2. Local election officials quickly transitioned to vote-by-mail.
3. Work with USPS to understand differences in delivery rate data.
4. Enhance audits to verify that all eligible voters receive a ballot.
5. Expand voter education efforts.
6. Voters liked the ballot drop off containers.
7. The three local boards in the 7th Congressional District are sharing with their colleagues in other local boards their best practices for preparing for and conducting a vote-by-mail canvass

In response to a question from Mr. Hogan, Ms. Charlson stated that local boards do not typically notify voters when their ballot is rejected for being late, noted that the same question was raised in a recent legislative committee meeting, and that we are looking into the issue. Mr. Hogan stated that while he thought the special general election was ran very well, he was concerned about the 4,000 voters whose ballots were not counted for being late, while the voter is unaware of the outcome of their ballot. He suggested sending a postcard to those voters to let them know that they need to mail their ballot earlier for the primary election. Ms. Charlson stated that SBE is quickly looking into options, as any notifications that are mailed would have to be done very soon. Mr. Hogan suggested that the most realistic notifications may be through the voter education and outreach campaign. Ms. Charlson stated that timely ballot return is one of the key messages of the outreach and education.

In response to a question from Mr. Cogan regarding outreach to specific communities, Ms. Charlson stated that she would elaborate more on the voter outreach in the next agenda item and what she described already was specific to the special general election.

In response to a question from Mr. Hogan regarding the level of detail available during live streaming of canvasses and if the local boards were considering the use of multiple cameras, Ms. Charlson stated that each canvass is unique and logistics and the ability of observers are driven by the space and layout of the room. She stated that one of the challenges of live streaming a canvass is striking a balance between the ability to view each table without compromising voter privacy. She stated that we felt that the local boards found that balance for the special general election canvasses and are working with the local boards to find that same balance for the primary election canvasses. One of the lessons learned from the special general election is that observers found it helpful to have a public question and answer period for observers during each day of canvassing.

Mr. Voelp made the following suggestions: 1) all tables should be clearly labeled with what is taking place at each table, 2) all board deliberations should be on camera, and 3) no rooms or part of room(s) should be out of the view of the camera(s). Ms. Howells supported Ms. Voelp's suggestion of labels for each table.

In response to questions from Ms. Howells, Ms. Charlson stated that ballot duplication is still a two canvasser process and requests for ballots for the primary election have significantly decreased in the previous ten days. Ms. Howell's stated her position that SBE and the local boards should be attempting to reduce the number of voters receiving an electronic ballot. Ms. Charlson stated that SBE has added to the online voter registration and ballot request system language stating that a voter does not need to request a ballot as one will be automatically be mailed,

unless the voter wants to receive a ballot at a different address or electronically, but that SBE does not discourage a voter from requesting an electronic ballot. Ms. Howells requested that we provide, when available, the number electronic ballot requests out of the total ballot requests.

In response to a question from Mr. Funn regarding undeliverable ballots, Ms. Charlson stated that if the USPS has a forwarding address, then a new ballot is sent to that address. If there is no forwarding address, no action can be taken. In response to a follow-up question from Mr. Funn about whether ballots can be sent locally, Ms. Perrone stated that for the special general election, all ballots were mailed from Minnesota, but for the primary election, the ballots are being mailed from three separate plants in Minnesota, Florida, and Ohio. Ms. Charlson stated that the mail house vendor works with the USPS, but we can look into whether mailing locally is an option for general election in November.

PRESIDENTIAL PRIMARY ELECTION (JUNE 2, 2020)

Overview of Election Preparations

Ms. Charlson presented the following overview of election preparations:

Election Preparation Activities

1. Over a two week period, almost 3.5 million ballots were sent.
2. Election officials are preparing to open 42 vote centers on June 2nd from 7 am - 8 pm and incorporating social distancing and safety guidelines in their voting room layouts. There will be as much personal protective equipment as we could order, including masks, gloves, sanitizer, face shields, and plexiglass dividers.
3. There will be 66 ballot drop off locations – one at each vote center with additional locations in many jurisdictions. Two local boards – Cecil and Montgomery – added ballot drop off locations in response to the State Board’s action at the April 22nd meeting. These containers will be open 24/7 from May 21st through 8 pm on June 2nd.
4. We are supporting the local boards to provide remote access to canvasses.
5. The statewide voter outreach and education campaign has started. It is a statewide campaign that will include digital, print, radio, TV, targeted outreach and earned media. The digital campaign, stakeholder outreach, and earned media efforts are underway, and radio and TV will begin May 14th or May 15th. Ms. Charlson stated that she would provide figures of the funds spent on this campaign.

What We’ve Learned So Far

1. It’s new for most voters. Voter education effort will help with this. We are answering questions such as how do we make sure voters only vote once, what do I do if I don’t get my ballot?, and what’s the safest way to vote?
2. 90,000 voters in Prince George’s County didn’t receive the English version of the instructions. They received only the Spanish version. English versions were mailed on May 9th to affected voters. Ms. Charlson stated that this was an error by the mail house vendor.

In response to questions from Mr. Voelp, Ms. Charlson stated that the vendor paid for the May 9th mailing of English instructions to the affected voters. Ms. Perrone stated that on May 7th, she received a phone call from Alisha Alexander, Election Director for Prince George’s County, notifying her that the Prince George’s County Board of Elections was receiving calls about the Spanish-only instructions. Ms. Perrone contacted the vendor, who

determined that certain ballots were mailed without English instructions. She stated that SBE was notified within 24 hours of receiving the ballots with Spanish-only instructions.

In response to a suggestion from Mr. Voelp to have an audit or quality assurance process to confirm that what is supposed to be mailed is mailed, Ms. Charlson stated that moving forward, establishing a quality assurance process on what the vendor is mailing and how to determine the appropriate sample size for that process is a priority. Mr. Cogan echoed Ms. Charlson's comment regarding sample size, and stated that the system in place did work because as soon as voters called regarding the Spanish-only instructions, a solution was determined and the correct instructions were mailed to the affected voters. Ms. Howells stated that the problem was fixed in theory, as she still had not received her English instructions. Mr. Voelp stated that he was impressed how the vendor handled the problem once it was discovered.

In response to questions from Mr. Cogan regarding the voter education and outreach campaign, Ms. Duncan stated that "stakeholder outreach" refers to voting or community organizations such as the League of Women Voters, candidates, and local election boards. She stated that the targeted outreach includes a multitude of audiences including gospel and country stations, African American voters, and Latino voters. She stated that the public relations firm contracted by SBE developed the initial list of stakeholders, but that we can add to the list. In response to a request from Mr. Cogan, Ms. Duncan stated that she would provide the current list of stakeholders and targeted audiences.

3. Why is "April 28, 2020" printed in the ballot header? The ballot programming process started on February 3rd and the deadline to certify the ballot was February 24th. By March 17th, the ballot databases were finalized and all ballot proofing was complete, ballots had been sent to military and overseas votes and delivered to nursing homes, and ballots for in-person voting were already printed. All versions of the ballots were sent to various vendors, and the post-election audit software was being customized for the ballots.

On March 17th, the presidential primary election was moved to June 2nd. After this happened, we had two options – restart the ballot process or manually edit each version of each ballot style.

Restart the Ballot Process: Once the date in the database was changed, the full testing process would be conducted. The local boards in the 7th Congressional District did not have time to reproof their ballots, and since ballots had already been sent, these may not be scanned by the voting system.

Manually Edit Each Version of Each Ballot Style: This would have required manually editing over 1,300 PDF documents and verifying formats and then retesting.

Building and testing ballots is a deliberate process. Rushing introduces great risk, and there was not enough time to safely make this change.

4. Will precinct-level results be available? There are two ways to provide precinct-level results for a vote-by-mail election. We can program the ballot database to create a unique ballot style for each precinct. This programming must happen when ballots are created. Ballots for the presidential primary

election were created in February when we were planning a combined special general election and presidential primary election on April 28, 2020. Since there was insufficient time to reprogram the ballots after the presidential primary election date was changed to June 2, 2020, the ballots could not be programmed for precinct-level results for a vote-by-mail election.

The local boards of elections can sort by precinct all of the voted ballots they receive, set up a scanner for each precinct, and scan the ballots from voters in that precinct into the scanner for that precinct. This would cause exponential delays in the counting process without adding to the integrity of the election process.

Our existing integrity checks and balances will be in place and supplemented with new audits appropriate for a vote-by-mail election. These checks and balances mean that voters and candidates can be confident in how the election was conducted and the accuracy of the results. For the June 2nd election, we will:

- a. Compare the number of voters registered in a precinct against the number of voters from that precinct that voted. This analysis will identify any precincts where more voters voted than were registered
- b. Compare the number of ballots received against the number of ballots presented for counting
- c. Compare the number of ballots presented each day for counting against the number of ballots that were accepted and rejected that day
- d. Compare the number of ballots scanned by a scanner against the number of ballots counted by that scanner
- e. Use a third-party to retabulate **all** ballot images from this election and compare the results generated from the voting system against the results from the third-party to verify the accuracy of the voting system

With these audits and verifications, we can establish what precinct-level results establishes – that is, the number of ballots cast does not exceed the number of voters who are eligible to vote in the election.

REQUESTS TO INCREASE DEPLOYMENT OF BALLOT MARKING DEVICES

Ms. Perrone presented the following requests to deploy additional ballot marking devices (BMDs) for the June 2, 2020 Primary Election:

1. The Baltimore City Board of Elections requested to deploy eight BMDs at each of its four vote centers.
2. The Cecil County Board of Elections requested to deploy six BMDs at its one vote center.
3. The Prince George's County Board of Elections requested to deploy five BMDs at each of its four vote centers.
4. The Montgomery County Board of Elections requested to deploy:
 - a. 6 BMDs to the Germantown Community Recreation Center, with 2 BMDs in reserve.
 - b. 10 BMDs to the Praisner Community Recreation Center, with 2 BMDs in reserve.
 - c. 12 BMDs to the Silver Spring Civic Center-Great Hall, with 3 BMDs in reserve.
 - d. 20 BMDs to the Activity Center at Bohrer Park Gyms, with 3 BMDs in reserve.

In response to a question from Mr. Funn, Ms. Perrone stated that the requesting local boards have the BMDs in their possession to use on June 2nd. Mr. Voelp stated that he did not see a reason to not approve the additional BMDs. Mr. Hogan pointed out that segregation of ballots is still a concern, and that at least five voters would need to each BMD. Mr. Voelp stated, and Ms. Charlson concurred, that the policy in place is for each voting location, not individual BMD, would need at least five voters to use the BMDs.

Mr. Hogan made a motion to approve the requests from Baltimore City and Cecil, Prince George's, and Montgomery Counties to increase the number of BMDs deployed at their respective vote centers. Mr. Voelp seconded the motion, and it passed unanimously.

REQUEST TO OPEN BALLOT DROP OFF CONTAINERS EARLIER THAN MAY 21ST

Ms. Charlson stated that the State Board's Comprehensive Plan for conducting the June 2, 2020 Primary Election called for ballot drop off containers be available to voters starting May 21st through election day. The containers have started to arrive at SBE's warehouse and will be delivered next week to the 66 ballot drop off locations throughout the State. She stated that the delivery of the 66 boxes is a three-day process, and that all ballot drop off boxes will be ready by May 21st. The concern, she stated, is that by having boxes set up but locked that SBE and local boards are not serving the voters who are ready to return their ballot. The request is if the ballot drop off boxes can be opened for voters to drop off ballots as soon as they are delivered and set up by the local board, as early as Monday, May 18th, depending on the delivery date.

Mr. Hogan stated that if the local boards can guarantee the security of the boxes and adhere to the required ballot pick up times prior to May 21st, he did not see a downside to opening the boxes early. Mr. Funn and Mr. Voelp concurred with Mr. Hogan's statement. In response to a question from Mr. Voelp regarding to how many of the 66 locations have security cameras, Ms. Charlson stated that she could provide that information. She stated that the recommendation was that all locations have security cameras, and if requested, we have been providing cameras to local boards for surveillance. In response to a question from Mr. Cogan, Ms. Charlson stated that she was not aware of any local boards who have stated that they would not have their ballot drop off boxes under surveillance.

Mr. Hogan made a motion to allow local boards to begin accepting ballots at ballot drop off boxes as soon as the boxes are delivered, secured, and the local board has the staff to pick up the ballots at the required intervals.

In response to a question from Ms. Howells regarding if opening the ballot drop off boxes early would be optional or mandatory for local boards, Ms. Charlson stated that our recommendation is to make the requirement mandatory if all the criteria stated in Mr. Hogan's motion are met.

Mr. Cogan and Mr. Voelp requested that Mr. Hogan modify his motion to require the local boards to open the ballot drop off boxes as soon as they are ready. Mr. Hogan did not object. Mr. Funn stated that he did not see a reason why the boxes could not be opened as soon as they are ready. Mr. Hogan read the amended motion, stating that the local boards shall make the ballot drop off boxes operational under the prescribed guidelines as soon as they are delivered and put in place. Mr. Voelp seconded the motion, and it passed unanimously.

REQUEST TO ALLOW LOCAL BOARD OF CANVASSERS TO USE ELECTRONIC SIGNATURES ON DOCUMENTS – CERTIFICATION OF LOCAL BOARDS – APRIL 28, 2020 AND JUNE 2, 2020

Ms. Charlson stated that last week when the local boards of election in the 7th Congressional District needed to certify their election results, the question came up if that could be done remotely. After internal discussion and consultation with Mr. Trento, Ms. Charlson requested that the local boards of canvassers be allowed to sign the certification document remotely. Ms. Charlson stated that the president and secretary of the local boards of canvassers sign the official certification documents to certify the election. If allowed, the Election Director would send the documents electronically to the president or secretary of the local board of canvassers, who would print out the document, sign it, scan and then electronically send it to the other member of the board of canvassers, who would repeat the steps. Mr. Trento concurred with Ms. Charlson's summary of the request.

Ms. Howells made a motion to approve the local boards of canvassers' use of electronic signatures on the certification of local election results for the April 28, 2020 and June 2, 2020 elections. Mr. Funn seconded the motion, and it passed unanimously.

TIME FOR PLACEMENT AND REMOVAL OF CAMPAIGN SIGNS NEAR BALLOT DROP OFF BOXES

Mr. Cogan stated that at a previous meeting, the Board issued instruction for the April 28th election, but did not issue instructions for the June 2nd election, so this request includes June 2nd. Ms. Charlson stated that the Governor's Proclamation subsequently established a 100 foot "no electioneering" zone surrounding ballot drop off boxes for June 2nd.

This request, she stated, is to allow campaign signs and electioneering outside of the 100 foot zone. Under current law, signs can be placed at early voting centers beginning at 5 p.m. the day before early voting starts and must be removed by 8 a.m. the day after early voting ends. Ms. Charlson requested a motion to allow electioneering at ballot drop off box locations outside of the "no electioneering" zones beginning at 5 p.m. the night before the boxes open and ending at 8 am the day after election day, June 3, 2020. In response to a question from Mr. Cogan, Ms. Charlson stated that the beginning date for signs was previously May 20th, but the Board's motion under agenda item 4C pushed the opening date for ballot drop up boxes up.

Ms. Howells stated that if the previously stated date for putting up signs at ballot drop off boxes was May 20th, the Board should stick to that date. In response to a request from Ms. Charlson, Mr. Ross read the delivery schedule for the ballot drop off boxes, stating that boxes would be delivered to Baltimore City and Baltimore, Anne Arundel, Howard, Harford, Carroll, and Montgomery Counties on May 18th. In response to a request from Mr. Voelp, Mr. Trento stated current law for polling places and early voting centers provides that if the voting facility is a public building, that signs shall be permitted beginning at 5 p.m. the day before voting. If the facility is a private establishment, then as a condition of the agreement for the facility to function as a voting location, the facility must accept that at 5 p.m. the day before voting signs are permitted to be posted outside. Mr. Trento clarified that the law applies to polling places and early voting centers only, not ballot drop off locations, as the Governor did not extend the laws regarding signage to ballot drop off locations as he did with no electioneering zones. Mr. Trento further clarified that if the facility does not want to allow signs beyond 100 feet it does not have to. He stated that the request is to extend the requirement that facilities allow signage to be placed beginning at 5 p.m. the night before voting to ballot drop off box facilities. In response to Mr. Voelp's question, Mr. Trento stated that the Board or a local board may not stop a candidate from placing signs at ballot drop off locations, but the facility may. In response to Ms. Howells's

question regarding when the appropriate time to begin allowing signage to be placed, Mr. Trento stated that the facility may make that determination, but there is nothing in the law allowing the State Board to determine the start date and time.

After discussion regarding the specific wording of a motion, Mr. Voelp made a motion to require ballot drop off location facilities to allow campaign signs to be placed outside of the 100 foot “no electioneering” zone beginning on the earlier of when the ballot drop off boxes are established or by 5 p.m. on May 20, 2020. Mr. Hogan seconded the motion, and it passed unanimously.

REQUEST TO APPROVE EMERGENCY REGULATIONS

Return of Voted Ballot Inside Voting Locations (COMAR 33.11.03.06(E) and .08(B))

Ms. Charlson presented proposed amendments to COMAR 33.11 – Absentee Ballots. She stated that the current regulations allow voters to enter a voting location to return a voted absentee ballot and define certain procedural requirements. With ballot drop off containers outside each voting location and the desire to limit the number of people inside the voting location, the proposed change to Regulation .06 moves the drop off process from inside the voting location to outside the voting location and establishes requirements for the ballot drop off container and retrieving voted ballots from the container. The proposed change to Regulation .08 incorporates similar changes to the “timely” definition.

Ms. Charlson stated that these changes are being proposed as an emergency change. This means that the changes to 33.11.03.06 and .08 would be effective for only the presidential primary election (June 2, 2020). After these elections, the process of dropping off voted ballots inside a voting room would return.

In response to a question from Mr. Hogan, Ms. Charlson stated that, just as with in-person voting, ballots of voters who are in line to drop off their ballot at 8 p.m. would be considered timely.

Mr. Hogan made a motion to adopt the emergency changes to COMAR 33.11.03.06(E) and .08(B), and Mr. Voelp seconded the motion. The motion passed unanimously.

Polling Place Evaluation Program (COMAR 33.07.03.04)

Ms. Charlson presented a proposed amendment to COMAR 33.07- Election Day Activities. The proposed change removes the requirement for the formal evaluation program for voter centers for June 2nd. The purpose of this evaluation is to collect information on-site about the operation and management of the voting centers. With the current public health emergency, it seems prudent to limit individuals at voting centers for this election. At the April 13th meeting, Ms. Charlson stated, the State Board approved repealing the requirement for the formal evaluation program for vote centers for a special general election. That action, however, did not cover the June 2nd election.

This change is being proposed as an emergency change. This means that the changes to 3307.03.04 would be effective for the presidential primary election (June 2, 2020). After this election, the requirement for evaluation program would return.

In response to a question from Mr. Cogan, Mr. Trento stated that the amendment acts as an emergency repeal, but if the current proposed emergency amendments are not followed up with amendments in the normal promulgation process, then the emergency amendments expire. Ms. Hartman stated that the maximum an emergency regulation can be in effect is six months. In response to a request from

Mr. Voelp to include an end date for the emergency amendment, Ms. Hartman stated that for previous emergency relations adopted by the Board for the June 2nd election, she has used July 31, 2020 as an ending date. Mr. Voelp stated that had no concerns with July 31st being the expiration date.

Ms. Howells made a motion to adopt the emergency changes to COMAR 33.07.03.04, and Mr. Hogan seconded the motion. The motion passed unanimously.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Mr. Cogan reported a contribution of \$35 to the National Republican Congressional Committee, and \$50 to the Maryland Republican Party. No other Board members reported contributions.

SCHEDULE NEXT MEETING

The next meeting is scheduled for Thursday, May 28, 2020, at 2:00 pm.

ADJOURNMENT

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 3:50 pm.

CLOSED SESSION

Mr. Cogan requested a motion to close the board meeting under General Provisions Article, §3-305(b) (7) and (8), which permits closing a meeting to consult with counsel to obtain legal advice and with staff about pending or potential litigation. Meeting in closed session allows the members to consult with Board counsel without waiving attorney-client privilege and obtain information relevant to pending or potential litigation. Mr. Voelp made a motion to convene in closed session under General Provisions Article, §3-305(b)(7) and (8), and Mr. Hogan seconded the motion. The motion passed unanimously.

The motion having passed, the Board met in closed session in accordance with exemptions defined in (b)(7) and (8) of Section 3-305 of the Open Meetings Act to receive advice from counsel and consult with staff about pending or potential litigation.

The closed session began at 4:00 pm. Mr. Cogan, Mr. Hogan, Ms. Howells, Mr. Voelp, and Mr. Funn attended the closed meeting¹. In addition to the board members, Linda Lamone, Nikki Charlson, and Andrea Trento attended the closed meeting.

Mr. Trento shared advice about pending and potential litigation.

No action was taken.

The closed meeting adjourned at approximately 4:29 pm.

¹ This closed meeting, like the public meeting, was conducted via conference call.