

**State of Maryland** 

**State Board of Elections – June 22, 2021 Meeting**

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Attendees (via conference call):

William G. Voelp, Chair  
Patrick J. Hogan, Vice Chair  
Malcolm L. Funn, Member  
Severn Miller, Member  
T. Sky Woodward, Member  
Linda Lamone, Administrator  
Andrea Trento, Assistant Attorney General  
Nikki Charlson, Deputy Administrator  
Donna Duncan, Assistant Deputy, Election Policy  
Mary Cramer Wagner, Director of Voter Registration  
Jennifer McLaughlin, Senior Policy Advisor  
Tracey Hartman, Director of Special Projects

**DECLARATION OF QUORUM PRESENT**

Mr. Voelp called the meeting to order at 2:02 pm and declared that a quorum was present.

**ADDITIONS TO THE AGENDA**

There were no additions to the agenda.

**APPROVAL OF MEETING MINUTES: MAY 27, 2021**

Mr. Funn made a motion to approve the minutes from the May 27, 2021 open and closed meetings. Mr. Hogan seconded the motion. The motion passed unanimously.

**ADMINISTRATOR'S REPORT**

Mr. Voelp requested that only highlights of the Administrator's Report be presented verbally.

**Thank you**

Ms. Lamone announced that today was Mr. Hogan's last meeting as a member of the Board. Ms. Lamone presented Mr. Hogan with a Governor's Citation and thanked him for his many years of service on the Board as a member and vice-chair, for his leadership, especially during the pandemic, and for his many contributions to elections in Maryland. Mr. Voelp echoed Ms. Lamone's sentiment, stating that Mr. Hogan has a compassion for people and for doing the right thing and that he hopes they work together in the future. Mr. Funn stated that Mr. Hogan made him feel welcome on the Board and that his life is richer for having worked together. Mr. Hogan thanked everyone for the kind words. He stated that while he has served on many boards and commissions, the State Board of Elections is particularly special to him because it serves as the bedrock for everything else in state and local government. He thanked the staff at SBE and the local boards for making elections happen. He reiterated his words following the November election stating that it was an unmitigated success. He thanked the Chairman, the other Members, Ms. Lamone, Ms. Charlson, and all SBE staff for their help, patience, and professionalism over the years.

**Announcements & Important Meetings**

Welcome to SBE

Ms. Charlson reported that earlier this month, Jennifer McLaughlin joined SBE. Ms. McLaughlin comes to SBE with a wealth of state government and legislative knowledge and has jumped right

in to learn more about elections. She will be implementing many of the new requirements from the 2021 Legislative Session and supporting our efforts to prepare for the 2022 elections.

### Election Directors' Meetings

We hosted an election directors' meeting on June 17. Topics discussed included an update on the pollbook project, various voter registration issues and an ongoing redistricting discussion. A summary of the meeting is provided with the County Bulletin when it is complete.

### SBE's Biennial Meeting and Maryland Association of Election Officials' (MAEO) Annual Conference

The agenda for each meeting is being finalized and will be distributed soon. We appreciate the board members' interest in participating in these meetings.

### U.S. Election Assistance Commission's (EAC) Advisory Committee Meetings

The federal Help America Vote Act establishes two committees to advise the EAC on various matters, including approving voting system standards. The EAC's [Board of Advisors](#) is made up of state and local election officials and individuals representing advocacy and other institutions, while the [Standards Board](#) is made up of state and local election officials (two from each state). Ms. Lamone serves on the Board of Advisors, and Ms. Charlson serves on the Standards Board.

This month, both boards are meeting virtually. The Standards Board met on June 17, and the Board of Advisors will meet on June 23. At the Standards Board meeting, the EAC updated the members on the EAC's work and the Cybersecurity and Infrastructure Agency (CISA) shared highlighted its Election Security Initiative.

### Executive Order: National Institute of Standards and Technology (NIST) Research

On March 7, 2021, President Biden issued [Executive Order 14019 - Promoting Access to Voting](#). Section 7 - Ensuring Equal Access for Voters with Disabilities - requires NIST to evaluate how to make the online federal Voter Registration form accessible to people with disabilities and analyze barriers to private and independent voting for people with disabilities, including access to voter registration, voting technology, voting by mail, polling locations, and poll worker training. NIST's recommendations must be published by December 2. As part of its research, we spoke with NIST researchers on June 4 and shared with them our experiences with providing access for voters with disabilities. NIST also recently published a Request for Information to collect more information. The announcement is available in the [Federal Register](#), and comments are due by July 16, 2021.

## **Election Reform and Management**

### Mail-In Voting: Permanent Absentee List & Preferred Method of Communication

Ms. Charlson stated that one of the bills that passed the legislature required the creation of a permanent absentee list and for voters to specify how they prefer SBE to communicate with them. She stated that the implementation of these requirements is in progress and will be discussed later in the meeting.

### Mail-In Voting: Usability Review

[Chapter 56 \(Senate Bill 683\)](#) and [House Bill 1048](#) (effective June 1, 2021) requires that we have a usability expert review and provide recommendations on mail-in voting information available to voters. The University of Baltimore (UBalt) held focus groups for local board representatives and

testing sessions with potential voters. Using the information from these sessions, UBalt will make recommendations to improve the usability of mail-in voting materials.

### Ballot Printing, Inserting, and Mailing Procurement

Ms. Charlson stated that earlier this month, we issued a Request for Proposals (RFP) to print, insert, and mail ballots for the 2022, 2024, and 2026 elections. We held a pre-proposal conference on June 15, and several vendors attended and requested additional information. There are three deadlines for this procurement - one for submitting ballots for certification (June 29), one for submitting sample ballot packets (July 9), and one for submitting a technical and financial proposal (July 15). A vendor's ballots must be certified, and ballot packets approved before the vendor can submit a technical and financial proposal.

### **Voter Registration**

#### MDVOTERS

Ms. Wagner stated that the MDVOTERS 8.0 software release scheduled for installation the weekend of June 26 and 27 will include the ability to record a voters' option to have a mail-in ballot sent for each election and choose the method for ballot delivery. The software will also include the ability to record how a voter wishes to receive communication from the election office. These are legislative requirements of SB 683 and HB 1048.

#### MDVOTERS Audits

Ms. Wagner reminded everyone that monthly audits are performed by Janet Smith on the local boards of elections' processing of Electronic Registration Information Center (ERIC) reports, Department of Health and Mental Hygiene (DHMH) death records, Administrative Office of the Courts (AOC) felony records, and the processing of overall voter registration records. Follow up is conducted with the local boards to ensure all corrections are completed and to address any training issues. On a monthly basis, a minimum of 144 audits are conducted.

#### MVA Data

SBE is working with MVA to collect information on individuals who have surrendered their licenses in another state. Correspondence has been developed and translated and SBE will be coordinating this effort to send out mailings in accordance with the National Voter Registration Act (NVRA) guidelines.

SBE is also working with MVA to do a residential address comparison with MDVOTERS' "inactive" voters. Correspondence will be sent to these "inactive" voters to request an updated address. This will be in accordance with the National Voter Registration Act (NVRA) guidelines.

#### Motor Vehicle Administration (MVA) Transactions

During May, MVA collected the following voter registration transactions:

New Registration - 10,975	Residential Address Changes - 18,959
Last name changes - 2,706	Political Party Changes - 4,817

From January 1, 2021 to May 30, 2021 data collected and processed from MVA is as follows:

New Registration - 48,059	Residential Address Changes - 92,645
Last name changes - 11,805	Political Party Changes - 21,376

### Non-Citizen Registration and Voting

Between May 30, 2021 and June 18, 2021, 9 voter records were cancelled due to a status of non-citizen. Two of these records have voting history from 2014 and 2016. These records will be forwarded to the Office of the State Prosecutor.

In response to a request from Chairman Voelp, Mr. Trento agreed to work with the Office of the State Prosecutor to report the findings of any non-citizen with voting history forwarded to their office.

### **Candidacy and Campaign Finance (CCF) Division**

#### Candidacy

The candidacy filings are currently scheduled by appointment, and as of June 15, 2021, 39 candidates have filed at SBE.

#### Campaign Finance Website Activity - May

The MD Campaign Reporting Information System (MD CRIS) website was visited by 235,909 individuals for an average of 7,609 per day. Additionally, it had 1,690,686 million hits. Each viewer looked at an average of nearly 6 page views per day. During April there were a similar number of inquiries and views.

The Business Contribution Disclosure System (BCDS) website had 977,350 hits, 74,919 visitors with an average of nearly 12 page views per day. The last BCDS report was due 6/1/2021.

#### Enforcement

Friends of Laurie-Anne Sayles committee paid \$600.00 on June 6, 2021 for the failure to record all contributions and expenditures.

### **Project Management Office (PMO)**

#### Inventory Management

The FY21 Inventory Audit started on February 1 and will conclude on June 30, 2021. The current statewide inventory audit completion is 95.34%.

#### FY2022 Pollbook Project

Ms. Charlson stated that the PMO continued working on tasks related to the project, including:

- The procurement is in the evaluation phase with the technical evaluation scheduled to conclude on June 22 and the full evaluation (technical and financial) currently scheduled to be completed on July 2.
- The project team continues to share information with the local boards via monthly Election Directors' meetings, project status meetings, and the *County Bulletin*.
- The project team also continues to update and address questions and new developments into the pollbook Contingency Plan and plan for the post-evaluation (e.g., BPW approval) and the implementation phases of the project.

In response to a question from Mr. Funn, Ms. Charlson confirmed that SBE is looking for a new vendor for the pollbooks, as well as hardware. She explained that a Request for Proposals was issued earlier this year, and the responses from vendors are currently being evaluated. In response to a follow-up question from Mr. Funn, Ms. Charlson stated that while we don't know the cost of the new pollbooks, we have been planning for new pollbooks and all financing options are being evaluated.

In response to a question from Mr. Voelp regarding the disposition of referrals to the State Prosecutor, Mr. Trento stated that he would find out what he can and report back.

## **ASSISTANT ATTORNEY GENERAL'S REPORT**

Mr. Trento gave the following update:

1. *Fusaro v. Davitt et al.*, No. 20-1879 (U.S.C.A. for the 4th Cir.). No change from the last update. 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 parties then conducted discovery and briefed dispositive summary judgment motions. On July 14, 2020, the Court awarded Summary Judgment to the defendants on the issue of whether the "electoral process" requirement was unconstitutionally vague and declined to reach the issue of whether Maryland's registered voter requirement violates the First Amendment. Plaintiff has appealed to the United States Court of Appeals for the Fourth Circuit, and briefing is now complete. Oral argument has not yet been scheduled.
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. *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. Plaintiffs 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." On September 3, 2019, defendants filed a motion to dismiss the complaint, and on September 20, 2019, plaintiffs filed a motion for a preliminary injunction, seeking relief in time for the November 2020 election. On February 10, 2020, the court denied the defendants' motion to dismiss, and denied the plaintiffs' motion for preliminary injunction, and the parties proceeded to discovery. On October 6, 2020, the parties filed a joint motion to extend the discovery deadline to December 9, 2020, which was granted by the Court. On November 12, 2020, the parties filed a joint motion to stay the case for 60 days to allow for a focused period of settlement discussions, which was also granted by the Court. The parties have agreed in principle on the terms of a final resolution of this case and are in the process of negotiating the terms of a settlement

agreement. The stay has since been extended several times and is now set to expire August 2, 2021.

4. *Chong Su Yi v. Hogan*, Nos. 464985, 466396, 480720, 480721, 480722, 480723 (Cir. Ct. Montgomery Cty.). On September 8, 2019, plaintiff Chong Su Yi filed two complaints in the Circuit Court for Montgomery County challenging the results of Maryland's 2018 elections, and naming Governor Larry Hogan as defendant (Nos. 464985, 466396). Specifically, Mr. Yi argued that the results of that election are invalid because of the use of religious facilities as polling places, that the State's use of "scanners" to tabulate ballots is unconstitutional and/or not permitted by federal law, and that the State's identification of candidates' party affiliations on the general election ballot is not permitted by State law. Mr. Yi amended his complaints, and in January 2019 both of his amended complaints were dismissed by the Circuit Court. On January 21, 2020, Mr. Yi appealed from the dismissal in No. 466396. (Mr. Yi had also previously filed interlocutory appeals from non-final orders, but these were dismissed by the Court of Special Appeals.) On November 4, 2020, the Court of Special Appeals dismissed Mr. Yi's appeal for failure to file a civil information report, but on November 30, 2020 granted Mr. Yi's motion for reconsideration and reinstated the appeal. The appeal is now fully briefed, and on June 21, 2021 the Court of Special Appeals indicated that it would be ruling on the case without oral argument. Meanwhile, on March 6, 2020, Mr. Yi filed four complaints in the Circuit Court for Montgomery County (Nos. 480720, 480721, 480722, 480723) asserting substantially identical claims to those asserted in his prior two complaints. Beginning on May 15, 2020, Mr. Yi filed amended complaints in these actions, this time adding the State of Maryland as a Defendant in addition to Governor Hogan. Defendants filed motions to dismiss and/or for summary judgment as to these complaints, and on August 25, 2020 those motions were granted. After moving for reconsideration unsuccessfully, on October 9, 2020, plaintiff filed notices of appeal to the Court of Special Appeals in each of these matters. Plaintiff also sought waivers of the filing fees associated these appeals, which were denied. On January 6, 2021, the Court of Special Appeals dismissed the appeals for failure to pay the filing fee. On February 4, 2021, plaintiff filed a petition for writ of certiorari in the Court of Appeals, and also requested waiver of the filing fees. The Court of Appeals granted Mr. Yi's request for waiver of filing fees. On April 23, 2021, the Court denied Mr. Yi's petition for certiorari.
5. *Bravo, et al. v. Pelosi, et al.*, No. 6-21-cv-162 (W.D. Tex.). On February 22, 2021, several individual plaintiffs filed a purported class action complaint on behalf of "all 328 million Americans deprived of an elected form of government" by the conduct of government official and private sector defendants. The named defendants include President Biden and Vice President Harris, all current members of the U.S. Congress, all Governors and Secretaries of State of the 50 states (including Governor Hogan and Secretary Wobensmith), the Democratic and Republican National Committees, the Democratic Congressional and Senate Campaign Committees, Facebook and its CEO (Mark Zuckerberg), Twitter and its CEO (Jack Dorsey), Sapphire Strategies (a Democratic consultancy) and several of its employees, the National Vote at Home Institute and its CEO (Amber McReynolds), the Center for Tech and Civic Life, Mike Podhorzer and Beto O'Rourke. The theory of the case is that, beginning in 2019, and continuing into and during the election of 2020, the defendants conspired to enact laws (or refuse to enact laws) and promulgate rules that violated HAVA and the Civil Rights Act of 1960, and violated the Plaintiffs' First Amendment Rights. The plaintiffs are pursuing constitutional and RICO conspiracy claims against the defendants and seek a restraining order against the "illegitimate Congress and Executive Branch" and an order that the election be redone.

On June 10, 2021, a Second Amended Complaint was filed. We are currently evaluating the complaints.

### **APPROVAL OF REGULATIONS-COMAR 33.11 - ABSENTEE BALLOT AND COMAR 33.17 - EARLY VOTING**

Ms. Charlson presented for adoption proposed amendments to COMAR 33.11.02.03, 33.11.03.06, 33.11.05.07, 33.17.04.03, and 33.17.04.06. The proposed changes related to this implementation are:

1. 33.11.02.03 (Absentee Ballot – Applications): This proposed change incorporates requirements from Chapter 524 of the 2018 Laws of Maryland (House Bill 1331). This law requires that a voter who wants to receive an electronic absentee ballot to provide a driver's license number or Maryland identification number, the last four digits of the voter's driver's license or identification card was issued, and other information identified by the State Board that is not generally available to the public but is readily available to the applicant. This text was previously added to Regulation .02 (Formal Request) but was never added to Regulation .03 (Informal, Written Requests).
2. 33.11.03.06 (Absentee Ballots – Issuance and Return): This regulation codifies the requirement from the 2020 elections that the local boards notify voters who returned a voted ballot without signing the return envelope. Implementing this process statewide means that more ballots were counted than in prior elections.
3. 33.11.05.07 (Absentee Ballots – Rejecting Federal Write-in Ballots): This proposed change aligns the regulation with Chapter 463 of the 2015 Laws of Maryland (House Bill 884). This law repealed the requirement to reject an absentee ballot if the voter died before election day, but this regulation was not updated to reflect this change.
4. 33.17.04.03 and .06 (Early Voting – Equipment and Materials): For the 2018 elections, the State Board changed its policy and required the local boards to deploy ballots and other contingency supplies in case a court ordered extended voting hours during early voting. The proposed change to 33.17.04.03 updates the regulation to reflect the current State Board policy.

The proposed change to 33.17.04.06 aligns this regulation with 33.11.03.06E, which authorizes the collection of voted absentee ballots at early voting centers and polling places. This regulation was not updated when the process established in 33.11.03.06E was approved.

Ms. Charlson stated that she reviewed the regulations with the Maryland Association of Election Official's regulation committee, the members of which did not have any substantive changes to the proposed amendments.

In response to a question from Mr. Voelp, Ms. Charlson confirmed that of the proposed amendments, one is a policy change (33.11.03.06) and the other amendments are bringing the regulations in line with current law.

Mr. Hogan made a motion to approve the proposed amendments as presented by Ms. Charlson. Mr. Miller seconded the motion. It passed unanimously.

### **APPROVAL OF MAIL-IN BALLOT REQUEST FORM FOR 2022 ELECTIONS**

Ms. Charlson presented for approval the proposed mail-in ballot application for the 2022 elections. She stated that the changes to the application include the option for the permanent absentee list and the voter's preferred method of contact. Ms. Charlson clarified however that the mail-in ballot application is one of the documents included in the useability study in progress at the University of Baltimore. Therefore, further changes to the mail-in ballot application may be necessary once the results of the study are complete.

There was a discussion about the content of the application. Mr. Hogan suggested changing, in section 4, "Democrat" to "Democratic," which Ms. Charlson stated could be made. The remainder of the discussion focused on how to address the preference of the Board to deliver ballots by mail, rather than internet delivery. Mr. Hogan suggested adding the word "Preferred" next to the U.S. Mail option, as was the case for the application in 2020. Mr. Trento, however, cautioned that use of the word "preferred" may discourage those who need internet delivery from selecting that option. Mr. Funn suggested highlighting in a different color the note on the left-hand side of section 7, to which Ms. Charlson responded that the useability committee could review how to emphasize the text of the note.

In response to a process question from Ms. Woodward, Ms. Charlson clarified that teams of election officials duplicating the ballots do not see a voter's personal information. Only the ballot is duplicated, not any part of the envelope or oath.

Mr. Voelp stated his concerns. The first was the use of "Democrat" versus "Democratic" which he noted had already been addressed by Mr. Hogan. Second, he inquired about including a note on the application stating that unaffiliated voters would not get a primary ballot. Ms. Charlson stated that that information is listed on the voter registration application and can be included in the instructions accompanying mail-in ballot application. He also suggested that the note to the left-hand side of section 7 should include a statement noting that voters must provide their own postage when returning an internet-delivered ballot. Finally, Mr. Voelp shared his concern about the wording used for the "All Other Elections" option.

In response to a question from Mr. Voelp regarding changes could be made today versus what changes should wait until after the useability study is completed, Ms. Charlson responded that "Democratic" could be changed to "Democrat," and that "Preferred" could be added to the U.S. Mail option in Section 7 but noted Mr. Trento's opinion on the use of the word "Preferred." She also stated that adding "See Note" after the Internet Delivery option in section 7 could be, but that highlighting the left-hand side note in Section 7 should be left for the useability committee to study. Mr. Funn and Ms. Woodward both agreed with Mr. Trento regarding use of the word "Preferred" and were in favor of use of "See Note" instead.

Mr. Hogan made a motion to approve the form as presented with the following changes: 1) In section 4, "Democrat" changed to "Democratic," and 2) In section 7, add "See Note" after the option to select Internet delivery. Mr. Funn seconded the motion. The motion passed unanimously.

#### **ELECTRONIC PETITION SIGNATURE INFORMATION**

Ms. Duncan, with the assistance of Mr. Trento, proposed the September board meeting to present more information and a possible solution or plan for the permanent acceptance of electronic petition signatures, including possible regulations for such a plan. Pending any substantive changes from the Board or the public to proposed regulations, new regulations allowing for the permanent acceptance of electronic petition signatures could take effect early next spring.



There were no questions or objections from the Board regarding the proposed schedule. Mr. Voelp suggested that the interested parties should be able to review the proposal and therefore what is proposed at the September meeting may not be voted on until October.

### **OLD BUSINESS**

There was no old business.

### **NEW BUSINESS**

There was no new business.

### **DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Mr. Funn disclosed a \$100.00 contribution to Rachel Jones. There were no other campaign disclosures.

### **SCHEDULE NEXT MEETING**

The next meeting is scheduled for Thursday, July 22, at 2 p.m.

### **CLOSED SESSION – LEGAL ADVICE & SECURITY**

Mr. Voelp requested a motion to close the board meeting under General Provisions Article, §3-305(b) (1), (7) and (8), which permits closing a meeting to discuss compensation of officials over whom the State Board has jurisdiction, receive advice from counsel, and consult with staff about pending or potential litigation. Mr. Hogan made a motion to convene in closed session under General Provisions Article, §3-305(b)(1), (7) and (8), and Mr. Miller seconded the motion. The motion passed unanimously.

The motion having passed, the Board met in closed session in accordance with exemptions defined in (b)(1), (7) and (8) of Section 3-305 of the Open Meetings Act to discuss compensation of officials over whom the State Board has jurisdiction, receive advice from counsel, and consult with staff about pending or potential litigation.

The closed session began at 3:15 pm. Mr. Voelp, Mr. Hogan, Mr. Funn, Mr. Miller, and Ms. Woodward attended the closed meeting. In addition to the board members, Mr. Williams, Ms. Lamone, Ms. Charlson, and Mr. Trento, and Ms. Duncan attended the closed meeting.

During the closed session, Ms. Charlson presented three compensation requests submitted by two local boards of elections. The requests were one-time step adjustments for two individuals employed by local boards of elections and a salary request for a candidate for a vacant position at a local board of elections. Ms. Lamone provided her recommendations on each request, and the members considered each request separately.

Mr. Funn made a motion to accept Ms. Lamone's recommendation for the one of the requested step adjustments, and Mr. Miller seconded the motion. The motion failed 2-2. (One member lost video connection at the time of the vote, but since State law requires a supermajority vote for a motion to pass, the motion would have failed even with the member's affirmative vote.)

Mr. Hogan made a motion to accept Ms. Lamone's recommendation for the salary request for a candidate for a vacant position, and Ms. Woodward seconded the motion. The motion passed unanimously.

Mr. Hogan made a motion to accept Ms. Lamone's recommendation for the remaining step adjustment, and Ms. Woodward seconded the motion. The motion passed unanimously.

Mr. Trento provided legal advice on potential or pending litigation.

Mr. Hogan made a motion to adjourn the closed meeting. The motion passed unanimously.

The closed meeting adjourned at 4:07 pm.

**ADJOURNMENT**

The open meeting adjourned at 3:15 pm.