

# Minutes

Talbot County Board of Elections  
215 Bay Street  
Easton, MD 21601  
*December 12, 2016*

**Present:**

**Board**

Joseph H. Secrist, President	(R)
Walter W. Black	(D)
Richard B. Bulman	(R)
Susan MacKinnon	(D)
John F. Hall	(R)

**Staff**

Teresa Goode  
Norman Bauer

**State Board of Elections**

Sylvia Brown, Director, Personnel Services Division  
Desvin Gabbidon, Regional Manager, Field Support Division

Because the meeting scheduled for November 16, 2016 was canceled, a special meeting of the Talbot County Board of Elections was held on December 12, 2016 in Conference Room # One at the Board office indicated above. Mr. Secrist called the meeting to order at 10:00 a.m. Mr. Secrist noted that a quorum was present.

**Approval of Minutes of October 19, 2016**

Mr. Secrist asked if the Board had any corrections or additions to the minutes of the meeting of October 19, 2016, a copy of which had been forwarded to the Board Members by email in advance of the meeting. Upon motion duly made (Mr. Bulman) and seconded (Mr. Black), the minutes were approved unanimously.

Likewise, Mr. Secrist asked for a motion regarding the December 6, 2016 meeting of the Board of Canvassers. Acting as the Board of Canvassers, upon motion duly made (Mr. Black) and seconded (Mr. Bulman), the minutes were approved unanimously.

**Addition/Changes to the Agenda**

Mr. Secrist noted that the agenda had not been posted on the County webpage. Ms. Goode stated that the webmaster had been asked, but had not been able to do so. Upon

motion duly made (Mr. Bulman) and seconded (Mr. Black), the agenda was approved unanimously.

### **Public Comment**

Mr. Bauer stated that, if the County webmaster were unable to make postings, he, Mr. Bauer, would be willing to do so at no charge to the Board. He also noted that the voting equipment was secured and would remain so until the State Board certifies the election results. Thereafter, there might be some delay while the lessor of the equipment gave instructions regarding machines that had supplemented those originally leased. The machines used by this County did not include any such supplemental machines.

### **Election Director's Report**

Mr. Secrist noted Ms. Mitchell's absence. He stated that the office telephone did not have a voice mail box which would permit callers to leave a message after the close of business. When he tried to place a call, he was prompted to type in Ms. Goode's initials. Doing so sent him to the voice mail of the County Manager, Andrew Hollis. Ms. Goode said that she had been told that this office could not be given a separate voice mail address because its telephone number is not part of the County numbers. Consequently, she utilized the voice mail associated with her office telephone to receive messages' after-hours.

Ms. MacKinnon suggested that the County be reached with a request to have this office added to the County voice mail system. Mr. Secrist agreed to do so.

Ms. Goode stated that she was subject to being call for jury duty during the period beginning November 28, 2016 through December 28. She further advised that she was scheduled for four days' vacation at the end of the month.

Mr. Secrist stated that, before her absence, Ms. Mitchell had expressed doubt as to whether the Board needed to employ Mr. Bauer as had been previously approved. However, in view of her absence, Mr. Bauer's assistance was clearly needed. Ms. Brown reported that the State office had approved a ninety-day contract for Mr. Bauer, up to 40 hours per week. Mr. Secrist signed the contract at the meeting.

Mr. Secrist reported that Ms. Angela Lane, of the County Finance Office, had said that checks to compensate election judges had been mailed on Friday, December 9. Ms. Goode reported that she had heard from Mr. Pritchett who said that his check did not include pay for his having work two weekend days of early voting. Mr. Hall confirmed that he had seen Mr. Pritchett at work one of those weekend days. Mr. Secrist asked Ms. Goode to assemble the necessary documentation and to contact Mr. Pritchett to report that the matter was being addressed.

## **Attorney's Report**

Because the meeting was specially scheduled, Mr. Cronan's schedule did not permit him to be presented. Nevertheless, he had told Mr. Secrist at what time he would be available by telephone.

## **Old Business**

### **Invoices**

Mr. Secrist noted that provisional judges had been paid the same amount as chief judges, which had not been approved. He stated that, nevertheless, the total amount paid was within budget. Mr. Hall stated that such overpayment had been discussed following the Primary Election and Ms. Mitchell had acknowledged her error in so doing. Nevertheless, in light of the awkwardness of attempting to retrieve the overpayment, Mr. Bulman moved that the Board approve, retroactively, the payment of provisional judges in the amounts already paid. Mr. Black seconded, and the motion carried unanimously.

### **Budget 2016-2017**

The budget figures that were available extended only through October. Mr. Secrist noted only 1.7% of the voting equipment lease had been billed through the end of October.

### **Budget 2017-2018.**

Mr. Secrist stated that Ms. Lane of the County Finance Office had said that the deadline for submitting a proposed budget was February 10, 2017. Accordingly, he said that it was important to approve a final version of the budget at the January meeting. In Ms. Mitchell's absence, Mr. Hall volunteered to print out the 2016-2017 budget for distribution at the December meeting. Ms. Brown suggested that he contact Ms. Michelle Holland at the State office for a projection of increases in salary, benefits, and capital outlays.

### **Election**

All Board Members reported that the election had run smoothly. Mr. Black noted that the lighting in the voting area of Easton High School (at the entrance to the auditorium) was inadequate. He stated that between 5:00 pm and 5:30 p.m., there was heavy voting as Easton High School, which resulted in a delay of approximately 20-30 minutes.

Mr. Hall noted the impossibility of placing the sign prohibiting electioneering within 100-foot of the polling place at the Bozman United Methodist Church. He asked Ms. Brown whether other counties faced the same problem. Ms. Brown suggested that this Board seek a waiver from the State Board, with an explanation of the physical layout and the absence of any other adequate site in that precinct.

Ms. MacKinnon stated that voting in St. Michaels had run smoothly, and repeated her belief that the two schools should be close on Election Day. She urged pursuing a change in the law to require such closing. Mr. Secrist noted that the school's calendar was established by September, such that if contact was to be made with the School Board, it should be done before late August.

Mr. Bulman said that he had observed that several of the required signs were not on display in Oxford, which he had noted in his polling place evaluation.

In response to a question from Mr. Secrist, Ms. Goode said that the number of election judges who failed to attend on Election Day was limited to two or three. She further noted that, due to heavy voting on the first two days of Early Voting, as well as several absent judges, it had been necessary to call in extra judges on those two days.

#### Customer Satisfaction Survey

Each Board Member's packet contained sixteen customer survey forms. All were complimentary except for two. One respondent complained that the street address number was not prominently displayed over the entrance to the building. Another complained that the address shown on the webpage was incorrect, in that it showed the North Harrison Street address. The Board concluded that the respondent's search engine had sent him or her to an out-of-date webpage, a matter over which the Board and staff had no control.

#### County Bulletin

Mr. Secrist noted the need for the staff to complete security awareness training by December 15, 2016, and the need to submit polling place evaluation forms within two months of the election.

#### Canvass Report

Ms. Goode reported that the certified election results had been sent to both the State office and to the Clerk of the Circuit Court. Mr. Secrist asked Ms. Goode to contact the Clerk of Court to ascertain whether that office had, in fact, received the results.

#### New Business

Ms. Brown stated that she would obtain the date of 2018 Primary Election and forward that information to Mr. Secrist, for use in contacting the School Board.

Mr. Gabbidon reported that the ballot audit ~~by~~ for Easton Fire Hall, Cordova and Wittman had revealed no variance. Throughout the County, several variances had been noted, but the number was insignificant.

Ms. Goode stated that three absentee ballots had been received after the deadline. Upon motion duly made (Mr. Hall) and seconded (Mr. Black), the Board unanimously voted to recess the meeting of the Board of Elections and convene as the Board of Canvassers. The ballots were circulated for inspection by the Board. Ms. MacKinnon asked whether, upon an inquiry by the voter, the voter would be informed that his or her ballot had been rejected. Ms. Goode stated that the voter would be so informed. Ms. MacKinnon suggested that the Board of Canvassers delegate the duty of rejecting post-deadline ballots to the staff. Mr. Secrist doubted the legality of such delegation. He said that he would ask Mr. Cronan for an opinion.

Upon motion duly made (Mr. Bulman) and seconded (Mr. Black), the Board of Canvassers rejected the three absentee ballots received after the deadline. Upon motion duly made (Mr. Bulman) and seconded (Mr. Black), the Board of Canvassers adjourned and resumed its duties as the Board of Elections.

At 11:15, upon motion by Mr. Bulman, seconded by Mr. Black, the Board entered into Closed Session to conduct a review of the Election Director's performance. The Board returned to open session at 12:20 p.m.

Ms. MacKinnon noted the need to have someone acting as Election Director. Ms. Brown stated that the earliest date such an appointment would be effective is December 15. Ms. MacKinnon moved that, effective December 15, 2016, Ms. Goode be appointed as acting Election Director until a permanent replacement could be found. Mr. Bulman seconded and the motion carried unanimously.


Mr. Hall informed other Board Members that he had attended an event for Delegate John Mautz in November, to which he had contributed.

Mr. Secrist announced that the next meeting would be held December 21, 2016 May 18, 2016, beginning at 9:30 a.m. Because the meeting would so soon follow this meeting, he suggested that the agenda be limited to a review of the Board's current budget, a distribution of a proposed budget, an update on changes in voter registration as well as any matter occurring after this meeting which required attention.

Upon motion duly made (Mr. Black) and seconded (Mr. Bulman), the Board voted unanimously to adjourn at 12:38 p.m.

Attested,

Respectfully submitted,

  
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Joseph H. Secrist, Jr., President

  
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John F. Hall, Secretary

**WRITTEN STATEMENT FOR CLOSING A MEETING UNDER THE OPEN MEETINGS ACT**

**Date:** Dec. 12, 2016 **Time:** 11:15 a.m. **Location:** Conference Room 1, 215 Bay Street, Easton, MD

**Motion to close meeting made by:** Mr. Bulman **Seconded by** Mr. Black

**Members voting in favor:** Secrist, MacKinnon, Black, Bulman and Hall

**Opposed:** None **Abstaining** None **Absent** None

**STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, §3-305(b) (check all that apply):**

(1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;

(2) To protect the privacy or reputation of individuals concerning a matter not related to public business;

(3) – (6) Omitted; not within the authority of a local election board;

(7) To consult with counsel to obtain legal advice on a legal matter;

(8) To consult with staff, consultants, or other individuals about pending or potential litigation;

(9) through (11) Omitted; not within the authority of a local election board;

(12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;

(13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;

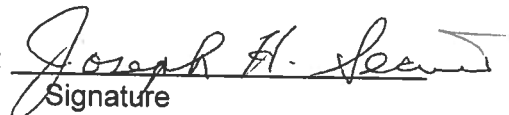
**FOR EACH CITATION CHECKED ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED:**

§3-305(b) (1 ) To perform an evaluation of the Election Director's performance

§3-305(b) ( )

§3-305(b) ( )

This statement is made by Joseph H. Secrist, Presiding Officer:

  
Signature