

BOARD MEMBERS

JANET M. LIVINGSTON
PRESIDENT

THOMAS M. CORKRAN
VICE PRESIDENT

MICHAEL W. DETMER
SECRETARY

WILLIAM E. BATSON
SUBSTITUTE

RALPH C. LEWIS JR.
SUBSTITUTE



**DORCHESTER COUNTY
BOARD OF ELECTIONS**

GWENDOLYN H. DALES
ELECTION DIRECTOR

BRITTANY M. PHILLIPS
DATA APPLICATION SPECIALIST

KIMBERLY K. JONES
ELECTION INFORMATION SYSTEMS
SPECIALIST

HUBERT H. WRIGHT, IV
ATTORNEY

MINUTES OF July 20, 2016

The new office staff (Brittany Phillips, Jessica Noranbrock, and Brenda Gaines) were sworn in prior to the meeting being called to order. At 4:05 PM, President Janet Livingston called the meeting to order and stated there was a quorum and no visitors were present.

The first thing to do is approval of minutes. Mr. Tom Corkran stated they were starting with the May 9th 2016 minutes. President Livingston stated there were some things on there that weren't discussed but that she was going to mark what doesn't pertain and initial. Mr. Michael Detmer asked if there was anything missing that should be there, or anything in there that should come out. President Livingston mentioned the minutes state that she made a motion to keep the budget as it was. She said she didn't make a motion, she just said to leave it as it was and the Board would sort it out. Mr. Michael Detmer stated that it had been too long since the meeting for the minutes to be perfect, that they were better than what they were and couldn't be recreated line for line. President Livingston mentioned the issue with her consistently emailing and texting Director Dales, and asked if any of her emails were inappropriate, as President. Director Dales mentioned that a great deal of emails were sent and offered to show the Board all of the emails. She also informed them that all responses were CC'd to the Board members and the State. President Livingston stated that now that the meetings are being recorded this will all be alleviated. She would go with the majority on approval of the minutes. Mr. Michael Detmer moved that the minutes of May 9, 2016 be accepted; motion was seconded by President Livingston, the vote was unanimous to approve.

The June 15, 2016 minutes were presented; Mr. Thomas Corkran moved that they be approved; Mr. Detmer seconded that motion, the vote was unanimous to approve.

The June 23, 2016 minutes were presented, Mr. Michael Detmer moved that they be approved; Mr. Tom Corkran seconded that motion, the vote was unanimous to approve.

ATTENDEES: Janet M. Livingston, President
Thomas M. Corkran, Vice President
Michael W. Detmer, Secretary
William E. Batson, Substitute
Ralph C. Lewis Jr., Substitute

Gwendolyn H. Dales, Election Director
Jessica R. Noranbrock, Clerk

VOTING EQUIPMENT RELEASED: Director Dales told the Board the voting equipment had been released on July 1 from the head administrator, Linda Lamone. Mr. Michael Detmer asked what that meant, that the equipment was released. Mrs. Dales explained that the LBE's now had permission from the state to use the voting equipment that had been "on lock down" since the Presidential Primary Election. None of the equipment from the Primary Election was used in the Cambridge Election.

Mr. Thomas Corkran asked where the Director's Report was, and that he didn't see it on the agenda. Mrs. Dales stated that she had emailed everyone a copy and that it hadn't been a part of the meeting before, but it will be added to the agenda from now on. Mr. Thomas Corkran stated there had always been a Director's Report at the meeting. Mrs. Dales went to make copies of the Director's Report for the Board members who didn't bring a copy.

Mr. Hubert Wright asked President Livingston if she'd heard any complaints from people who voted; who said their votes weren't safe from prying eyes. He was watching a voter and the voter had a little sheet of paper in the folder with his voted ballot, and the person at the scanner asked for his little sheet of paper. He opened his folder to get it and there was his voted ballot. He said, "You just looked at how I voted." Mr. Wright's suggestion was to put the ballot face down in the folder since the machine will scan it either way. President Livingston hadn't heard anything about the Cambridge Election, but Director Dales would be discussing the election later in the meeting.

BYLAWS: Director Dales told the Board they could find, in the attached packet, copies of the requested changes to the bylaws. She also stated she added Appendix 2 from the State template, the oath. President Livingston stated that the meeting time was supposed to change to 4:00. Mrs. Dales said she would make sure the original was updated. Mr. Michael Detmer asked if Room 105 should be changed. President Livingston said it was safe to leave it at Room 105.

President Livingston said she heard about how Mr. Thomas Corkran and Director Dales feel about special meetings, and she talked to SBE. They must give 3 days' notice. Mr. Michael Detmer asked if they could schedule a closed meeting in every meeting. President Livingston said they could, and they should. According to the Open Meetings Act, and to be safe, in the future, we need to give 3 days notices. The bylaws do say a notice of 3 days.

President Livingston said that at the MAEO Conference they were told it was a special exception that she and Mr. Thomas Corkran would be considered a quorum for the canvas, but for meetings the quorum would be a majority of the members on the Board.

Mrs. Dales then stated that, per Nikki at SBE, the quorum required for a meeting is the same as the quorum required for a canvas. President Livingston said that was not what Nikki said at MAEO. She asked Mr. Corkran and Mr. Detmer if they remembered Nikki saying a quorum was a majority of all the Board members. Director Dales said that it is what the Board is

comfortable with. Mrs. Livingston asked Mr. Hubert Wright his legal opinion. He said if there is no quorum the Board convenes till another day. Mr. Thomas Corkran asked what Nikki from SBE had written in her email to Mrs. Dales. Mrs. Dales read the email from Nikki, which stated, "...Based on the language, you must have 1 Republican member and 1 Democratic member to meet for a regular board meeting or for a canvas...." Mr. Thomas Corkran then asked if they could change the bylaws, and Mrs. Dales said they could not. President Livingston stated that is the law, the State Board. She asked Mr. Wright to look into this. Mr. Wright said Nikki answered their questions. President Livingston then said, "just by this person's interpretation?" Mr. Wright said Nikki is the person, she's sharper than anybody up there, and that she knows what she's talking about.

President Livingston asked Mr. Ralph Lewis and Mrs. Jessica Noranbrock if it was ok for the Board to start reciting the Pledge of Allegiance and a prayer at future meetings. Both agreed.

Mr. Thomas Corkran made a motion to approve the bylaws with the exception of changing the meeting time of 2:00 to 4:00 (section 3.1.A.), Mr. Michael Detmer seconded the motion, the vote was unanimous to approve.

Mr. Thomas Corkran asked Director Dales when she mentioned new staff to the Board, it was the first time he'd heard of it. Mrs. Dales stated she went to the Board about a contractual position on February 17. She then emailed the Board Members when she found out from SBE that it would take a while to get a contractual hire. Also, in that email, she stated she would continue to pursue the contractual hire. Mr. Thomas Corkran stated the office now has an extra 40 hour person. Mrs. Dales said that Mrs. Genevieve Cannon's contract had been updated to 40 hours per week, but she was scheduled 20 hours per week. She did a lot at home and on the weekends. President Livingston said Mrs. Genevieve Cannon easily worked 40 plus hours per week. Mrs. Dales said that in order for the office to get up to par, we need this 40 hour position, but she will evaluate the necessity of the newest hire, the 5th person scheduled 20 hours per week. Mrs. Dales explained Mrs. Cannon couldn't do both jobs. She didn't want Mrs. Cannon overseeing the judges, and then being the chief judge for all 8 days of Early Voting, not being in the office. She asked her to stay on as a chief judge, but she declined.

Mr. Thomas Corkran asked if the new contractual positions were in the budget. Mrs. Dales said they were in the budget that was approved. The budget was altered, but they are in the altered budget within 10%. Mr. Thomas Corkran asked Director Dales where she got approval for the 2 contractual positions. She said the 20 hours position was already an existing contract, and the other was approved at the February 17 meeting. He asked who the new contractual was supposed to replace and Mrs. Dales said no one, it was a new position created because we needed the help. She's more than happy to assess the situation, and, if the office is up to par and the additional help is not needed she will not keep the new 20 hour person. She does not want to waste anyone's time, effort or money. The contract can end anytime.

Mr. Hubert Wright said to Director Dales that according to the bylaws you have the right to hire and fire, but you should have gotten approval. Mrs. Dales said she came to the board on

February 17 about the position. Mr. Ralph Lewis asked if there was a vote taken. Mr. Corkran said no and that it was the first he's heard of it. Mrs. Dales told Mr. Corkran he didn't attend the February 17 meeting. President Livingston reminded him he'd had his gallbladder out and wasn't at the meeting. Mrs. Dales sent an email to everyone regarding the matter.

Mr. Hubert Wright wanted a breakdown on salaries. Director Dales asked if he was talking about the budget that was approved. President Livingston said they never saw exact numbers, they don't know the salaries. Mrs. Dales then read an email from April 20 from President Livingston and her response, regarding the budget. This all took place during Early Voting. President Livingston said in the email on April 23, as long as the specified changes were made in the budget there needed to be no further discussion. Mr. Ralph Lewis asked if the Board voted. Mrs. Dales stated that the Board voted and declined to make any changes. Mrs. Dales said that they agreed to hold separate meetings to deal with the budget.

Mr. Michael Detmer stated they want a Director's Report, but maybe it should be called something else. He said it should be more than a summary of the Board meeting, that it should summarize what happened in the office since the last Board meeting. It should be on the agenda. Director Dale said the agenda is a summary of what happened since the last Board meeting. Mr. Michael Detmer said there should also be an "Old Business" and "New Business" section on the agenda. He then asked for a motion for the director's official analysis of the office staff to determine if a 5th person is needed. Mrs. Dales offered to get rid of the 5th person. Mr. Michael Detmer said, "That's not what I'm asking." President Livingston said, "I am." Mr. Ralph Lewis asked if the board has to approve the hiring of a position, not the person, do they have to approve the termination of a contract. Mr. Wright said no, not the ways the bylaws are written.

At 5:26pm, Mr. Michael Detmer asked the Board to move on to the Cambridge Election Results.

CAMBRIDGE ELECTION-7.12.2016: Director Dales read the results of the Cambridge Election to the Board and stated that the absentee ballots changed the election. It became an absentee election. Mr. Hubert Wright said the turnout was really low.

MD GERRYMANDERING ARTICLES: Director Dales provided a copy of the article in the members' packets. With the census in 4 years there could be changes.

NEW BUSINESS: President Livingston stated they should make all substitute Board members regular members. Mr. Thomas Corkran said that most counties are doing it now, we can see if we can put a rider on a Bill. He then made a motion to make all substitute members regular members, Mr. Michael Detmer seconded that motion. Mrs. Dales mentioned that Mrs. Bobbie Hall informed her they have to go to the County Council with the matter.

CLOSED SESSION: Mr. Thomas Corkran made a motion to adjourn; Mr. Ralph Lewis seconded the motion, adjourned at 5:32pm for the closed session for a personnel issue.

Meeting reconvened at 6:30pm.

Mr. Thomas Corkran said there needs to be further discussion about the relationship between the Board and Director. Mr. Michael Detmer then said specifically about the Director's Report.

SCHEDULING AND ADJOURNMENT: The next regular meeting will be held Wednesday, August 17, 2016. There being no further business, Mr. Thomas Corkran moved that this meeting be adjourned at 6:32pm, seconded by Mr. Michael Detmer.

APPROVED:






