

Minutes of the Richland County Board of Elections and Voter Registration
Wednesday, May 13, 2015
4:00pm, County Council Chambers

Board Members in Attendance

Ms. Marjorie Johnson, Chair
Ms. Adell Adams, Vice-Chair
Ms. Sylvia Holley
Ms. Jane Emerson
Mr. E. Peter Kennedy

Staff in Attendance

Mr. Samuel Selph, Director
Mrs. Lillian McBride, Deputy Director
Ms. Christina Frye, Voter Representative
Mrs. Cheryl Goodwin, Election Systems Coordinator
Ms. Turquoise Hayes, Absentee Representative
Ms. Sheron Harris, Absentee Coordinator
Ms. Dawn Green, Voter Representative

Others in Attendance

Mr. James Brown, Legislative Delegation

Call to Order

- The meeting was called to order at 4:02 p.m. It was noted that a quorum was present to allow the meeting to proceed and that the meeting had been properly posted in accordance with the Freedom of Information Act requirements.

Adoption of Agenda

- A motion was made to adopt the meeting's agenda with an amendment to add the Executive Session to the agenda. Seconded. Approved.

Approval of Board Meeting Minutes

- The Board Members reviewed the minutes from March 11, 2015. A motion was made to approve the meeting minutes. Seconded. Approved.

Board Chair Comments

- Legal Update
 - The Board was advised that after multiple requests, the department still does not have legal counsel.
 - Requests have been made to County Council, the County Administrator, and the Chair of the Delegation.
 - The County's legal department stated that they would advise, but they are not the department's counsel.
 - There are currently three pending lawsuits against the department:.

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- SC Public Interest Foundation - The lawsuit filed on behalf of the SC Public Interest Foundation is the most urgent.
 - Although the case was determined to be moot due to Delegation passing legislation to satisfy the original complaint, the judge has ordered that the department pay the legal costs of \$34,940.38.
- Mr. Howard Jackson - an attorney has been engaged to consider filing a lawsuit on behalf of the former Director, Mr. Howard Jackson, regarding his grievance.
 - The department has provided a response to the Equal Employment Opportunity Commission (EEOC) regarding the claim, but the EEOC decided not to go forward with the grievance of discrimination.
 - As a result, Mr. Jackson has received a right to sue letter, and has the right to sue in civil court.
 - Determination to file that lawsuit is currently pending.
- Mr. Eric Campbell - an attorney has been engaged to consider filing a lawsuit on behalf of Mr. Eric Campbell, regarding his dismissal.
- Ms. Emerson requested copies of the letters sent out regarding all lawsuits.
- Ms. Johnson stated that the Director will provide the Board Members with copies of all letters related to the pending lawsuits.
- Director Goals, Objectives, and Evaluation Document
 - Ms. Johnson indicated that at the previous Board Meeting held in March 2015, Mr. Kennedy provided a sample form received from Greenville County, which contained goals, objectives and a sample evaluation.
 - The Commissioners reviewed the evaluation's synopsis, evaluation points, and scoring explanations.
 - A motion was made to approve the director's goals, objectives, and evaluations document. Seconded. Approved.
 - Ms. Johnson stated that the Director had provided the Board with his individual goals and objectives for his 2 year term as director and indicated that the director's goals may overlap with the goals provided from the Board.
 - Mr. Kennedy questioned whether there was a timeline for the Director's goals.
 - Mr. Selph stated that it is a 2 year plan and that some of the items provided have already been completed (ex: restructure of the office, employee handbook).

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- Mr. Selph also stated that the department is currently working on a document that will detail planning for successful elections and will include information regarding preparations needed 6 months before elections.
- Mr. Selph informed the Board that his main objective for the office is to relocate the office to an alternate location.
- Ms. Emerson raised concerns to ensure that the Director's goals and the Board's goals line up.
- Ms. Johnson stated that the Director's goals are the Director's personal goals for his accomplishments.
- Although the Board has specific goals and expectations for the director, an evaluation schedule has been provided so the director can report on all accomplishments pertaining to those goals each quarter.
- A motion was made to accept the document listing the director's goals. Seconded. Approved.
- Official Organization Chart
 - Ms. Johnson explained that the chart officially formalizes the organization within the department and indicates that there is an administrative foundation, director, deputy director, etc.
 - A motion was made to accept the proposed department's organization chart. Seconded. Approved.
- Office Consolidation / Relocation Status
 - Ms. Johnson advised the Board that many of the letters they will receive copies of will include pleas for consideration of relocation.
 - Letters have been sent to Senator Scott as well as Richland County's Finance Director that included a proposal that the monies the department generates for holding elections for various jurisdictions, be set aside to form a pool of money to fund the department's relocation.
 - The letter also includes estimated totals for the following fiscal years:
 - FY13-14: \$497,889
 - FY14-15 projected: \$186,108
 - FY15-16 projected total: \$1,067,800,
 - Ms. Adams requested that before any additional letters with new information are sent out, that the information be provided to Board Members before sending out.

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- Ms. Johnson acknowledged that Ms. Adams concerns were heard and stated that she will seek review by email and mail and is requesting that all Board Members respond in a timely manner.

Director's Comments & Updates

- Correspondence
 - Mr. Selph questioned whether the Board would prefer that correspondences be provided by email or mail.
 - The Commissioners agreed that email was preferred.
- Municipal Election Contracts
 - Election contracts were not generated this year because the department did not conduct any elections so far this year.
 - In past years, agreements have been formed and as of today, the department is in negotiations with the City of Columbia.
 - An election contract template will be generated and that will be the foundation for all future contracts.
 - An estimate of FY2015 projected election reimbursement is approximately \$186,000.
 - FY2016 should generate over 1 million dollars in reimbursements for the department conducting the elections in the upcoming fiscal year.
- Legislative Updates
 - Mr. Selph provided an update regarding Legislation #3084 regarding removing the witness signature from the mail-in absentee ballot.
 - An additional update was provided regarding opening absentee ballots the Monday before elections.
 - The Board's permission will be needed before authorizing the department to begin opening absentee ballots on the Monday before elections.
 - Should the legislation become law, an official request will be generated and presented to the Board at a later meeting.
- County Visits
 - Over the past few months, staff has visited counties within the state to observe their day-to-day operations as well as exchange ideas as to how to make the election process run as smoothly as possible for all SC voters.
 - Counties visited have included Lexington, York, Charleston, Greenville, and Florence counties.

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- Counties to be visited include Spartanburg and Darlington counties.
- Protection & Advocacy Report
 - The Protection and Advocacy Group is requesting that all state election offices visit their voting precincts to determine whether they meet ADA standards.
 - Ms. Adams stated that only the new precincts should have to be reviewed because the old precincts were reviewed under a prior director's tenure.
 - Mr. Selph informed Ms. Adams that the group is requesting the counties visit all precincts to determine ADA standards have been met and to ensure that documentation has been provided detailing recommendations.
 - Mr. Selph informed the Board that he will provide them with copies of all letters and information received from the Protection and Advocacy Group as well as the response from the State Election Commission.

Executive Session

- A motion was made to proceed into Executive Session.
- A motion was made to come out of Executive Session at 6:07pm. The Board indicated that no actions were pending from the Executive Session.

Adjournment

- There being no further business, the meeting was adjourned at 6:07pm.

Recorded by: Amie Brunson, Administrative Assistant