

Minutes of the Richland County Board of Voter Registration and Elections
Wednesday, March 16, 2016
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

Ms. Lillian McBride, Deputy Director

Staff Members – Elections & Voter Registration Department

Others in Attendance

Members of the Public

Media Representatives

Call to Order

- The meeting was called to order at 4:05 p.m.

Adoption of Agenda

- A motion was made to amend the agenda to allow public comments and questions to be moved before Executive Session. Seconded. Approved.
- A motion was made to permanently move public comments and questioned before Executive Sessions at all meetings henceforth. Seconded. Approved.

Approval of Board Meeting Minutes

- The Board Members reviewed the minutes from February 10, 2016.
- A motion was made to approve the meeting minutes. Seconded. Approved.

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Board Chair Comments

- Retention of Outside Counsel
 - Ms. Johnson reminded the Board of its decision at a previous meeting to retain outside counsel to represent the Board.
 - Ms. Emerson questioned using department funds to retain outside counsel for Board Members and that procedures should be in place to identify an attorney.
 - A question was posed as to who is paying for Attorney Spillane and Mr. Selph responded that he is paying for Attorney Spillane.

- FY2017 Budget Submittal
 - Ms. Johnson reminded the Board that the department's fiscal year 2017 budget was submitted to Board Members in January – February of 2016.
 - Since that time, the budget submittal has been edited to include legal fees in the professional services budget line item.
 - Ms. Emerson questioned the current expenditures charged to the professional services line item.
 - Ms. Johnson responded that other expenses are charged to the professional services line and Mr. Selph informed the Board that as of March 16, 2016, no money has been paid for legal fees from the professional services budget line item.

- Pending Leave of Absence
 - Ms. Johnson stated that she is requesting a medical leave of absence for a minimum of 90 days.
 - Currently, there are not any procedures regarding requesting leaves of absence and that she is awaiting a response from the Legislative Delegation for clarifications as to what happens next.
 - Ms. Johnson stated that Ms. Adell Adams, Vice-Chair, will be chairing the meetings and that all Board Members should read Robert's Rules regarding tie votes.

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Board Comments – Discussion

- Commissioner Kennedy - Items
 - The following 10 questions were posed by Mr. Kennedy to Mr. Selph:
 - *Director's Job Description*
 - The job description that is currently being utilized is the one that was patterned after Greenville County
 - *Number of Full-Time Employees*
 - 16
 - *Number of Part-Time Employees, not Counting Poll-Workers*
 - 4
 - *Number of New Full-Time Employees Added in 2015 – 2016*
 - 1 full-time employee was hired in 2015
 - 0 full-time employees were hired in 2016
 - *Salaries by Job and Description*
 - Information will be provided with employee names redacted
 - *Bonus Amounts Paid to Employees During 2015*
 - There were no employees in the Elections & Voter Registration Department that were paid a bonus
 - *Explanation of the Budget's Professional Services Line Item*
 - Attorney Fees and ABS, which is an entity that assists with absentee voting for the department
 - *Explanation of an Itemized Request to Richland County Council asking for Reimbursements of \$242,560 for holding the City of Columbia Election and billing the City a smaller amount of \$147,481, which is a difference of \$95,079.*

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- The projection for conducting the City of Columbia election and the runoff was \$242,560. Being faced with cuts, the department streamlined and ran the election for \$147,481 which was billed to the City of Columbia.
 - *Where did the \$95,000 go?*
 - There was never \$95,000 and \$242,560 was a projection. Additionally, the department has also projected that it will receive \$855,000 for conducting elections for County.
 - *I, as a member of the Board, would like a copy of the AP ledger from 2015-2016 year to date.*
 - Mr. Selph provided Mr. Kennedy with a financial report from 2015 – 2016.
- *Richland County's Public Input Form*
 - Ms. Johnson presented the Board with copies of Richland County's Public Input Form which indicated that remarks would be limited to 5 minutes.
 - Once informed of the 2 minute time frame when allowed the opportunity to speak at the last Richland County Council Meeting, Ms. Johnson believed that a 2 minute time frame did not allow or encourage public input.
 - Additionally, based on conversations with the Office of the Clerk, she was led to believe that she would be allowed 4 minutes to speak.
- *Commissioners' Election Observations*
 - Ms. Holley stated that she did not know why members of the public have the impression that the department's funds are being misappropriated and that everything the Board does is always being questioned.
 - The Board is made up of new individuals with new ideas and are attempting to move past negative ideas. Members of the public as well as the media should have the opportunity to view staff's working conditions as well as visit the warehouse that

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houses the voting machines (i.e. when it rains, the voting machines have to be covered with tarps due to the leaks in the warehouse).

- Ms. Holley stated that she hoped that everything being questioned is not due to the makeup of the current Board, that includes minorities, and that it is her desire that the Board present a united front and work together to do the right thing for the public.
 - Ms. Emerson stated that she has requested an accounting of the department's funds since December 2015. Additionally, she does not believe that there is a racial undercurrent to the requests and that Council and the public have not received clear communication as to what the additional money is for.
 - Ms. Adams stated that County Council knows all the department's expenditures because they make them and if they want to know, all they have to do is check.
 - Ms. Johnson stated that 7 meetings have been held regarding the current fiscal year budget and that the County's Finance Department generates year to date expenditures. The department is asking for the same money; the budget request was for 3 million and the department received 1 million which is an allocation of less than 50% of the original request.
 - There are currently unpaid invoices and the poll worker budget line item is currently in the red and has been since the City of Columbia election. If reimbursements are added to the department's budget, then the department would only need approximately \$220,000.
- SCARE Conference Outcomes
 - Ms. Johnson stated that the following items were discussed during the SCARE Conference:
 - Witness signature on absentee ballots
 - Increasing poll worker pay

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Director's Comments & Updates

- Presidential Preference Results / Comments
 - Mr. Selph stated that he is proud of staff who worked during the past elections and that clean audits with no exceptions were received for both elections.
 - As per instructions received from the State Election Commission, a few polling locations were combined and signage was placed at those polling locations to notify voters of the changes.
- ROA Budget Amendment Status; Copies of Detailed Statistics
 - By the end of the fiscal year, the department will be approximately \$700,000 in the red and the requested funds would be used to fill in the gap as well as poll worker payments.
- Primary Election Preparations
 - Staff members have reviewed information from the 2008 and 2012 Primaries and have compiled information for the number of needed election workers and voting machines for the upcoming 2016 elections.
 - All voting machines will be prepared, checked and cleared before being deployed to polling locations and all polling locations will have a minimum of 3 voting machines.

Public Questions & Comments

- Public Comments / Questions – Mr. Reed, Ward 33 Clerk
 - Mr. Reed posed the following questions:
 - *Election Worker Payments*
 - Why was a \$60.00 supplement / bonus provided to election workers who worked during the 2016 PPP elections.
 - Mr. Selph advised Mr. Reed that poll workers were not paid an additional \$60.00 supplement / bonus for working in the past elections.

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- *Department's Budget Request*
 - How did the department arrive at an additional 1.2 million dollar request for funds if the department is currently over \$200,000 in the black, as per information provided via a FOIA request. Additionally, why are other comparable counties able to operate their offices on a much lesser amount.
 - The total number requested includes salaries, retirement, FICA, and poll worker payments. Greenville County does not carry poll worker payments on the face of their budget as a line item; those funds are placed in a revolving fund. Richland County does not have a revolving fund.
- Public Comments / Questions – Ms. Nancy Barksdale
 - Ms. Barksdale posed the following questions:
 - *Budget Line Item – Professional Services*
 - What additional items have been charged to the professional services line item.
 - Ms. Lillian McBride responded that advertising charges for candidate filing notices have also been charged to the professional services line item.
 - *Director's Job Description*
 - Has the job description been approved by the Board?
 - Yes, the Director's job description has been approved by the Board and she will receive a copy.
 - *Richland County's Purchasing Department*
 - Does the department utilize Richland County's Purchasing Department and take advantage of purchasing items in bulk.

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- Yes, all equipment purchased goes through the Richland County Procurement Department but certain items have to be purchased from state approved vendors.
- *Budget Amendment*
 - Why doesn't Richland County Council adopt Greenville County's procedures for not including poll worker payments in their department's budget.
 - It is not the Voter Registration and Election Board's authority to adopt Greenville's procedures; that is the responsibility of Richland County Council. A request was presented to Richland County Council but was denied.

Executive Session re: Pending Litigation

- A motion was made to proceed into Executive Session to discuss Pending Litigation. Seconded. Approved 5-0.
- The Board entered into Executive Session at 5:38pm.
- A motion was made to come out of Executive Session at 6:16pm. Seconded. Approved 5-0.
- The Board indicated that no decisions were made and there were no actions to report from the Executive Session.

Adjournment

- There being no further business, the meeting was adjourned at 6:17pm.

Recorded by: Amie Brunson