

Minutes of the Richland County Board of Voter Registration and Elections
Wednesday, February 10, 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

Mr. James Brown, Legislative Delegation

Call to Order

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

Adoption of Agenda

- A motion was made to adopt the meeting's agenda. Seconded. Approved.

Approval of Board Meeting Minutes

- The Board Members reviewed the minutes from December 9, 2015.
- A motion was made to approve the meeting minutes. Seconded. Approved.

Board Chair Comments

- Board Meeting Cancellation for March 9, 2016
 - A motion was made to reschedule the March 9, 2016 meeting to March 16, 2016 due to the meeting being scheduled at the same time as the SCARE Conference. Seconded. Approved.

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- Delegation Meeting re: EVR Financing
 - Ms. Johnson informed the Board that a meeting was held to discuss the current funding status of the department. Persons in attendance included the following individuals:
 - Ms. Marjorie Johnson, Board Chair, Mr. Samuel Selph, Director, Mr. James Brown, Legislative Delegation, Senator John Scott, Legislative Delegation, Voter Registration and Elections staff, and Legislative Delegation staff.
 - It was noted that the Chair and Vice-Chair of the Richland County Council were invited to the scheduled meeting with Delegation, but neither were able to attend.
 - Ms. Johnson indicated that the meeting was productive but staff did not come away with clear financing, authorizations, or authorities. The meeting also did not clear up many of the items discussed because of input needed from County Council, but Senator Scott made it clear that something has to happen.
 - The present Board has repeatedly requested a formal budget and allocation from which the department would be able to spend within those parameters.
 - The department deals with state and taxpayer funds and needs a logical way of documenting money that comes in, goes out, and that remains.
 - Delegation members will take up suggestions regarding the department's funding in the future while clarification is still needed regarding specifics.
- Reminders re: SCARE Conference & Board of Ethics Filing
 - Ms. Johnson provided Board Members with the following reminders:
 - Board of Ethics Filing
 - SCARE Conference – March 2016, Myrtle Beach, SC

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- Report Teleconference Vote to Edit Budget Line Item
 - Legal Representation was added to the budget request for fiscal year 2017. Board Members were contacted and once a majority vote was received, the budget line item was revised.
 - Ms. Emerson desired to go on record that she voted against the line item increase due to her belief that the County is responsible for paying the department's legal fees based on information received from the State Election Commission. Clarification was also made regarding funding for outside counsel as a different issue and as such, should be separated from County funding.
 - Ms. Johnson stated that a budget is needed that details funds to pay the department's legal fees and that it is vital that the department has legal representation.
 - Assistance has been previously requested, but County Council declined to assist the department with bills related to legal matters. County Council will hear the department's appeal for a Request of Action to obtain funds for department needs. Until that is done, the department has no authority to spend a line item that it does not have.
 - Ms. Adams questioned whether the reimbursements received from the November 2015 municipal elections are included in the department's budget.
 - Mr. Selph answered that all reimbursements are placed in the County's general fund and not the department's budget.
 - The Legislative Delegation disburses funds to all the Counties and Delegation has the power to designate or direct funds to the department.
 - Mr. James Brown, Legislative Delegation, stated that regarding overall funding, the Legislative Delegation has authority over the Election Commission as well as funds distributed to the County. Unfortunately, there is sometimes a disconnect because the money comes through local government funding and the funds go to treasurer and departments requests those funds.

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- Mr. Brown further explained that Delegation Members are having discussions as to solutions to the department's current funding status.

Board Comments – Discussion

- *The Hamm Report Recommendations*
 - Mr. Kennedy inquired of Mr. Selph whether the 9 recommendations detailed in Attorney Hamm's report have been met.
 - Mr. Selph responded that all recommendations have been met and exceeded as has been shown in the department's weekly reports provided to the Board Members.
 - Ms. Holley questioned whether the Board was attempting to adopt the report's recommendations.
 - Mr. Kennedy responded that the Board is not adopting the recommendations, but the report is public and if anyone ever questions the recommendations, the Board can respond that the recommendations have been fulfilled.
 - Ms. Johnson stated that although the report was written for and adopted by the previous Board, the report's suggestions have been completed.
- *Budget*
 - Ms. Emerson stated that it should be standard operating procedures to receive a detailed financial report that details money spent from every budget line item; because how can the Board appear before County Council and state that additional money is needed if the money the department currently has is not being spent responsibly.
 - Mr. Selph responded that Ms. Emerson's request appears to be a request for an audit and that the department is currently in "election mode" in preparation for the upcoming February 2016 Presidential Preference Primary elections.
 - Ms. Johnson stated that Board Members are entitled to know what goes on in an operation including a certain amount of detail, but that the tasks involves staff

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assistance, which distracts from the momentum of preparing for the upcoming elections.

- A question to Ms. Emerson was posed by Ms. Johnson as to the purpose of requesting line item expenditures in view of requesting additional funds.
- Ms. Emerson responded that the information had been requested in December 2015 and that the public needs to know where the money is going particularly in light of calling attention to the department's budget issues.
- Ms. Adams presented a motion to table the discussion of this item until a later time after the election. Seconded. Approved 3 – 2.

Director's Comments & Updates

- *ROA Status & EVR Expenditures / Balance Sheets*
 - Mr. Selph informed the Board that phone calls had been received from Council Members informing him that the department's Request of Action will be placed on Council's meeting agenda. Additionally, the County's Finance Director has requested the department's projections for the remainder of the fiscal year.
 - Ms. Johnson questioned whether poll workers are paid using funds allocated for part-time personnel.
 - Mr. Selph responded that poll workers are paid through the temporary employment agency line item but that staff and poll worker's retirement and FICA expenses are included in the same line item.
- *Weekly Report Inquiries & Elections Preparation Inquiries*
 - Mr. Selph stated that the reports that were previously provided to the Board are templates for the election office to follow.
 - Board Members were provided a compilation of daily updates regarding voting machine deliveries, machine allocations, polling location preparations, etc.

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- In preparation for the upcoming February 2016 elections, approximately 900 voting machines are in the field and contingency plans are in place regarding additional voting machines.

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 5:27pm.
- A motion was made to come out of Executive Session at 6:40pm. Seconded. Approved 5-0.
- The Board indicated that no decisions were made and there were no actions to report from the Executive Session.

Public Questions & Comments

- None

Adjournment

- There being no further business, the meeting was adjourned at 6:45pm.

Recorded by: Amie Brunson