

Minutes

Talbot County Board of Elections
215 Bay Street
Easton, MD 21601
December 1, 2021

Present:

Board Members Present

Joseph H. Secrist, President	(R)
Walter Black	(D)
Richard B. Bulman	(R)
Wadella Thomas	(R)
Susan MacKinnon	(D)

A special meeting of the Talbot County Board of Elections was held on December 1, 2021 in Conference Room # Two at the Board office indicated above. Mr. Secrist called the meeting to order at 9:36 a.m. and noted that a quorum was present.

Mr. Secrist noted that the purpose of this meeting was to discuss the need for an Acting Election Director pending the employment of a new Election Director. He asked if there were any other agenda items to consider. Ms. MacKinnon asked that the Board consider moving the December Board meeting from December 15 to December 8. She also noted that Board Attorney Lyndsey Ryan had requested guidance regarding the legislation the Board has requested requiring the closing of schools on Election Days.

Mr. Black moved that the agenda be amended to include changing the date of the December meeting and discussion of guidance to the Board Attorney regarding our legislative proposal. Ms. Thomas seconded the motion. It passed unanimously.

December 2021 Meeting Date

Ms. MacKinnon noted that the regular meeting date for the Board will be December 15 and that will be a busy time for people as the holidays near. She moved that the Board approve moving the meeting date to December 8. Mr. Black seconded the motion. It passed unanimously.

Proposed Legislation

The Board previously approved a letter signed by Board Attorney Lyndsey Ryan addressed to our legislative delegation regarding the closing of schools on Election Days. Ms. Ryan advised that Senator Eckardt and Delegate Adams have asked that we seek support for our proposal from the Talbot County Council and the Talbot County

Board of Education. Ms. Ryan is seeking guidance regarding a presentation on our proposal to the County Council and the Board of Education. To obtain clarification, a phone call was placed to Ms. Ryan. She was not immediately available. Ms. MacKinnon then moved that the Board authorized Ms. Ryan to attend a meeting of the County Council and a meeting of the Board of Education to inform them of our requested legislative request and seek their support. She will represent the Board and respond to questions regarding the legislation. Board Members will be present to respond to questions regarding the need and purpose of the legislation. Mr. Black seconded the motion. Action on the motion was deferred pending further clarification from Ms. Ryan.

Acting Election Director

Mr. Bulman pointed out that the Board no longer has anyone responsible for managing the election office. Discussion had begun weeks ago regarding possible ways to manage the office pending the employment of a new Election Director. Among options considered were employing someone temporarily, selecting a current employee to assume the duties of Election Director in addition to current duties or transferring someone from another agency temporarily. It appeared that some discussion may lead to naming individuals.

Closed Session

Mr. Black moved that the Board go into closed session for the purpose of discussing personnel matters that affect one or more specific individuals as permitted under General Provisions Art. 3-305(b) (1). Ms. Thomas seconded the motion. It passed unanimously. Whereupon the Board went into closed session at 10:13 a.m. Present at this session were Board Members Mr. Secrist, Mr. Black, Ms. Thomas, Ms. MacKinnon and Mr. Bulman.

At 11:30 a.m. the Board returned to open session. President Secrist reported that the Board Members discussed possible individuals to consider for the interim position and other options available to the Board. During the closed session Board Members spoke with Ms. Shermaine Malcomb of the State Board of Elections staff via telephone call. No action was taken.

Acting Election Director (continued)

During the discussion with Ms. Malcomb, she pointed out that when a vacancy occurs, the supervisor of the position is authorized to perform the duties of the position. In this case, the Board of Directors will be authorized to serve in the capacity of Election Director. Ms. MacKinnon then moved (1) that the Board of Directors assume the duties of Election Director, (2) that the President be authorized to sign for the Board as needed regarding office business and (3) that a schedule be developed by the Board Members for dates to be in the office to attend to duties as needed. Mr. Black seconded the motion. It passed by a vote of 3 in favor of the motion (Secrist, Black and MacKinnon),

one against (Bulman) and one absent (Ms. Thomas departed the meeting during this discussion.)

Adjournment

Mr. Black moved adjournment of the meeting. Mr. Bulman seconded the motion. It passed unanimously. The meeting adjourned at 11:50 a.m.

Attested,

Joseph H. Secrist Jr.
Joseph H. Secrist, Jr., President

Respectfully submitted,

Richard B. Bulman
Richard B. Bulman, Secretary

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**

This form has two sides. *Complete items 1 – 4 before closing the meeting.*

1. **Recorded vote to close the meeting:** Date: December 1, 2021; Time: 9:31 AM;
Location: Conference Room 2, 215 Bay Street, Easton, MD. 21601;
Motion to close meeting made by: Walter Black; Seconded by Wadella
Thomas; Members in favor: Black, Bulman, Thomas, Secrist, MacKinnon; Opposed: None;
Abstaining: None; Absent: None.

2. **Statutory authority to close session (check all provisions that apply).**
This meeting will be closed under General Provisions Art. § 3-305(b) only:

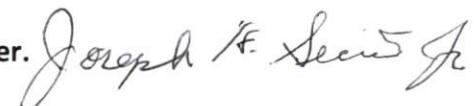
(1) X "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; **(2)** "To protect the privacy or reputation of individuals concerning a matter not related to public business"; **(3)** "To consider the acquisition of real property for a public purpose and matters directly related thereto"; **(4)** "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; **(5)** "To consider the investment of public funds"; **(6)** "To consider the marketing of public securities"; **(7)** "To consult with counsel to obtain legal advice"; **(8)** "To consult with staff, consultants, or other individuals about pending or potential litigation"; **(9)** "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; **(10)** "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; **(11)** "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; **(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"; **(14)** "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process." **(15)** "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

Continued →

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§3-305(b) (1)	Personnel	Discuss individuals for Acting Election Director currently on staff and an individual recommended for temporary employment.
§3-305(b) ()		

4. This statement is made by Joseph Secrist, Presiding Officer.



WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION FOR SUMMARY TO BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING. (See also template for summary.)

➤ For a meeting closed under the statutory authority cited above:

Time of closed session: _____

Place: _____

Purpose(s): _____

Members who voted to meet in closed session: _____

Persons attending closed session: _____

Authority under § 3-305 for the closed session: _____

Topics actually discussed: _____

Actions taken: _____

Each recorded vote: _____

➤ For a meeting recessed to perform an administrative function (§ 3-104): Time: _____

Place: _____

Persons present: _____

Subjects discussed: _____