

**Wicomico County Council**  
**Open Work Session**  
**March 18, 2014**

Work sessions require written minutes that reflect each item that the public body considered, the action that the public body took on each item and each vote that was recorded. **It should be noted that at work sessions, the Wicomico County Council does not take formal action, nor is a vote taken on any item discussed.**

In attendance: Matt Holloway, President; John B. Hall, Vice President; Bob Culver Sheree Sample-Hughes and Joe Holloway. Also in attendance was Matthew E. Creamer, Council Administrator and Melissa Holland, Recording Secretary.

Present: Wayne Strausburg, Director of Administration; Sharon Morris, Assistant Director of Administration; John McClellan, Sperry VanNess; Rick Konrad, Purchasing Manager and Bill Turner, ES Adkins.

**Board of Elections Lease Discussion :**

Mr. Strausburg said his office met with the State Board of Elections and made this same presentation to them and he said they were satisfied with the process and the space selected.

Mr. Konrad said they did preliminary site studies and visited seven sites. Mr. Strausburg said that Mr. Willing has seen this property as he was on the site visit as well.

Mr. Konrad said due to the large number of sites it was determined that an RFP needed to be done. He said they issued the RFP meeting on November 6, 2013 and the pre-bid meeting was held on November 20, 2013. He said there were sixteen people in attendance including some members of the Board of Elections. He said the RFP was opened on December 5, 2013 which included a couple of buy options and a couple of options for remodeling. Mr. Konrad said the Board of Elections currently has 4,400 square feet in their current building and they requested 12,475 square feet. He said they spoke with Mr. Gutierrez and it was determined that the amount of space needed would be approximately 8,875 approximately for the RFP document which includes 20% for circulation areas. Mr. Konrad said Mr. Gutierrez was included in all site visits as well as Mr. Konrad and Tanner Pizza, Procurement Specialist. Mr. Strausburg said the members of the Board of Elections were present at the pre-bid meeting. Mr. Konrad said it was determined by the Purchasing Department that this space is the appropriate space for the Board of Elections. He said it meets the needs required under the RFP. This is currently leased as office space, including a climate controlled garage area suitable for storage and working on the voting machines. Mr. Konrad said E.S. Adkins proposal was not the lowest price however the location was better than the lowest price and the site is ready to move into. The annual cost is \$77,373.60 for the E.S. Adkins building. Mr. Konrad provided the list of current tenants, most of which are long tenured tenants. He said there are three vacant units at this time. This site will provide the Board of Elections with 242% more space than it currently has at more than two times the current cost.

Mr. Strausburg said Mr. Gutierrez communicated to the Executive' office that he was in favor of the location and there is a miscommunication between the Director of Elections and the Board.

Mrs. Morris said she had spoken to Katrina Purnell, Chair of Board of Elections, to explain the process the county was taking and the costs. She said she also spoke to Mr. Gutierrez several times and he understood the process and that he understood who the assignment was given to. She said she explained to Mr. Gutierrez that the Board of Elections by Maryland law does not have a commission to choose a relocation site. She said Mr. Gutierrez was pleased with the extra space. She said that Ms. Purnell understood the county's decision and position. Mr. Culver asked if she had spoke with her before the last meeting. Mrs. Morris said yes she did speak with her before the meeting.

Mrs. Sample-Hughes asked why Mr. Gutierrez was not in attendance. Mr. Strausburg said Mr. Gutierrez does not report to his office and he is not sure where he is. Mrs. Sample-Hughes said she really thought the director would be in attendance at the meeting. Mr. Willing responded by saying that he asked Mr. Gutierrez if he was attending to which Mr. Gutierrez informed him that he had to have the permission of the Executive's office to attend to which Mr. Strausburg said that was not true. Mr. Willing said Board members visited the sites before the bids but not after the bids were opened. Mr. Konrad said after the bids were received only three sites were then visited.

Mr. Turner said they provided crime maps and statistics with their RFP. He said there are people who express concerns about that area of town however once they are located in the building they do not have any problems. Mr. Turner said his office manager is currently in the office alone and does not have any concerns. He said this is a very secure site and is well-lit site. He said it is a very open site and very busy. Mr. Turner said the Girl Scouts have set up and sold cookies in the parking lot and he said it is a very safe site. He said additional lighting and security cameras will be installed along the side and rear perimeter of the building. He said the current tenant, Quality Staffing, has purchased its own building so they will be moving and there is a lot of conference and training space in the current floor plan.

Mr. McClellan said many people have the initial response of that they don't want to locate in that area. He said he had another client who was nervous about the location but she found a great space in the building and she is very satisfied with the location and property. He said the space has great access and parking and Mr. Turner is a receptive landlord.

Mr. Hall asked why the Board of Elections is moving. Mr. Strausburg said there are a number of reasons such as the amount of space is inadequate and there is no climate controlled storage for the voting machines. He also feels that at some time Salisbury University will purchase the building which Elections currently occupies. Mr. Konrad said a temporary space will be needed to store the election machines as it has to be temperature controlled. They will temporarily store the machines in space adjacent to

the new location and when renovations are complete they will move into the permanent office.

Mr. Culver asked the Board members and staff if they had anything to say. A staff member asked if it was such a great location she would like to know why that information was not given to the Board of Elections. She said the security issue is very concerning. She said the Board is in charge by Maryland law to keep the machines safe and feel they should have seen the RFP's and the letters from the tenured tenants. Mr. Culver asked if this could be a perception problem to which she agreed. Mr. Culver feels if they visit the location the issue may be resolved. The staff member said the type of crime is different on Bateman Street than the ES Adkins property. Mr. Matt Holloway said there seems to be a communication issue between the Director and the Board. The employee said that she would not want to work in a windowless warehouse to which Mr. Konrad said that while each office doesn't have a window, there are windows, as it is Class A office space. Mrs. Sample-Hughes said she is concerned that the Director is not in attendance and said she is a Director at her facility and would hate to see her board speak without her input. She would like to hear from Mr. Gutierrez and said there is a state mandate to increase his salary and feels the Council needs to hear from Mr. Gutierrez. Mrs. Sample-Hughes said this should be a collective effort. Mr. Culver said the perception bothers him however he does see from the figures that this is the best location. Mr. Culver asked the Board if they preferred another site to which Mr. Willing said the only ones they saw were not suitable.

Mr. Strausburg said the Board members were at the pre-bid meeting and looked at the specifications. He said the best reward was made. He said they have spent a lot of time with Mr. Gutierrez and he also said there is a communication problem between the Board and the Director.

Mrs. Morris said there are a few departments which are quasi-county, such as Elections, and the Director attends the county department head meetings to receive information. She said the assignment was given to the Purchasing Director and Mr. Gutierrez was told to work with Purchasing. She said Mr. Gutierrez brought in a typed proposal for space which was not something the county could afford so they asked him to come back with a more reasonable proposal. Mrs. Morris said the Board is Mr. Gutierrez's overseer. Mr. Konrad was told to work with Mr. Gutierrez and not the Board of Elections. Mrs. Morris said that Mr. Gutierrez said he was fine with the site, however, they requested additional lighting, 8 reserved parking spaces and security cameras, all of which was addressed. She said the Board wanted a building similar to the State's Attorney's office which Mr. Gutierrez was informed the county could not afford.

Mr. Matt Holloway asked where it is written how the County is obligated to the Board of Elections to which Mrs. Morris said the law is based on COMAR that the Board of Elections to provide space for them to carry out an election and to secure the machines.

Mr. Joe Holloway said the site has a great landlord, security and lighting but he said the people who will be employed there don't want to be there. He asked why they didn't allow the board to go into the building and look at the property. Mr. Strausburg said they

can't go out to bid and then propose subjective criteria on a bid process. He said there are people that work in the Government Office Building who don't like being there. Mr. Strausburg said the county followed procedure. He said if the Board of Elections loses the space they are in now the county won't be held responsible that they don't have a space. Mr. Joe Holloway said he does not see why the Council has to go through this meeting when the board could have been invited to the property to look at the location. Mr. Turner said there are not any tenants that have left the property because of crime or safety.

Mr. Joe Holloway said he is not questioning the safety of the property but the way it was handled. He said that every time there is property to purchase there is always a problem. He said he thinks the Executive's office should have been in closer contact or have a better understanding between the Board of Elections and the Director. Mrs. Sample-Hughes and Mr. Matt Holloway agree that the Director of Elections should be in attendance at the next meeting. Mr. Hall said that Mr. Gutierrez needs to show the Board of Elections the property. Mrs. Sample-Hughes asked that the Board look at the property before the public hearing.

Mrs. Morris said it is not the Director's job to decide on the property and it is Mr. Strausburg's job. She said the primary election is coming up quickly and the county needs to move quickly.

Mr. Konrad said the end of the lease is September 1, 2014 for the current property.

Open Work Session Adjourned.