

Open Work Session
Budget Session with Board of Elections
May 21, 2019

Mr. Anthony Gutierrez, Director of the Board of Elections, came before Council. Mr. Cannon said Council saw some additional expenses with the Board of Elections, and thought it would be best to talk to him one on one to see how those costs were justified, and what his reasons are. Mr. Gutierrez said Mrs. Hurley's email alerted him to that question, so he went back and looked from FY16 forward. He said, in their FY20 requests, they identified six items affected by their new facility, but he wants to definitely say they are so grateful to the taxpayers of Wicomico County for allowing them this larger, more comfortable, and more secure facility to conduct Wicomico Elections, and they are very grateful for that.

Mr. Gutierrez said three other line items are affected by anticipated changes in polling places. He said they are hoping to go back to Parkside High School with the 2020 elections, as it was unavailable before due to construction, and now Delmar Elementary probably will not be available for the primary, but, hopefully, for the general. He said, when they make those kinds of changes, election law requires them to send out notices to the voters so they get the most up to date, clear information on where they are supposed to go to vote, so three of those line items are affected by production and postage regarding those official notices. He said, finally, another item that affects this particular fiscal year is that they are actually conducting two elections in FY20. He explained, due to the State election calendar, they are on one election per fiscal year, but because of the City of Salisbury 2019 municipal election, and their Board members passing the agreement to once again conduct that election for them, they will be conducting that in November 2019 within this fiscal year, so they need to have those funds in their Department budget. He said they will expend them, but after the November election they will send the City an invoice. He said they keep logs of how much time the staff expends, and how many supplies they use, and they send the invoice to the City, but it takes a little lag time for them to process that and pay the County a check. He said that check normally goes to the general fund, so the County recoups all of those expenses, but, since they are preparing for the April presidential primary concurrently with the City election this year, they do not want to run out of their own funds for the April election. He said, again, the way they have done it in the past, and the way they are proposing to do it again, is they need those funds in their Department budget. He said the projected amount for the City election is \$50,000, but a lot of that is paid directly from the City to vendors, but, for the County's portion expended, they will invoice them, the City will pay that invoice, and then it will come back to the County in the general fund.

Mr. McCain said he is still a little bit confused on this. He then asked if they will have special elections in 2020 with their School Board. He said he has heard mixed things as to whether they serve that term out to the end, or whether they have to get elected at the next election, which is the 2020 election. He said he has the same question regarding Mr. Kilmer's replacement. He again asked if they serve that term out, or do they have a special election in 2020, to which Mr. Gutierrez responded, he has not been contacted by the Board of Education regarding looking into the issue of the first part of Mr. McCain's question, but, on the second item, he spoke to the State Board Candidate Division Director, and he indicated that, once they get the official notice from the Council Attorney that there will be a vacant seat, the County will make a request to put that special election on the 2020 ballot. He said that means that, in District 2, for those County voters, they will not only have president, congress, and the two delegates to their national conventions, but they will have a fifth contest for County Council on both the democrat and republican ballot. He said this is a minimal addition to their work and their ballot production, but it will generate a few more ballot styles, and they certainly hope the turnout goes up in District 2 to reflect interest in that contest.

Mr. Cannon said they have a lot of office costs that increased exponentially. He then asked if that is due to the new building, to which Mr. Gutierrez responded, the items they identified with the new facility include now having two time clocks because the staff is spread out across the building, and they have another copier, which, again, increased the costs. He said they are on a new, more improved land line telephone system with more stations, so the cost went up on that contract. He said they will need to have additional data lines in place before November, so that installation is factored in. He said they now have more than double the square footage they had, so that certainly drove up their electricity costs. He said security services is a great thing. He explained, before, they were renting from a private landlord, and the County, rightly so, did not want to improve a building they would eventually turn over to a private landowner. He said now it is a County facility, and they can do a lot more physical security measures, which they have already done, and they have plans to do more in FY20. He said, in addition, that line item covers their network security. He said, with the 2018 elections and all these new cybersecurity threats, the State is now requiring local Board of Elections Offices to have that installed, so that is actually mandated by the State.

Mr. Cannon asked Mr. Gutierrez to explain the increase of their legal expenses in contingency, to which Mr. Gutierrez responded, their local Board recently passed a new contract with the Board Council, and they approved a higher rate. He said, in addition, reflecting on last year's elections, they have multiple day canvasses when they process the absentee and provisional ballots after an election. He said those used to take two and a half days, but now they are taking five days, or longer, and there are a lot more legal questions the Board attorney is having to answer. He said, as they saw with the Board of Education recount last year, which was actually a small scale, and not Countywide, there were considerable legal issues for their attorney to work on to resolve, so they wanted to add more money. He said, again, that is contingency, so, if they do not need it, they will not spend it, but they certainly wanted it there just in case. Mr. Cannon said the number went from \$3,000 to \$35,000, and he did not know if he had a real reason as to what that tenfold difference was for, to which Mr. Gutierrez responded, that is the anticipated increased amount of work the attorney is going to have to do. He said, again, they will not know until they get through this year what their actual will be, and they will certainly scale that back if necessary. Mr. Cannon thanked Mr. Gutierrez for coming in. There was no further discussion.

Signatures on next page

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John T. Cannon, President



Larry W. Dodd, Vice President, District 3

___absent___


Ernest F. Davis, District 1

Marc Kilmer, District 2


Josh Hastings, District 4



Joe Holloway, District 5



William R. McCain, At-Large



Laura Hurley, Council Administrator